

“VERONA CHARTER”

on the rescue of persons with disabilities in case of disasters

Declaration of the participants in the
Consensus Conference
held in Verona
on 8-9 November 2007

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INTRODUCTION

There has been a renewed interest in issues concerning persons with disabilities in the light of increased focus on topics such as safety, risk prevention and intervention in case of emergency. While in the past, persons with disabilities have played a marginal role in the planning and mitigation of disaster management, in more recent years, this section of the population has been recognised as a privileged target in first response to emergency interventions in case of natural disaster and wars. This revised approach has had implications at a number of levels, not least in terms of recognition for protection under legislation on safety and civil protection.

According to art.11 of the United Nations Convention on the Rights of the Persons with Disabilities, Member States have engaged themselves to take "...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".

In addition, the European Parliament in a resolution of 4 September 2007 on natural disasters in art.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".

Furthermore, one of the operational objections of the EU Disability Action Plan foresees the mainstreaming of disability issues in relevant Community policies, among which civil protection, In this context, the European Commission has co-financed in 2005 and 2006 two projects under the Community Action Programme for Civil Protection for enhancing preparedness for specific vulnerable groups in case of emergency, as follows "Rescuing Injured Disabled persons in case of Disasters – Civil Protection's Challenge in the Challenge" (Grant Agreement 07.030601/2005/423643/SUB/A5) and "Flooding: Rapid Response & Simulation Schemes for safety of Disabled" (Grant Agreement 07.030601/2006/448102/SUB/A3).

Persons with disabilities run a much higher risk in the event of natural and manmade disasters than persons without disabilities. There is a need for ensuring better understanding of the needs of persons with disabilities and all the various forms of disabilities in situations of risk. In addition, there is a need for enhanced preparedness for intervention ensuring full consideration of the specific needs of person with disabilities. This implies the need for securing funding to ensure that those aspects are fully integrated in the planning and implementation of any intervention.

The need to protect persons with disabilities implies a new vision of the cultural framework of emergency management where the respect of human rights is the basis of any intervention strategy. In the future, relevant local, national and international institutions will increasingly modify

their approach according to this principle. In particular, the European Community and the Member States will be called upon to elaborate new strategies, policies and interventions that take into account the evolving European and International normative frame and documents.

Increased knowledge on this subject will lead to new technical expertise and more developed project design capacities which will contribute to a more appropriate definition of the needs and rights of persons with disabilities.

The Verona Charter intends to be a milestone in this whole process and a concrete contribution to the impact of the United Nation Convention on the Right of Persons with Disabilities. It is understood that the Charter is not intended to lay down new rights with legal value. Rather the aim of the Charter is to link existing fundamental liberties and civil protection together and render them more visible to citizens and institutions.

PREAMBLE

The participants in the Consensus Conference on 'The Verona Charter on the Rescue of Persons with Disabilities in case of Disasters',

- Recalling the principles proclaimed in the Charter of the United Nations, in the UN Convention on the rights of Persons with Disabilities, in the Universal Declaration of Human Rights, in the International Covenant on Economic, Social and Cultural Rights (ICESCR), in the Vienna Declaration and programme for action (1993), in the International Covenant on Civil Protection and Political Rights (ICCPR), in the International Convention on the Elimination of All Forms of Racial Discrimination, in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in the Convention on the Rights of the Child (CRC), in the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, in the Revisited European Social Charter, in art. 3 and art. 13 of the EC Treaty, in the European Charter of fundamental rights with particular attention to art. 21 and 26, in the European Parliament resolution of 4 September 2007, in the EU Disability Action Plan, in the International Convention on the elimination of all forms of racial discrimination (CERD) and in the Recommendation (Rec (2006)5) of the Committee of Ministers to member states on the Council of Europe Action Plan to promote the rights and full participation of people with disabilities in society;
- with a view to ensuring to persons with disabilities, irrespective of age and sex and the nature and origin of their disabilities, the protection of human and fundamental rights and the effective exercise of the right to independence, social inclusion and full participation in the life of the community;
- 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;
- referring to art. 11 of the UN Convention on the rights of persons with disabilities, that engage States Parties to "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";

