



SESSION 1 · 23 SEPTEMBER

Disability in Migration and Forced Displacement: The Foundations

Moderated by Catalina Devandas Aguilar

Former UN Special Rapporteur on the Rights of Persons with Disabilities

Global Forum on Disability, Migration and Forced Displacement (GFDMD)

23-24 September 2026



Accessibility and housekeeping

The session will be recorded now

Lucia D'Arino
International Disability Alliance (IDA)



Accessibility

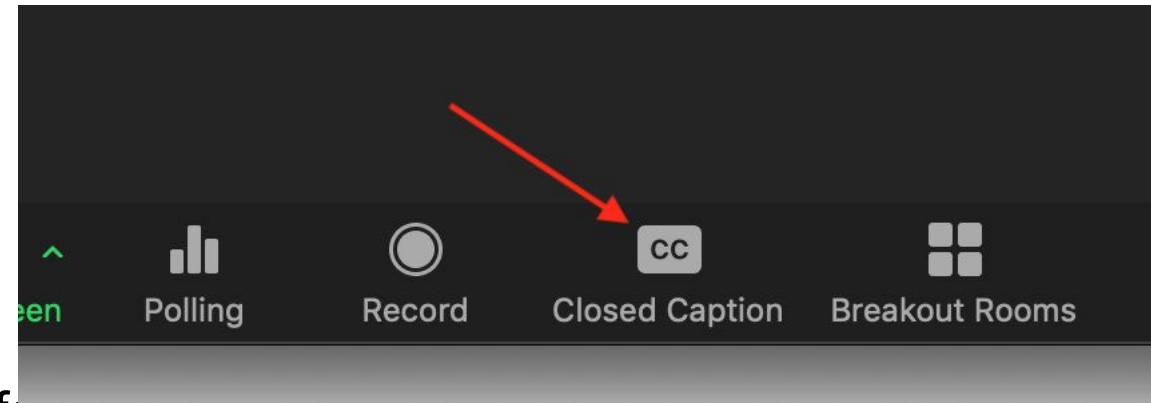
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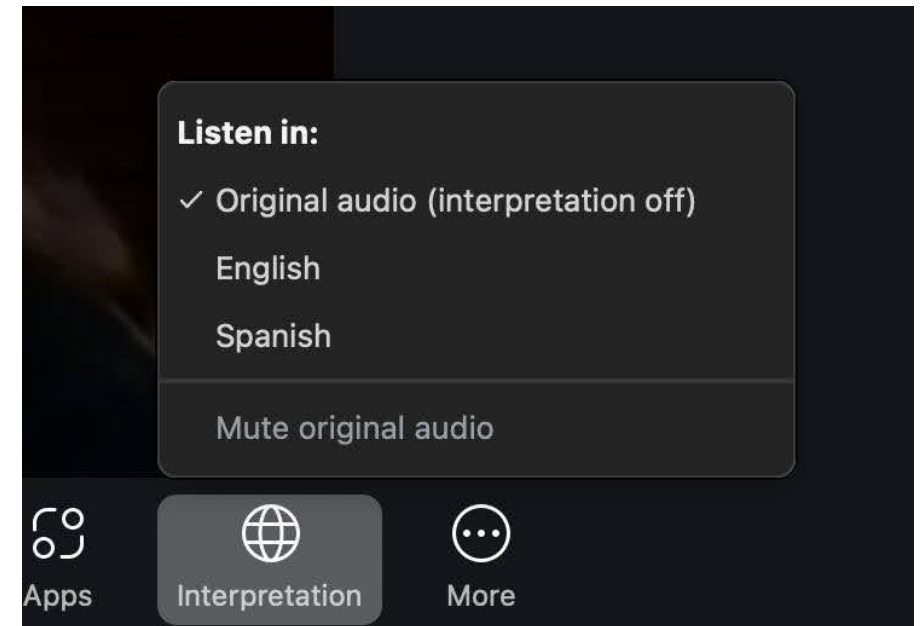
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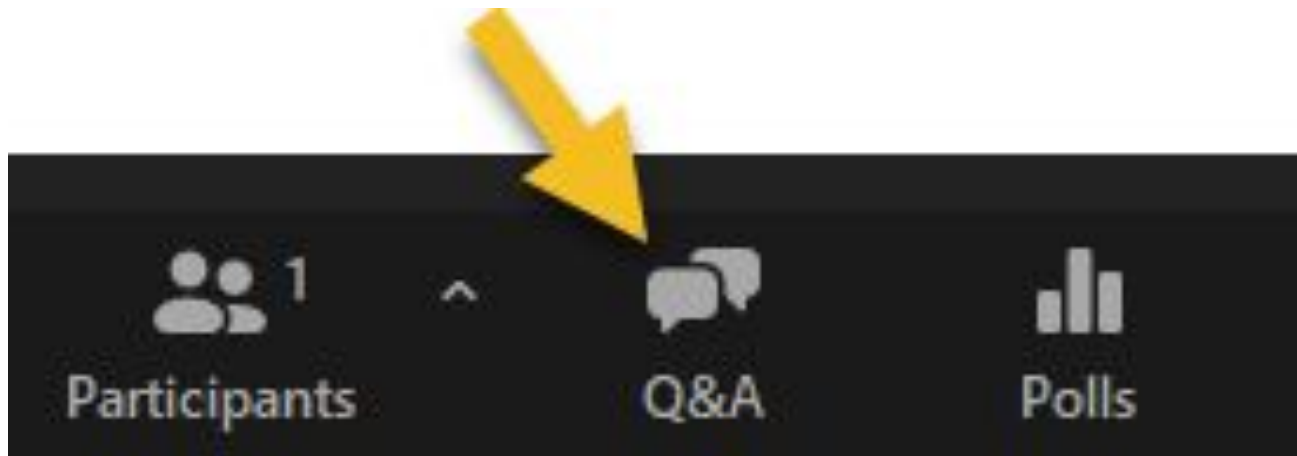
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Participating in the Meeting

