**Maat Report on the Rights of Internally Displaced Persons with Disabilities in Syria**

**Submitted to**: Special Rapporteur on Internally Displaced Persons

**Submitted by**: Maat Foundation for Peace, Development and Human Rights (Organization in special consultative status with the UN Economic and Social Council).

**Submitted by**: Syria

**Date**: January 2020

**Preamble**

Maat for Peace, Development and Human Rights submits this report in the context of its interest in the human rights situation in the Arab region, especially with regard to internally displaced people. The conflicts in Arab countries have caused millions of refugees to flee their war-torn homes to another territories in search of safety. However bad the situation is for People with disabilities in the Arab region, in normal condition, the wars and conflicts that the region has been going through for years have led to a further deterioration in the already critical situation of the disabled. In Syria, years of continuous fighting have left 6.6 million internally displaced persons, and if IDPs, in general, face difficulties, IDPs with disabilities face more difficult challenges. They are among the most marginalized groups, and their vulnerability is often exacerbated in conditions of forced displacement. Feelings of stigma, isolation and perceptions that they are a burden can threaten their dignity, safety, security and access to services.

The United Nations estimates that about 15 percent of the world's population live with some kind of disability, and approximately 6.7 million people with disabilities have been subjected to forced displacement due to wars, conflicts, persecution and human rights violations. [[1]](#footnote-1)

**Protecting the Displaced in International Law**

Although internally displaced people are not subject to an agreement of their own as is the case with refugees, they enjoy protection under many laws, especially national and human rights law, as well as international humanitarian law in case of being in an armed conflict country. With regard to national law, the vast majority of the internally displaced are nationals of the countries in which they found themselves, and they thus enjoy full protection of national law, and the rights guaranteed to the citizens of this state without any unfair discrimination resulting from the reality of their displacement.

The Human Rights Law also provides important protection for the internally displaced, and it applies in all circumstances; in times of peace and in situations of armed conflict. The law aims to prevent displacement and guarantee the basic rights of IDPs upon it application. The prohibition against torture and cruel, inhuman or degrading treatment or punishment, and the right to enjoy property in peace and to enjoy housing and family life are of particular importance in preventing displacement. The right to personal integrity, the right to a homeland, to food, shelter, education and work provide fundamental protection during displacement. Many of these rights are also relevant to the issue of return. The Convention on the Rights of Persons with Disabilities also includes a special article for people with special needs in situations of danger and humanitarian emergencies.

International humanitarian law applies in situations of armed conflict, whether international or non-international. If the internally displaced persons are present in a state party to an armed conflict, they are considered civilians and are entitled to the protection guaranteed to civilians, provided they are not involved in the hostilities. International humanitarian law expressly prohibits forcing civilians to leave their places of residence unless this is necessary for their safety or for urgent military necessities. The general rules of international humanitarian law that guarantee protection for civilians, may, if properly respected, prevent displacement and provide protection in cases of displacement through establishing rules prohibiting parties to the conflict from targeting civilians and civilian objects, or by carrying out hostilities without discrimination. As well as, the prohibition against starvation of civilians and the destruction of objects indispensable to the survival of the population. Likewise, the ban on collective punishment, which often takes the form of home demolitions. In addition to the rules that require the parties to allow relief shipments to reach civilians in need.

These rules, if properly regarded, can play a critical role in preventing displacement; as in most cases, violating them would be the original cause of displacement. The only context in which international humanitarian law explicitly addresses the issue of return is the context of "legal displacement", that is, the evacuation of the population for safety reasons or for urgent military necessity. In these cases, the displaced population must be returned to their homes as soon as the hostilities cease, and the right of return can become "a priority" if the displacement is arbitrary.

These legal agreements are binding on states, and international humanitarian law is also binding on armed groups. These laws aim to provide basic protection that will prevent displacement, protect people during displacement, and help them return to their homes. The current laws cover the most important needs, as there are no significant gaps in the legal protection of the internally displaced. The challenge is to ensure implementation of the already existing rules.

**Suffering of Internally Displaced Persons with Disabilities in Syria**

During conflicts, affected civilians and people with disabilities suffer most due to the exacerbation of institutional, behavioral, and environmental barriers and risk factors during crises or conflicts such as the case in Syria. With the continuation of the almost nine-year-long Syrian civil war, people with disabilities continue to suffer, and their tragedy continues to grow. In displacement camps, these people struggle to face a life that has become more difficult. Some civilians were suffering from disability before the war, and some got parts of their body ripped off during the shelling, and thereby incapacitated. Although the details of the suffering differ from one person to another, they agree on the fact that this fragile group is the most vulnerable to the effects of the bitter reality.

Out there, in the widespread camps, people with special needs await support that might restore some of them the ability to move again, in order to restore their normal way of life and provide for their families, amid the great absence of organizations concerned with their affairs. While exact figures of people with disabilities in Syria are not available, an UN report mentioned that there are 2.8 million Syrians with permanent physical disabilities due to war.[[2]](#footnote-2) And their figure is steadily increasing as a result of the continued shelling by all parties to the conflict of populated areas.

In addition to the challenges that IDPs face, people with disabilities, among them, face greater challenges, especially with regard to accessing civil documents and including birth and marriage registration, which absence may hinder access to support. The poor access to appropriate medical and psychological care prolongs or aggravates disability cases among children, the elderly and other members of society. The ability of parents to help their children with disabilities shrinks as the period of displacement increases, due to the lack of an appropriate environment that control the movement of people with special needs who suffer from neurological diseases and brain disabilities.

