



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

Initial report submitted by the State of Palestine under article 35 of the Convention, due in 2016*, **

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** The annexes to the present report may be accessed from the web page of the Committee.



Introduction

1. The State of Palestine acceded to the Convention on the Rights of Persons with Disabilities on 1 April 2014, and it entered no reservations to any of the articles thereof out of respect for the principles and spirit of the Convention and in the belief that persons with disabilities should enjoy the same rights as other citizens. This report is being submitted in compliance with the commitments of Palestine under the Convention and in fulfilment of its obligation to apply the provisions thereof, especially article 35 (1). In particular, it will set out the legislative, administrative and judicial aspects of the measures, frameworks and terms of reference pertaining to the provisions of the Convention.

2. Following the accession of Palestine to international treaties and conventions, the President issued a decision on 7 May 2014 forming a national standing committee at ministerial level to follow up on accession. The committee is chaired by the Ministry of Foreign Affairs and Expatriates, with membership consisting of a number of ministries and relevant institutions; the Independent Commission for Human Rights is represented in observer capacity. The committee's job is to monitor fulfilment of the commitments arising from accession to international charters. This report has been prepared by a joint subcommittee, operating as a national working group formed by decision of the national standing committee. The subcommittee is chaired by the Ministry of Social Affairs in its capacity as the competent authority with members drawn from the Palestinian Central Bureau of Statistics, Ministry of Health, Ministry of Labour, Ministry of Education and Higher Education, Ministry of Transport and Communications, Ministry of Local Government, Higher Council for Youth and Sport, National Committee for Summer Camps, Ministry of Telecommunications and Information Technology, Ministry of Culture, Ministry of Information, the police force, Public Prosecution Service, Supreme Judicial Council, Bureau of the Chief Qadi, Ministry of Women's Affairs, Ministry of Justice, Ministry of National Economy, Civil Service Bureau, Central Elections Commission, Civil Defence, Independent Commission for Human Rights, United Nations Relief and Works Agency (UNRWA) and the higher committee for camps, which works with Palestinian refugees.

3. Employing the cooperative and participatory approach with official and civil society organizations which Palestine has consistently pursued, the joint committee prepared the report in collaboration with a group of non-governmental organizations (NGOs) working with disability, which provided the report working group with input in the form of information and recommendations pertinent to the rights of persons with disabilities. NGOs included the General Union of People with Disabilities, Palestine Red Crescent Society, Bethlehem Arab Society for Rehabilitation, Qader Organization for Community Development, East Jerusalem YMCA Rehabilitation Programme, Aswat (Palestinian Feminist Centre for Gender and Sexual Freedoms), Stars of Hope and Palestinian Consultative Staff for NGO Development. Also involved was a group of NGOs working in Gaza, including Disabilities Representative Persons Network, Fajar (Palestinian Society for Care and Development) and El-Amal Rehabilitation Society. It should be noted that cooperation with these organizations was limited to the supply of information and data only.

4. The report was put before relevant government institutions and civil society organizations at workshops held in cooperation with ministries and official bodies targeting staff working in the field of disability. Technical support was provided by the Office of the High Commissioner for Human Rights and the United Nations Children's Fund (UNICEF). Persons with disabilities themselves were involved in preparing the initial report of the State of Palestine: they took part in preparatory workshops and were called upon to provide input to the reporting process.

5. A draft of the report was sent for study to representatives of civil society organizations working with disability, Palestinian rights organizations and NGOs; nationwide consultations on the report were held. The report was then submitted to Palestinian governmental and civil society organizations. Because Israel, the occupying power, prevents civil society organizations in the Gaza Strip from entering the West Bank, two national consultation sessions were held: one for organizations in the West Bank, including Jerusalem, on 28 March 2018 and another for civil society organizations in the Gaza Strip at the headquarters of the Independent Commission for Human Rights by direct video link, on 18 April 2018. Discussions were held on the substance of the report and

comments were included in the final version. It should be noted that persons with disabilities were involved in the discussions and a sign language interpreter was provided for those with hearing disabilities.

6. In addition to the formation of a national standing committee to follow up on the accession of the State of Palestine to international treaties and conventions, a committee was formed in 2017 to ensure the harmonization of current Palestinian legislation with international charters and treaties. Chaired by the Ministry of Justice, the committee's job is to amend laws, regulations and procedures to bring them into line with the provisions of international law.

7. The report discusses the articles of the Convention in detail, especially articles 1–33, pursuant to the reporting guidelines set out in the document of the Committee on the Rights of Persons with Disabilities, the new guidelines issued in 2016 and the general comments issued by the Committee. The report covers the period from the date of accession to the Convention (2014) to mid-2018.

8. The State of Palestine stresses that the submission of this report does not exempt Israel, the occupying power, from its legal responsibilities under international law, especially international humanitarian law and international human rights law, including its obligation to respect the provisions of the Convention on the Rights of Persons with Disabilities, and submit its own report on the extent of its compliance with the provisions of the Convention in the Occupied Palestinian Territory, including East Jerusalem, as stipulated in the advisory opinion of the International Court of Justice (2004), on the legal consequences arising from the construction of a wall in the Occupied Palestinian Territory.

I. Legal, social and economic context of the rights of persons with disabilities

A. Protection and promotion of human rights – general framework

Legal framework

9. Declaration of Independence, adopted by the Palestinian National Council in 1988, announced the commitment of the State of Palestine to the principles and goals of the United Nations and to the Universal Declaration of Human Rights. The Declaration of Independence announced the establishment of an independent and free State of Palestine, based on the principle of full equality in respect of rights and freedoms for all Palestinians, wherever they may be, within the framework of a parliamentary democracy built on foundations of social justice, equality and non-discrimination in respect of public rights. The Declaration of Independence further affirms the commitment of the State of Palestine to the system of universal human rights, as contained in international treaties and conventions, including protection of the rights of persons with disabilities. To ensure this commitment, policies have been put in place to build a legal system founded on the principles of the rule of law and judicial independence.

10. The Palestinian legal system consists of a set of laws and legislation that are the product of various periods of occupation and foreign rule to which Palestine has been subject in the past. Several laws dating from the Ottoman period, the British occupation, Egyptian administration of the Gaza Strip and Jordanian rule in the West Bank remain in force.

11. The State of Palestine has, over the years, adopted various pieces of legislation to help promote and safeguard the political rights of all citizens, including those with disabilities. Thus article 9 of the Basic Law (amended) stipulates that Palestinians are equal before the law and the courts and that there shall be no discrimination between them on grounds of race, sex, colour, religion, political views or disability, while Act No. 4 (1999), on the rights of persons with disabilities, and the implementing regulation thereof (2004), provide for the right of persons with disabilities to enjoy a free and dignified life and a range of services just like other citizens, with whom they share the same rights and duties, within the limits allowed by their abilities and capacities. The law further affirms that the

State of Palestine is responsible for ensuring protection of the rights of persons with disabilities and facilitating access to their legally guaranteed rights.

12. Following accession to international conventions and treaties, the State of Palestine went to great lengths to provide training for national organizations in human rights and human rights mechanisms, including official reporting.

13. By decision of the Minister of Foreign Affairs and Expatriates, in his capacity as chair of the national standing committee to follow up on the accession of the State of Palestine to international treaties, a committee was formed to harmonize legislation, chaired by the Ministry of Justice and with a membership including relevant government institutions and civil society organizations. The committee is responsible for harmonizing domestic legislation and laws with international human rights standards in general and the provisions of the Convention in particular. The committee reviews current domestic Palestinian legislation and identifies that which needs to be amended in the light of the provisions of international conventions. Laws needing to be reviewed and amended include certain penal codes that are still operative, including the Jordanian Penal Code, Act No. 16 (1960), operative in the West Bank and the British Mandate Penal Code, Act No. 74 (1936), which is still in force in the Gaza Strip.

14. In the light of the wave of legislative amendments being made by the State of Palestine to ensure consistency with international conventions and after perusing national laws and legislation that address the rights of persons with disabilities, it became evident that there is a need at national level to formulate a new law relating to persons with disabilities that includes a revised definition of disability consistent with the international rights perspective. Accordingly, work is underway on preparing a new law on persons with disabilities, the provisions of which will be compatible with those of international law.

15. As part of the process of harmonizing Palestinian legislation with the principles of international conventions, a legislative decision on education and higher education was adopted in 2017, regulating inclusive education. This affirms the right of children with disabilities to education, just like other children. Work is currently underway on amending the Employment Act and Civil Service Act to ensure that persons with disabilities have the right to obtain decent work commensurate with their health situation.

16. Ruling no. 4 (2017) of the Supreme Constitutional Court affirmed the primacy of international conventions over ordinary domestic legislation. Such conventions acquire greater force than domestic legislation, once ratified and published and having passed through the various mandatory formal stages before adoption as domestic legislation binding on individuals and the authorities; they must also be consistent with the scope of the Palestinian Basic Law. In March 2018, a further ruling of the Supreme Constitutional Court interpreted article 10 of the Basic Law, stipulating that human rights and fundamental freedoms are binding and must be respected.