- Please use the Q&A to submit questions and comments.
- Moderators will respond where possible



Guidance for Speakers

- Please keep to your allocated speaking time.
- State your name before you begin speaking.
- Speak clearly and at a moderate pace.
- Avoid speaking over other speakers.
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Welcome from the moderator

Catalina Devandas Aguilar

former UN Special Rapporteur on the Rights of Persons with Disabilities

Speakers



**USEC Atty.
Darlene R.
Pajarito**

Department of
Migrant Workers
(DMW)



Ben Thatcher
Disability Migration
Network (DMN)



Amalia Gamio
Vicechair of the
Committee on the
Rights of Persons
with Disabilities



Leana Podeszfa
UN Refugee
Agency (UNHCR)



Katerine Landuyt
International
Labour
Organization (ILO)



Opening remarks from the Philippines

USEC Atty. Darlene R. Pajarito

Office of the Undersecretary for Licensing and Anti-Trafficking in Persons
Department of Migrant Workers (DMW)





Testimony 1



training on which
the deaf persons can choose on



Testimony 2

- The video is in Myanmar language
- Will the main room go to the English Channel (for video only)
- Everyone else stay where you are



Instead of receiving protection, I was left alone.



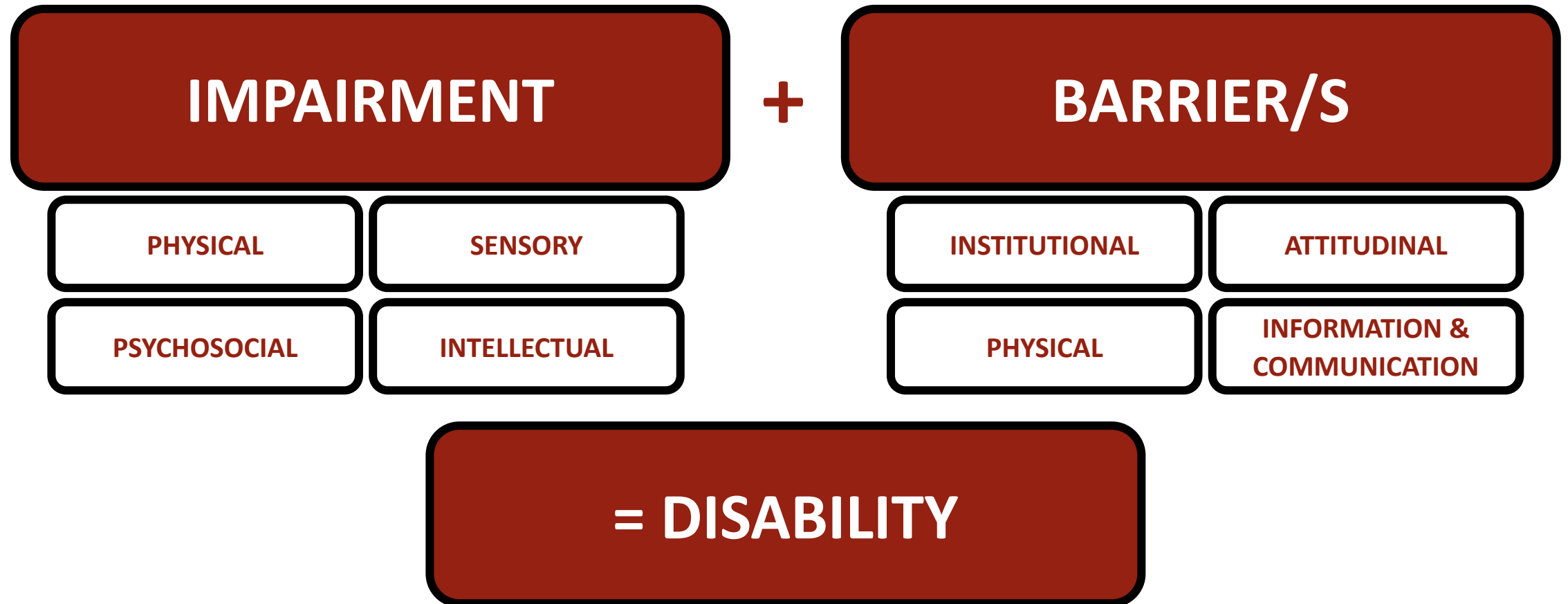
Understanding disability in the migration landscape

