Persons with disabilities on the move

Recommendations for inclusion of the rights of persons with disabilities in the Global Compact on Refugees and the Global Compact for Migration

On September 19, 2016 the United Nations General Assembly unanimously adopted the New York Declaration for Refugees and Migrants, a landmark political declaration that is directed at improving the way in which the international community responds to large movements of refugees and migrants, as well as to protracted displacement situations. People with disabilities should be at the core of the response.

New York Declaration

23. We recognize and will address, in accordance with our obligations under international law, the special needs of all people in vulnerable situations who are travelling within large movements of refugees and migrants, including women at risk, children, especially those who are unaccompanied or separated from their families, members of ethnic and religious minorities, victims of violence, older persons, persons with disabilities, persons who are discriminated against on any basis, indigenous peoples, victims of human trafficking, and victims of exploitation and abuse in the context of the smuggling of migrants.

International partners and UN agencies are also increasingly searching for ways to ensure a rights-based approach to the needs of refugees and migrants with disabilities, and the processes toward a Global Compact on Refugees and a Global Compact on Migration are an important opportunity.

This event at the 10th Conference of States Parties in New York draws on the legal framework for protecting, promoting and ensuring the rights of all persons with disabilities, and the existing best practices in protecting the rights of persons with disabilities on the move, as refugees or migrants.

A Global Compact which fully includes the rights of persons with disabilities will be more effective and respectful of the existing international human rights obligations such as the United Nations Convention on the Rights of Persons with Disabilities with 173 States Parties.

It is recommended that both Global Compacts for Refugees and for Migration take the following into consideration:

Human rights: All intervention should be based on the general principles and obligations as stipulated in the UN Convention on the Rights of Persons with Disabilities (articles 3 and 4 CRPD). Staff should be trained in the human rights based approach to disabilities and all measures should be taken to ensure that the response to large movements of refugees and migrants does not perpetuate exclusion and segregation of persons with disabilities. Guidelines and capacity
Data: All data should be disaggregated at least by age, sex and disability; disability disaggregation can be done using the Washington Group short set of questions. This will ensure that women, men, children and older person with disabilities are identified in a timely way and will pave the way for more adequate planning and monitoring of services and support.

Durable solutions: ensure that persons with disabilities have equal access to durable solutions (including resettlement, voluntary repatriation, local solutions and alternate pathways), including by ensuring that they have access to information about options, and have opportunities to express their solutions wishes. Promote expansion of complementary pathways for admission, in addition to resettlement (eg, labour mobility schemes, family reunification, education) and to ensure access to these pathways for people with disabilities’

Participation: It is important to ensure persons with disabilities within the refugee and migrant populations, and the host community participate meaningfully in planning and decision making processes and are considered as a resource. Organisations of persons with disabilities are well placed to provide knowledge on the local context, available services and barriers, and how to overcome them. They should be supported to play this role. Persons with disabilities know best what their needs are and should be central to decision- making and provide feedback on relevant programmes. Inclusive participation will need to be accessible, using language and forms of communication, which are adapted, and it should take place in accessible reachable venues.

Self-reliance: Ensure that refugees with disabilities have equal access to opportunities to enhance self-reliance, including through access to information, and introduction of measures to ensure non- discrimination.

Access to mainstream services: Measures need to be taken to ensure persons with disabilities have access to mainstream services and support in the host community. They should be actively included in services of shelter and housing, food distribution, poverty reduction and income generation (including employment), mainstream education, protection against discrimination and legal advice. If they are not present- they are being excluded. Accessibility of the infrastructure, transport, information and communication means is essential, as well as skills and attitudes of humanitarian workers

National disability policy frameworks: They should directly include refugees with disabilities

Disability related support: Persons with disabilities may require additional support to overcome barriers in their environment. This should be identified for each person in consultation with the person. They may need assistive technology, or mobility devices, access to sign language interpretation, or personal assistance.

Multiple and intersectional discrimination: Ensure specific attention to the most marginalised persons with disabilities. Children women, people with intellectual
disability, people with mental health issues or psychosocial disabilities, with complex disabilities are more likely to be exposed to violence and are most at risk. Responses should be inclusive to their multiple identities and needs.

**Invest locally:** Invest in local systems, local services, local government, and in local organisations of persons with disabilities. Investments in mainstream services, and in the domestic disability movement will have longstanding impact in ensuring the rights of persons with disabilities on the move, as well as the local community.