

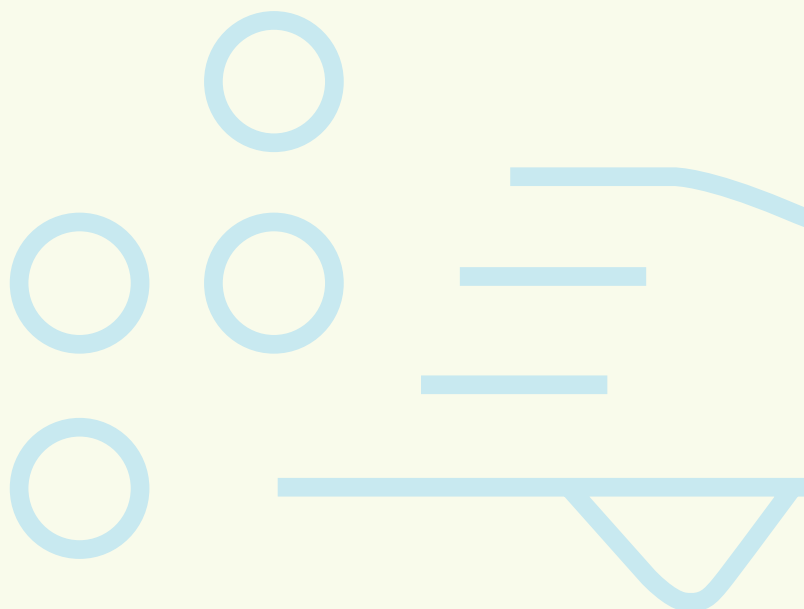


**FIGHT
FOR
RIGHT**



24.02

**RECOMMENDATIONS ON INCLUSION OF
DISABILITY AND SUPPORT OF PUBLIC
ORGANIZATIONS OF PEOPLE WITH DISABILITIES
IN HUMANITARIAN ACTIONS**



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of «Fight For Right»**

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**FIGHT
FOR
RIGHT**

WHO ARE FIGHT FOR RIGHT AND WHAT ARE WE DOING NOW?

We fight for the observance of the rights and freedoms of people with disabilities. We work to ensure that every person with a disability knows their human rights and can freely use them. With the beginning of a full-scale invasion, we are engaged in the evacuation of people with disabilities, provide targeted assistance, psychological support and legal advice.

MISSION OF FIGHT FOR RIGHT'S:
to bring to life the human rights
model of disability

STARTING FROM FEBRUARY 24 AND NON-STOP 24/7 WE:

- **launched** a national hotline to support people with disabilities in critical situations during full-scale war;
- **evacuate** people with disabilities to safer places in Ukraine and abroad;
- formed and support an international initiative to help Ukrainians with disabilities;
- **receive funds** from donor organizations and people around the world to support people with disabilities in Ukraine;
- **inform** Ukraine and the world about war crimes and the consequences of war for people with disabilities;
- strengthen the community of people with disabilities in an effort to become a powerful human rights movement;
- advocate for the changes in legislation that are needed for people with disabilities to enjoy their rights on an equal basis with everyone else;
- teach human rights, non-discrimination and inclusiveness.

During this time, the Fight For Right team at national and international events publicly sought and answered questions such as:

- Who helped save the civilian population, including people with disabilities in Ukraine?
- What problems related to evacuation have you observed during this time?
- What are people with disabilities missing in crisis response?
- What are your recommendations for the authorities in Ukraine or the international community?

We have published several **studies**, but we have collected and analyzed more information, looking for answers to the questions that we have tried to solve in our work, so that people with disabilities can enjoy their human rights and have access to evacuation, protection, humanitarian aid and various types of support. Both those who remained in Ukraine and those who were forced to go abroad.