Historical exclusion

Ben Thatcher

Disability Migration Network (DMN)

A disability lens





The migration dilemma

Universal Declaration of Human Rights ([UDHR](#))

Article 13

- (1) Everyone has the right to freedom of movement and residence within the borders of each state.
- (2) Everyone has the right to leave any country, including his own, and to return to his country.

International Covenant on Civil and Political Rights ([ICCPR](#))

Article 12

- (1) Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.
- (2) Everyone shall be free to leave any country, including his own.
- (3) The above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order, public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant.
- (4) No one shall be arbitrarily deprived of the right to enter his own country.

Disability and the origins of modern immigration restriction

Period	Main idea (Bashford, 2013)
1800s	"Idiots", "lunatics", "imbeciles" excluded
Early 1900s	Medical inspections at ports
Mid-1900s	Public burden, health and dependency exclusions
Today	Health, productivity and public cost assessments
Future	Rights-based migration and the CRPD



Photo: Geo. P. Hall & Son / The New York Historical Society / Getty Images. Via HISTORY.



The language changed.
Many underlying
assumptions persisted.



From fixing people
to fixing systems

| Reflections for the Forum

01

Disability has long been part of migration governance.

02

Many contemporary barriers have historical origins

03

Understanding historical foundations provides an important context for the discussions that follow.

I Thank you



The application of the Convention on the Rights of Persons with Disabilities (CRPD) to labour migration and forced displacement: a perspective based on the rights of persons with disabilities

Amalia Gamio

Vicechair of the Committee on the Rights of Persons with Disabilities

Being both migrants and persons with disabilities makes their challenge even greater.

They face discrimination, job insecurity and difficulty in accessing disability recognition by the country's authorities, which has a negative impact on access to health, rehabilitation, social protection, education and other rights.

Convention on the Rights of Persons with Disabilities does not contain a specific article referring to migrants with disabilities, but all the rights set out in the Convention are all relevant to migrants with disabilities.

Whenever we issue concluding observations to States Parties to the Convention following their review, we recommend that they address the needs of migrants with disabilities and internally displaced persons, in accordance with Article 18

CRPD/C/SVK/CO/2-3 Concluding observations on the combined second and third periodic reports of Slovakia.

Art 18 The Committee recommends that the State Party: (a) Establish a disability specific criteria and associated protocols for the identification and assessment of needs for asylum seekers and refugees with disabilities

No official records indicating the exact number of persons with disabilities among migrants; it is estimated that there are at least two million migrants with disabilities.

2020 estimated: 12.4 million forcibly displaced persons with disabilities out of 82.4 million forcibly displaced people worldwide

Causes of migration:

Social conflicts, economic and political crises, poverty and a lack of employment opportunities – factors which are also faced by those living with a disability, so clearly, disability is linked to migration

- Persons with disabilities who migrate
- Persons who acquire a disability while traveling
- Migrants who acquire a disability in the place to which they migrate

Visible disabilities: physical, visual

Invisible disabilities: psychosocial, intellectual, and sometimes hearing-related.

Migrants in transit do not usually report incidents where they are victims of human rights violations, and this is even more evident when they have a disability

They face:

Discrimination. Article 5 Convention

are forced to live in unsanitary and inhumane shelters; they suffer exploitation of all kinds; they lose or are deprived of their assistive devices, such as crutches, wheelchairs, hearing aids; and they receive no healthcare, including sexual and reproductive health care, let alone mental health care. Violence increases.

Article 6 Migrant, refugee and internally displaced women with disabilities, especially women with intellectual and/or psychosocial disabilities face additional legal, linguistic (often, communication differences are wrongly interpreted as indicators of reduced credibility) and administrative barriers, together with heightened risks of abuse, neglect, institutionalization and exclusion from protection and support systems like health care, including sexual and reproductive health services.

Article 7 Children with disabilities are more likely to experience abandonment, family separation, forced treatment, institutionalization, physical, sexual, psychological violence or neglect. They face a distinct constellation of risks, including abuse, neglect, abandonment, exploitation, adverse health consequences, longer-term psychosocial harm, family separation, and denial of the right to education.

