

# Forgotten in Armed Conflict: Persons with Disabilities in Conflict-Affected and Fragile Contexts

“We remember that persons with disabilities are the most and first to be harmed in armed conflicts.”

- Armed conflict puts human rights of people with disabilities and all civilians in peril. UN experts, 1.12.2023.

“States Parties shall take...all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict.”

- Article 11 of the Convention on the Rights of Persons with Disabilities

Persons with disabilities are a significant, and often overlooked group of civilians. In conflict contexts, the majority of the civilian population may be disabled, especially when one accounts for the mental, emotional and physical effects of the war.

## MAIN POINTS:

- Although a key civilian group, persons with disabilities are often forgotten in conflict and lack inclusion into peace processes.
- Protection of Civilians with Disabilities requires contextualisation and understanding of how disability is treated in the local context.
- Close collaboration with local organisations with persons with disabilities is essential for inclusiveness, representation and effectiveness.
- Inclusion of persons with disabilities focuses on processes and on-going mainstreaming of persons with disabilities rather than ticking-the box exercises.
- Persons with disabilities are key resources for societal resilience.
- Even relatively minor adjustments to mindset and accompanying policy changes can have large positive impacts on the life of persons with disabilities in conflict-affected contexts. Specifically, the triple nexus approach is likely to benefit persons with disabilities.

Persons with disabilities are a significant, and often overlooked group of civilians. In conflict contexts, the majority of the civilian population may be disabled, especially when one accounts for the mental, emotional and physical effects of the war.

Despite the prevalence of disability and the disproportionate effect of conflict on persons with disabilities, disability is often ignored or considered a “niche topic”. Persons with disabilities are typically absent from

the design of policies, practices, activities and services and are side-lined even though their unique perspective is essential for inclusion.

In international humanitarian law and human rights law, the rights of persons with disabilities are well established also in times of conflict. The challenge is not with law or standards but rather in how the laws are recognised, applied and interpreted. Civilians are often

seen as a homogenous group rather than understanding their significant diversity. The composition of "civilians" also changes during the conflict, as those who can participate are pulled into the conflict young and able-bodied become combatants, civilians will inevitably be more likely to be persons with disabilities or those too young or too old to participate in conflict.

Persons with disabilities are not only a significant civilian group but are also disproportionately affected by conflict in all stages of conflict. Pre-existing social practices and a lack of empowerment further endanger persons, as does the absence of the protections and rights established in international humanitarian law and international human rights law.

Often, for example, disability is hidden, and persons with disabilities are kept away from view, leading to a mistaken assumption that there are no persons with disabilities needing consideration.

This publication is based on the premise that contextualized policies for peacebuilding are vital to support the local population in the longer term, and that these contextualized policies must include persons with disabilities. After a discussion of how persons with disabilities are affected by conflict, there is a discussion of the autonomy vs. protection, persons with disabilities as sources of societal resilience, recent UN developments, experiences of persons with disabilities from conflict-affected contexts, and a way forward.

This publication is done in collaboration between SaferGlobe and the Abilis-foundation.

## Persons with Disabilities in Conflict

The way persons with disabilities are treated in society is reflected directly in their resilience in crises. Specifically vulnerable are those persons with disabilities who have had no access to education or support that would allow for skill development.

### **A conflict affects persons with disabilities both directly and indirectly:**

Directly:

- Increased risk of injury and violence (including sexual violence).
- Increased risk of injury also attributable to specific types of disability. For example, a deaf person may be mistaken for someone unwilling to follow orders.
- Lack of health care, housing, nutrition and other needed support.

- Subject to being used as human shields or targeted in killings.
- More difficult environments to navigate with rubble.
- Use of specific ordinances that especially traumatise persons with disabilities.

Indirectly:

- Through inaccessible warning or emergency information, shelters and evacuation processes
- Unavailability of assistive devices.
- Access to essential services is often curtailed.
- Amplified mental health impact, which burdens the person with a disability further.
- Increased abuse and stigma.
- Unequal or even barred access to services in refugee camps, such as water, food, shelter and medical care.
- Denial of access to justice, including reparation.
- Weapons used may leave behind an environmental legacy that leads to a more significant number of birth defects.
- Increased competition for lower healthcare resources.
- Attitudes towards disability may harden, and persons with disabilities may be more marginalised.
- Educational possibilities for children with disabilities are often low priority, potentially leading to long-term exclusion.

Persons with disabilities live in families and communities, which may also be affected. The ability to earn an income, either because of disability or because of the necessity to be a caregiver, often makes the situation even more precarious for families. Humanitarian aid may, for example, only be distributed so that caregivers are given the difficult choice of abandoning those they care for and taking the associated risks to get emergency rations.