17. Implementation of the provisions of the Convention on the Rights of Persons with Disabilities is the responsibility of the executive and judicial authorities, as follows:¹

- Executive authority: in partnership and cooperation with government institutions, civil society organizations, the Independent Commission for Human Rights in observer capacity and the Palestinian Central Bureau of Statistics, the Ministry of Social Development steers the disability rights sector in Palestine; the Ministry also chairs the Higher Council for Persons with Disabilities, a national oversight umbrella body;
- Judicial authority: the judicial authority consists of the various types and degrees of court, as addressed by article 6 of the Judicial Authority Act,² and the Public Prosecution Service; the sharia judiciary consists of the sharia courts and is subject to the provisions of the Sharia Judiciary Act, No. 3 (2011).

B. Equality and non-discrimination – General information

18. Article 9 of the Basic Law stipulates that Palestinians are equal before the law and the courts and that there shall be no discrimination between them on grounds of race, sex, colour, religion, political views or disability. Article 22 of the Basic Law grants persons with disabilities the right to social insurance, just like other citizens. It treats the provision

of care, education and health and social insurance for persons with disabilities as a binding obligation on the Government of the State of Palestine that must be guaranteed.

C. Access to justice and means of redress

19. The primary goal of the National Strategy for Justice and Rule of Law (2014–2016) involved developing a justice system capable of providing a fair trial efficiently and effectively. The Ministry of Justice Gender Unit plan (2018–2019) contains strategic goals relating to the development of a legislative environment supportive of justice, reviewed from the gender perspective with a view to promoting access to justice by persons with disabilities. The plan also includes a scheme to develop the national legal aid strategy, in cooperation with the Ministry of Social Development, sharia courts and Ministry of Women's Affairs.

II. General provisions of the Convention (arts. 1–4)

20. Article 1 of Act No. 4 (1999), on the rights of persons with disabilities, defines a person with disabilities as a person suffering from permanent total or partial disability, whether congenital or otherwise, that permanently affects any of his/ her senses or physical, psychological or intellectual capacities to the extent of limiting the ability to respond to the ordinary demands of life in the same circumstances as the able-bodied. This definition is consistent with the philosophy of the Convention and its view of persons with disabilities as persons with full rights. It does not, however, make explicit reference to the environmental, cultural and legislative obstacles and barriers that restrict full participation. Article 8 of the Children Act (2004, amended) stresses the need to integrate children with disabilities in all areas in the community.³

21. According to the General Census of Population, Housing and Establishments (2017), which used the grading adopted by the World Health Organization to measure disability across societies, the prevalence of persons with difficulty/ disability, including those with some difficulty and severe difficulty (total incapacity), is 5.8 per cent (255,224 persons): 5.3 per cent of females (115,634) and 6.2 per cent of males (139,590). In the West Bank, the figure is 5.0 per cent (127,262) and in the Gaza Strip, 6.8 per cent (127,962). The number of persons with severe difficulty and total incapacity is 92,710 (51,693 males and 41,017 females⁴); the figure is 44,570 in the West Bank and 48,140 in the Gaza Strip.

22. The survey conducted by the Palestinian Central Bureau of Statistics in 2011 in cooperation with the Ministry of Social Development adopted certain definitions of difficulty and disability and explained what these are. Under the definition of difficulty, a person with disability is an individual who suffers some difficulty, severe difficulty or total incapacity. Under the definition of disability, a person with disability is an individual who suffers from severe difficulty or total incapacity.⁵

23. Under the broad definition of disability, the prevalence of disability stands at around 7 per cent in both the West Bank and Gaza Strip. According to the narrow definition, the figure stands at 2.7 per cent: 2.9 per cent in the West Bank and 2.4 per cent in the Gaza Strip. The figure for males is 2.9 per cent, compared with 2.5 per cent for females. This indicates that there is an urgent need for an accurate, comprehensive and up-to-date survey to be conducted to identify the scale, nature and extent of disability, the level of services available and the challenges faced by persons with disabilities.

24. The social development sector's strategic planning coincided with a radical shift in the approach of the Ministry of Social Development, with a transition from aid and protection to development in the wider sense. In March 2016, the Cabinet decided to transfer the Ministry of Social Affairs to the Ministry of Social Development, a decision ratified by presidential decree.

25. The second goal of the social development sector strategy (2017–2022) includes the development of social services for vulnerable and marginalized groups. Despite several difficulties, a number of achievements have been made, including:

- (1) Design of needs-based services: funds have been allocated for the purchase of services from local establishments; a number of charities have been licensed; and

protection, accommodation and rehabilitation services have been delivered to 2,198 persons with disabilities. Challenges include a lack of centres for persons with disabilities, shortfall in the logistics budget and poor essential infrastructure;

(2) Promotion of decentralized service delivery by adopting local community options: efforts have been focused on developing quality standards systems for the social services provided to persons with severe disabilities and on building and developing a team of ministry staff specialized in the field of disability.⁶

26. The State gives persons with disabilities the opportunity to exercise their right to participate by involving and integrating them in the process of formulating policies, legislation and programmes. Two persons have been appointed to represent the disabled on both the Higher Council for Persons with Disabilities and General Union of People with Disabilities. Furthermore, the disability sector strategic planning framework was approved by the Cabinet for adoption by ministries as a frame of reference. The framework has also been used in a number of initiatives designed to raise the awareness of officials of certain issues, such as the adaptation of public transport, as part of the national plan for the development of the transport sector.⁷

27. Furthermore, national plans to promote participation and integration of persons with disabilities give them the opportunity to be a part of the Higher Council for Persons with Disabilities. The Council consists of one representative each of the General Union of People with Disabilities, Bethlehem Arab Society for Rehabilitation and Patient's Friends Society, as well as an expert, who is the Council's current coordinator.

28. As regards participation and representation on committees, the number of persons with disabilities and number of representative organizations have both increased significantly in relative terms. In addition to the General Union, there is Stars of Hope and the Palestinian Union for the Deaf.⁸ Regarding participation of women with disabilities, there are two representing the Ministry of Labour and Ministry of Local Government and two representing the Aswat organization and Bethlehem Arab Society for Rehabilitation.

29. The Council has held a total of 15 meetings over the last ten years, the last of which was in May 2018, following an interruption of more than a year and a half. Under the rules of procedure, it would normally have expected to hold 40 meetings over that period at a rate of at least four a year.

30. The activity of the Higher Council for Persons with Disabilities is closely linked to a number of factors, principally the general political situation, ministerial reshuffles, the situation of the disability rights movement, the composition of the Council and the structure of its terms of reference it. These affect Council activity as follows:

- The general political situation in the State of Palestine: the division of the country affects the structure of representation, with the focus tending to be on institutions with a broad national reach, such as the Red Crescent Society and General Union of People with Disabilities, as well as ministries and government institutions, in which Gazans are not represented. Furthermore, the aggressive practices of the Israeli occupation forces, especially in Gaza, have diverted attention away from development and rights issues, including disability issues.
- Successive ministerial changes have been reflected in the level of attention paid to the Council;⁹
- The situation of the disability rights movement directly affects the nature of the Council's work and activity: the greater the activity of disability rights organizations, the greater the activity of the Council and more frequent its meetings and vice versa.
- The subordination of the Council to the Ministry of Social Development conflicts with its oversight role. For this reason, the Council's terms of reference need to be changed to ensure a different legal status and independent financial position.¹⁰

31. In addition to acceding to the Convention on the Rights of the Child and Convention on the Elimination of All Forms of Discrimination against Women, the State of Palestine has taken a number of internal measures underlining its commitment to implement and safeguard the rights of persons with disabilities, albeit gradually. The following measures represent part of the groundwork for a new act relating to persons with disabilities to replace the old Act No. 4 (1999):

(a) Formulating a new bill: a committee was formed, chaired by the Ministry of Social Development and with a membership drawn from civil society organizations and various ministries, to draft a new act on the rights of persons with disabilities compatible with international conventions. Work on the initial draft has been completed and the bill fine-tuned in line with comments from relevant organizations. Work is underway arranging workshops for local community disability organizations, government institutions and international organizations with the aim of gathering further comments and making the required amendments to the bill. An explanatory memorandum will then be prepared and put before the Cabinet and statutory bodies. This process will continue until the bill is passed into law, possibly at the end of 2019.

(b) Conducting a head count: the Ministry of Social Development is currently preparing a head count of persons with disabilities receiving cash assistance from the Ministry (currently standing at around 52,000) with the aim of determining prevalence by governorate, town, village, camp, type of disability and age group, and making an assessment of needs on the basis of type of disability. This project, which is funded by Save the Children, seeks to promote use of the disability card.

With the disability card scheme, the Ministry of Social Development aims to build a comprehensive database on all persons with disabilities, not only those in receipt of cash assistance. In a collaboration between the Ministry and Palestinian Central Bureau of Statistics and with funding from Save the Children, a tablet-based form was designed that could be filled in directly by specially-trained social workers. However, the project ran into problems with the software company. As a first step, a paper form is currently being completed by the approximately 1,200 persons with disabilities registered as in receipt of assistive devices. At a later date, a comprehensive plan involving the electronic entry of data on persons with disabilities in receipt of Ministry services will be adopted.

