



Public Lecture

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Social Protection and Migrants with Disabilities

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**Facundo Chavez Penillas, United Nations
High Commissioner for Human Rights**

Discussant: Lisa Marie Borrelli, University of Neuchâtel

18:15 – 19:45 h

The Public Lecture will be held online on Webex and streamed on the nccr – on the move YouTube channel
<https://www.youtube.com/watch?app=desktop&v=FbLgupvSsME>

Webex link: <https://unine.webex.com/unine-fr/j.php?MTID=md79aa8bd79e79bf652cd0fa95b6491a4>
(Password: NCCR)

Abstract

Persons with disabilities are at a higher risk of exclusion compared to other people. They are more at risk to live in poverty, because of less access to employment and disability-related extra costs. They are also more exposed to lower household incomes, impacting not only themselves but the household in its entirety because of the lack of support services available to families with a member with a disability. In the domain of social protection, persons with disabilities have been historically considered as a part of the population in need of care and assistance. This responds to the medical and charity models of disability, whereby persons with disabilities are not seen as agents of development but as objects of protection. In this perspective, persons with disabilities are seen as incapable of working, and social protection systems have accordingly focused on income replacement related to incapacity to work. To adequately end poverty for persons with disabilities, social protection systems must adopt a human rights-based approach anchored in the CRPD, which implies a shift – from focusing on minimal income replacement, related to incapacity to work – to focusing on ensuring support for inclusion and participation. While acknowledging the fact that many persons with disabilities face tremendous barriers in the labor market, a rights-based approach combines basic income security with coverage of disability-related extra costs across the life cycle. Migrants with disabilities face additional barriers. In countries where social protection is provided to persons with disabilities, even on a limited basis or through services that are not CRPD compliant, these are generally not available to migrants with disabilities. States use different exclusionary clauses, like years of permanence, excluding largely children, or openly discriminatory exclusions for persons with disabilities. Xenophobic and ableist views tend to bring migrants with disabilities to a specific intersection of discrimination.

Curriculum Vitae

Facundo Chávez Penillas is the Human Rights and Disability Advisor of the Office of the United Nations High Commissioner for Human Rights, based in Geneva, since 2013. He is a lawyer with graduate studies on business law and human rights law. Before his current position, Facundo worked in the Disability Department at the Ombudsperson Office of the City of Buenos Aires in Argentina and in a corporate law firm. He was a member of organizations of persons with disabilities at national, regional and international levels before working for the United Nations.