Article 11 Situations of risk and humanitarian emergencies:

- For older persons and children with disabilities, displacement poses a heightened risk of being left behind or abandoned, which in turn increases the risk of institutionalization, a response to displacement that is at odds with the Convention.
- Deportation of an individual with disabilities which requires ensuring respect for the principle of non-refoulement

Article 12 Giving primacy to a person's will and preference and respect for human rights norms means ensuring protection for all rights. States should not overregulate the lives of migrants with disabilities. States parties should uphold the right to equal recognition before the law of all persons with disabilities by removing systems of control over the lives of persons with disabilities, including in support interactions.

Article 13 Access to justice. inaccessibility of justice systems, including the lack of communication accommodations such as sign-language interpretation, captioning and other accessible formats, and the failure to ensure age-appropriate, gender-sensitive and trauma-informed procedures, prevent them from accessing justice when their rights are violated.

Articles 15 and 16

- Disproportionate use of force due to disability
- The risk and impact of violence against migrants with disabilities in temporary arrangements like refugee and internally displacement camps, humanitarian emergencies and armed conflicts
- Sexual violence remains a constant risk faced primarily by migrant women with disabilities

Article 18 of the Convention states that States Parties shall recognize the right of persons with disabilities to freedom of movement, to freedom to choose their residence, and to a nationality—to acquire and change a nationality, to hold, possess, and use documentation relating to their nationality or other identification documentation, or to use relevant procedures, such as immigration procedures, that may be necessary to facilitate the exercise of the right to freedom of movement, among other things.

Article 31

Many traditional data collection methods do not always reach all migrants:
surveys may not offer sign language interpretation
provide text in Braille
require assistive technologies

It is generally not easy to reach migrant populations such as irregular migrants, domestic workers, or cross-border workers for various reasons.

They are rendered invisible in official data and being left behind

Some recommendations for states

Develop systematic policies and procedures to combat stigmatization and discriminatory practices in migrants and displaced persons with disabilities.

Develop systematic policies on the registration of migrants, refugees, and internally displaced persons with disabilities.

Take specific action to ensure that mitigation, response mechanisms and services, and national social protection systems are accessible to and inclusive of migrants, refugees, and internally displaced persons with disabilities.

Ensure that resources for recovery, readaptation, peacebuilding and reconstruction target migrants with disabilities and that strategies recovery include accessible support.

Assess sustained awareness-raising and public education initiatives on the rights of persons with disabilities ensuring their recognition as rights holders, leaders, experts and active members of society.

I Thank you



5 minute BREAK

<<5:00>>

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Disability and Forced Migration

Leana Podeszfa

Protection Officer, Disability Inclusion | UNHCR

Refugee Protection and Disability

What does effective protection look like for persons with disabilities in forced displacement?