WE PREPARED AND PUBLISHED:

1. A study **of the experience of evacuation** among the public sector, which showed us that, of course, where it was possible to establish at least some cooperation with local authorities, more people were saved. But we were surprised that how little such cooperation there is and how much civil society does instead without the participation of authorities and local self-government.
2. A preliminary **study** of the observance of the rights of people with disabilities in places of detention, this is a question of NOT evacuating places of detention, many of which remained in temporarily occupied territories. And now it is the duty of the state to find and return all these people who could not make independent and independent decisions.
3. Analysis of **the regulatory framework** for civil protection and evacuation in emergency situations and during war. We are forced to state that on paper the interaction of local authorities, military administrations and central authorities is regulated, but when it comes to solving the issues of who exactly should have made the decision on the timely evacuation of the boarding school or the provision of accessible transport for the departure of civilians, then the actors in such situations remain uncertain. We also analyzed international standards and prepared recommendations for inclusive decision-making that should guide central and local governments.

4. Mapping the challenges faced by internally displaced persons with disabilities, determining how inclusive the IDP support system is on the ground and seeing the many still UNRESOLVED issues. And it was also noted once again that some problematic points, known since 2014-2015, were solved only thanks to the consistent and systematic advocacy work of civil society. While the state system of services for forced migrants is still not inclusive, and modular towns are architecturally inaccessible, despite the current state barrier-free strategy. At the same time, one of the arguments why some people with disabilities still refuse to evacuate from dangerous areas, despite all persuasions, is the impossibility of finding affordable housing.

ALL THIS ALLOWS US TO ANSWER THE ABOVE QUESTIONS:

— People with disabilities are independent subjects in the development and effective management of an unprecedented emergency response program.

— It was because of the lack of adequate and timely response from the state or local self-government bodies that the community of people with disabilities and public organizations joined forces and implemented an effective evacuation and medical evacuation program for people with disabilities, the elderly and others who needed such assistance.

We have observed the disregard of the rights of people with disabilities for many years of Ukrainian independence, the lack of accessibility of Ukrainian cities and towns, as well as the lack of understanding regarding the need to make services and information available, so these factors that caused, with the beginning of the full-scale invasion, a situation where people with disabilities once again found themselves in a peculiar «ghetto» and often needed outside help.

After analyzing the normative regulation and practical implementation – both of civil protection in general and evacuation processes, as well as the way of organizing the provision of support and assistance to internally displaced people with disabilities – we see a huge lack of understanding of the need to include disability in the design of services and a lack of inclusive approaches during their granting.

Having analyzed the work of international humanitarian aid providers, we were also forced to note the lack of inclusion of the rights of people with disabilities and consultations directly with the community itself.

Our experience of emergency response, as well as the analysis of our work and the context in which people with disabilities are in Ukraine, gives us the basis for formulating a number of recommendations.

FIGHT FOR RIGHT'S VISION:
every person with a disability in Ukraine can
freely exercise human rights

OUR RECOMMENDATIONS TO THE INTERNATIONAL COMMUNITY

1. Developing and implementing strategies to help Ukraine involve people with disabilities in the processes at all levels, conduct regular consultations with Ukrainian civil society organizations and take into account the opinion of communities about where exactly and what humanitarian aid is needed.
2. Build separate strategies or at least sections in the general strategy dedicated to targeted assistance to specific groups of people, including people with disabilities. It is the development of such targeted strategies that is the key to targeting and focusing work in those areas and for those groups that need it the most and suffer from the consequences of war.
3. Regularly report on the spending of the budget for aid to Ukraine, in particular, distinguish what the funds are directed to, what part of the warehouse budgets are administrative expenses, and what part is directed to the direct support of various categories of persons, including people with disabilities as a separate category of aid recipients.
4. Engage in advocacy for the observance of human rights for all while responding to the consequences of the war and within the framework of building plans for the recovery of Ukraine. Advocating for the mainstreaming of the rights of people with disabilities and the development of an inclusive Ukraine.
5. To approve and reinforce the condition of observing human rights and building an inclusive society as mandatory for the state to receive support and international technical aid.



