



DOC-BOARD 22-03-AOB

Resolution on Protection and safety of persons with disabilities in the war in Ukraine

**Adopted by the Board of the European Disability Forum
on March 11th 2022**

Document for adoption

Stressing that there are an estimated 2.7 million persons with disabilities registered in Ukraine

Considering that since February 24th 2022, Ukraine is under military attack by Russia and that this is resulting in huge and devastating destruction and loss of life

Considering that persons and children with disabilities as well as their families are at grave risk to their lives, their wellbeing and safety, particularly those living in segregated residential institutions. Considering that approximately 150 000 Ukrainians with disabilities to this day arrived in Poland alone, fleeing the war, a big number of them being children

Highlighting that persons with disabilities who have left their homes to seek refuge in neighbouring countries often face multiple barriers, namely:

- Lack of accessible services, including transport, emergency shelter, assistance programmes for adults and children, and facilities, including accessible housing and sanitation.
- Lack of access to medical care and medicine and basic assistive technologies (e.g. wheelchairs), and other disability-related services such as sign language interpretation.
- Lack of accessible information about rights (including basic human rights and those of persons with disabilities), and how to claim these rights.



- Lack of accessible housing, access to inclusive education and livelihoods.

Considering the actions deployed by the European Union and its Member States to provide humanitarian support in and outside of Ukraine, including €120 million in budget support to Ukraine, €1.2 billion euro in emergency loans and €85 million in humanitarian aid

Considering the proposition to prolong the implementation period for the money available to Member States under the 2014-2020 Home Affairs funds, which would release around €420 million in additional support

Considering that the European Union unanimously agreed to activate the [Temporary Protection Directive](#) that will give protection to Ukrainian nationals and people who have made Ukraine their home as well as their family members displaced by the conflict, including access to housing, social welfare assistance, medical support, education and work.

Bearing in mind that **the European Union as a regional organisation and all its Member States have ratified the United Nations Convention on the Rights of Persons with Disabilities** (CRPD), and therefore EU and Member States' institutions and policies are bound by the obligations enshrined in this Convention, in particular in **Article 11 on the rights of persons with disabilities in situations of risk and humanitarian emergencies**.

Bearing in mind the following legal and policy instruments and commitments:

- the [1949 Geneva Conventions and 1977 additional protocols](#) on international humanitarian law, including the Convention IV relative to the Protection of Civilian Persons in Time of War and Additional Protocol I relating to the Protection of Victims in International Armed Conflicts
- the [1951 Geneva Convention Relating to the Status of Refugees](#) which recognises the right to asylum for people fleeing persecution, violent conflict, serious human rights violations or serious harm in their home country.
- The other articles of the [UN Convention on the Rights of Persons with Disabilities](#), meaning articles 9 (accessibility), 10 (right to life), 14 (liberty and security), 15 (freedom of torture or cruel, inhuman or degrading treatment or punishment), 16 (freedom from

exploitation, violence and abuse), 18 (liberty of movement and nationality), 19 (living independently and being included in the community), 20 (personal mobility), 21 (freedom of expression and opinion, and access to information), 24 (education) and 25 (health) and 26 (habilitation and rehabilitation).

- [the UN Inter-Agency Standing Committee \(IASC\) Guidelines on Inclusion of Persons with Disabilities in Humanitarian Action](#) calling that all phases of humanitarian action are disability inclusive.
- The EU Pact on Migration and Asylum and [Common European Asylum System \(CEAS\)](#) with its common standards for a fair and efficient asylum procedure, the reception of asylum seekers, and on the recognition and content of the refugee status.
- [the Charter on Inclusion of Persons with Disabilities in Humanitarian Action](#) (2016).
- the [UN Security Council Resolution 2475](#) (2019) on protection of persons with disabilities in conflict.
- the EU Strategy for the Rights of Persons with Disabilities 2021-2030 in which the Commission committed to ensure support for persons with disabilities under the Asylum Migration and Integration Funds (AMIF) and synergies in the implementation of this Strategy with the Action Plan on Integration and Inclusion (2021-2027), and announced that the European Asylum Support Office (now the EU Agency for Asylum) would facilitate training for protection officers and interpreters dealing with asylum claims by vulnerable persons, including persons with disabilities.
- The [EC commitments](#) made at the Global Disability Summit 2022, with the Commission committed to take into account the specific needs of persons with disabilities to ensure their full participation in humanitarian action, including to support capacity building of its humanitarian partners on disability inclusion.