War veterans with disability are often treated differently than either persons who had pre-existing disabilities or civilians who became disabled due to the conflict. Especially if the disabled war veteran is from the victorious side, they will typically have greater access to services and suffer less marginalisation and stigma from their disabilities. Hence, war veterans with disabilities may also themselves prefer to be treated separately from other persons with disabilities. Depending on the context, the increased prevalence of war veterans may lead to increased competition for scant support resources and between different communities of persons with disabilities. However, increased num-

bers of war veterans with disabilities may also support increasing inclusion for all persons with disabilities as well as the quality and quantity of services offered. Specific ties may also be created with organisations of persons with disabilities for a bi-directional transfer of knowledge and expertise.

**Protection of Civilians with Disabilities requires contextualisation and understanding of how disability is treated in the local context.** This contextualisation is best done with local disability actors and organisations of persons with disabilities (OPDs) who understand local challenges. This contextualisation should be supported by data gathering to allow for an understanding of multidimensional discrimination that could be faced.

### **Why is contextualisation so important?**

Disability is not only the disability but also the societal constructions and structures that prohibit inclusion. Many of these societal constructions may be both context-specific but also difficult to see for outsiders, especially where persons with disability are secluded, restrained or living in institutions.

## **Protection or Autonomy?**

Civilians are typically protected (Protection of Civilians) in conflict. The understanding that civilians need protection is crucial for refocusing military activities to better support civilian resilience and to minimise casualties and damage from conflict.

The terminology of protection in itself is often problematised by OPDs or persons with disabilities. While we may seek protection for those around us, for ourselves we seek autonomy and the ability to make our own decisions.

”We seek autonomy for ourselves and support for those around us.”

For persons with disabilities, ”protection” often comes in the guise of medicalisation where the person with disability is not seen as a whole person, a subject, with needs and wants of their own, but rather an object, for medical treatment. With this specific sensitivity in mind, protection of civilians with disabilities must be grounded in active agency and participation of persons with disabilities.

## **TERMINOLOGY**

### **PERSONS WITH DISABILITIES**

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. *See: Article 1. of the Convention on the Rights of Persons with Disabilities.*

### **ORGANISATIONS OF PERSONS WITH DISABILITIES (OPDS)**

Organisations lead by persons with disabilities or their family members offering services, support and advisory services.

### **HUMAN RIGHTS APPROACH TO PERSONS WITH DISABILITY VS. MEDICALIZED APPROACH TO PERSONS WITH DISABILITY**

Codified in the Convention on the Rights of Persons with Disabilities, the Human Rights Approach to persons with disability views ”persons with disabilities as “subjects” with rights, who are capable of claiming those rights and making decisions for their lives based on their free and informed consent as well as being active members of society... rather than as viewing persons with disabilities as “objects” of charity, medical treatment and social protection towards.” *See: Convention on the Rights of Persons with Disabilities from*

<https://social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-crpd>

## Persons with Disabilities are Key Resources for Societal Resilience

When others flee, persons with disabilities are often left behind or even deserted in institutions. Their survival and the survival of those around them are left in the hands of other persons with disabilities.

In challenging situations, many persons with disabilities play crucial roles in supporting others, taking care of orphans and the elderly, yet the supportive structures offered to persons with disabilities often focus only on medical services and charity, rather than their agency.

Often barriers and structural marginalisation of persons with disabilities escalates in times of crisis and disasters. Supporting disability rights may also support resilience in the society and rule of laws.

In times of crisis, preparedness plans are used, which are all too often created without persons with disabilities. The lack of inclusion in preparing mechanisms for societal preparedness in turn means that the needs of persons with disabilities are not typically met or even considered.

Paternalistic attitudes towards persons with disabilities as objects of support rather than as full and equal right-holders create hugely divergent realities related to disability. It also hampers inclusion.

Knowledge of the role that persons with disabilities play in their local contexts and how persons with disabilities should and could be included in peacebuilding activities is limited, and there is much room for deeper understanding and development of expertise.

## UN Development

The Special Rapporteur for Disability, Gerard Quinn, suggests the following in his report to improve the inclusion of persons with disabilities into peacebuilding processes:

1. *Focus on intersectional approaches to peacebuilding*
2. *Activities in support of moral repair: truth-telling and the near invisibility of disability including uncovering the role that persons with disabilities play in their local contexts and communities in the process of truth-telling.*
3. *Activities in support of protection and prevention: underinclusiveness toward disability*

### 4. *Activities in support of reimagining the future: institution-building, economic and social development*<sup>1</sup>

These four suggestions are crucial for improving the inclusion of persons with disabilities into peacebuilding processes, especially in the UN context. As the United Nations is a driving force of peacebuilding, these four suggestions are directly applicable to UN activities in fragile contexts from supporting the rule of law to enhancing social protections or creating truth and reconciliation mechanisms.