ADVOCACY GOAL OF FIGHT FOR RIGHT №1

advocacy for the rights of people with disabilities during war

OUR RECOMMENDATIONS TO UKRAINIAN HUMANITARIAN AID PROVIDERS



1. Establish coordination of central authorities (Ministry of Social Policy), local authorities, local branches of the Pension Fund, social protection offices and public organizations that unite people with disabilities or provide services to people with disabilities, as well as the community of people with disabilities itself, for:
 - joining efforts in forming humanitarian needs and providing humanitarian aid;
 - creation of a joint database of humanitarian needs of people with disabilities, obtained through bottom-up requests, which reach coalition members through various channels available to everyone (google forms, messengers, phones, in writing or through face-to-face communication).
2. Decentralize the provision of humanitarian aid. Communities and local authorities should be as aware as possible of the humanitarian needs of people with disabilities with whom they have direct contact.
3. Involve experts of different profiles on site, according to incoming requests: specialists in assistive technologies for people with various disabilities, pharmacists, and others. It is best if these experts belong to the community of people with disabilities.

4. Prioritize the needs of people with different types of disabilities and develop an individual approach to considering requests.
5. When forming a base of humanitarian needs of people with disabilities, use different methods of communication in order to cover the needs of this social group as widely as possible. It is necessary to take into account the inaccessibility of modern Internet technologies for some people, difficulties in providing information or the impossibility of obtaining information.

ON WHAT BASIS DO WE GIVE SUCH RECOMMENDATIONS AND WHAT DO THE TERMS WE USE MEAN?

The emergency response program created and implemented by Fight For Right, starting on February 24, 2022, is based on the values and principles that have been the basis of the team's work since its inception:

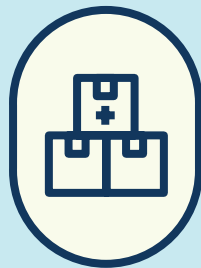
- every person with a disability has dignity;
- human rights first of all;
- people with disabilities can do much more than society expects of them;
- people with disabilities have subjectivity and are experts regarding their own rights and freedoms;
- interaction with aid recipients, external actors and partners should always be equal;

- independence;
- finding solutions for support in any critical situation;
- teamwork.

OUR EMERGENCY RESPONSE PROGRAM CONSISTS OF FOUR BLOCKS:



evacuation



humanitarian
aid



legal
consultations



psychological
help

This minimum set of support types was built on urgent requests from the community and analysis of the obstacles faced by people with disabilities in Ukraine and when trying to go abroad after February 24.

AN EXTENSIVE LIST OF THE TYPES OF ASSISTANCE CURRENTLY PROVIDED BY THE FIGHT FOR RIGHT TEAM

- Evacuation of people with disabilities to safer places in Ukraine and abroad.
- Medical evacuation of people with disabilities and people with serious illnesses (with the help of ambulances).
- Assistance to people with disabilities and accompanying persons when crossing the border, as well as with living abroad.
- Provision of medicines / medical goods / organization of rehabilitation services for those who cannot evacuate.
- Provision of auxiliary means (wheelchairs, crutches, hearing aids, white canes, etc.).
- Legal consultations.
- Psychological support.
- Food products and hygiene products.
- One-time financial assistance.
- Help during winter and lack of electricity: power banks, heaters, blankets, gas and electric stoves, thermoses, etc.
- Coordination with partner POs at the national and international levels to fulfill other requests as needed.

**OUR NEWEST PROGRAM –
«WARMTH» – MOBILIZES THE
EFFORTS OF THE PRIVATE SECTOR,
BUSINESS AND THE DONOR
COMMUNITY TO WARM THE HOMES
OF UKRAINIANS WITH DISABILITIES
IN THE WINTER OF 2022-2023.**



WARMTH IS AN OPPORTUNITY TO HELP:

- to people with complex types of disabilities who live in rural areas and are deprived of gas supply;
- to people with complex types of disabilities who have difficulties with self-care and do not have a stable income and support services from the state;
- to single people with disabilities and the elderly in the frontline areas;
- to families with children with disabilities in critical situations of threats to their lives, in small towns and villages.

In the early days and weeks of February and March, Fight For Right as a disability organization was engaged in building its own emergency response program. All this time, the Fight For Right team was evacuating itself and helping to evacuate others, and continues to do so now, in its 11th month of full-scale war. We carry out the evacuation of adults with disabilities, parents of children with disabilities and the elderly, including medical evacuation, and also provide humanitarian assistance, technical means of rehabilitation, medical drugs and, in exceptional cases, monetary assistance.

