



## EDF input to the European Commission's Pact on Migration and Asylum

### About the European Disability Forum

The European Disability Forum (EDF) is an independent umbrella organisation of persons with disabilities that defends the interests of more than 100 million Europeans with disabilities. EDF is a unique platform which brings together representative organisations of persons with disabilities from across Europe, run by persons with disabilities and their families. EDF is a member of the Social Platform and Human Rights and Democracy Network and works closely to the European institutions, the Council of Europe and the United Nations.

We started [our advocacy work on refugees with disabilities](#) in 2015, in cooperation with our members and organisations such as Human Rights Watch, the European Economic and Social Committee, and the United Nations High Commissioner for Refugees.

We brought the issue to the European Commission and the [European Parliament](#), advocating for all EU funding for refugees to also reach those with disabilities. During a [mission](#) in Greece with the EESC, we were able to evaluate the difficult situation of refugees with disabilities.

At the [Conference of State Parties](#) of the UN Convention on the Rights of Persons with Disabilities (CRPD), we [called](#) for the Global Compact on Refugees and the Global Compact on Migrants to include the voices of persons with disabilities.

We repeatedly called on the European Union (EU) and its Member States to take a human rights-based approach to conflict driven migration by ensuring we receive migrants with disabilities in dignified conditions. Our vision of Europe is one where human rights are upheld for all.<sup>1</sup>

The EU and every one of its member states are committed to the UN Convention on the Rights of Persons with Disabilities and this creates human rights obligations on the EU and its members in relation to refugees and migrants with disabilities.

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<sup>1</sup> EDF toolkit on refugees and migrants with disabilities, available at [http://www.edf-feph.org/sites/default/files/edf\\_toolkit\\_on\\_inclusion\\_of\\_refugees\\_with\\_disabilities\\_final\\_version.doc](http://www.edf-feph.org/sites/default/files/edf_toolkit_on_inclusion_of_refugees_with_disabilities_final_version.doc).



## Situation of refugees and asylum seekers with disabilities

- UNHCR [reports](#) that refugees are at heightened risk as the COVID 19 virus spreads quickly in refugee camps, where people are living without access to sanitation, food and water supplies.
- The [International Rescue Committee reports](#) that in overcrowded refugee camps and detention centers, social distancing, washing your hands and isolation is nearly impossible and a public health disaster is real.
- Refugees and asylum seekers with disabilities face the same risks as other refugees, however compounded by many other issues: finding themselves at heightened risk of violence, including sexual and domestic abuse, discrimination, inaccessible facilities, inaccessible support services or disruption of these services being disproportionately more likely to put their lives at risk, risk of being confined to segregated, institutional settings, and in some cases pre-existing health conditions which leave them more at risk of developing serious illness or dying.
- EU legislation obliges member states to identify persons with disabilities in reception and detention centres, but there is a lack of formally defined procedures to identify and support persons with disabilities. Many are identified on an informal or ad hoc basis, or late in the procedure.
- Lack of data disaggregated by disability, gender and age means that it is not possible to correctly assess the situation.
- Lack of necessary support and assistance to persons with disabilities, in the reception centers, and during the asylum-seeking procedure.
- Especially women and children with disabilities at heightened risk of violence, including sexual and domestic abuse.
- As a state party to the UN Convention on the Rights of Persons with Disabilities (**CRPD**), both the EU and all its Member States are obliged to provide persons with disabilities, including refugees with disabilities with the same range and quality of support services, including health care as the ones available to persons without disabilities. This was [recommended](#) by the **UN Committee on the Rights of Persons with Disabilities** in 2015 to the EU.
- **Article 11 addresses the rights of persons with disabilities in situations of risk and humanitarian emergencies**, stating that: "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.”

## Our main recommendations for the new Pact on Migration and Asylum

- explicitly refer to the UN Convention on the Rights of Persons with Disabilities, its Article 11 on situations of risk and humanitarian emergencies, the Global Compacts on Refugees and Migration and follow up on the recommendation on refugees with disabilities received by the CRPD Committee;
- collect disaggregated data by disability, gender and age of refugees and asylum seekers;
- identify refugees and asylum seekers with disabilities, chronic illnesses and their families when arriving to the European Union as to properly plan and manage their reception and to guarantee they receive the necessary support and assistance in the reception centers and during the asylum-seeking procedure;
- ensure that all mainstream support services to refugees and asylum seekers are accessible and inclusive to persons with disabilities and their families;
- ensure that refugees and asylum seekers with disabilities and chronic illnesses have access to inclusive education, health care, decent living conditions, accessible housing and support to live in the community;
- ensure that refugees and migrants with disabilities have access to integration programmes, language and digital competency training and to the necessary technical equipment, as to be able to make decisions for their own lives;
- policies on family reunification need to be accessible and inclusive to the needs of persons with disabilities, as its high requirements and short deadlines do not take into account that persons with disabilities need more time to access services and complete the process;
- include the rights of persons with disabilities in every element of the EU's approach to refugees and asylum seekers, in your responses to COVID-19 and initiatives towards a new Pact on Migration and Asylum;



- Meaningfully involve and consult with persons with disabilities and their representative organisations in designing, implementing and evaluating the New Pact on Migration and Asylum and any related initiatives, including on COVID-19.

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