**Accessible asylum
procedures**



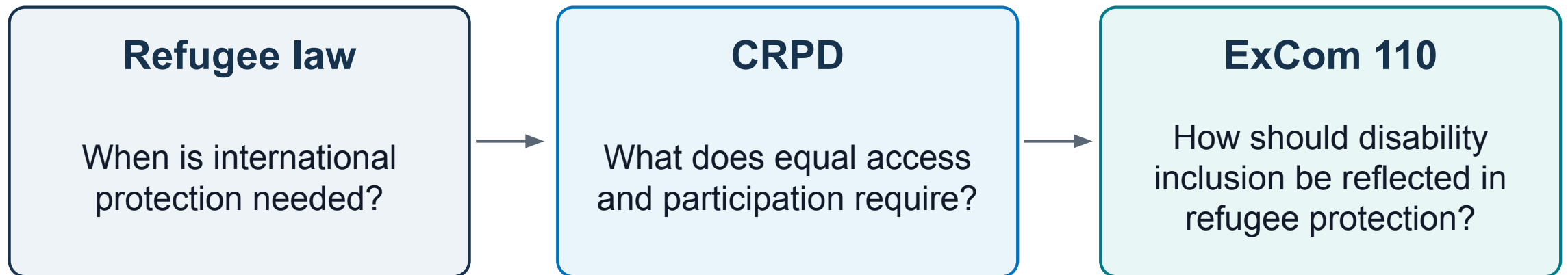
**Recognition of
persecution**



**Rights and solutions in
practice**

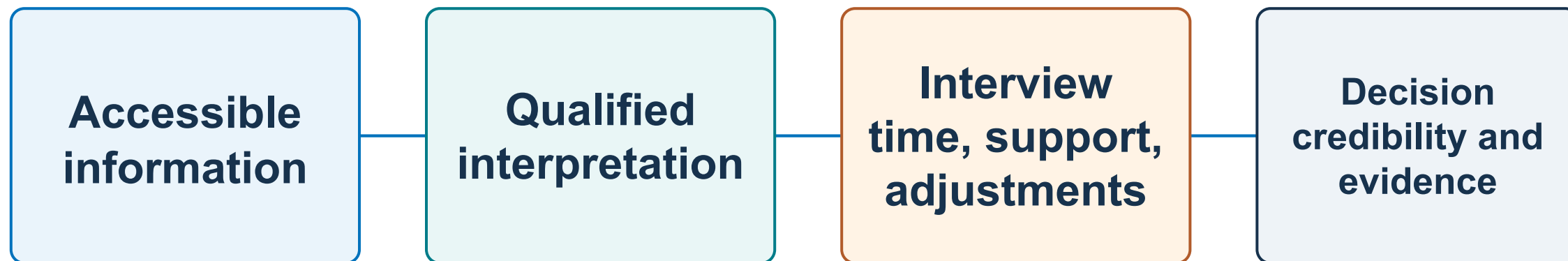
The protection framework: rights, access and participation

The frameworks are complementary.



Equal access to asylum and protection services

A strong protection claim can still go unheard if the procedure is inaccessible.



Missing accommodation can become a fairness, credibility or evidence issue.

Disability-based violence as a driver of forced displacement

Disability may shape the violence or persecution that forces people to flee.

Not only exclusion

Barriers and lack of support
are serious protection
concerns.

Targeting because of disability

Violence, deprivation of liberty,
exploitation, harmful practices
or cumulative denial of rights.

UNHCR's approach: progress, gaps and the way forward

UNHCR approach

**Identification
and data**

**Accessibility and
accommodation**

**Meaningful
participation**

**Twin-track
approach**

Implementation gaps

**Under-
identification**

**Inconsistent
Accessibility**

**Reasonable
accommodation
not systematic**

**Resources
affect
capacity and
expertise**

**Way forward: strengthen the existing protection system with
persons with disabilities themselves.**

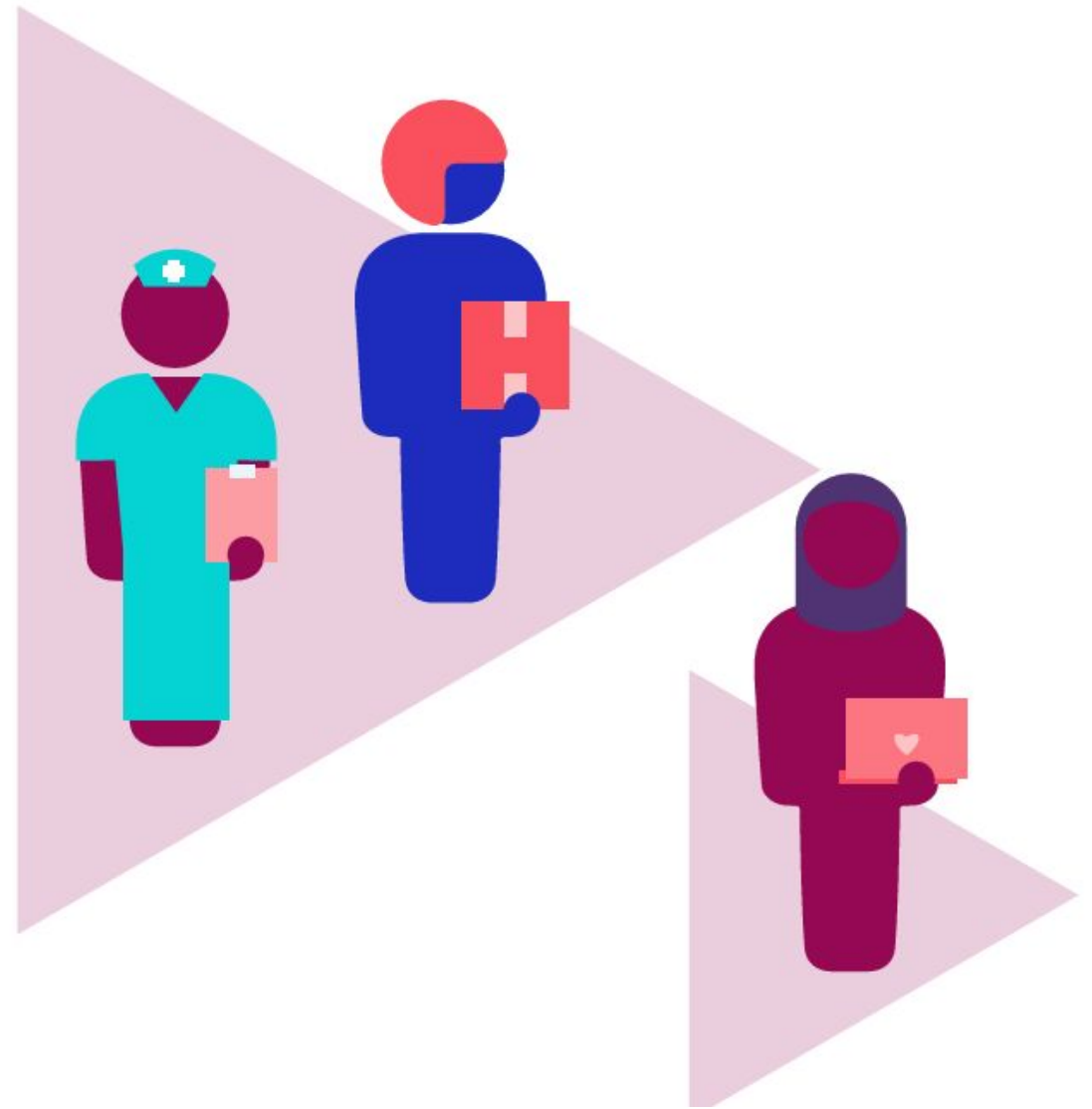
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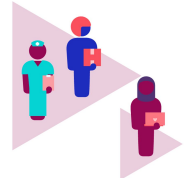