All this became possible only thanks to the fact that the team does not know the word «impossible», as well as the help of international partners and donors and platforms where we collect donations. People around the world, with and without disabilities, help us raise funds to keep our emergency response program running. We were forced to do this because on February 24 we realized how much Ukrainian society lacks and how far our reality is from inclusiveness. Therefore, the only option to help is to do everything yourself.

7000

During all this time, our team helped more than 7,000 people with disabilities in Ukraine.

HOW THE COMMUNITY OF PEOPLE WITH DISABILITIES SEES HUMANITARIAN AID*:

“Humanitarian aid for people with disabilities and for people without disabilities slightly differ. The needs of each person are individual. There are some basic needs for everyone, and there are basic needs that depend on the type of disability” (woman, 23 years old, stayed at home, has locomotor disability)

The participants of the study agreed that humanitarian aid is the means and services that provide and support vital human needs. In particular, these are food products, medicines, hygiene products, insulation products, and finances. The services also include medical and psychological consultations, provision of means of transportation. Focus group participants noted that humanitarian aid should cover basic human needs. So, for example, people with different disabilities, children, older people have a slightly different basic set of needs than the majority.

Among the basic needs of people with disabilities are assistive technologies (hearing aids, wheelchairs, crutches, lenses, glucometers), medicines, dietary products, diapers and other hygiene products, etc. The humanitarian needs of those research participants who were left behind in territories close to the front or under



temporary occupation, as well as those who acquired the status of IDPs, have significantly increased. Those who stayed at home noted that they did not have significant humanitarian needs, so they didn't expect too much and didn't seek humanitarian assistance on their own. It was the first two categories of people who faced the problem of meeting their humanitarian needs already in the first weeks of Russia's aggression against Ukraine in 2022.

*

identification of the participants of the focus group study conducted by the Fight For Right in the fall of 2022¹ for those people with disabilities who had the experience of forced resettlement, staying in territories in close proximity to hostilities, and for recipients of humanitarian aid in Ukraine.

1.

The author of the focus group study is Hanna Zaremba-Kosovych. The research was implemented thanks to the support of IFES Ukraine.

Ukrainian legislation on humanitarian aid is targeted free aid in monetary or in-kind form, in the form of irrevocable financial aid, or voluntary donations, or aid in the form of work performance, provision of services. It is carried out by foreign and domestic donors for humanitarian reasons for recipients in Ukraine or abroad who need humanitarian aid in connection with social insecurity, material insecurity, difficult financial situation, occurrence of a state of emergency, in particular due to natural disasters, accidents, epidemics and epizootics, ecological, man-made and other disasters that pose a threat to the life and health of the population, as well as in connection with the serious illness of specific individuals, as well as for preparation for the armed defense of the state and its defense in the event of armed aggression or armed conflict.

WHAT IS EMERGENCY (CRISIS) RESPONSE IN AN INTERNATIONAL CONTEXT: APPROACHES OF MAJOR HUMANITARIAN ACTORS OR PROGRAMS*

Emergency assistance must meet the humanitarian **needs** unique to any particular emergency and can be divided into the following categories: food, shelter (housing), non-food items and water, sanitation and hygiene (**WASH**).

The analysis of needs in the specific situation of the collection and further distribution of humanitarian aid should be such that it takes into account the real groups of recipients of humanitarian aid, because it is their portraits that will depend on its content and methods of delivery.

In the context of the modern humanitarian crisis in Ukraine, there is a lack of proper inclusive and public analysis of the portraits of recipients of humanitarian aid, and accordingly, available information about the possibility of receiving humanitarian aid for various social groups and communities, including the community of people with disabilities and/or the elderly.

INTERNATIONAL PRINCIPLES OF HUMANITARIAN AID

Humanity: preventing and alleviating suffering wherever it occurs. Protect life and health, to ensure respect for a person.

Impartiality: conduct humanitarian action without discrimination to alleviate suffering, prioritizing the most urgent cases of distress.

Independence: remain impartial to political, economic, military or other non-humanitarian objectives.

