**Call for inputs**

**Report of the Special Rapporteur on the human rights of internally displaced persons**

***Protection of Internally Displaced Persons with Disabilities***

**Deadline: 1 March 2020**

Pursuant to Resolution 41/15 of the Human Rights Council, [the Special Rapporteur on the human rights of internally displaced persons, Ms Cecilia Jimenez-Damary](https://www.ohchr.org/en/issues/idpersons/pages/idpersonsindex.aspx), will dedicate her upcoming thematic report to the Human Rights Council to the protection of internally displaced persons with disabilities.

The Special Rapporteur is calling for inputs from Member States, civil society actors, particularly organizations of persons with disabilities, humanitarian and development organizations, national human rights institutions and other stakeholders, to contribute to the preparation of her report, which will be presented to the Human Rights Council in June 2020.

**Background**

Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others[[1]](#footnote-1). The World Health Organisation (WHO) estimates that about 15 percent of the world’s population have an impairment.[[2]](#footnote-2) This means that, among the 41.3 million persons internally displaced worldwide by conflict and violence at the end of 2018[[3]](#footnote-3), at least an estimated 6 million had an impairment. Millions more are displaced by disasters and the adverse effects of climate change every year. However, the prevalence of impairments also varies in different groups. An estimated 46% of older persons, 20% of women and 10% of childrenhave an impairment[[4]](#footnote-4). In humanitarian contexts, a much higher percentage of persons might have an impairment, as evidenced by recent research[[5]](#footnote-5). During humanitarian crises, violence, traumas, uncertainty, displacement, poverty, discrimination and losses can also negatively affect the mental health and psychosocial wellbeing of individuals, families and communities.

Under the Guiding Principles on Internal Displacement (Principle 4) and the Kampala Convention (Article 9(2)(c)), internally displaced persons with disabilities must be given protection and support in accordance with their support needs. The Convention on the Rights of Persons with Disabilities provides 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” (Article 11).

Persons with disabilities may face discrimination before and during displacement, as well as in the search for durable solutions. Internally displaced persons with disabilities encounter physical, environmental and societal barriers to accessing information, humanitarian assistance, and services in general, including education, employment, health care and social protection - as well as, more generally, barriers to the full enjoyment of their human rights and to participate in society on an equal basis with others and without discrimination. Internally displaced persons with disabilities also often face multiple and intersectional forms of discrimination based on other grounds, such as gender, age, ethnicity, religion, group affiliation and displacement itself.

Being a person with disability shapes how the person experiences internal displacement, and being displaced shapes the experience of a person with disability of living through armed conflict, violence or disasters. Forced displacement amplifies the risks experienced by persons with disabilities, who face serious protection risks in camps and urban settings, including exploitation, physical and sexual abuse, harassment and neglect. On the other hand, internally displaced persons with disabilities may share the same challenges as other displaced persons but, because of their impairment, may be affected in different ways. In the context of humanitarian assistance programmes during displacement, many of the impairments and challenges faced by persons with disabilities are invisible and may be overlooked by untrained humanitarian aid providers. Compounding this marginalization, persons with disabilities continue to be often considered only as recipients of aid. In order to achieve the aim of “leaving no-one behind”, a shift in approach is needed as well as a recognition of persons with disabilities and their representative organizations as a critical stakeholder in humanitarian settings and internal displacement situations.

Certain groups or categories of internally displaced persons with disabilities can be especially at risk of violence, isolation or neglect, such as those with severe impairments, unaccompanied, separated and orphaned children or survivors of severe traumatic events. Children and older persons with disabilities are particularly vulnerable among IDPs. Internally displaced children with disabilities are often subject to sexual and physical abuse, exploitation and neglect. They are often excluded from education and not provided with the support to help them develop to their full capacity. Internally displaced older persons with disabilities may be abandoned by family members whose resources are already depleted. These individuals may face extreme isolation and marginalization in displacement situations and may be unable to access the basic health care, food and shelter they need to survive.

A better understanding of the diverse experiences of IDPs with disabilities and the improved collection and use of quality data and evidence disaggregated by sex, age, disability and other characteristics such as IDPs’ locations, support needs, capacities and future preferences, are needed. Such understanding is required for the provision of inclusive and accessible humanitarian assistance and services, to better support the achievement of durable solutions, and to effectively protect and promote the rights of IDPs with disabilities.

**Rationale and focus of the report**

In recent years, increased attention has been dedicated globally to closing the protection gap for persons with disabilities and ensuring that they can enjoy their human rights without discrimination. The adoption of the Convention on the Rights of Persons with Disabilities (2006) introduced a new paradigm for persons with disabilities, shifting policy from a charitable and medical approach to a rights-based one. The 2030 Agenda for Sustainable Development (2015) emphasizes that no one should be left behind and that those who are furthest behind should be supported first. A number of other international development and crisis management frameworks adopted in the last 5 years support the need for additional focus on persons with disabilities: the Sendai Framework for Disaster Risk Reduction (2015), the One Humanity Shared Responsibility: Report of the Secretary-General for the World Humanitarian Summit (2016), or the Charter on Inclusion of Persons with Disabilities in Humanitarian Action, derived from the commitments of the World Humanitarian Summit and now endorsed by 236 signatories, including 30 Member States, the European Union and 14 UN Agencies[[6]](#footnote-6).

The United Nations (UN) is currently revising its system-wide policies to become more inclusive of persons with disabilities. In May 2019, it adopted the UN Disability Inclusion Strategy, under which the entire UN system, including UN country teams and humanitarian country teams, will measure and track their performance with respect to disability inclusion. The UN General Assembly requested the Secretary-General to report on the strategy implementation in fall 2020. In June 2019, the UN Security Council also adopted Resolution 2475 on the protection of persons with disabilities in conflict. In July 2019, the Human Rights Council adopted Resolution 41/21 on climate change and disability. In October 2019, the Inter-Agency Standing Committee endorsed the Guidelines for Inclusion of Persons with Disabilities in Humanitarian Action.