General provisions of the Convention (arts. 1–4)

Article 1: Purpose

32. The State of Palestine seeks to safeguard and ensure the rights of persons with disabilities on a number of levels. On the legislative level, the Rights of Persons with Disabilities Act (1999) was adopted, designed to regulate and protect the legal rights of persons with disabilities, which must be guaranteed by all government bodies. Subsequently, the implementing regulation of the Act (2004) was adopted, affirming that persons with disabilities have the right to enjoy a free and dignified life and that disability may not be a reason for denial of access to rights.

33. However, although the Rights of Persons with Disabilities Act and Children Act address a number of aspects of the rights of persons with disabilities, there is still a need to enforce compliance on the ground and bring practice into line with the law. The new act will take this into account.

34. Persons with disabilities in Palestine, particularly women, still suffer certain forms of discrimination on cultural grounds. There is limited participation of women with disabilities in public life, employment, education and leisure and few exercise their right to marriage, reproduction and an independent life. The State of Palestine seeks to eliminate all forms of discrimination against women in general and women with disabilities in particular by means of national plans and strategies designed to integrate women in all areas of political and cultural life and enable them to enjoy their rights to education and employment.

Article 2: Definitions

35. Article 1 of Act No. 4 (1999), defines a person with a disability as someone suffering from permanent total or partial disability, whether congenital or otherwise, that permanently affects any of his/ her senses or physical, psychological or intellectual capacities to the extent of limiting the ability to respond to the ordinary demands of life in the same circumstances as the able-bodied.

36. Considering a person with disabilities as handicapped, as in the above definition, is incompatible with the Convention. With its focus on physical disability and functional impairment (i.e. degree of incapacity or difficulty) and the resulting limitation of the

person's activity, the definition is inconsistent with the modern approach to the definition of disability adopted by the Convention. Furthermore, there is some inconsistency in the definition of disability adopted by the various ministries responsible for providing services to persons with disabilities on the basis of the disability card, including the Ministry of Health, Ministry of Labour and Social Development and Ministry of Transport and Communications, resulting in problems when designing plans and programmes. This will be taken into account when drafting the new act and the definition standardized in a manner consistent with international conventions.

37. The 2004 implementing regulation of Act No. 4 (1999) classifies disability as follows:

- Motor disability: disability resulting from functional impairment of the nerves, muscles, bones or joints that limits or causes the loss of the body's motor capacity;
- Sensory disability: disability resulting from injury or damage to the sensory organs and causing visual, auditory or speech impairment, as outlined in the annex to the implementing regulation;
- Mental disability: disability resulting from impairment of the higher functions of the brain, such as concentration, counting and memory; it causes learning and cognitive difficulties and behavioural disorders;
- Intellectual disability: disability resulting from mental, inherited or genetic illness, or whatever prevents the mind from performing its normal functions;
- Dual disability: when one person suffers from two different disabilities;
- Compound disability: when one person suffers from a number of disabilities.

38. As regards the definition of disability adopted for data collection and statistical surveys, the Palestinian Central Bureau of Statistics notes that the World Health Organization and Washington Group on Disability Statistics have developed a standard definition for measuring difficulty/ disability across societies. The Washington Group has proposed a set of six key questions to measure disability in a census format, with a four point answer scale for each, i.e. 1: "no difficulty"; 2: "some difficulty"; 3: "a lot of difficulty" and 4: "absolutely incapable".¹¹ The prevalence of disability in Palestinian society is indicated in accordance with the Washington Group short and extended sets in annex 1.

39. Language: Article 11 of the Rights of Persons with Disabilities Act affirms the need to make sign language available in all government facilities. The Act's implementing regulation makes it clear that the Ministry of Social Development is required to implement this in collaboration with government institutions.¹²

The Kadoorie University sign language diploma received accreditation from the Accreditation and Quality Authority in 2017. Birzeit University offers an optional course in sign language and sign language interpretation has been included in the Interpretation Act by the Ministry of Justice as a right for the deaf, for whom a sign language interpreter must be provided.

In practice, more work still needs to be done regarding the provision of sign language for persons with disabilities and Palestine is working toward achieving this in all facilities in the future. NGOs such as the Red Crescent Society run dozens of sign language courses every year for volunteers, community activists, staff and others with a view to making it commonplace in Palestinian society.

40. The term, "reasonable accommodation" does not appear in the present Act but will be included in the bill currently being drafted, in accordance with the Convention.

41. Article 17 of the Rights of Persons with Disabilities Act addresses the adaptation of means of communication to suit the capabilities of persons with disabilities. The article stipulates that the Ministry of Telecommunication shall endeavour to provide the facilities necessary to enable persons with disabilities to use telecommunication equipment, apparatuses and facilities. This is affirmed in article 18 of the Act's implementing regulation.

42. The Rights of Persons with Disabilities Act includes provisions relating to the right to universal design, meaning the adaptation of buildings, establishments, shops, markets

and workplaces for use by all people. This is the responsibility of the Ministry of Social Development, Ministry of Labour, Ministry of Transport and Communications and Ministry of Local Government. Article 10 of the Act urges adaptation of playgrounds, camps and sports clubs. However, the term, “general design” does not appear in the present Act and there is still a need at executive level to apply this principle in detail.

43. Although the Ministry of National Economy focuses on regulating economic life and improving the living standards of all, including those with disabilities, neither the law nor Ministry regulations make allowance for the needs of persons with disabilities when designing goods and products.

44. Charities working with persons with disabilities are licensed by the General Directorate of Industry and Natural Resources of the Ministry of National Economy. Persons with disabilities can promote and market their products through these charities. In this regard, ten charitable and cooperative societies have been licensed to date.

Articles 3–4: General principles and obligations

3 (1) Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons

45. Article 3 of the Rights of Persons with Disabilities Act addresses the responsibility of the State toward persons with disabilities, stipulating that the State is responsible for safeguarding the rights of such persons and facilitating their access to these rights. To this end, the Ministry works in coordination with stakeholders to prepare awareness programs for persons with disabilities, their families and communities, focusing on matters related to the rights set out in the Act. As regards implementation, however, there are differences in respect of access to rights and services according to type of disability. For example, vehicles for persons with motor disabilities enjoy customs exemption to facilitate access and enable them to take an active part in the community.

46. The passing of the Rights of Persons with Disabilities Act is an important piece of independent legislation, containing a series of provisions, clauses and fundamental rights that regulate the lives of persons with disabilities. There are also a number of relevant, clearly defined provisions contained in current laws of general application, chiefly the Palestinian Basic Law (2003, amended), the Employment Act, No. 7 (2000), and the Civil Service Act, No. 4 (1998).

47. Despite the importance of the Rights of Persons with Disabilities Act generally and the need for it to be applied and enforced, it nevertheless contains many deficiencies and weaknesses, the most significant of which can be summarized as the absence of mechanisms of accountability and penalties for non-implementation. There is also a contradiction between the Act and certain other legislation governing the rights of persons with disabilities. For example, the Rights of Persons with Disabilities Act and the Employment Act stipulate that not less than 5 per cent of employees must be persons with disabilities. Article 24 of the Civil Service Act, however, requires job applicants to be “free from defect, disease and disability”.¹³ Despite this provision in the Civil Service Act, the General Personnel Council has, since 2012, compelled government institutions to apply the legal percentage of persons with disabilities by ring-fencing the quota within the annual appointment allocations.

48. Despite legal and conceptual problems with the Rights of Persons with Disabilities Act, which views disability as an organic problem afflicting the handicapped, the Ministry of Social Development, in its general and sector-specific plans, programmes and activities, stresses the rights-based concept of disability. This stems from the Ministry’s refusal to deal with the medical concept until the new Act has been finalized and adopted.

49. The social protection strategy (2014–2016), formulated by the Ministry of Social Development in its capacity as competent authority, contains strategic goals relating to marginalized groups in Palestinian society, including persons with disabilities. The system of social protection to which it aspires is one based on three interlinked pillars – prevention, empowerment and protection – designed to improve the situation of families by creating an integrated and transformative system for persons with disabilities, both male and female, and lift them out of the cycle of poverty, marginalization and social exclusion. On the

legislative front, a draft regulation on centres for persons with disabilities and instructions on purchasing services that are unavailable from NGOs, have been submitted for adoption.

50. In 2017, the Government of the State of Palestine, in the form of the Ministry of Social Development, introduced the Social Development Sector Strategy (2017–2022),¹⁴ representing one element of a policy designed to bring about social change and achieve a number of goals, including poverty reduction and the removal of all forms of marginalization in Palestinian society.

51. In addition, a National Strategic Framework for Disability was launched in 2012, as a collaborative effort between government institutions and Birzeit University's Centre for Development Studies, with funding from Diakonia/ NAD. Based on a human rights development model, the plan provides an appropriate foundation to enable all organizations active in the disability sector to move forward and commit to a unified national approach.¹⁵

52. The importance of the Strategic Framework arises from the need to direct and manage change in order to improve the lives of persons with disabilities and the community as a whole. The Strategic Framework is a tool that provides an opportunity to manage the process of change within a unified framework, in partnership with stakeholders. The involvement of persons with disabilities in plan development, implementation, oversight, review and evaluation is a core element of the strategic framework.¹⁶

53. The State of Palestine is currently working on adopting the Strategic Framework and rights-based approach in ministerial plans, turning it into an implementation plan governed by a fixed timeframe to address disability-related issues, including the concept of participation and exercise of disability rights.