- taking into account that the United Nations Convention moves from a medical model of disability to a Human rights model whereby intervention in the case of disaster needs to consider the basic role of persons with disabilities and their organisations in the identification of specific needs and the planning of effective interventions;
- recognizing that persons with disabilities in situation of risk are involved in stressful experiences and that a number of people become disabled as a consequence of disaster and therefore psychological support is strongly recommended;
- referring to the European Action Plan, reaffirming that the needs of persons with disabilities have to be taken into account in the design of all policies and measures, and that action for disadvantaged people is not limited to those policies and measures which are specifically addressing their needs (European Commission, COM (2003) 650 final, 30.10.2003);
- referring to the Communication from the European Commission on the situation of persons with disabilities, reaffirming that the EU strategy is built on three pillars: (1) EU anti-discrimination legislation and measures, which provide access to individual rights; (2) eliminating barriers in the environment that prevent disabled people from exercising their abilities, and (3) mainstreaming disability issues in the broad range of Community policies which facilitate the active inclusion of people with disabilities (European Commission, COM/2005/604);
- considering that 650 million of persons in the world have some form of disability (UN 2006);
- taking into account that the condition of disability can affect all human beings in their lifetime and that frequently in situations of armed conflict, humanitarian emergencies and the occurrence of natural and/or man-made disasters a significant number of population can become disabled;
- strongly reaffirming the principle of non discrimination on any grounds including gender;
- recognizing the importance of paying special attention to the most vulnerable groups among persons with disabilities, such as women, children and the elderly and people who can not represent themselves, and people with complex dependency needs;
- recognizing the heterogeneous nature of persons with disabilities (sensorial, intellectual, mental and physical disability), that is part of human diversity and requires appropriate measures to meet their specific needs and to be fully included in society;

- recognizing that natural disasters are occurring with increased frequency thus increasing the risks for persons with disability;
- referring to the definition of 'Disability' in the UN Convention on the Rights of Persons with Disabilities which highlights how disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others;
- recognising that persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others (Art 1 UN Convention);
- in line with the International Classification of Functioning Disability and Health (ICF), where disability is defined as "the outcome or result of a complex relationship between an individual's health condition and personal factors, and of the external factors that represent the circumstances in which the individual lives";
- recalling that "Discrimination on the basis of disability" means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation;
- recalling that "Universal Design" means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. "Universal design" shall not exclude assistive devices for particular groups of persons with disabilities where this is needed;
- bearing in mind that "Community Based Rehabilitation" is a strategy within general community development for the rehabilitation, equalization of opportunities and social inclusion of all people with disabilities; CBR is implemented through the combined efforts of people with disabilities themselves, their families, organisations and communities, and the relevant governmental and non-governmental health, education, vocational, social and other services;
- convinced that the term disability denotes a multidimensional phenomenon and needs systemic action to remove exclusion;

- reaffirming art. 19 of the European Parliament resolution of 4 September 2007, that 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;
- in line with the UN-ISDR definition of 'disaster' defined as follow: "A disaster is a function of the risk process. It results from the combination of hazards, condition of vulnerability and insufficient capacity or measures to reduce the potential negative consequences of risk" and in line with the provisions of the EU civil protection financial instrument where emergency means "any situation which has or may have an adverse impact on people, the environment or property";
- taking into account the documents produced at international level on disability and situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters;

Have agreed as follows:

Art. 1 Scope of the Charter

The aim of this charter is to lay down the foundations for articulating a common universal vision for all relevant aspects of the activities needed to ensure the protection and safety of persons with disabilities in situations of risk such as armed conflict, humanitarian emergencies and the occurrence of natural and/or man-made disasters.

Art. 2 Principles

The measures to ensure the protection and safety of persons with disabilities in situations of risk should be based on the principle of non discrimination and equal opportunities and on the principles of art 3 of the UN convention on the rights of persons with disabilities.

Art. 3 Role of the persons with disabilities

Persons with disabilities and their organisations need to be actively involved in decision-making processes concerning situations of humanitarian emergencies and the occurrence of natural and man made disasters and in all the related emergency management activities. This involvement should be fostered by the development of inclusive policies at all levels starting from organisations of persons with disabilities and families, communities up to national and international organisations/bodies. The basic needs of persons with disabilities should be seen as equivalent to the general populations in a disaster situation. However, policy and practice should take into account that there may be different requirements in fulfilling their needs. Persons with disabilities and their organisations need to be aware of the management of all phases of the intervention in case of risk situations and empowered to be active actors.