Labour migration and disability

A rights-based framework

Katerine Landuyt
Sr migration policy specialist, ILO Geneva
International Labour Organization (ILO)





What will we cover ?

One person – several layers of protection

The UN Convention ... briefly

International Labour standards

- Fundamental principles and rights at work (FPRW)
- The ILO disability and labour migration standards
- Other relevant international labour standards

Zoom : fair recruitment, access to employment, work injury and social protection



Why the intersection matters

Migration status and disability can create barriers at the same time

Before migration

Discriminatory recruitment or medical screening can close migration pathways before a worker even departs

During employment

Unsafe work can cause disability. Barriers to accommodation, retention and rehabilitation can threaten the job

After injury or return

Loss of work can affect status, residence, treatment, compensation and portable social security rights

Disability should not automatically mean “unfit to migrate” or “unfit to work”.



One person, several layers of protection

Read the instruments together rather than in isolation.

ILO standards

Fundamental rights at work

Labour migration

Disability & employment

Private Recruitment

Injury & social security

CRPD

Equality and non-discrimination

Accessibility

Reasonable accommodation

Right to work

Rehabilitation and inclusion

ICRMW

human rights of migrant workers

Equal treatment in work

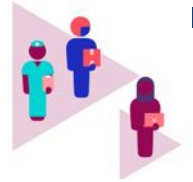
Social security and urgent care

Protection against dismissal

Information and remedies

Together: equality + disability inclusion + migrant-specific protection.

ICRMW: migrant-worker rights that matter at the nexus



International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Non-discrimination

Core protections apply without distinction, including to migrant workers in an irregular situation

Equal treatment

Art. 25: equality with nationals on remuneration and other conditions of work and terms of employment

Social security & urgent care

Art. 27 addresses social security subject to applicable law/treaties; Art. 28 protects urgent medical care

Employment security

Art. 54: Regular-status migrants should enjoy equality regarding dismissal protection, unemployment benefits and alternative employment

Information & remedy

Workers need accessible information on rights and conditions and access to justice when employment rights are violated

Fundamental rights at work apply to migrant workers with disabilities

The starting point : ILO standards generally apply to “all workers”, unless stated otherwise

Freedom from forced labour

C029 - Forced Labour Convention, 1930, and Protocol of 2014

C105 - Abolition of Forced Labour Convention, 1957

Equality & non-discrimination

C100 - Equal Remuneration Convention, 1951

C111 - Discrimination (Employment and Occupation), 1958

Freedom from child labour

C138 - Minimum Age Convention, 1973

C182 - Worst Forms of Child Labour Convention, 1999

Freedom of association collective bargaining

C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948

C098 - Right to Organise and Collective Bargaining Convention, 1949

A safe & healthy working environment

C155 - Occupational Safety and Health Convention, 1981

C187 - Promotional Framework for Occupational Safety and Health Convention, 2006

C159 and CRPD: complementary protection

C159 provides the employment framework

ILO Convention No. 159

- National policy on vocational rehabilitation and employment
- Equality of opportunity between workers with disabilities and workers generally
- **Special positive measures are not discrimination**
- Vocational guidance, training, placement and employment services
- Focus on securing, retaining and advancing in suitable employment

CRPD reinforces work-related protection with explicit human rights duties.

CRPD

- Reasonable accommodation is part of non-discrimination (Arts 2 & 5)
- Accessibility covers workplaces, transport, information and services (Art. 9)
- Rehabilitation supports independence and participation (Art. 26)
- Work is a human right, including recruitment, retention, advancement and safe working conditions (Art. 27)

C97 and C143: equality and protection

C97 — Migration for Employment (Revised), 1949

Art. 6

Equality of treatment, without discrimination, with nationals for lawfully present migrant workers on remuneration, conditions of work, trade union rights and social security—including employment injury and invalidity, and access to justice

Art. 8

A migrant admitted on a permanent basis should not be returned because of work-related illness or injury after entry, subject to the Convention's conditions

C143 — Migrant Workers (Supplementary Provisions), 1975

Part I

Addresses migration in abusive conditions while protecting basic human rights and rights arising from past employment, including for migrants in an irregular situation

Art. 8

Loss of employment should not by itself result in withdrawal of residence status of regularly admitted migrant workers

Art. 10 / Part II

National policy promotes equality of opportunity and treatment for migrant workers regularly admitted workers

Nexus: disability or work injury should not automatically mean loss of rights, status or residence.