54. With a view to coordinating governmental and non-governmental efforts to achieve a dignified life for persons with disabilities, a presidential decree was issued in 2012 concerning the Higher Council for Persons with Disabilities, which has a role to play in monitoring and supervising implementation of the strategic framework. Under the decree, membership of the Council consists of 16 institutions drawn from the public sector, NGOs, disability organizations and the private sector, alongside the Independent Commission for Human Rights in observer capacity.

55. The Higher Council is a comprehensive national framework responsible for directing, monitoring and regulating activity in the disability sector and providing a unified vision and approach as well as an institutional framework for action.¹⁷

56. The lack of autonomy of the Higher Council has hindered its ability to carry out its oversight and monitoring role properly. Accordingly, an evaluation of the Higher Council was carried out by five international organizations – ILO, UNDP, UNESCO, UNICEF and WHO – one of the key recommendations of which was the need for the Higher Council to become independent from the Ministry of Social Development. To this end, the Ministry submitted a legal memorandum to the Cabinet on converting the Higher Council into an autonomous body; the Ministry would be a member of the Higher Council, which would be chaired by an independent body to ensure its neutrality and effectiveness.

57. To improve access of persons with disabilities to their rights, the Ministry of Social Development, in cooperation with the Ministry of Finance and Ministry of Health, introduced a customs exemption programme for vehicles of persons with motor disabilities and a loan programme, launched in cooperation with the Emirates Fund, founded in 2008 as a joint venture between the Ministry of Social Development and Emirates Red Crescent. Putative funding stood at US\$ 6,513,300, with the aim of ensuring the economic empowerment of persons with disabilities, their reintegration in society and inclusion in the wheel of production by granting them soft, interest-free loans to set up productive, income-generating projects. To date, some US\$ 2,821,342 have been invested and 533 projects upgraded.¹⁸ The mechanism for granting a loan involves receipt of applications in specially prepared files that meet the conditions set by social development directorates.¹⁹ Obstacles include the low level of collateral that persons with disabilities are able to put up and other factors. It is planned to amend the statutes to increase the collateral.

58. The Ministry of Justice chairs the Gender-Fair Legislation Committee, set up by Cabinet decision in 2018. The core functions of this Committee are to review and revise laws and legislation from the gender perspective and bring them into line with international standards. The Ministry of Justice arranged a number of training courses and workshops to

review and revise legislation from the gender perspective, beginning with the Service in the Security Forces Act and Protection from Domestic Violence Act of 2017 and 2018 respectively. These arrangements target legal professionals and gender workers in justice sector institutions, as well as the police force.

59. To help budgets respond to gender issues, the Ministry of Justice held a training course on the subject of gender in 2017, as a collaborative effort between it and Ministry of Finance. A legal aid scheme was also launched.

60. The social sector budget allocation represents 44.22 per cent of the government budget. Although the budget contains no specific budget allocation for persons with disabilities, the allocation in the Ministry of Education and Higher Education budget stood at 868,892 shekels in 2018, compared with 1,652,645 shekels in 2017. Table 2 shows the allocations for persons with disabilities in various ministries.

III. Specific rights in the Convention

Article 5: Equality and non-discrimination

61. The Declaration of Independence, adopted by the Palestinian National Council in 1988, announced the commitment of the State of Palestine to the principles and goals of the United Nations and to the Universal Declaration of Human Rights. The Declaration of Independence established the legal basis for equality and the prohibition of all forms of discrimination. It announced the establishment of an independent and free State of Palestine, based on the principle of full equality in respect of rights and freedoms for all Palestinians, wherever they may be, within the framework of a parliamentary democracy based on foundations of social justice, equality and non-discrimination in respect of public rights. The Declaration of Independence further affirmed the commitment of the State of Palestine to the system of universal human rights, as expressed in international treaties and conventions. This includes protection of the rights of persons with disabilities. To guarantee this commitment, policies have been put in place to build a legal system based on the principles of the rule of law and judicial independence.

62. The Palestinian Basic Law reaffirms the principles of equality and prohibition of all forms of discrimination, as set forth in the Declaration of Independence. It clearly stipulates that disability may not be grounds for discrimination and it envisages the provision of services for persons with disabilities, although it includes them with various other groups. Article 22 (2) stipulates that maintaining the welfare of families of martyrs, prisoners, the injured and persons with disabilities is a duty to be regulated by law. The State of Palestine guarantees them education and health and social insurance.

63. Article 2 of the Rights of Persons with Disabilities Act stipulates that a person with disabilities has the right to enjoy a dignified life, just like any other citizen. Article 3 of the Children Act likewise affirms the right of all children to enjoy in full the rights stipulated in law on the basis of equality with others, without discrimination on grounds of disability of any other reason.²⁰

64. The Rights of Persons with Disabilities Act guarantees the protection of persons with disabilities from all forms of violence, abuse and discrimination, and stipulates that the State must put in place regulations and rules to that end. It further affirms that persons with disabilities are not to be subject to any discrimination arising from their disabilities in social, economic or political life. The law grants persons with disabilities the right to claim adequate and appropriate compensation from those who discriminate against them.

65. Given the archaic provenance of laws and legislation in the State of Palestine, several provisions exist which are incompatible with the Convention. However, the accession of Palestine to the Convention is a step in the right direction and underlines the need to continue to work to amend laws in a manner consistent with the fundamental right of persons with disabilities to equality and non-discrimination. Through its institutions, the State of Palestine seeks to eliminate all forms of discrimination against persons with disabilities and overcome the cultural factors which sometimes give rise to discrimination.

66. The Social Development Sector Strategy (2017–2022) affirms the concept of social development to empower marginalized communities and enable them to participate in society and make their voice heard in the decision-making process. It further emphasizes

the importance of not excluding or discriminating against marginalized groups, including persons with disabilities.

67. In 2013, the Government prepared the National Development Plan (2014–2016), consisting of a strategic framework prioritizing areas for government action. As regards the social protection and development sector, the plan involved delivery of sustainable, rights-based social services to help reduce poverty and promote social justice among various groups. To this end and commensurate with the goals of the plan, in the same year the Ministry of Social Development, in partnership with and under the supervision of a national team made up of organizations working in the field of social protection, prepared a national strategy for the social protection sector (2014–2016).

68. Despite affirmation of the principle, various forms of discrimination still persist in many areas of Palestinian culture and society in general and in attitudes toward women with disabilities in particular. Examples include the limited participation of women with disabilities in public life, employment, education and leisure, and the limited exercise of their right to marriage, reproduction and an independent life.

69. In 2017, the Ministry of Social Development received 97 complaints from persons with disabilities: 68 from males and 29 from females. Most complaints concerned the interruption of cash assistance and the closure of a claimant's file on the grounds that the family already had a source of income. That state of affairs is incompatible with the cash assistance scheme and means that a person with a disability, being a member of a family, loses his/ her right to such assistance.

70. In the Ministry of Social Development budget for 2019, cash assistance for poor families headed by an elderly person or person with disabilities will be converted into fixed social credits not subject to the poverty equation; credits will be treated as basic social protection (the social protection floor).

Article 8: Awareness-raising

71. The Palestinian legislature seeks to ensure that the rights of persons with disabilities are protected by raising awareness and, in particular, by changing the negative stereotype which society has of them. Accordingly, articles 3 and 7 of the implementing regulation of the Rights of Persons with Disabilities Act affirm the need to disseminate knowledge and educate society about disability issues. Under the explanatory memorandum, responsibility in this regard devolves to the Ministry of Social Development, which acts in partnership with the Ministry of Information and other stakeholders. A number of measures have been taken.

72. The strategic framework for persons with disabilities in the State of Palestine involves numerous events and activities designed to raise society's awareness of disability issues. The Ministry of Social Development oversees many such activities each year and publishes booklets on the services it offers. In cooperation with Save the Children and the Maan News Agency, the Ministry has implemented various awareness-raising activities, including short sketches and performances that address important issues affecting the lives of persons with disabilities.

73. In April 2018, the Ministry of Social Development implemented a special programme to raise awareness about disability issues, with support from Save the Children. This involved holding workshops designed to raise the level of acceptance of disability within families, improve the response of the family to disability issues, enhance the quality of media coverage and increase the opportunities for persons with disabilities to access public places and enjoy their right to benefit from government programmes, as well as their cultural and recreational rights. Workshops targeted families, protection office staff, Ministry of Local Government engineers, heads of village and municipal councils, Ministry of Education and Higher Education staff and directors of sports centres, as well as human rights organizations and media outlets. Table 3 shows the types of workshop implemented by the Ministry of Social Development.

74. The Ministry of Information has formulated a plan for the disability sector based on three strategic goals: improving the coverage of disability issues by media organizations; raising social and institutional sensitivity to disability issues; and raising the awareness of persons with disabilities of their legal rights and the services available to them. To achieve

these goals, cooperation and networking among disability organizations and media organizations has taken place and numerous workshops and awareness forums have been organized.

