

## INTRODUCTION

There is a historic trend of underrepresentation of disabled forced migrants in academia, the media and in the work of humanitarian organisations. They are often hidden and voiceless amongst the discourse and debate. Throughout the journey of a disabled forced migrant many experience violence, harassment and discrimination. Those who wish to seek refuge in other states face additional barriers.

This research incorporates 'forced migrants' rather than just 'refugees'. The legal definition of refugee is very restrictive and it can be harder for those with disabilities to prove refugee status.

WHO estimate that approximately 15% of the world's population (more than 1 billion) live with a disability (WHO, 2016). If we apply this percentage to the numbers of forcibly displaced worldwide, the numbers with a disability in the population are approximately 23 million. This figure is likely higher.

For those attempting to migrate to countries in the global North, they often face multiple barriers within hostile systems. There is often a negative perception of the potential 'burden' they may place on the country.

"this population (disabled forced migrants) continues to be cast in a shadow, of epistemological, ontological and practical invisibility" (Pisania & Grechb, 2015).

## CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

- When adopted in 2006 it represented a huge shift in how disabilities are viewed from 'objects' of medical attention to right-bearing humans.
- Article 11 obliges states to take 'all necessary measures to protect persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters.'
- Debate over its application to non-citizens
- Both UK and Canada are signatories



## RESEARCH QUESTIONS

- What support is in place to provide 'reasonable adjustments' in line with the CRPD for people with disabilities making asylum claims?
- How does this differ for those who do not meet the refugee criteria?
- How do the countries compare with one another?

## CANADA

### Specific programmes for targeting refugees with disabilities

*Joint Assistance Sponsorship (JAS)*

Shared responsibility of state and private sponsorship groups to target refugees with more significant settlement needs. The state takes full financial responsibility while the private groups assist with integration.

### Accommodating for persons with disabilities in the asylum process

Travel costs to Canada are covered by government in the form of a loan (free in certain circumstances). The Canadian government also offers additional support in the form of equipment e.g. hearing aids, up to \$1,000 and further assistance such as communication support. Immigration provisions are in Braille, large print and audio format forms/guides and applicants can be assisted by a third party.

### Process for non-refugees

Section 34(c) of Immigration and Refugee Protection Act 2001 states, "A foreign national is inadmissible on health grounds if their health condition ... might reasonably be expected to cause excessive demand on health or social services" (Government of Canada, 2016). While this condition does not apply to refugees, for those without this legal status this is highly significant. Many applicants are discriminated against on the basis of their, or a family member's disability, due to a potential 'burden' on the state. While there have been high profile cases where decisions were overturned, the majority are rejected.

"If people with disabilities are not seen as potential contributors to the economic life of Canada, they are less likely to be considered preferred applicants" (El-Lahib & Wehbi, 2012)

## DISCUSSION

In accommodating for persons with disabilities in the asylum process, the Canadian government provides significantly more assistance than the UK. The Joint Assistance Sponsorship scheme is especially effective as it increases the chances for integration and continued support. However, for those who do not qualify as refugees and have to apply through the normal visa process, this accounts to a significant drop in both assistance and the chances of residing in Canada.

It can and has been argued that Canada's policy of rejecting migrants on the basis of their disability is discriminatory. It is counter to rules of the UN Convention on the Rights of Persons with Disabilities (CRPD) to which it is signatory.

## UNITED KINGDOM

### Specific programmes for targeting refugees with disabilities

*Syrian vulnerable Persons Resettlement Scheme (VPR)*

Prioritises refugees with increased vulnerability, such as people with disabilities, for resettlement in the UK. UNHCR refer those in countries surrounding Syria for the VPR scheme. 5,454 Syrians were resettled to the UK under the VPR between October 2015 and December 2016 (McGuinness, 2017).

*Vulnerable Children's Resettlement Scheme: Suspended 2016*

### Accommodating for persons with disabilities in the asylum process

While the government recognises the need for additional support for forced migrants with disabilities through funding from DFID internationally, this is not provided for those within the UK's boundaries. Applicants for asylum with disabilities receive no additional financial support.

There is a dearth of additional support for disabled asylum seekers. Specifically, there is a lack of support in the community. Those with additional needs are entitled to support such as adapted housing if it is available. However, due to pressures on local authorities, this support is usual not available.

### Process for non-refugees

Applicants cannot be rejected due to the potential burden on health and social care. However, they are not entitled to any additional support.

A Home Office representative explained how the amount of money given to a disabled asylum seeker "would be the same as an able bodied person because they don't need anything more" (Yeo, 2016)

The support provided by the UK for disabled asylum seekers is insufficient and inadequate. Considering the low numbers of refugees it accepts, it has the capacity to do considerably more. It should start by reinstating the Vulnerable Children's Resettlement Scheme.

To meet the requirements of the CRPD, both states need to do more to support this population. An important first step is to collect accurate statistics of the numbers of people with disabilities applying for asylum. With this information, more can be known of their needs and the level and type of support required.

More research is needed on this highly vulnerable group to draw the issue to policy makers attention.

## REFERENCES

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