Other ILO Conventions that speak to migration, disability - or both

Reading ILO standards together across recruitment, employment injury, rehabilitation and social protection

Instrument	Applies to	Why it matters
C19/C121 - Employment injury compensation / benefits	both	Employment injury benefits; rehabilitation; re-employment
C128 - Invalidity, Old-Age and Survivors' Benefits	disability	Invalidity benefits; rehabilitation and placement
C118 / C157 Social Security	both	Equality of treatment; maintenance and portability of social security rights
C181 Private Employment Agencies	Both	Non-discrimination in private recruitment; cross-border safeguards
C190 Violence and Harassment	both	Protection where migrant status and disability create intersecting vulnerability

ILO Recommendations complete the picture

Practical guidance that complements ILO Conventions

R168 Vocational Rehabilitation and Employment (Disabled Persons), 1983

Open labour market; workplace adaptations; transport/access; placement; supported employment

R86 Migration for Employment (Revised), 1949

Recruitment, information, conditions of migration and bilateral cooperation complementing C97

R151 Migrant Workers, 1975

Equality, family and social policy, employment injury and occupational safety and health

R205 Employment and Decent Work for Peace and Resilience, 2017

Protection of refugees and migrants - including migrant and refugee workers with disabilities - in crisis contexts

R195 Human Resources Development, 2004

Inclusive access to education, training and lifelong learning; skills recognition and employability

R198 Employment Relationship, 2006

Helps prevent workers from losing labour protection through disguised or ambiguous employment relationships

Fair recruitment: where exclusion can happen

Information

Job information, recruitment services and communication may be inaccessible

Screening

Disability can trigger discriminatory pre-selection or assumptions about capacity

Medical assessment

Exclusionary protocols may bar workers for disability unrelated to inherent job requirements

Interviews

Lack of reasonable accommodation can prevent candidates from demonstrating their skills

Migration pathway

Discrimination may push workers toward informal or irregular channels and greater risk

Arrival

Administrative processes, transport, workplaces and accommodation may remain inaccessible

Relevant ILS: C111 · C181 · C97/C143 · C29/P29/R203 · C159

Fair recruitment : The nexus question

Country of origin

Does the recruitment system give a qualified person with a disability the same opportunity to migrate for work as other candidates?

Country of destination

Are disability-related requirements or exclusions necessary, proportionate and connected to the work—or do they operate as barriers?

Equality of opportunity and treatment across the recruitment pathway

ILO Committee of Experts

Non-discrimination

*“The Committee has noted that the legislation of some countries **prohibits entry or stay on medical grounds to persons with a real or perceived disability**. The Committee draws attention to the fact that, while medical testing and the prohibition of entry of persons on the ground that they may constitute a grave risk to public health is likely to be a routine and a responsible precaution prior to permitting entry of non-nationals, **the exclusion of individuals on certain medical or personal grounds which do not pose a danger to public health or a burden to public funds may ... constitute discrimination.**” (General Survey, 2016)*

Fair recruitment: four lessons to carry forward

1 Build evidence

Collect disability-sensitive data and monitor recruitment outcomes—while protecting privacy

2 Build partnerships

Governments, employers, recruiters, unions, migrant groups and OPDs need shared strategies

3 Fix systems, not people

Align laws, policies, bilateral labour migration agreements and recruitment systems with equality and disability inclusion

4 Put workers' voice at the centre

Migrant workers with disabilities should help design, implement and evaluate recruitment programmes

**ILS : C111 equality · C181 private recruitment agencies · C97/C143 migrant-worker protection
· C159 disability inclusion**

Emerging good practice—and practical recommendations

Emerging practice

Connect migration and disability actors. Migrant Worker Resource Centres and migration programmes can partner with organizations of persons with disabilities (OPDs).

Why it helps:

- accessible information and referrals
- stronger worker voice
- shared expertise
- fewer “silos” between migration and disability systems

What to do next

- Review each recruitment stage for barriers
- Make information, interviews and complaints accessible
- Ensure medical assessment is rights-based and job-relevant
- Include disability in bilateral labour migration agreements
- Build recruiter/employer capacity
- Use human-rights due diligence
- Support skills, rights awareness and self-representation

Relevant ILS: C111 · C181 · C97/C143 · C159 · R86 · R168

Access to the labour market and equality in employment

Protection continues after recruitment.