75. In partnership with organizations working with disability, the Ministry of Information set up a coordinating framework: the disability sector media advocacy network. However, its activity has been temporarily suspended due to financial and technical circumstances within the component organizations. The Ministry has distributed a guide for media workers and media organizations on covering disability issues from a rights perspective. It has also organized numerous awareness-raising activities, including seminars, forums and sketches highlighting the rights of persons with disabilities. The Palestinian media combines an aid-based and rights-based vision of disability issues. Note that the Ministry of Information has received no complaints of a media outlet demeaning the dignity of persons with disabilities.

76. The Palestinian Broadcasting Corporation allocates airtime to explaining the rights of persons with disabilities. The Public Information Authority likewise uses the airwaves to raise awareness of community health issues among persons with disabilities by, for example, broadcasting advertisements highlighting the importance of obeying traffic laws designed to accommodate their health situation. Radio spots have been produced, designed to raise public awareness of how to deal with persons with disabilities and change society's view of disability from a humanitarian to a rights-based one. Palestinian radio covers disability-related events and workshops, featuring prominently at the Arab Forum for the Blind in Kuwait. Furthermore, the Palestinian Broadcasting Corporation holds seminars to raise staff awareness and advise them of the appropriate terminology and rights-based approach to use when dealing with persons with disabilities.

77. In 2014 and 2015, the Higher Council for Youth and Sports held training courses to build the capacities of the technicians and administrators in charge of disabled sports and the youth organizations working with them. More than five training workshops were held, targeting athletes and supervisors in organizations working with disability. Sports and youth activities were used to raise awareness of disability rights by having each event adopt and promote a particular issue and idea. Thus, for example, removal of the social stigma attached to Down's syndrome and avoiding use of the term, "retarded" were issues adopted by the Palestinian team in five events at the 2014 Special Olympics.

78. The Ministry of Education and Higher Education organizes numerous activities designed to raise awareness and change attitudes toward students with disabilities. These include celebrating events such as International Week of the Deaf and World Hearing Day and making effective use of school radio. Working in coordination with specialist organizations, the Ministry seeks to raise awareness of disability in schools. It publishes brochures and guides discussing how to change attitudes, including a teacher's guide to changing the attitudes of students toward persons with disabilities and a professional standards guide for resource room teachers.

79. The Ministry conducts pre-training for all new teachers and teams working in special education. This takes the form of systematic training courses held at the start of each school year and subsequently as required. The Ministry's general directorates work together to implement the inclusive education policy and a ministerial committee is charged with monitoring implementation. As far as possible, students with disabilities are involved in activities and events and their talents and abilities are nurtured. The Minister of Education and Higher Education has created the so-called "In the Minister's chair" event, where the Minister hosts distinguished guests with disabilities. Finally, committees of friends of the disabled persons have been formed in schools to provide their colleagues with help and support and to speed up their integration at school without the restrictions or challenges they might otherwise face.

80. Engineers employed by the General Directorate of Buildings of the Ministry of Local Government receive instruction in the importance of creating a disability-friendly environment in schools to enable persons with disabilities to move around freely and access facilities. A facilities guide prepared by the Engineers Association has been adopted as a reference. Information on adapting buildings to meet the needs of persons with disabilities and related topics can be found in the *Local Government Magazine*, which is distributed to all local authorities. From 2016 to mid-2018, the Ministry of Local Government

participated in several workshops on disability, presenting papers or moderating discussions on the measures to be adopted when adapting buildings to ensure disability access.

81. The Ministry of Transport and Communications uses printed and audiovisual materials to raise traffic awareness and allocates space in its publications to explaining the rights of persons with disabilities to freedom of movement and transport services, with a view to raising the awareness of citizens of these rights and encouraging drivers to adapt their vehicles. The Ministry uses its website and the digital magazine, *Muwasalati* ["My comms"], to promote this.

82. In 2016–2018, the Ministry of Transport and Communications, in the form of the Higher Traffic Council, organized traffic awareness programmes for schools in the West Bank, targeting some 1,000 students, including those with disabilities. Traffic safety teams have been formed, tasked with providing training and delivering lectures to students.

83. In 2016, the Ministry of Justice Gender Unit held workshops designed to incorporate gender issues in the Ministry's action plans and follow-up and evaluation processes. In partnership with the justice sector and several rights organizations and women's organizations, a workshop was held to identify gender priorities and policy interventions in the sphere of justice for the forthcoming planning period (2017–2022). To ensure inclusion of gender in the Ministry of Justice strategic plan (2017–2022), a workshop was held, in partnership between the Ministry and NGOs, on combining efforts to determine priorities and implement gender-sensitive legislative mechanisms.

84. The Human Rights Unit of the Public Prosecution Service seeks to raise social awareness by providing training courses and operational guidelines to protect the rights of children, women and persons with disabilities.

85. Since 2016, the Family Protection Police has implemented a programme designed to train departmental staff how to deal with persons with disabilities.

86. Despite the concern of the Palestinian media with the human rights of persons with disabilities, the sector's response to disability issues has, in general, been limited. There are several reasons for this, principally a lack of journalists specialized in the sensitive issues associated with disability, ignorance of subject matter and failure to use proper terminology, all of which have had a negative impact on coverage. Furthermore, media organizations lack written guidelines and policies for covering and reporting disability issues in such a way as to have a positive impact on society. These shortcomings affect how disability issues are addressed, with the result that coverage is piecemeal rather than systematic and focused largely on coverage of events.

87. Spreading the culture of human rights in general and the rights of persons with disabilities in particular has attracted the attention of the Independent Commission for Human Rights, given its concern with eroding stereotypes, entrenched social attitudes, negative behaviour and prejudice against persons with disabilities. Several activities have been implemented by the Commission to raise local community awareness of disability. Table 4 shows the main activities implemented by the Independent Commission for Human Rights.

88. The General Union of People with Disabilities has implemented a number of projects designed to raise society's awareness of the rights of persons with disabilities, including campaigns run in partnership with relevant organizations to promote positive attitudes toward the participation of persons with disabilities in various ways in the community. The Union makes effective use of the media to spread community awareness and advocate for disability issues. Since its foundation, the Union has implemented numerous projects, including a youth leadership scheme in partnership with Teacher Creativity and advocacy programmes in partnership with the Jerusalem YMCA.

89. A group of civil society organizations in the West Bank and Gaza Strip is helping to raise awareness and bring about change in social attitudes towards the rights of persons with disabilities on a number of levels by building the capacities of professionals working with disability, organizing awareness-raising activities and campaigns and holding media events.²¹

Article 9: Accessibility

(a) *Measures to make buildings and public facilities accessible*

90. The Rights of Persons with Disabilities Act devotes an entire section to the accessibility of public buildings. Article 12 clarifies the aim of accessibility and the bodies responsible for monitoring implementation. Article 13 stipulates that adaptation is compulsory unless:

- (a) The historical or archaeological nature of the public place is threatened;
- (b) There is a risk to the safety and security of the public place;
- (c) It would cost more than 15% of the value of the public place.

In the three cases above, the authorities must find suitable alternatives to ensure use of the public place by persons with disabilities.

91. Articles 14, 15, 16 and 17 of the aforementioned Act are concerned with, respectively: ensuring the educational needs of persons with disabilities; ensuring the responsibility of the Ministry of Local Government for the compulsory adaptation of buildings and public facilities to facilitate the movement of persons with disabilities; minimizing the need for persons with disabilities to use private means of transport and ensuring that the Ministry of Transport and Communications gives them discount; and finally, ensuring that the Ministry of Telecommunications and Information Technology provides facilities to enable persons with disabilities to use telecommunication equipment and devices.

92. Article 13 of the implementing regulation of the Rights of Persons with Disabilities Act stipulates that public places must be adapted for the use of persons with disabilities as follows:

- (1) Streets, roads, pathways and lanes must be made free from obstructions, in coordination between the Ministry of Social Affairs, Ministry of Transport and Ministry of Local Government;
- (2) Governmental and non-governmental buildings must be adapted to enable access and free movement by persons with disabilities, in coordination between the Ministry of Local Government and municipal and village councils;
- (3) Workplaces, markets and commercial premises must be adapted for the use of persons with disabilities; this is the responsibility of the Ministry of Local Government and Ministry of Labour.

Article 94 of Cabinet Decision No. 6 (2011), on local authority building regulations, stipulates that public buildings, commercial premises, residential buildings with multiple apartments and office buildings must be adapted to suit the needs of persons with disabilities; entrances and passageways must meet the specifications set out by the competent committee.

93. To meet the legal requirements and as a result of awareness-raising campaigns, much effort is being put into facilitating physical access for persons with disabilities. A national accessibility plan has been formulated and the draft building code strengthened to include penalties for substandard residential buildings, although this has not been completed due to the withdrawal of funding by the American donor. Work is currently underway on securing funding to complete the project.

94. An action plan designed to achieve environmental accommodation, accessibility and social integration of persons with disabilities has been incorporated in the Ministry of Local Government Strategic Plan (2017–2022). In partnership with the Palestinian Authority for the Development of NGOs and in cooperation with community-based rehabilitation programmes (CBR), the Ministry introduced a policy paper designed to include persons with disabilities in local authority and Ministry business and planning. This was distributed to all local authorities to enable work on the inclusion process to begin. The Ministry also included disability issues in its 2015–2017 strategic plan, which likewise sought to achieve environmental accommodation, accessibility and the social integration of persons with disabilities.

