



GLOBAL SUMMIT ON DISABILITY 2019 BUENOS AIRES AGREEMENTS

Protection of the human rights of migrants, asylum seekers, refugees and forcibly displaced persons with disabilities.

The conditions of migrants are the subject of debate at the global level due, above all, to the effect of humanitarian crises in various regions of the planet. In most cases, nation states use border security and immigration laws to deal with the issue and forget or limit the application of the international rules that govern the fundamental rights of people, including the rights of persons with disabilities, which are systematically violated or forgotten in these situations.

There are 258 million international migrants in the world, of which 25.9 million are refugees and/or asylum seekers, 124.8 million are women (that is, almost 45%), 36.1 million are children and 4.8 million are foreign students. The total number of international migrants has increased by 49% since 2000 and it is estimated that by 2050 there will be more than 400 million migrants in the world (UN, 2017). Unfortunately, there are no official records that indicate the number of international migrants with disabilities. However, it is calculated that they number between 2.3 and 3.3 million according to the UN Refugee Agency's (UNHCR) 2015 estimates.

A important precedent within the area of migration is the adoption, in December 2018, of the *Global Compact for Safe, Orderly and Regular Migration* (GCM) promoted by the UN, with the purpose of establishing worldwide commitments to generate actions that facilitate human mobility while protecting the human rights of migrants.

This Compact recognises the importance of implementing inclusive policies and comprehensive practices to care for people in contexts of human mobility. These include governments being encouraged to generate specific actions to reduce vulnerabilities and discrimination and to guarantee access to fully accessible basic services, recognising gender and disability as key foundations.

Likewise, the *United Nations Convention on the Rights of Persons with Disabilities* (CRPD) recognises the obligation of states parties to recognise "the rights of persons with disabilities to freedom of movement, to choose their place of residence and to a nationality, on an equal basis with others". There is also an obligation to take "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".

In light of the foregoing, **WE EXPRESS** our **CONCERN**

- regarding the increase in mass mobilisations of migrants and their families as well as of asylum seekers and refugees in different regions of the world.
- that the reasons for migration are no longer solely related to the search for job opportunities, they now result from displacement due to the generalised situations of violence and environmental risks.
- the conditions of vulnerability and the constant violations of human rights faced by this population, PARTICULARLY children, adolescents, women, senior citizens, people of sexual diversity, **people with disabilities** and entire families, and the lack of specific actions and protocols for their due attention.
- How migration is generating **conditions of disability, especially physical and psychosocial**.

We, therefore, **EXPRESS** our **SOLIDARITY** with all migrants, asylum seekers and refugees who have currently decided to cross their countries' borders, with those who have done so in the past and those who will decide to do so in the future **as this is the only option open to them to improve their quality of life**. We particularly express our **TOTAL SUPPORT** to all persons with disabilities and their families who have decided to migrate, and especially to those who become disabled as a result of the migratory process.

We also **URGE**

- governments to guarantee measures to protect and safeguard the human rights of all migrants, asylum seekers and refugees, particularly those with specific protection needs such as **persons with disabilities**.
- international bodies and civil society organisations to work together with governments to provide the necessary humanitarian response, legal assistance and psycho-emotional support for migrants, asylum seekers and/or refugees.
- the United Nations and the states parties to develop and implement a Cross-border Migration Policy that ensures the human rights of all persons by establishing comprehensive care mechanisms for priority social groups within the framework of the Global Compact for *Safe, Orderly and Regular Migration*.
- governments, private initiatives and international cooperation agencies to allocate resources for research into and to care for this sector of the population, particularly its most vulnerable groups such as **people with disabilities**.



- governments and international bodies to devise a strategy to gather data and disaggregated statistical information on migrants, asylum seekers and refugees based on age, gender and disability to make it possible to illustrate the crossover points between different population groups.

We likewise **DEMAND**

- the promotion of a human rights approach in all public policies targeting the population in matters relating to migration.
- the implementation of mechanisms for identifying people with specific protection needs, particularly women, children, the elderly, people with disabilities and LGBT people.
- the provision of information in accessible formats to all migrants, asylum seekers and/or refugees to ensure they are aware of their rights and of the international protection options to which they are entitled.
- the avoidance of policies or measures that involve the separation of families and, in the event this situation has already occurred, we demand immediate support for the reunification of the children and adolescents with their parents.
- the promotion of actions and measures to combat human trafficking, particularly of children and women with and without disabilities.
- the assurance that repatriation, deportation and/or voluntary return actions are performed in a dignified and safe manner, using accessible formats, based on free and informed consent and ensuring respect for the individual guarantees established in the Universal Declaration of Human Rights and in the different International Conventions and Treaties.

Therefore, we **RECOMMEND** that governments specifically guarantee the care of ***migrants, asylum seekers, refugees and forcibly displaced persons with disabilities*** by way of:

- Comprehensive actions in the short, medium and long term.
- Registration instruments that allow the development of databases and disaggregated statistical information regarding the number of people with disabilities and the services available in the community.
- Strategies, lines of action and specific indicators regarding people with disabilities in the context of migration that translate into public policies with ring-fenced budgets.
- Protocols for ensuring comprehensive, accessible and equal treatment for migrants with disabilities.
- Providing care for migrants with and without disabilities from rural areas and communities that are remote, indigenous or difficult to access.



- Providing care to the most invisible populations and to those with greater support needs.
- Providing care to migrants with and without disabilities deprived of their freedom.
- Providing care to victims for the purpose of favouring the reparation of damages including due access to justice, access to medical, psychosocial and rehabilitation services as part of a long-term follow-up approach designed to ensure the safety and integrity of migrants, particularly those who became disabled as a result of the migration process.
- Generating conditions of physical accessibility, information and communications in the dissemination of advice, immigration procedures, judicial processes and services to migrants with disabilities.
- Providing comprehensive care to those members of the migrant population with disabilities, including health, rehabilitation, sexual/reproductive health and mental health services.
- Mechanisms for the employment and re-employment of international and returned migrants with disabilities.
- Specific actions to fulfil the provisions of Article 11 of the CRPD.
- Actions to combat human trafficking, particularly of children and women with disabilities.
- The exchange of good practices regarding the matter in question (by governments, civil society and/or international bodies) that can be replicated at a regional and global level.
- Partnerships and collaborative actions between national governments, international bodies and civil society organisations (in particular with respect to and on behalf of people with disabilities).