Neutrality: refrain from participating in hostilities. In particular, it refers to abstinence in political, religious, racial or ideological debates and disputes.

*

this is far from an exhaustive list of definitions and terms existing in international humanitarian work: for the purposes of this publication, we selected only a few key ones.

The Core Humanitarian Standard for Quality and Accountability sets out Nine Commitments that organizations and individuals can use to improve the quality and effectiveness of the humanitarian aid they provide.

It also promotes better accountability to crisis-affected communities and populations. Knowing about their obligations, humanitarian organizations take responsibility to fulfill these obligations.

The standard defines communities and individuals affected by the crisis as the main ones in humanitarian activities and promotes respect for basic human rights. It is based on the rights to a dignified life, protection and security provided by the norms of international law (in particular, the International Bill of Human Rights).

Based on its own experience of humanitarian work, Fight For Right draws attention to the need to comply with commitments 1 and 4 in Ukraine in order for humanitarian aid to be inclusive for people with disabilities.

Commitment 1 – communities and individuals affected by emergencies or conflicts receive assistance that is relevant and appropriate to their needs.

Quality criterion: humanitarian aid is relevant and meets needs.

Commitment 4 – Communities and individuals affected by emergencies or conflicts know their rights and the assistance they are entitled to, and have access to information and participate in decisions that matter to them.

Quality criterion: humanitarian aid is based on communication, participation, feedback.



ADVOCACY PURPOSE OF FIGHT FOR RIGHT №2

ensuring real participation of people with disabilities in decision-making processes about reconstruction (peacebuilding)

WHAT SHOULD INCLUSIVE HUMANITARIAN AID AND ITS PLANNING AND EVALUATION BE?

Immediate inclusion of projects aimed at directly and immediately supporting people with disabilities, state and local policies, protocol and procedures, and staff training is needed. After all, only by integrating the rights of people with disabilities into general processes, we can begin to remove barriers. This is much better than creating individual programs for people with disabilities, which are not only not aimed at eliminating barriers, but also consolidate the existing segregation in society, while the processes of humanitarian support and the subsequent recovery of Ukraine should be as inclusive as possible.

One of the ways to achieve the inclusion of the issues of observance and promotion of the rights of people with disabilities at the level of planning and implementation of humanitarian programs (as well as rehabilitation programs) is the use of the mainstreaming tool (or, in other words, integration and consideration).

The English word mainstreaming in the development of human rights policies gained meaning and widespread use after the Beijing Platform for Action and the Promotion of Gender Equality within Human Rights.

Subsequently, the Council of Europe developed **its own definition** of gender mainstreaming.

Gender mainstreaming is based on the recognition that men and women have different needs and living conditions, together with unequal access to power, money, human rights, justice, resources and decision-making and control over them. Thus, gender mainstreaming involves analyzing the consequences of any human activity, highlighting inequalities and differences between women and men, and

therefore the potential differential impact of policies on women and men. This leads to the development of policies that benefit girls and boys, women and men equally.

Simply put, it is the analysis of policies or any other actions from the point of view of the existing inequality between people. It is important here that inequalities can be determined not only by gender. In the modern world, and even more so during the war, inequalities can be and are actually caused by the following factors (**characteristics**):

- sex;
- age;
- disability;
- ethnic origin;
- language;
- citizenship;
- marital status;
- etc. (this is far from an exhaustive list).