95. The Higher Organization Council of the Ministry of Local Government has issued four circulars to directorates and local authorities, calling on them to comply with the environmental accommodation requirements for public buildings and facilities. The Ministry has also issued a number of decisions to directorates affirming the need to implement the circulars sent by the Higher Organization Council. Furthermore, the Engineers Association has issued a guide to designing buildings to meet the needs of persons with disabilities.²²

96. Pursuant to decision no. 56/2005 (6 September 2005), the Palestinian Supreme Court of Justice ruled to require the Cabinet to implement articles 12–15 of the Rights of Persons with Disabilities Act, on the accessibility of public places, and to take all necessary decisions and measures to this end.

97. Environmental accommodation is one of the action priorities of the General Union of People with Disabilities and to this end it organizes a series of ongoing campaigns. In 2016, the Nablus branch of the Union, in partnership with the Jerusalem Legal Aid Centre, launched a campaign entitled, “Nablus governorate is the friend of persons with disabilities”. The Union has also worked in cooperation with Ramallah governorate and municipality and concluded an agreement of cooperation with municipalities in Tulkarm governorate.

98. Regulatory and legal barriers to implementing decisions on accessibility have been caused by the continued existence of old and outdated legislation and the failure to impose deterrent punishment on offenders, even after warnings have been issued. There have also been obstacles to adapting existing old buildings due to the exorbitant costs involved. Despite being signed off at the planning level by the Engineers Association, the existence of a very large number of buildings needing to be adapted represents a major challenge. Moreover, there is simply not enough time for regular building inspection. Additionally, shortage of staff means that it is not possible to carry out the close monitoring and control needed to ensure implementation in full of Ministry of Local Government and local authority plans.

99. As regards the accessibility of educational buildings and schools, the Ministry of Education and Higher Education is working hard to remove barriers to the process of integration, which has been underway since the concept of inclusive education was introduced in 1997. As a result of its labours, the majority of schools – some 58 per cent – have been adapted to admit students with disabilities. Challenges include the existence of a number of old or rented school buildings which, because of their age or objection by the landlord, are difficult to adapt.

100. The Ministry has had the curriculum for basic school grades 1–12 printed in Braille and distributed to students with visual impairment integrated in the public school system and certain private schools. The Ministry has also stepped up the training of special education staff, appointing inclusive education counsellors to monitor students with disabilities. Resource room teachers and specialized staff to work with resource teams have also been appointed. In addition, special education supervisors and inclusive education officers have been appointed at directorate level and school level, respectively, to provide training in how to communicate with students with disabilities who have been integrated within the public school system.

101. The number of schools stands at 2,998: 2,269 in the West Bank and 729 in Gaza. There are 2,203 public schools, 370 UNRWA schools (275 in Gaza and 95 in the West Bank) and 425 private schools. There are some 50 special education schools, licensed by the Ministry of Education and Higher Education, teaching students with severe visual, auditory and mental disabilities and autism. The number of students enrolled in these schools varies from one school year to the next but numbers currently stand at 3,100 in the West Bank, consisting largely of those whose severe disabilities make it difficult to integrate within the public school system. Approximately 160 of the teachers working in these schools are Ministry employees.

102. The Ministry of Health and Ministry of Education and Higher Education work together with several NGOs to achieve accessibility; four public buildings operated by these ministries have been adapted in collaboration with the Jerusalem YMCA.

103. Israel, the occupying power, prevents Palestinians from building schools or making any extensions or alterations to existing schools in occupied Jerusalem.

(b) *Measures to adapt means of transport and communication*

104. As part of the drive toward achieving accessibility, several training vehicles have been adapted to teach persons with disabilities to drive. Pursuant to Higher Traffic Council Regulation No. 16 (2009), the Council is responsible for developing legislation on the engineering of roads to meet international and local standards. Furthermore, the Council works in coordination with the Ministry of Local Government to determine the engineering and architectural conditions and specifications that must be met in public places and buildings old and new to serve the needs of persons with disabilities. It is also responsible for determining the technical, engineering and architectural specifications for pavements and public parking spaces to facilitate use by persons with disabilities.

105. The Higher Traffic Council has incorporated the disability access programme within a comprehensive traffic scheme for the municipalities of Ramallah, Beitunia and al-Bireh, involving the restructuring and planning of traffic lanes inside the cities to reduce congestion. A bill amending the Traffic Act No. 5 (2000) in line with international standards has been prepared. The bill sets out the role of the Ministry of Transport and Communications and the services it is required to provide under the disability card programme.

106. The Ministry of Transport and Communications plans to create special parking spaces for persons with disabilities in all existing and new projects and to install signs indicating these spaces. It will also install ramps in all schools, universities, companies, establishments and service centres. The Ministry will liaise with the Higher Traffic Council to implement these schemes. New buildings will only be licensed if they meet Ministry conditions.

107. To evaluate the quality of services provided by the Ministry of Transport and Communications in the West Bank, a working group has been formed, composed of representatives of the Ministry's general directorates and the Cabinet. Persons with disabilities are attended to immediately upon arrival at the Ministry building without having to take the elevator. If a person with disabilities is unable to access the appropriate directorate, a member of staff will make a home visit.

108. To improve access for persons with disabilities, the Ministry of Local Government concluded two agreements with the community-based rehabilitation programme (CBR) in the central and southern regions of the West Bank. Two conferences on this subject were held in the West Bank under the auspices of the Ministry and 150 agreements were drawn up between the aforementioned community-based rehabilitation programme and local authorities in the West Bank. The Ministry also concluded an agreement with the General Union of People with Disabilities on environmental accessibility for 16 municipality buildings; in Gaza, 19 municipalities signed similar agreements.²³

109. The Ministry of Local Government prepared a policy paper on including disability issues on the agenda of local authorities. Although the building code requires local authorities to ensure accessibility, the absence of deterrent measures means that implementation has been patchy. As yet there is no Braille signage in public buildings and information technology facilities.

110. A joint paper on accessibility has been prepared by the Ministry of Local Government and Engineers Association, although engineers have still to be trained in issues of accessibility. The matter has been discussed with the General Union of People with Disabilities.

111. Broadly speaking, services provided under the UNRWA programme for refugees with disabilities included making home alterations and reasonable modifications to buildings, providing assistive devices, speech therapy, physiotherapy, occupational therapy, hearing therapy, home visits, special education facilities, self-learning programmes, carer capacity-building, financial support to enable the transfer of persons with disabilities to specialist facilities and the protection of persons with disabilities within the UNRWA programme. However, the programme has been suspended due to budget cuts by the Agency and this has affected enjoyment of these rights.

112. The higher committee for camps runs a scheme making alterations to homes and establishments to ensure they meet the needs of persons with disabilities. As a joint project, this programme relies for funding on UNRWA and family contributions.

113. The 2011 report of the Palestinian Central Bureau of Statistics, produced in cooperation with the Ministry of Social Development, presented statistics on disability access.²⁴

Article 10: Right to life

114. Palestinian law guarantees the right to life of everyone, including persons with disabilities and includes provision for all health and legal measures to protect the right to life persons with disabilities. Article 2 of the Rights of Persons with Disabilities Act states that such persons have the right to enjoy a free and dignified life.

115. No cases of trafficking in the organs of persons with disabilities have been recorded by the Palestinian judiciary or General Union of People with Disabilities. The judiciary has no statistics on violations of the right to life of persons with disabilities.

116. As regards the planning of future legislative measures to enhance protection of the right to life of persons with disabilities, the Ministry of Justice is seeking, within its legislative mandate, to include legislation in its forthcoming strategic plan (2017–2022) to increase the penalty for violation of the right to life of persons with disabilities.

117. The suffering of persons with disabilities in the Occupied Palestinian Territory has been exacerbated by the crimes committed by the Israeli occupation forces on a daily basis against Palestinian people and property in general and persons with disabilities and their families in particular, who are one of the most vulnerable groups in society. The policy of blockade and blanket lockdown of the Occupied Palestinian Territory has reduced living conditions to catastrophic levels. In the Gaza Strip, the illegal and inhuman Israeli blockade, imposed for more than 12 years, has brought economic and social collapse. Rates of unemployment, poverty and food insecurity among the Palestinian population have risen to unprecedented levels. As a result, the economic and social conditions of persons with disabilities and their families, who already suffer from a severe lack of rehabilitation, social welfare, health, education and employment, have worsened.

118. Disability rates in the State of Palestine, excluding cases of disability caused by social, environmental and family factors, are affected by the ongoing systematic and widespread Israeli abuses committed against the civilian population. Palestinians with disabilities are victims of the practices of the Israeli occupation forces no less than their able-bodied compatriots and there have been numerous cases recorded of violation by Israeli occupation forces of the right to life of persons with disabilities; these are classed as crimes of international humanitarian law. More than 6,000 persons have suffered permanent disability due to injuries sustained since the beginning of 2000. Some 600 suffered permanent disability as a result of Israeli aggression against the Gaza Strip in 2008–2009 and a further 16 suffered permanent disability during the aggression in 2012. Some 53 persons with disabilities were wounded in the course of Israeli aggression in 2014, while 180 persons were permanently disabled as a result of injury. Approximately 50,000 Palestinians have been left with disabilities as a result of Israel's three wars against the Gaza Strip.

