



# Refugees and displaced persons with disabilities – from ‘forgotten’ to ‘vulnerable’ to ‘valuable’

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**Recent years have seen a growth in debate, learning and advocacy in the humanitarian sector on the needs and rights of persons with disabilities among displaced populations.**

Persons with disabilities are often hidden in communities and may not have access to the same assistance programmes as others, as a result of stigma and discrimination or physical barriers. Whilst there is now a myriad of broad, principle-based checklists and recommendations relating to the inclusion of disability in humanitarian action, there are still some critical gaps at the field level.

Firstly, persons with disabilities have diverse impairments, skills and capacities, which intersect with equally diverse contextual situations and societal attitudes, resulting in varying degrees of vulnerability and marginalisation, making one single approach to meeting their needs unfeasible. Many humanitarian stakeholders now recognise that displaced persons with disabilities may be more vulnerable than other community members and are increasingly attempting to include them in programmes but we still miss the most marginalised and excluded within this population, such as women and girls with multiple disabilities, and those with communication impairments.

Secondly, we lack the evidence of effective strategies for disability inclusion in some specific and highly relevant sectors. A good example is gender-based violence programming. UNHCR's updated Action against Sexual and Gender-Based Violence strategy has one of its six action points dedicated to protecting persons with disabilities<sup>2</sup> but there is a distinct gap in documented good practices or detailed programmatic guidance to support field staff in adapting gender-based violence programmes for greater access and inclusion.

Finally, the skills and capacity of persons with disabilities remain one of the greatest overlooked resources in humanitarian practice. Despite the advances that are being made, there is still a prevailing attitude at field level that persons with disabilities are unable to participate in the same programmes and activities as others, and need separate services. In most contexts, field staff fail to recognise the contribution that persons with disabilities can make to humanitarian programmes, representing a missed opportunity to improve services for all community members.

The Convention on the Rights of Persons with Disabilities (CRPD), which entered into force in 2008, has raised the bar for all stakeholders to engage persons with disabilities as rights holders and as people with the capacity to make their own decisions on matters that affect them. Specifically in the context of displacement, Article 11 requires states to ensure that persons with disabilities are protected in situations of risk or humanitarian emergency, and Article 32 requires that international cooperation be accessible to and inclusive of persons with disabilities.<sup>3</sup> The universality of the CRPD text

means that states are obliged to promote, protect and ensure the rights of all persons with disabilities within their territory – including those who have been displaced across a border.<sup>4</sup> As more than 120 states have now ratified this Convention, many of which are either host countries to refugees, humanitarian donors or member states of international organisations, there are many channels of influence to promote the rights of persons with disabilities affected by displacement.

The evidence is that persons with disabilities have in the past been overlooked and neglected by humanitarian service providers who paid little attention to this group and rarely considered disability inclusion in the design and implementation of mainstream programmes. Over the last decade, however, there have been advances

in promoting access and inclusion for this sub-group of displaced populations.

There is a growing commitment in the humanitarian community to promoting the rights of persons with disabilities in humanitarian action as demonstrated through the proliferation of standards and guidelines that now consider persons with disabilities and/or disability issues. The latest revision of the Sphere Project's *Handbook on Minimum Standards in Humanitarian Response* included persons with disabilities as a cross-cutting theme.<sup>5</sup> The *Minimum Standards on Child Protection in Humanitarian Action*, launched in 2012 by the Child Protection Working Group of the Global Protection Cluster, also recognises children with disabilities as a vulnerable group whose protection requires monitoring, and includes a specific standard and indicators on protecting excluded children.<sup>6</sup>



UNHCR/L Taylor



In the forced migration sector, key agencies such as UNHCR are driving the translation of high-level policy into practice. UNHCR's Executive Committee adopted the 'Conclusion on refugees with disabilities and other persons with disabilities protected and assisted by UNHCR' in 2010.<sup>7</sup> This Conclusion now serves as a form of soft law for UNHCR and its member states and as such informs subsequent policy development and field practice. To facilitate its use, UNHCR has developed operational guidance for its offices and partners. Its Guidance Note on Working with Persons with Disabilities in Forced Displacement describes key actions that can be undertaken to promote access and inclusion for persons with disabilities.<sup>8</sup> This guidance reinforces the principles of non-discrimination and participation, with the recognition that "exclusion of persons with disabilities during displacement can be inadvertent or purposeful: in either case, nevertheless, it is discriminatory."

