

Vienna, July 2015

Independent Monitoring Committee for the Implementation of the
UN Convention on the Rights of Persons with Disabilities
(Section 13 Austrian Federal Disability Act)

Statement

In response to a request by the Office of the High Commissioner for Human Rights, 26 May 2015, based on Human Rights Council Resolution 28/4 – “...to prepare its annual study on the rights of persons with disabilities on article 11 of the Convention”

Introduction: The Monitoring Committee

Austria ratified the Convention on the Rights of Persons with Disabilities (CRPD) in 2008. The Independent Monitoring Committee was established pursuant to Section 13 Austrian Federal Disability Act (Bundesbehindertengesetz) (Federal Law Gazette No. 283/1993 as amended by the Federal Law Gazette I No. 109/2008), in line with Article 33 Para 2 CRPD and was constituted in December 2008.

The Monitoring Committee, entrusted with monitoring the protection and promotion of the Convention on the Rights of Persons with Disabilities (CRPD) in Austria, is grateful for the opportunity to contribute to this study.

Persons with disabilities in Austrian disaster protection systems

Information by the Austrian government on the inclusion of persons with disabilities in disaster management and emergencies is scarce.

In its report to the UN Committee on the Rights of Persons with Disabilities on the occasion of Austria's first CRPD state dialogue the Monitoring Committee stated: “A typical example is the information provided on disaster management: ‘...according to the Federal Ministry of the Interior, Austria has a countrywide civil protection system and one of the most densely woven public supply networks.’¹ Fortunately, disaster management in Austria is really well developed, but no information whatsoever is provided on accessibility – in physical or communicative terms. As an inquiry with the competent bodies shows very clearly, there is only little awareness of the different dimensions of accessibility and the shortcomings in implementing accessibility.”²

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http://www.sozialministerium.at/cms/site/attachments/2/5/8/CH2218/CMS1314697554749/1_staatenbericht_crpd_englische_endfassung.pdf, p. 19

² http://monitoringausschuss.at/download/berichte/MA_Report_to_UN_Committee.pdf, p. 7

There are no specific regulations for the support and information of persons with disabilities in situations of risk. Consequently, persons with disabilities are likely to have no access to information or to receive adequate help in dangerous circumstances. Existing alarm systems and emergency call services are not fully equipped to meet the communication needs of deaf persons.³ Although a specific emergency call service for deaf people has been established, DPOs criticise that the service is not available 24 hours a day.

A recent study which screened emergency plans of several European countries, including Austria, offers similar findings of “[...] a ‘blind spot’ in the rich European Countries about the shortcomings of their emergency and health systems with regard to vulnerable groups.”⁴

The UN Committee on the Rights of Persons with Disabilities took up these shortcomings as it expressed its concern about the lack of information given by Austria on support to persons with disabilities in disaster and emergency situations. In its specific recommendation on article 11 *“The Committee urges the State party to provide information in its next periodic report on specific measures taken to ensure its preparedness to provide persons with disabilities with the necessary support in the event of a disaster [...]”*⁵

So far, the Monitoring Committee could not notice any improvements in this regard indicating intentions to follow up this recommendation.⁶

Persons with Disabilities in Austria’s international disaster relief

Similar to the national level disaster prevention and disaster management plans, persons with disabilities are not explicitly included in international disaster relief efforts of Austria. Lack of awareness on accessibility requirements and necessary precautions and arrangements to accommodate the needs of persons with disabilities show that inclusion is not a priority in Austrian international disaster relief. Rather, the assumption prevails that any disaster response will automatically reach vulnerable groups such as persons with disabilities.

Although references to disability are made in the guidelines of the Austrian Development Agency on International Humanitarian Aid from 2007⁷, no specific measures are taken to ensure inclusion of and support to persons with disabilities in emergency situations. The fragmentation of responsibility for international disaster management and humanitarian aid among several actors further aggravates the problem and hampers the development of a coherent, inclusive and accessible approach.

³ cf. Alternative Report on the Implementation of the CRPD, 2013, p.16f http://oear.or.at/ihr-recht/un-behindertenrechtskonvention/zivilgesellschaftsbericht/1-osterreichischer-zivilgesellschaftsbericht/Austria_CRPD_AlternativeReport_final_1.doc

⁴ UIBK, Austrian Red Cross, 2014: Enhancing disaster management preparedness for the older population in the EU (PrePAGE) Desk Research Report, p. 16 <http://prepage.eu/wp-content/uploads/2015/01/PrePAGE-Desk-Research-Report.pdf>

⁵ Concluding observations of the UN-Committee on the Rights of Persons with Disabilities on the initial report of Austria, 30 September 2013

⁶ The Concluding Observations were presented in September 2013.

⁷ http://www.entwicklung.at/uploads/media/PD_humanitarian_02.pdf, p. 3, 17