119. In 2015, some 42 persons with disabilities were martyred as a result of Israeli aggression in the Gaza Strip, including 25 persons with physical disabilities. In the West Bank, 187 persons with disabilities were wounded by occupation forces and arrested despite being injured.²⁵ In 2014–2015, a total of 10,481 Palestinians, including 1,489 children, were injured; in 2016, some 1,685 Palestinians were injured. In 2017–2018, more than 23,000 Palestinians were injured by Israeli forces. In 2018, six Palestinians with disabilities, including a child suffering from mental disorders, were killed.

120. The United Nations and other international bodies report that Palestinian citizens with disabilities are deliberately targeted by the Israeli occupation forces despite being obviously disabled. Additionally, they aim at the lower parts of the body to cause permanent disability. Furthermore, the weapons used by the Israeli occupation forces against the Palestinian people are considered by the international community to be of the

most dangerous kind, designed to kill or seriously wound in such a way as to cause permanent disability.

121. The premises of many institutions providing care and rehabilitation for persons with disabilities have been raided and ransacked by occupation forces in the West Bank and Gaza Strip, including the Gaza headquarters of the Right to Life Association, attacked in 2014.

Article 11: Situations of risk and humanitarian emergencies

122. The Civil Defence Act No. 3 (1998) guarantees the right of the members of society to live in safety, protected from dangers and threats from whatever source, including disasters and crises. The Act delegates responsibility for this to the General Directorate of Civil Defence.²⁶

123. Each year, Civil Defence organizes some 5,000 training courses for various groups of people, including persons with disabilities, to make them aware of risk and how to deal with different types of incident, particularly evacuation and rescue operations. It also prepares contingency plans for establishments to ensure that persons with disabilities are protected in emergencies and crises.

124. Civil Defence prepares an annual report showing the numbers of persons killed or injured in accidents involving fire. The figures show that those most at risk are children, the elderly and persons with disabilities and it is these groups on which Civil Defence programmes focus. Programmes include a morning radio message and short video clips on social media, broadcast with accompanying sign language interpretation. In 2018, the General Union of People with Disabilities developed, in cooperation with Civil Defence, a list of instructions on public safety and protection against disasters and hazards in general, particularly in the workplace.

125. Under Israeli occupation, Palestinians are subject to systematic and widespread abuses, including violence and mistreatment. Accordingly, the Palestinian Red Crescent Society and several other organizations take measures to protect Palestinian civilians, including persons with disabilities. Appropriate measures have been taken to ensure that Red Crescent branches and centres provide a safe refuge for persons with disabilities in times of danger. Furthermore, a 70 per cent success rate has been achieved by providing training in how to act in cases of emergency, evacuation etc.

126. In recent years, the Red Crescent has begun including persons with disabilities in a programme designed to prepare people to cope with disasters and reduce risk. Furthermore, in situations of armed conflict, raising the Red Crescent flag entitles Red Crescent branches and centres to be treated as protected places under international law. Nevertheless, during the last two assaults on the Gaza Strip, a Red Crescent rehabilitation Centre in Khan Yunis was shelled by Israeli occupation forces.²⁷

127. Israel's racist occupation of Palestinian territory, the concomitant lack of safety and security for Palestinian citizens and absence of a just and sustainable solution to the Palestinian refugee issue, continue to have an impact on the physical, social and mental well-being of the population and put persons with disabilities, including women and children, at risk of exploitation, violence and abuse. UNRWA has monitored a high level of mental disorders among Palestinian children since the recent escalation of Israeli operations and practices.

128. As a result of Israeli aggression against the Gaza Strip in 2014, UNRWA programmes were modified to facilitate a return to ordinary school programmes. The Agency runs numerous programmes, such as Summer Fun Week, designed to provide children, including children with disabilities, with psychological support by giving them a safe place to play and make new friendships.

129. UNRWA has expressed great concern that the recent rise in violence and security incidents, including Israeli military operations in areas adjacent to refugee camps, has resulted in an increase in the number of munitions-related injuries, which are likely to cause permanent disability. Following a large number of security operations inside the camps, UNRWA's Crisis Response Unit conducted a quick assessment and referred affected persons and families to the appropriate medical and psychological facilities; persons with disabilities injured by Israeli occupation forces were supplied with assistive devices.

130. The UNRWA disability programme offers a wide range of services, including integrating refugees with disabilities within the Agency's official education system, supporting the mobility of persons with disabilities, making home alterations and providing vocational and occupational rehabilitation, including speech therapy, physiotherapy and assistive devices. Some 2,802 persons benefitted from capacity-building training courses, awareness-raising sessions and recreational activities for persons with disabilities and their families in 2014. In 2018, following the decision to cut back Agency services, agreements with partner organizations working with disability, such as the Red Crescent, were not renewed and contracts concluded with experts in the rehabilitation of children with disabilities were suspended; the home alteration and maintenance programme carried out in previous years was also halted.

Article 12: Equal recognition before the law

131. The Basic Law affirms the principle of the equality before the law and the courts of all Palestinians, regardless of gender, colour or disability.

132. The sharia courts hold persons with disabilities to be equal with others before the law. They seek to promote the interests of such persons in family matters and provide full legal protection in respect of their financial affairs. The law allows a judge to perform the marriage of a person with intellectual disabilities, if a medical report establishes that marriage is in that person's interest. If the marriage is subsequently established to be detrimental to that person, the law allows an action for separation to be brought by the parent/ guardian or trustee, on the basis of an appellate ruling in a sharia court.

133. Palestinian law grants persons with disabilities, whether physical or intellectual, the capacity to acquire rights and duties (*ahliyat al-wujub*). However, when it comes to the capacity to fulfil obligations (*ahliyat al-ada*), involving the ability to act in accordance with those rights in a manner recognized by the law, the sharia courts hold persons with intellectual disabilities to be incapable of litigation and cognizance. Their interests are overseen by a judge and the parent/ guardian or trustee does not have the right to take any decision detrimental to their interests. Furthermore, the law makes a distinction between physical and intellectual disabilities, maintaining that intellectual disability diminishes capacity. Consequently, persons with intellectual disabilities may not conduct commercial transactions involving purchase and sale and may not acquire property without an agent to carry out such transactions on their behalf.

134. Regarding the capacity to acquire rights and duties, under which a person holds certain rights and is recognized as a person before the law, persons with disabilities have the same right as others in law and in practice to obtain a birth certificate or apply for a passport.

135. The Bureau of the Chief Qadi (sharia judiciary) has set out the rights enjoyed by persons with disabilities as follows: physical disability has no effect upon a person's legal capacity and he/she is considered in law and in practice to be fully cognizant. The distinction here is between a person who has reached puberty (*baligh*) and one who has not. In the case of females, sharia law defines puberty as the natural onset of menstruation, commencing at the age of nine; in the case of males, it is defined as the onset of nocturnal emission, commencing at the age of 11. Legal majority (*al-bulugh al-hukmi*) is attained upon reaching the age of 15 years in the Hijri calendar (14 years, six months and 21 days in the Gregorian calendar).²⁸

136. The first step is to determine whether or not puberty has been reached. If a minor with motor disability has not attained puberty, he will be deemed to have attained legal majority upon reaching the age of 15 solar years and thereupon be treated as an adult. His rights before majority are different from his rights afterwards. If poor (i.e. with no property of his own), a minor with motor disability is entitled to receive sufficient financial support each month from the father to cover the cost of food, drink and clothing. The father must also pay the cost of appropriate treatment, determined on the basis of medical reports. He must rent suitable accommodation for the nursing mother to enable the child to be raised in a healthy environment. The father is obliged to hand over details of his health insurance to the mother of a minor with motor disabilities to enable the child to receive treatment; if he does not, he shall be ordered by the court to pay all the costs of treatment.

137. The mother has the right, upheld by the courts, to custody of a minor child, whether male or female.²⁹ Note that any action on behalf of the minor is brought by the mother or foster mother.

138. A male or female child with motor disability who has attained puberty may bring a legal action himself/ herself or authorize another person to do so in order to claim his/ her inalienable rights. As regards custody, the law allows a child with intellectual or physical disabilities who has attained legal majority but needs female care to remain in the custody of a woman, subject to medical reports. In the case of fostering, the court shall rule whether or not the applicant is capable of looking after the affairs of a child with disabilities.

139. By law, a child with intellectual disabilities cannot dispose of his/ her own assets due to the fact that he/ she is a legal minor. Upon reaching the age of 18, these assets will be quarantined in order to protect them, pursuant to the laws, decisions and circulars issued by the Bureau of the Chief Qadi. As such, the judge will hold any disposal by this person of assets to be unlawful and legally void.

140. The judge will appoint a legal trustee over the assets of a person with intellectual disabilities. The quarantine ruling includes a categorical prohibition on the disposal by the trustee of the assets of that person, forbidding him to buy, sell, give, dispose of or seize the quarantined assets save by judicial permit issued by the Higher Sharia Court after the best interests of the owner of the quarantined assets have been ascertained. To control the powers of a trustee, there are provisions holding him accountable in cases of breach of trust.³⁰ Furthermore, a trustee is subject to oversight by the Court of First Instance and, in respect of financial matters, the approval of the Higher Sharia Court is required. The Bureau of the Chief Qadi issued a circular authorizing trustees to receive 25 dinars for managing the affairs of a person with disabilities whose assets are in quarantine. A trustee may be entitled to receive a larger sum by permission of the Higher Sharia Court.