Among those who are facing difficult conditions as a result of displacement inside Syria is Fatima Al-Qasim, a woman displaced from the eastern countryside of Deir Ezzor to the west of Idlib, who was struck by a stray bullet from a weapon ammunition storehouse that was in the hand of her husband, resulting in an eradication of the kidney, the spleen and one of her spinal vertebrae, which partially hindered her movement. Fatima is one of three million Syrians with permanent physical disabilities due to the war, the ensuing armed manifestations and the irresponsible use of weapons. Despite her medical condition, Fatima is trying to secure a job that will help her family to make a living. Therefore, she conducted a job interview recently, but she was ruled out for her health condition, as the initiatives to support people with disabilities in her area were limited to children. Fatima fears displacement again because of the military operation, as she will have to bear the burden of seeking help from others, and will have to pay extra money for transportation, as well as her fears of the difficulty of adapting to the new place, which is still unknown to her.[[3]](#footnote-3)

Not only Syrian refugees are suffering, but also the Palestinian refugees living in Syria, where the fatigue, displacement and neglect increased the suffering of the Palestinian children of Syria, and led to the deterioration of the conditions of those with disabilities in particular. The Palestinian child inside Syria is the most affected by the repercussions of the war in Syria, which increased the suffering of many of them with the loss of their relatives, in addition to the physical injuries that they had during their journey of asylum. The story of the child, “Jawad Al-Abwaini” is one example of similar painful stories about Palestinian children who were subjected to disabilities and injuries as a result of the Syrian war and the mass killing of civilians. The child “Al-Abwaini” is a seven-year-old and his medical condition began to deteriorate with the beginning of events in Yarmouk camp, where he was injured as a result of inhaling gases thrown at them. His condition was critically developed due to the lack of medicine, treatment, health care and hunger because of the siege on Yarmouk, until he got cerebral palsy, before he underwent surgery in Syria and was subsequently subjected to severe bleeding.[[4]](#footnote-4)

As for the child, “Moufid Ahmad Khaled” (7 years) - a member of a Palestinian family who had been displaced from Al-Sabinah camp in Syria to Rashidiyeh camp in southern Lebanon - who suffers from a complete cerebral palsy since birth, imposes an additional economic burden on the family, as his special dietary requirements, medical tests, medicines and diapers reach approximately $ 200 a month- an amount of money that the displaced family cannot afford, due to their deteriorating economic conditions and the absence of a stable income resource for them.[[5]](#footnote-5)

The Turkish intervention in Syria has contributed to the exacerbation of the crisis of the displaced. The situation has worsened along with the continued attacks on northern and western Syria. As nearly 390.000 people fled as a result of shells and air strikes throughout December and last January, including nearly 150.000 person in January 2020 alone.[[6]](#footnote-6) The three million Syrian citizen, living in northwestern Syria, lead a life of fear, as they are besieged by the closed Turkish borders and the front line and attacked. And when the residents flee in search of safer camps, they face difficulties - especially those with disabilities - in finding health care with the growing number of wounded and dead. The situation gets more difficult, with hospitals getting damaged, increasing the difficulty for injured people to reach health care facilities, and they have to travel long distances to obtain treatment, increasing the chances of worsening his injury and the possibility of his death.

**Recommendations**

- The necessity of pressuring the parties to the conflict in Syria to stop the war and end the suffering of the Syrian people that has continued since 2011.

- Provide protection and humanitarian assistance to all displaced people in Syria, especially those with disabilities.

- Pressure on the Turkish authorities to cease its offensive on northern Syria, as Turkey's ongoing military offensive has displaced thousands of people already displaced from places regarded safe. Turkey’s actions threaten to hamper the provision of life-saving and medical assistance to those in need, causing a massive humanitarian catastrophe in a war-torn country.

1. كيف أثرت حروب وصراعات المنطقة العربية على ذوي الإعاقة؟ BBC عربي، 3 ديسمبر 2019. <https://www.bbc.com/arabic/interactivity-50647935> [↑](#footnote-ref-1)
2. اللاجئ السوري ذو "الاعاقة" .. من الحرب إلى آلام اللجوء ووهن التخلي، موقع أبواب، أغسطس 2018. <https://bit.ly/2vxu7YU> [↑](#footnote-ref-2)
3. الحرب والنزوح يضاعفان مصاعب ذوي الإعاقة في ريف حلب، عنب بلدي، 9 فبراير 2020. <https://www.enabbaladi.net/archives/361887> [↑](#footnote-ref-3)
4. في اليوم الدولي للأشخاص ذوي الإعاقة: التهجير فاقم معاناة ذوي الاحتياجات الخاصة من أطفال فلسطيني سورية، مجموعة العمل من اجل فلسطيني سورية، 3 ديسمبر 2018. <https://bit.ly/2Hm8NZ8> [↑](#footnote-ref-4)
5. المرجع السابق [↑](#footnote-ref-5)
6. الوضع الطبي والانساني في ادلب يزداد سوءاً والمستشفيات في خطر, اطباء بلا حدود, 31 يناير2020. <https://bit.ly/2Slfpxc> [↑](#footnote-ref-6)