However, there is still much work to be done to implement and contextualise these suggestions for conflict-affected contexts and for those actors outside the UN. Local OPDs who should support the operationalisation of these suggestions, may find it difficult to understand what the suggestions factually could mean in their local contexts. There is also a knowledge gap as very few persons with disabilities work in peacebuilding and very few of those working in peacebuilding have specific contextual knowledge of challenges faced by persons with disabilities.

---

1 A/78/174: 13 July, 2023: Peacebuilding and the inclusion of persons with disabilities - Report of the Special Rapporteur on the rights of persons with disabilities. <https://undocs.org/A/78/174>

### **Why is it so important to collaborate with organisations of persons with disabilities?**

*An example from Yemen of the Importance of Work of OPDs recounted by Dr. Nawaf Kabbara*

In Yemen, a woman with a disability was raped. Her brother intervened and killed the rapist. The brother was convicted of murder despite acting to protect his sister, as under Yemeni law, the woman was considered a low status person and therefore afforded a type of protection that would not be afforded to persons with disabilities, creating impunity for sexual assault against persons with disabilities.

Local Yemeni organisations of persons with disabilities were able not only to overturn the brother's murder conviction, but also to achieve changes in the law.

Further development is also needed to mainstream triple-nexus approaches to support persons with disabilities, who not only need to be taken into consideration in humanitarian aid, but also need development support for livelihoods and education and finally must be part of the peacebuilding processes so that disability issues are mainstreamed and those statesystems created after the conflict are as inclusive as possible.

## **Experiences of Persons with disabilities from Conflict-Affected Contexts**

The experiences of persons with disabilities in conflict-affected and fragile contexts may be harrowing and typically unnecessary so, as minor adjustments in mindsets or small steps could lead to dramatically improved outcomes for persons with disabilities.

These minor adjustments may be as simple as untying relatives with disabilities so they may be able to flee as well or recognizing that persons with disabilities are specifically targeted for human trafficking to be beggars so more there is greater awareness. Promoting contact between persons with disabilities prevents seclusion, which means that persons with disabilities are not forgotten.

## **A Way Forward**

In times of conflict and war, societal systems transform to emphasize unity rather than difference. Resources are driven to the conflict and away from other societal systems. These dynamics of conflict mean not only that persons with disabilities are all-too-easily forgotten but also that issues related to disability are seeds of potential societal transformation towards a peaceful society with rule of law and respect for human rights.

Capacity-building is necessary but existing resources should also be used. There are excellent organisations of persons with disabilities and insightful experts with disability. The final words of this publication come from one such expert.

### **MAIN RECOMMENDATIONS FROM IRYNA SARANCHA**

- Security; create all necessary conditions to ensure peacetime inclusiveness for persons with disabilities and ensure that this inclusiveness extends to wartime as well.
- Provide comprehensive support to internally displaced persons with disabilities in Ukraine and globally and equip them with practical tools to return home.
- Establish inclusive organisations and programmes in each region so that persons with disabilities do not have to create their own organisations to obtain rights that should be granted by default.
- Elect persons with disabilities to all levels of government and make their voices heard. Immediately adopt inclusive laws and not change them under pressure from persons with disabilities.
- Work together in the war for peace.



## Typical mechanisms to ensure better inclusion of persons with disability in peacebuilding

1. **INCLUSION IN PLANNING AND RESPONSE:** Ensuring that persons with disabilities are actively involved in the planning and implementation to ensure access and societal resilience.
2. **ACCESSIBLE INFORMATION:** Providing critical information in accessible formats (e.g., braille, sign language, or pictographs) so they can make informed decisions. Supporting this access to information through the work of local OPDs to ensure that information is accessible to all.
3. **PHYSICAL ACCESS:** Ensuring that shelters, evacuation routes, and aid are physically accessible and cater to the needs of the persons with disabilities.
4. **NON-DISCRIMINATION:** Upholding non-discrimination principles so persons with disabilities receive equal protection and assistance, regardless of their disability.
5. **TARGETED SUPPORT SERVICES:** Offering specialized services, such as psychosocial support, rehabilitation, and assistive devices, to cater to physical and mental health needs.
6. **LEGAL PROTECTION:** Strengthening and enforcing legal frameworks to safeguard the rights and safety of persons with disabilities in conflict settings.
7. **DATA COLLECTION AND ASSESSMENT:** Gathering disaggregated data to understand and address the needs of persons with disabilities during conflicts more effectively.
8. **TRAINING AND COLLABORATION:** Contextualised training for peacebuilders would support mainstreaming disability issues.
9. **COLLABORATION AND SUPPORT FOR LOCAL OPDs:** There are organisations of persons with disabilities in most, if not all, conflict contexts. Collaboration with local OPDs is an efficient way of contextualisation. Strong local OPDs also help ensure local inclusion and representation.