Given the ongoing momentum around disability inclusion, the Special Rapporteur on the Human Rights of IDPs decided to focus her report to the UN Human Rights Council (44th session) on the Protection of Internally Displaced Persons with Disabilities. The report aims to:

* Raise awareness as to the prevalence of persons with disabilities among internally displaced persons, and the protection and support needs of IDPs with disabilities, making use of the ongoing momentum to place the protection of IDPs with disabilities higher on the international agenda;
* Take stock of how the issue has been addressed so far, identifying progress, good practices, challenges and ways forward in relation to supporting the achievement of durable solutions for IDPs with disabilities in a variety of settings (emergency/protracted displacement, urban/rural, etc.);
* Make recommendations to States and other relevant stakeholders.

The report will take a rights-based approach and intends to cover the following areas:

* The applicable legal framework in relation to IDPs with disabilities.
* An illustration of the experiences of persons with disabilities in internal displacement settings and the challenges they face.
* Protection issues and gaps faced by IDPs with disabilities, including violence and challenges to access basic services and humanitarian assistance, and with a specific focus on discrimination faced by them.
* Challenges to and opportunities for durable solutions for IDPs with disabilities and those supporting them with regards to return, local integration and settlement elsewhere, including in relation to access to documentation, physical and mental health, safety and security, education, employment and livelihood opportunities, as well as restoration of their housing, land and property rights and access to justice.
* Data and evidence relating to IDPs with disabilities.
* Participation of IDPs with disabilities in decisions affecting them during all phases of displacement.

**Questionnaire**

Member States, civil society actors, particularly organizations of persons with disabilities, humanitarian and development organizations, national human rights institutions and other stakeholders are invited to submit inputs to the upcoming report of the Special Rapporteur by answering a selection or all of the following questions, or providing any other information deemed relevant to the report:

1. Provide existing data and evidence on persons with disabilities in situations of internal displacement (globally or in a specific region or country) and/or challenges and gaps with regards to the collection, analysis and use thereof.
2. Share reports about the experiences of IDPs with disabilities during the various phases of displacement and in different settings (eg. emergency/protracted displaced, urban/rural), including their support needs and forms of discrimination or violence experienced as relevant, and any information that includes a gender and intersectional analysis.
3. Describe the relevant national, regional and/or international legal and policy frameworks applicable to IDPs with disabilities, as well as achievements and challenges in their implementation.
4. Provide concrete examples of good practices and challenges in addressing the protection and support needs of IDPs with disabilities, providing them with inclusive and accessible humanitarian assistance during displacement and supporting the achievement of durable solutions.
5. Describe efforts undertaken to ensure the active coordination, participation and meaningful consultation with internally displaced persons with disabilities and their organisations in decisions affecting them during all phases of displacement. Information about the outcomes achieved and the remaining gaps would also be welcome.
6. Describe how the support needs of IDPs with disabilities have been taken into account in relevant humanitarian and development planning, including to ensure the effective management and dissemination of accessible information at all stages.
7. Describe actions considered or planned for 2020 to provide IDPs with disabilities with inclusive and accessible humanitarian assistance during displacement, to promote durable solutions and to foster their active participation and meaningful consultation in decisions affecting them during all phases of displacement.

When answering the above questions, please describe the causes and context of the internal displacement mentioned.

The responses to the above questionnaire can be submitted in English, French or Spanish. Please send your inputs by email to idp@ohchr.org by **1st March 2020**. Please limit your responses to a **maximum of 3,000 words**. Reports, academic studies and other types of background materials can be attached as **annexes** to the submission. Please submit your responses in an accessible format, such as MS Word or PDF accessible.

If not stated otherwise in your submission, the responses received will be published on the [website](https://www.ohchr.org/en/issues/idpersons/pages/idpersonsindex.aspx) of the Special Rapporteur. Unless requested otherwise, the submissions may also be quoted, in part or in full, or referenced in the report and briefings of the Special Rapporteur and related information products.

For any questions or clarifications, please do not hesitate to contact the mandate through the Office of the United Nations High Commissioner for Human Rights (idp@ohchr.org).

1. Convention of the Rights of Persons with Disabilities (CRPD), Article 1, second paragraph. Disability is therefore understood as a social construct resulting from the interaction between persons with actual or perceived impairments and attitudinal and environmental barriers. [↑](#footnote-ref-1)
2. World Health Organisation, Disability and Health 2018, Available at:<https://www.who.int/news-room/fact-sheets/detail/disability-and-health>. [↑](#footnote-ref-2)
3. Global Report on Internal Displacement (GRID), 2019, Available at: <http://www.internal-displacement.org/sites/default/files/publications/documents/2019-IDMC-GRID.pdf> [↑](#footnote-ref-3)
4. IASC Guidelines on inclusion of Persons with Disabilities in Humanitarian Action. Available at: <https://interagencystandingcommittee.org/system/files/2019-11/IASC%20Guidelines%20on%20the%20Inclusion%20of%20Persons%20with%20Disabilities%20in%20Humanitarian%20Action%2C%202019.pdf> [↑](#footnote-ref-4)
5. For example, a 2018 study by iMMAP and Humanity & Inclusion, *Removing Barriers: The Path Towards Inclusive Access*, found that 22.9% of Syrian refugees in Jordan (aged 2 and over) and 22.6% of Syrian refugees in Lebanon were persons with disabilities. [↑](#footnote-ref-5)
6. Full list available at: [www.humanitariandisabilitycharter.org](http://www.humanitariandisabilitycharter.org) [↑](#footnote-ref-6)