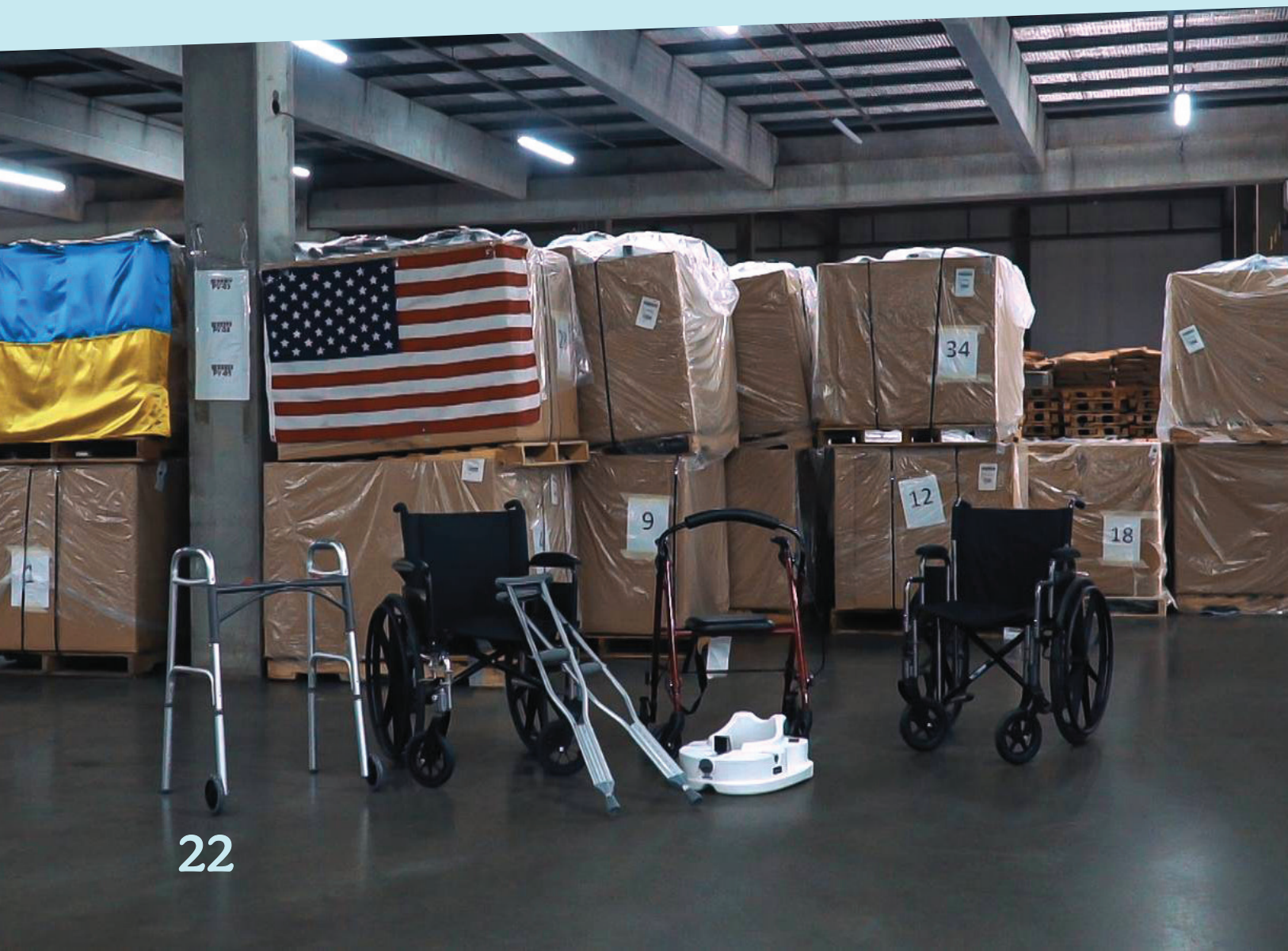
Disability mainstreaming – analysis from the point of view of existing inequality between people with disabilities and people without disabilities, analysis of barriers that contribute to and exacerbate this inequality and, accordingly, planning policies taking into account the elimination of barriers and overcoming inequality – so that policies (specific actions and measures) made it possible for people with disabilities to use their rights and freedoms.

Mainstreaming disability in **humanitarian policy**, accordingly, means taking into account existing barriers and planning measures to eliminate them so that people with disabilities

have equal access to humanitarian aid. An important component of disability mainstreaming in the development of humanitarian programs is also analysis and planning from the perspective of the diversity* of people with disabilities.

*

here Fight For Right means taking into account the fact that people with disabilities are not a homogeneous group: the disability can be sensory, physical, psychosocial or intellectual. Differences in barriers to the realization of human rights and freedoms and obstacles to receiving humanitarian aid on a par with others depend on the type of disability and the individual situation of each person with a disability (the presence of other symptoms).