Access

Open labour-market opportunities should not be blocked by unjustified distinctions

C111 · C143 Part II · C159

Stay & advance

Equality includes conditions of work, training, retention and career progression

C159 · C111 · C143 Part II

Remove barriers

Special measures and reasonable accommodation can support effective equality

C159 · C111 + CRPD

Focus on what enables the person to do the job.

After a work injury: stop the cascade

A workplace injury should not become a chain of exclusion.

1

Work-related Injury

Worker acquires an impairment

2

Job

Accommodation, rehabilitation, retention

3

Residence and Return - Status

Job loss should not automatically create irregularity

4

Rights

Protect care, compensation, livelihood and return-to-work

**ILS: C019/C121 employment injury · C159 rehabilitation · C143 Art. 8 status after job loss
C97 Art. 8 protection after illness/injury for permanent migrants**

Social protection must travel with the worker

Protection matters during employment, across borders and after return.

Equal treatment

Relevant branches include sickness, employment injury, invalidity and other social security benefits.

C102 · C118 · C19/C121 · C128

Maintain rights

Coordination can protect rights acquired - or in the course of acquisition - when workers move between countries.

C157 · C118

Benefits after return

Bilateral or multilateral social security agreements can support aggregation of periods and payment of eligible benefits across borders.

C157 · R167

Return to the country of origin should not automatically erase social security rights acquired abroad.

Read ILO standards across the migration cycle

Recruitment

C111 · C181 · C97/R86 · C29/P29

Fair, non-discriminatory and accessible recruitment

Employment

C159/R168 · C111 · C143

Equality, accommodation, retention and advancement

Work Injury

C19/C121 · C118

Medical care, injury benefits and compensation

Status after job loss

C143 · C97, Annex II

Avoid automatic irregularity or premature return

Social security

C97/C143 · C118 · C157 R167

Maintain and port social security rights

Crisis situations

R205 · C111 · C29/P29 C143

Address particularly the vulnerability of refugees and migrants with disabilities in situations of crisis

ILO Committee of Experts

Equality of opportunity

“Convention No. 159 reinforces the principles established in Convention No. 111 and sets the foundation for the protection and promotion of the labour rights of workers, including jobseekers, with disabilities.” (General Survey 2020)

Focus on participation

“Migrants, refugees, other forcibly displaced persons and returnees are frequently overlooked in crisis responses, leading to heightened vulnerability to exploitation and exclusion from protection systems. [...], the Committee emphasizes the need for targeted actions for migrant workers made particularly vulnerable by crises – including those in precarious employment, women, young persons and persons with disabilities” (General Survey 2026)

Six take aways

A practical checklist for policy and practice

1

Disability is not automatic unfitness

2

Recruit fairly and remove barriers early

3

Provide accommodation, rehabilitation and pathways to stay in work

4

Do not let job loss automatically become loss of status

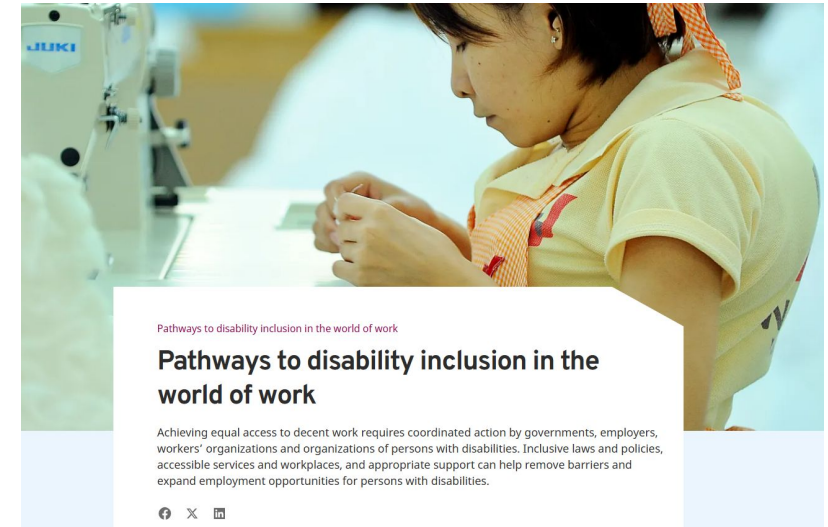
5

Protect employment injury and portable social security rights.

6

Read C159 + CRPD together with C97/C143 + ICRMW, and other relevant ILS

If you wish to know more



NORMLEX





Q&A and discussion

Moderated by: Catalina Devandas Aguilar
former UN Special Rapporteur on the Rights of Persons with Disabilities

- **Amalia Gamio**
- **Leana Podeszfa**
- **Katerine Landuyt**

GFDMD · 23–24 September 2026



End of Session 1

Please return for Session 2 on Labour migration governance and disability in practice in 30 minutes time

<<30:00>>

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