

Article 18:

List of illustrative indicators on liberty of movement and nationality

ADVANCE VERSION

© 2020 United Nations

The *Human Rights Indicators on the Convention on the Rights of Persons with Disabilities (CRPD)* are a component of the [SDG-CRPD Resource Package](#) developed by the Office of the United Nations High Commissioner for Human Rights (OHCHR). This is an advance version of the SDG-CRPD Resource Package. A final version will be issued upon completion of OHCHR review processes.

The *Human Rights Indicators on the CRPD* were produced with the financial support of the European Union. Its contents are the sole responsibility of OHCHR and do not necessarily reflect the views of the European Union.



Liberty of movement, freedom to choose their residence and to nationality on an equal basis with others

Attributes/ Indicators	Liberty of movement	Right to nationality	Identification and documentation	Birth registration
Structure	<p>18.1 Legislation enacted to:</p> <ul style="list-style-type: none"> ensure the right of persons with disabilities to enter or leave the country on an equal basis with others; ensure non-discrimination based on impairment within eligibility criteria for entering or leaving the country; ensure the provision of reasonable accommodation in national entry/exit procedures and related proceedings. 	<p>18.2 Legislation enacted to:</p> <ul style="list-style-type: none"> ensure the right of persons with disabilities to acquire the nationality of the country on an equal basis with others and not to be deprived of it on the basis of an impairment; ensure that naturalisation procedures are accessible to persons with disabilities; ensure the provision of reasonable accommodation in all naturalisation and citizenship procedures and proceedings. 	<p>18.3 Legislation enacted to:</p> <ul style="list-style-type: none"> ensure the right of persons with disabilities to accessible and affordable procedures to obtain identification documents;ⁱ ensure the provision of reasonable accommodation in all procedures to obtain identification documents. 	<p>18.4 Legislation enacted:</p> <ul style="list-style-type: none"> to ensure universal free registration of all children immediately after birth;ⁱⁱ to earmark funds to ensure universal, free and timely birth registration across the jurisdiction; with a statutory obligation to disaggregate birth registration data by sex, disability, geographical location and migrant status of the parents.
	<p>18.5 No provision in legislation which restricts the right to liberty of movement, acquisition of nationality and identification documents, nor limits entitlement to services to migrants on the basis of disability.</p>			
Process	<p>18.6 Number of requests for reasonable accommodation by persons with disabilities and proportion granted, regarding procedures and proceedings related to: residence, naturalisation/citizenship, and obtaining identification documents.</p> <p>18.7 Number and proportion of professionals and staffⁱⁱⁱ trained on the human rights of persons with disabilities.^{iv}</p> <p>18.8 Consultation processes undertaken to ensure the active involvement of persons with disabilities, including through their representative organizations, in the design, implementation and monitoring of laws, policies and procedures related to migration, naturalisation/citizenship and obtaining identification documents and related proceedings.^v</p> <p>18.9 Number and proportion of decisions granting and denying entry, exit, residency, nationality, asylum or refugee status, or the issuance of identification documents, disaggregated by sex, age, disability, ethnicity, country of origin and, where appropriate, ground of denial.</p> <p>18.10 Proportion of received complaints on the right to liberty of movement or right to nationality alleging discrimination on the basis of disability, and/or involving persons with disabilities that have been investigated and adjudicated; proportion of those found in favour of the complainant; and proportion of the latter that have been complied with by the government and/or duty bearer; each disaggregated by kind of mechanism.</p>			<p>18.11 Proportion of population in all urban and rural municipalities and refugee camps with locally available registration facilities.^{vi}</p> <p>18.12 Training for civil registrars and staff of public institutions^{vii} on birth registration of persons with disabilities^{viii} and the proportion of staff having received such training.</p> <p>18.13 National birth registration campaigns are designed with the active involvement of representative organizations of persons with disabilities^{ix} targeting families, communities, religious groups and civil society organizations.</p>

Liberty of movement, freedom to choose their residence and to nationality on an equal basis with others

Attributes/ Indicators	Liberty of movement	Right to nationality	Identification and documentation	Birth registration
Outcome	18.14 Number and proportion of persons with disabilities who requested and were granted residency compared to other persons that requested and were granted residency, per year, disaggregated by sex, age and disability.	18.15 Number and proportion of persons with disabilities who requested and were granted nationality of the State compared to other persons that requested and were granted nationality, per year, disaggregated by age, sex and disability. 18.16 Number and proportion of persons with disabilities who are stateless compared to the total number of stateless persons, disaggregated by sex, age and disability	18.17 Proportion of persons in possession of at least one identity document, disaggregated by sex, age and disability.	18.18 Proportion of persons whose birth has been registered, disaggregated by sex, age and disability. 18.19 Proportion of children under 5 years of age whose births have been registered with a civil authority, by age (SDG indicator 16.9.1), sex, disability, place of residence and household wealth quintile.

- i with particular emphasis on persons with disabilities from minorities, those living in rural areas and people residing in institutional settings
- ii including children born in rural areas and refugee camps
- iii particularly, law enforcement and border control personnel, judiciary, social and health services, and humanitarian actors in camps for refugees and displaced persons.
- iv Training should also include: the human rights based approach to disability, non-discrimination and the provision of reasonable accommodation, universal design, accessibility (including accessible information and communications).
- v This indicator requires verifying concrete activities undertaken by public authorities to involve persons with disabilities in decision-making processes related to issues that directly or indirectly affect them in line with article 4(3) of the CRPD and [General Comment no. 7](#) of the CRPD Committee, including consultation meetings, technical briefings, online consultation surveys, calls for comments on draft legislation and policies, among other methods and mechanisms of participation. In this regard, States must
- ensure that consultation processes are transparent and accessible;
 - ensure provision of appropriate and accessible information;
 - not withhold information, condition or prevent organizations of persons with disabilities from freely expressing their opinions;
 - include both registered and unregistered organizations;
 - ensure early and continuous involvement;
 - cover related expenses of participants.
- vi Registration facilities may be located within hospitals, schools, etc., or may be deployed as mobile registration units. The indicator focuses on the population able to access such facilities in their community.
- vii from national to local levels, including municipalities, social services, education and health staff.
- viii particularly in rural areas and indigenous communities.
- ix accessible to, and inclusive of children with disabilities available in local and indigenous languages.