The World Health Organization estimates that approximately 15% of any population will be persons with disabilities, with potentially higher proportions among populations that have fled war, persecution or natural disaster. Hence, there may be over six million persons with disabilities displaced worldwide.<sup>1</sup>

UNHCR and the Women's Refugee Commission (WRC) are now supporting country offices and partners to contextualise and implement this guidance through the provision of training and action-planning workshops. This is leading to real change on the ground, and providing a growing collection of examples of good practice. Such examples include:

- In Uganda, a fledgling Association of Refugees with Disabilities has been recognised by UNHCR as a representative organisation within the refugee community, and is increasingly being consulted in programme planning.
- The Refugee Law Project, also based in Uganda, has purchased software for people with vision impairments to use their computers in the Refugee Resource Centre, and will soon launch a Global Disability Rights Library.
- In New Delhi, UNHCR has been working with the local NGO, Family of the Disabled, which has specific expertise in supporting children with disabilities to attend school.
- UNHCR Nepal has been facilitating access to sign language classes for deaf refugees through local partners, including a local Deaf Association.<sup>9</sup>

A positive recent advance has been the growing engagement of disabled people's organisations (DPOs) in issues of forced migration. Despite many host countries having ratified the CRPD, refugees and

displaced persons with disabilities are often excluded from CRPD implementation and monitoring processes. They also rarely have contact with host country DPOs which might be able to represent their issues in such human rights mechanisms. Humanitarian organisations are increasingly seeking to bridge this gap by engaging disability organisations at national and international levels in their work. WRC and UNHCR have undertaken global advocacy in partnership with key international DPOs, increasing dialogue on the issue within international disability rights forums, such as the Conference of States Parties to the CRPD. They have also involved host-country DPOs in consultations and workshops with refugees with disabilities; some of these organisations are now actively considering refugee issues in their work.

Reflection on our collective progress on disability inclusion in humanitarian action shows that we still need to:

- move beyond broad, principle-based guidance to design, pilot and evaluate specific strategies in a variety of displacement contexts and programmes, enabling us to answer the question: "What works, where and why?"
- explore who is being excluded from programmes in a more detailed way, recognising the diversity of this population – no single approach or strategy can meet the needs and promote the rights of such a diverse group
- continue to support agencies at field level to define a role for persons with disabilities in their programmes, not just as beneficiaries but also as participants with skills and capacities to contribute.

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Forced Migration Review published an issue on 'Disability and displacement' in 2010 [www.fmreview.org/disability](http://www.fmreview.org/disability)

Authors from the Women's Refugee Commission have contributed many articles to FMR over the years, and the Women's Refugee Commission itself for several years granted core funding to FMR to support its work.

1. Based on data from UNHCR's Global Trends 2011 that 42.5 million people are forcibly displaced worldwide.
2. [www.unhcr.org/refworld/pdfid/4e01ffeb2.pdf](http://www.unhcr.org/refworld/pdfid/4e01ffeb2.pdf)
3. [www2.ohchr.org/english/law/disabilities-convention.htm](http://www2.ohchr.org/english/law/disabilities-convention.htm)
4. Crock M, McCallum R and Ernst C (2011) 'Where disability and displacement intersect: asylum seekers with disabilities' <http://tinyurl.com/BLED-Crock-McCallum-Ernst-2011>
5. [www.spherehandbook.org](http://www.spherehandbook.org)
6. <http://tinyurl.com/cpwg-child-protection>
7. [www.unhcr.org/4cbeb1a99.html](http://www.unhcr.org/4cbeb1a99.html)
8. [www.unhcr.org/4ec3c81e9.pdf](http://www.unhcr.org/4ec3c81e9.pdf)
9. In 2013 WRC will be publishing the findings from their field work, examples of good practice and lessons learned on disability inclusion in programmes for refugees and displaced persons.