

## CHILE

### Miscellaneous Statements

CRPD, A/66/55 (2011)

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### Chapter II. Organizational and Other Matters

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### J. Statements of the Committee

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34. In April 2010, the Committee adopted a statement on the earthquake and tsunami in Chile and persons with disability and a statement on the earthquake in Qinghai, China. The statements are contained in annexes XII and XIII to the present report.

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### Annex XII

#### **Statement of the Committee on the Rights of Persons with Disabilities on the earthquake and tsunami in Chile and persons with disability**

6 April 2010

The Committee on the Rights of Persons with Disability (hereinafter “the Committee”):

With regard to the earthquake and tsunami in Chile of 27 February 2010, and its subsequent aftershocks, which have caused a grave situation for the residents of devastated areas in the country, in terms of the fulfilment of basic needs, including water, food, health care, housing, etc.;

Noting that Chile is a State party to the Convention on the Rights of Persons with Disabilities and its Optional Protocol;

Given that 12.9 per cent of the Chilean population has disabilities, in other words, 2,068,072 persons according to the National Disability Study (ENDISC) 2004;

Noting article 11 of the Convention, which refers to situations of risk and humanitarian emergencies, provides the obligations of States parties “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”;

Noting the aforementioned emergency, persons with disabilities may experience risks in the full enjoyment of their human rights, experiencing difficulties in their movement to safer areas, loss of technical assistance necessary for autonomy, including seeing-eye dogs, complications with access to medication and treatment, in general, deprivation of various aspects of accessibility in its widest sense, including accessibility to information and communications, inter alia in accordance with article 9 of the Convention;

Emphasizing that the President of the General Assembly has appealed to the international community to deploy “all possible efforts to urgently attend to Chile after the disaster”;

The Committee hereby:

1. Offers its deepest condolences to Chile for the loss of human lives and material damage caused by the earthquake and tsunami of 27 February 2010;
2. Recognizes the support provided by different countries of the international community in the situation in Chile after the earthquake and tsunami. However, the Committee calls for increased support of cooperating States and to initiate these efforts by those not yet done so, with a special address to persons with disabilities, applying article 32 of the Convention on international cooperation;
3. Makes an urgent appeal to the specialized agencies within and outside the United Nations system and other relevant bodies, to adopt strategic programmes and action plans towards persons with disabilities, in Chile, in this emergency situation with special attention to women, girls, children and the elderly with disabilities and who require more intensive support provided by their particular vulnerability. For this purpose, it must locate persons with disabilities, ensuring their safety and facilitating their access to the various allowances provided during the emergency and in transit to the normalization of their lives;
4. Declares that the delivery of humanitarian aid should consider the urgent needs of persons with disabilities and should highlight the importance of installing and/or resumption of procedures for their habilitation and rehabilitation, including post-traumatic stress care, as well as providing technical assistance and medicine that they mean need;
5. Declares that, in this particular humanitarian emergency, it calls on the authorities of Chile to give priority attention to the supervision and safeguarding the rights of persons with disabilities living in the country;
6. Deems it necessary to provide special support to persons with disabilities to rebuild their homes, whether in urban or rural areas, as well as those sites that host associations of persons with

disabilities and centres that serve them, which have been destroyed or damaged. This support must include the provision of personal furniture and goods for daily use in these homes, shelters, branches and centres;

7. Urges that, during the reconstruction of these homes that were partially damaged or totally destroyed by the earthquake and tsunami, persons with disability are provided with dignified and accessible living spaces and of daily use according to their needs. During this time, it must be made sure that persons with disability come together with their families;

8. Calls for the reconstruction plans in areas affected by the earthquake and tsunami in Chile, in coordination with contributions from the international community, considered as a priority the different aspects of accessibility to physical space, to information, communications, transportation, products and services for use by persons with various disabilities;

9. Deems appropriate that the contributions made by the United Nations for purposes of reconstruction, specify, as per the statement by the Secretary-General dated 6 March 2010, the importance of meeting the needs of persons with disabilities in humanitarian emergency;

10. Recognizes the efforts of the State of Chile to attend to the emergency, but recommends that the adoption of measures of various kinds needs to take into account the particular needs of persons with different forms of disabilities in warning procedures, evacuation and information and communications. In the latter case, messages sent to the public by television shall be given priority sign language and captioning, timely information for deaf persons, in accordance with the requirements in article 21 of the Convention. Such measures are essential to addressing similar situations of emergency that may arise in future.

The Committee calls on the Office of the United Nations High Commissioner for Human Rights to ensure that this declaration is disseminated as widely as possible in the official languages of the United Nations and in accessible formats.