The Board of the European Disability Forum calls on the EU, EU Member States to:

- Participate in international actions to bring peace
- Ensure humanitarian help is provided to persons with disabilities and their families in Ukraine in cooperation with local organisations, including through the considerable

funding allocated by the European Union; humanitarian aids should benefit to people and children in their homes, shelters, hospitals (including psychiatric hospitals), prisons and residential institutions, and all of whom face severe risk to their lives

- Ensure the safe and swift passage to EU Member States of Ukrainian migrants and other persons fleeing from Ukraine irrespective of their nationality and ethnicity, with measures in place to include refugees with disabilities - accessible transport, procedures, accommodation and communication are essential
- Identify people needing medical support and provide them with appropriate healthcare, not only emergency medical assistance but also support for people with chronic conditions such as epilepsy, diabetes and heart disease
- Allocate new funding to address the consequences of the war, and ensure that such funding also address the specific needs of persons with disabilities
- Urgently allocate resources to Ukraine's neighbouring countries
- Ensure national plans to welcome people seeking safety from Ukraine also consider the specific situation of adults and children with disabilities, including accessible accommodation and the necessary disability-support services to facilitate their inclusion in the community
- Ensure that specific actions are taken to prevent, combat and sanction trafficking and sexual exploitation of persons leaving Ukraine, including those with disabilities, with a specific attention to women and girls with disabilities who face higher risk of violence and abuses
- Ensure, as a donor, that implementing partners in humanitarian activities also address the urgent needs of persons with disabilities in all their diversity by applying the Inter-Agency Standing Committee [\(IASC\) Guidelines on Inclusion of Persons with Disabilities in Humanitarian Action.](#)
- Work in cooperation with organisations representing persons with disabilities to develop and implement humanitarian assistance and to provide advice, support and assistance to persons with disabilities, paying specific attention to women and children with disabilities

- Ensure that persons with disabilities benefiting from the Temporary Protection Directive have adequate access of temporary protection and services allocated by the Directive, including additional support for disability related assistance and services

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References:

1. [UN Convention on the Rights of Persons with Disabilities](#)
2. [1951 Geneva Convention Relating to the Status of Refugees](#)
3. [1949 Geneva Conventions and additional protocols](#)
4. [The Global Refugee Compact](#)

[The UN Inter-Agency Standing Committee \(IASC\) Guidelines on Inclusion of Persons with Disabilities in Humanitarian Action](#)

[CEDAW Committee, General recommendation No. 38 on trafficking in women and girls in the context of global migration](#)

5. [The EU Charter on Fundamental Rights](#)
6. [EU Pact on Migration and Asylum and the Common European Asylum System \(CEAS\)](#), including the following instruments:
 - [Council Directive 2001/55/EC of 20 July 2001](#) on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof
 - [Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013](#) laying down standards for the reception of applicants for international protection [Regulation \(EU\) No 604/2013 of the European Parliament and of the Council of 26 June 2013](#) establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person



- [Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011](#) on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted

7. [EDF toolkit on the inclusion of refugees with disabilities in DPOs work \(2020\)](#)

EDF's webpage "[Protection and safety of persons with disabilities in Ukraine](#)"

European commission's commitments to the Global Disability Summit 2022 [Appeal from the National Assembly of People with Disabilities of Ukraine](#) (1st March 2022)