## Bibliography and further reading

Human Rights Watch. (June 8, 2021). Submission to the UN Special Rapporteur on the Rights of Persons with Disabilities regarding Persons with Disabilities in the Context of Armed Conflict. Accessible: [https://www.hrw.org/sites/default/files/media\\_2021/06/Protection%20of%20Persons%20with%20Disabilities%20in%20Armed%20Conflict.pdf](https://www.hrw.org/sites/default/files/media_2021/06/Protection%20of%20Persons%20with%20Disabilities%20in%20Armed%20Conflict.pdf)

Lyons, Erin. Reversing Disability Discrimination in Armed Conflict: Towards a Human-Rights-Based Model for Women and Children with Disabilities, *Völkerrecht-sblog*, 05.03.2024, doi: 10.17176/20240305-220140-0.

Priddy, Alice. Disability and Armed Conflict. Geneva Academy: Geneva, 2019 Accessible: <https://www.geneva-academy.ch/research/publications/detail/472-briefing-no014-disability-and-armed-conflict>

Rodríguez Caicedo, N., León-Giraldo, S., González-Uribe, C. *et al.* Access to health services during the Colombian armed conflict: a challenge for the population with disabilities in the department of Meta. *BMC Health Serv Res* 23, 628 (2023). <https://doi.org/10.1186/s12913-023-09472-x>

International Review of the Red Cross. IRRC No.922 (November 2022). Persons with disabilities in armed conflict. Accessible: <https://international-review.icrc.org/sites/default/files/reviews-pdf/2022-12/Persons-with-Disabilities-in-Armed-Conflict-International-Review-of-the-Red-Cross-b-No-922.pdf>

Interview with Dr. Nawaf Kabbara  
President National Association for the Rights of PWDs, 28th June, 2024.

Email interview with Iryna Sarancha, 22nd August, 2024.

Interview with Suvad Zahirović, 1st July, 2024.

Humanitarian Law & Policy. July 13, 2023. Accessible: <https://blogs.icrc.org/law-and-policy/2023/07/13/persons-with-disabilities-in-armed-conflict/>

United Nations:

Office of the Special Representative of the Secretary-General for Children and Armed Conflict. (7 December, 2023) Towards Greater Inclusion: A Discussion Paper on the CAAC Mandate and Children with Disabilities in Armed Conflict. Accessible: <https://>

[childrenandarmedconflict.un.org/wp-content/uploads/2023/12/Towards-Greater-Inclusion-high-res-no-bleed.pdf](https://childrenandarmedconflict.un.org/wp-content/uploads/2023/12/Towards-Greater-Inclusion-high-res-no-bleed.pdf)

Report of the Special Rapporteur on the rights of persons with disabilities. A/78/174 (13 July 2023): Peacebuilding and the inclusion of persons with disabilities. Accessible: <https://undocs.org/A/78/174>

Report of the Special Rapporteur on the rights of persons with disabilities. A/77/203 (20 July 2022): The protection of persons with disabilities during military operations in armed conflict. Accessible: <https://undocs.org/A/77/203>

Report of the Special Rapporteur on the rights of persons with disabilities. A/76/146 (19 July 2021): Report on the rights of persons with disabilities in the context of armed conflict. Accessible: <https://undocs.org/A/76/146> and easy-read version: [https://www.ohchr.org/sites/default/files/2021-10/ISL146-21-ER-UN-Conflict\\_Final\\_web-acc.pdf](https://www.ohchr.org/sites/default/files/2021-10/ISL146-21-ER-UN-Conflict_Final_web-acc.pdf)

Security Council. Resolution 2475 S/RES/2475 (2019). Accessible: <https://documents.un.org/doc/undoc/gen/n19/186/60/pdf/n1918660.pdf>

**Author:** Maria Mekri

**Publisher:** SaferGlobe, November 2024

**ISBN:** 978-952-6679-33-4 (pdf)

**SaferGlobe** is an independent non-partisan Finnish think tank established in 2010 that produces information and develops tools to promote sustainable peace and security. We provide easily accessible information, studies and training, on issues of peace and comprehensive security.

**Learn more:** [saferglobe.fi](https://saferglobe.fi)

**Abilis Foundation** is a non-governmental organisation founded by persons with disabilities that works in fragile contexts of developing countries.

We fund projects planned and implemented by persons with disabilities. The projects aim to contribute to improvement in the status of women and girls with disabilities, strengthening human rights, employment, inclusive participation and independent living.

**Learn more:** [abilis.fi](https://abilis.fi)



SAFERGLOBE

ISBN 978-952-6679-33-4



9 789526 679334