Art. 4 Stakeholders and actors involved

Because the general lack of disability awareness, persons with disabilities and their organisations are a key source of knowledge and expertise on their specific needs and more generally on vulnerability situations. The safety of persons with disabilities in situations of humanitarian emergencies and the occurrence of natural and man made disasters is the responsibility of organisations of persons with disabilities, single individuals, public institutions at all levels, business and civil society, social partners, non governmental organisations, educational institutions, health authorities and civil protection organisations.

Art. 5 Governmental responsibility & Liabilities

It is the responsibility of governments at all levels to take all the measures necessary to ensure the appropriate level of protection and safety of persons with disabilities in situations of risk and to ensure that all emergency services required by persons with disabilities are provided and to avoid any discrimination based on disability.

Art. 6 Multidiscrimination and more vulnerable groups

In situations of risk, particular attention must be paid to persons with disabilities at risk of multidiscrimination, such as women, children and elderly people. In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration.

In any case it is necessary to take measures to protect more vulnerable groups of persons with disabilities, considering all logistic condition and cultural frameworks.

Diversity among persons with disabilities should be acknowledged and needs to be accommodated in planning, mitigation and recovery strategies in order to ensure that multiple discriminations do not take place.

Art. 7 Community based approach

Community involvement and participation in planning and acting emergency planning measures is a fundamental element in disaster response and mitigation.

The establishment of local communities networks have to be encouraged and empowered also when it comes to addressing the needs of persons with disabilities in situations of humanitarian emergencies and the occurrence of natural and man made disasters. (i.e. social networks and neighbourhood network).

Art. 8 Ensuring the appropriate level of protection

The development, promulgation and monitoring of the implementation of guidelines of intervention for the safety of persons with disabilities in situations of humanitarian emergencies and the occurrence of natural and man made disasters, should be pursued to obtain the appropriate level of protection, respecting different contexts and cultures.

Of paramount importance is to conduct research and adopt an evidence based approach that, through a continuous process of monitoring, evaluating and exchanging and sharing of

experiences, shall bring to the adoption of shared good practices. The concept and identification of good practices are tightly linked with social, economical and technological changes.

Art. 9 Adoption of measures

The adoption of measures towards the most appropriate level of protection in the field of rescuing persons with disabilities in situations of risk considering also those situation that can create disability or vulnerability should be promoted. Effective and efficient good-practice sharing systems should be promoted. The success of this process lays in an approach that keeps in high consideration the substantial differences in the economical, social, cultural and environmental situations of different States.

Art. 10 Norms & Legislations

Norms and quality standards should be developed in order to deal with all aspects of the rescue of persons with disabilities in situations of risk including appropriate measures, and ensuring equal access to prevention mitigation, relief and reconstruction.

Art. 11 Techniques & Technology development

The potential of new technologies should be fully implemented and used to empower persons with disabilities and to ensure equal opportunity and treatment also in emergency situations.

Information and communication technologies, mobility aids, devices and assistive technologies, rescue techniques and equipment, early warning and rapid response systems should all meet the specific needs of persons with disabilities also after the occurrence of a humanitarian emergency or the occurrence of a natural and/or man-made disasters when, besides a physical harm, also an altered psychological state has to be met.

The diffusion of new technologies and techniques should respect the concept of appropriate techniques and therefore not be threatened by problems of costs, availability, difficulties in their use.

Art. 12 Information to the public, raising awareness and the role of arts and cultures

a. The Governments and all stakeholders are urged to adopt all the effective and appropriate measures to raise awareness throughout society, including school and family, regarding the safety of persons with disabilities in situations of risk.

b. Every individual has the right to be provided with information regarding available services, facilities, materials, infrastructures, technology and appliance norms and injunction to use them, adoptable rules of conduct and every other type of information, such as commonly recognized emergency numbers, considered useful for decreasing the risk of physical and mental harm and, eventually, for receiving proper cures and treatments.

c. Information should be correct and easily understandable, accessible by all and appropriate to meet the different needs of persons with disabilities considering the different kind of disabilities. Information should also be positive, encouraging, helpful and financially affordable by everybody. The effectiveness of information should be monitored through identifiable and measurable indicators.