TRANSITION FROM HUMANITARIAN AID TO DEVELOPMENT

Back in 1995, the European Parliament published a report entitled «Linking relief, rehabilitation and development» (**LRRD**). This paper addressed aid effectiveness and the need to engage in aid efforts that reinforce development goals, as well as development interventions that prepare communities to better cope with disasters and emergencies.

One of the key thoughts of the approach consistently promoted by the European Union has been to focus on bridging the critical gap between humanitarian aid and development aid.

DIFFERENCES BETWEEN HUMANITARIAN AID AND DEVELOPMENT AID*

- Short -term help VS long-term solutions.
- Focus on certain regions (war zone or evacuated population) VS the whole country.
- Reaction to a specific event (war) VS reaction to systemic consequences of events.
- Focus on saving lives here and now VS orientation on economic, social and political development.

*

development aid is a term that is mainly used to denote systemic support to developing countries (including Ukraine).

Given the situation in Ukraine, the approach outlined by the European Union, namely: the development of a combination of humanitarian action and long-term development strategies is extremely important. However, given the processes that have already started in Ukraine, it is worth talking about the need to combine humanitarian aid and **reconstruction** aid.

HOW SHOULD UKRAINE PLAN INCLUSIVE HUMANITARIAN AID AND THE TRANSITION TO RECOVERY?

Taking into account **the shortcomings** of humanitarian planning and the significant experience of excluding groups of beneficiaries from the formation of public policy, it is worth using international experience and long-established tools at the national level to start inclusive dialogues:

to develop real and inclusive humanitarian assistance programs for the civilian population, which would take into account human diversity and, accordingly, were built taking into account the need to remove barriers for people with disabilities;

to include civil society, together with people with disabilities, in the processes of developing a design for the reconstruction of Ukraine after the war.

SUCH TOOLS OF INCLUSIVE PLANNING CAN BE:

- disability management in planning, development, implementation and evaluation;
- assessment of the needs of communities and IDPs (taking into account factors of diversity, including disability, age and gender);
- infrastructure damage assessment and restoration design based on universal design standards;
- inclusion of people with disabilities and civil society at all stages of planning, implementation and evaluation.

The key principle of state and local recovery policies should be: human rights, respect for human dignity and equality. Only such an approach will allow Ukraine to be restored as a democratic, legal and inclusive country.



FIGHT FOR RIGHT ADVOCACY GOAL №3

ensuring the inclusion of issues of protection of the rights of people with disabilities in European integration processes

INSTEAD OF CONCLUSIONS

Long before the full-scale invasion of Russia, Ukraine already had an extremely developed civil society, which included public organizations of people with disabilities. In addition, before the invasion on February 24, 2022, Ukraine already had a powerful community of internally displaced people for eight years, who were forced to become effective advocates for their rights, because the state did not fulfill its obligations to ensure human rights. Only the presence in Ukraine of this extremely strong and diverse civil society became a guarantee that there was someone who immediately responded and took the levers of influence into their own hands to take care of all civilians directly on February 24, 2022 and after.

The work that the civil society of people with disabilities has been doing all these months is a huge work that has saved thousands of lives. This work strengthened both civil society itself and people with disabilities. They no longer want to be silent subjects of humanitarian aid, but instead aspire to be a part of the reforms and rebuilding of their own country, decision-makers about their own lives, and advocates for change.

With the acquisition of candidacy for the EU and the huge support of the international community, Ukraine, despite the ongoing war, has significant chances for a quick recovery, and we very much hope that in this process we as a state and as a society will finally rely on the values of the European Union, which we want to get to so much. And also, that our recovery will be accompanied by democratic and legal reforms, in the implementation of which people with disabilities will take a real part. Such reforms, that will take into account human rights for everyone.

Fight For Right will continue its work, monitor these changes and demand the real inclusion and promotion of the rights of people with disabilities in all these processes. Because if this war has taught the community of people with disabilities anything, it is that nothing is impossible in this world and that people with disabilities themselves are the best advocate(s) of their human rights.



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