All sectors mentioned in art. 4 have the responsibility to contribute to having well-informed and safety-oriented citizens, members, employers or readers. The responsibility for information does not lie solely within one sector.

Raising awareness on the issue of the safety of persons with disabilities in situations of humanitarian emergencies and the occurrence of natural and man made disasters among stakeholders and the entire community should be considered a priority because only through a growing consensus, can all the activities listed in the present document be carried out successfully. Special consideration should be assigned to the role of arts and culture which, thanks to their universal language, can reach the wider community.

Art. 13 Capacity building including Training

All systems involved in situations of risk management and rescue processes should be properly capacitated. This process should include strengthening of infrastructures, providing adequate equipment, defining effective protocols and reinforcing organisation.

All actors involved in situations of risk management and rescue processes should be sensitized, informed, trained (including practical exercises and cross-training) and motivated in order to fulfil their responsibilities also when it comes to addressing the needs of persons with disabilities in situations of armed conflict, humanitarian emergencies and the occurrence of natural and/or man-made disasters.

Persons with disabilities should be put at the forefront in the setting up of this process in a frame that looks at empowering and fostering people's own capacities, and be involved in the planning,

monitoring and evaluation of the process itself. They should also be considered both as trainers and trainees.

Art. 14 Dissemination & Exchange of experiences

It is important to promote a constant, permanent and regular collaboration and partnership among stakeholders at local, national and international level. Collection of protocols, technologies, techniques, scientific documents, reports on any action undertaken to improve the safety of persons with disabilities in situations of risk, such as public awareness campaigns, mitigation activities, disaster preparedness schemes and simulation schemes should be supported. Wide dissemination of the outcome of such processes is deemed in this regard necessary. Information is of little value without dissemination.

Art. 15 International Alliance & Networking

In order to ensure an effective exchange of experiences and knowledge of good practice, stable international networks are needed. International benchmarking is also desired. International networks will be more effective if based on consolidated regional and national networks in each State.

Competent institutions should promote research activities, expert advice, advocacy and information dissemination which are of paramount importance in increasing a correct understanding of the matter at all levels.

Art. 16 Emergency in humanitarian Aid contexts

As the largest number of persons with disabilities lives in developing countries where humanitarian emergencies and the occurrence of natural disasters are more likely to happen and the available resources are more limited, the international community should strengthen coordination and cooperation procedures in line with art 32 of the Convention on the rights of persons with disabilities.

Art. 17 Accessibility

The built environment based on the Universal design approach means enforcing the conditions to favour the best intervention for persons with disabilities in situation of risk.

Appropriate measures should be taken to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communication, including information and communication technologies and systems, and to other facilities and

services activated or provided, such as a common emergency number, in situations of risk in accordance with the principles of Universal Design.

Art. 18 Information and Registration systems: Statistics & Data

Reliable, comprehensive and regular surveillance and monitoring systems should be established as they are crucial for quantifying the problems, identifying risk factors and monitoring and assessing the effectiveness of interventions on the basis of standardized and measurable indicators.

It is important to develop scientific methodology to compare different approaches across different States and across time. Governments at all levels are called upon to give their support to the development of these methodologies.

Art. 19 Armed conflict and foreign occupation

Taking into consideration that armed conflicts and foreign occupation are extraordinary situations of risk for persons with disabilities, the contents of this Charter is indispensable for the full protection of persons with disabilities caught in such situations. In particular during foreign occupation the occupational force should be held responsible for taking care of persons with disabilities.

Art. 20 Funding

There is a need to guarantee sufficient funding for research and development, training and exercises and implementation of rescuing schemes of persons with disabilities. There is also the need for funding to implement the measures and norms included in this Charter.

Dissemination of the Charter

The participants of the consensus conference entrust Ulss20 Verona to submit the Verona Charter to the major national and international stakeholders for consideration. The Charter is submitted for consideration by civil society, regional, national, European and International Institutions and everyone who is able to contribute to the rescue of persons with disabilities in case of disaster. Ulss20 Verona will report on the progress to the participants on the yearly occasion of the European Day of Disabled People of 3 December.

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Verona Charter on the rescue of persons with disabilities in case of disasters

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