141. Quarantined assets are deposited in an orphans' fund and managed by the Foundation for the Management and Development of Orphans' Funds on behalf of the person concerned. Note that this Foundation is independent from the sharia judiciary and reports to the President of the State of Palestine.

142. Cases involving quarantined assets are litigated by the Personal Status Prosecutor on behalf of the Public Prosecutor, in view of the fact that a person with disabilities is considered a vulnerable party and in need of protection. Rulings delivered in such cases may be appealed before the courts of appeal and Higher Sharia Court.

143. In cases where the defendant has an intellectual disability and a claim for financial support is brought by his wife and/ or children, the amount will be transferred from his assets by the guardian or trustee. If he has wealth, the trustee shall arrange payment from his assets to those who brought the case against him in accordance with the law. If poor, he will not be judged by the court in the same way as persons without intellectual disability.

144. There is nothing to prevent persons with physical disabilities enjoying their right to inheritance and property. Persons with intellectual disability may inherit and bequeath but their funds are retained by the Foundation for the Management and Development of Orphans' Funds.

145. The Public Prosecution Service prioritizes the best interests of less fortunate groups, including women and children with disabilities. In the case of a conflict of interest with their representatives, the Public Prosecutor shall represent the former.

146. The Palestinian Monetary Authority issued Instructions No. 8 (2017), on adapting bank buildings to the needs of persons with disabilities, in order to secure their right to access banking and credit facilities and enable them to manage their banking affairs in the same way as other citizens. The Instructions contain engineering specifications for buildings to facilitate access by persons with disabilities and organize the provision of bank products and services. They require banks to take measures to ensure that customers with disabilities are treated the same as others by printing forms for opening accounts and credit contracts in large type and in Braille. Banks are also required to provide facilities for persons with hearing and vision disabilities and to help customers with disabilities fill in forms and contracts, if asked to do so.³¹

147. Article 7 of the Instructions requires a set of guidelines to be prepared explaining how to provide banking services for persons with disabilities. Appropriate training is to be provided for all staff and at least one member of staff in each branch must be trained in sign language. Promotional leaflets and brochures are to be printed in Braille.

148. Pursuant to its oversight role, the Palestinian Monetary Authority carries out inspections to ascertain the extent to which these Instructions are enforced, applying a system of fines in the event of non-enforcement.

149. The Public Prosecution Service protects persons with disabilities from prosecution in cases concerning financial matters. Thus article 163 (2) of the Execution Act No. 23 (2005) stipulates that a sentence of imprisonment may not be handed down against debtors under the age of 18, the feeble-minded or the insane. A person may be prosecuted by a spouse for payment in cases relating to money, such as alimony or marital separation, in the event of sudden intellectual disability or legal incapacity. On the personal level, a prosecution may not be brought if the defendant's health, as confirmed by a medical report, does not permit. Under the law on legal implementation, an incarceration order may not be issued against a person with intellectual or physical disabilities, if it is established on the basis of an attested medical report by a competent physician that his health does not permit.

Article 13: Access to justice

150. Article 30 of the Basic Law stipulates that litigation is a right that is protected and guaranteed for all. Each Palestinian has the right to resort to his natural judge. Litigation procedures shall be organized by law to guarantee prompt settlement of cases.

151. The Government works hard to provide a suitable environment to facilitate access to justice by persons with disabilities. The Supreme Judicial Council plans to develop and upgrade buildings to suit the needs of persons with disabilities. However, some court buildings remain unsuitable for use by persons with disabilities. For example, some older buildings lack elevators and there is a lack of staff with competence in sign language. The courts continue to call upon outside experts to communicate with persons with disabilities.

152. When it comes to hearing the cases of persons with disabilities, there is no discrimination of any kind in the Palestinian judiciary and the Supreme Judicial Council has received no complaints of persons with disabilities being subjected to any sort of abuse. No complaints about the treatment of persons with disabilities by the judiciary have been registered. Access to information by all litigants is guaranteed by the Supreme Judicial Council's Meezan database programme. However, this programme makes no distinction between litigants with disabilities and others.

153. The Supreme Judicial Council promotes awareness among judges of the proper way of dealing with litigants in accordance with the law through an ongoing training programme. Furthermore, the Council is committed to ensuring that judicial institutions have a number of persons with disabilities on their staff, in jobs commensurate with their abilities. As yet, however, numbers have not reached the level specified in law. The Council has taken measures to adapt workplaces.

154. The Public Prosecution Service has taken steps to ensure that persons with disabilities have access to the judiciary. The most significant of these is the creation of a domestic violence department, responsible for monitoring crimes committed within the family, including crimes against persons with disabilities. Furthermore, a human rights unit has been created to ensure that vulnerable and marginalized groups, including persons with disabilities, enjoy the standards of a fair trial. Some 64 per cent of buildings owned by the Public Prosecution Service have been adapted to meet the needs of persons with disabilities and made responsive to all forms of disability. Ramps have been installed to facilitate access to court buildings and elevators and disabled toilets have been provided. Procedures for lodging complaints are explained on television screens in offices of the Public Prosecution Service.

155. The procedure followed at police stations to protect persons with disabilities from violence is as follows: when a victim presents, either by herself or accompanied by a representative of the Ministry of Social Development or transferred from another body, immediate action is taken by the police: all necessary measures are taken to ensure her protection and an expert is called to help ensure that the disabled victim, whether child,

young person or elderly person of either gender is properly treated. In 2016, police personnel received training in dealing with persons with disabilities.

156. The Department of Reform and Rehabilitation Centres has developed a comprehensive plan to provide extensive training in the correctional sciences for all staff, going on to enrol some in specialist courses on how to deal with inmates with disabilities. In 2018, a special training course on sign language for seven prison officers was completed.

157. A standard operating procedures manual on the health services provided within reform and rehabilitation centres and a special training manual on dealing with persons with disabilities have been prepared.

158. In 2017 and the first half of 2018, some 286 staff of the Department of Reform and Rehabilitation Centres received training in the human rights of persons with disabilities. The Family and Juvenile Protection Unit of the Palestinian Civil Police also held a number of training courses on the rights of persons with disabilities. For example, a training course was held for 16 officers on the legal framework regulating the work of the Unit, particularly in relation to women and girls with disabilities. Another course was organized for 19 officers on the inclusion of disability issues in police training programmes; this was also the subject of a further course for 17 officers.

159. The Family Protection Police face several obstacles when dealing with victims of violence with disabilities. Often there is no special place to admit victims due to lack of space or shortage of staff specialized in the issues of victims with disabilities. Additionally, persons with disabilities may have difficulty accessing services due to a conflict of interest with their carers.

160. In its next three-year plan and as part of the Sawasya project, the Family and Juvenile Protection Unit will seek to upgrade Unit offices in the governorates to respond to the needs of persons with disabilities and others, including victims of violence and children with disabilities. Note that a five-storey building belonging to the Unit and its Ramallah headquarters are currently being upgraded with support from UNDP and UNWOMEN to make them suitable for use by everyone, including persons with disabilities and children and women victims of violence. The Family and Juvenile Protection Unit deals with issues of violence in all its forms, including violence against persons with disabilities. It is a one-stop centre, providing a full range of services together with its partners (Public Prosecution Service, Ministry of Social Development and Medical Examiner) and ensuring confidentiality and ease of movement.

161. As regards accessibility measures implemented by the Bureau of the Chief Qadi of the sharia judiciary, there has been some relative adaptation in Bureau headquarters and gradual adaptation in sharia court buildings as part of the annual changes. Sign language interpreters are appointed when dealing with persons with hearing and speech disabilities. There is no objection to relatives accompanying a person with disabilities. Furthermore, the judge or his deputy may adjourn to the place of residence of a person with disabilities to hear his/ her statement, if the latter is unable to attend court.

Article 14: Liberty and security of person

162. Article 11 of the Basic Law states that personal freedom is a guaranteed basic right that may not be infringed.

163. Under Palestinian law, disability is not held to be a reason for deprivation of liberty and persons with disabilities are considered equal before the law in terms of punishment for crimes committed, taking into account that the circumstances of arrest and place of detention must be appropriate to their needs and that, if the nature of the disability militates against detention, the court shall agree to release on bail. The law states that no-one may be placed in a reform and rehabilitation centre without a court ruling. This stipulation applies equally to persons with disabilities.

164. The Reform and Rehabilitation Centres Act does not contain detailed provisions relating to inmates with disabilities. In practice, all inmates are treated in accordance with international standards, in a manner that respects their dignity and meets their needs.

165. The monitoring process for inmates with non-motor disabilities (i.e. those with speech, hearing, visual or mental disabilities) is limited to the medical care provided by the

reform and rehabilitation centre. Staff of the centre are responsible for easing daily living conditions and providing for the needs of inmates with disabilities within the resources available.

166. The number of inmates with disabilities stood at 11 in 2016; eight of them were released. Out of 16 inmates with disabilities in 2017, 14 were released. There were seven such inmates at the end of July 2018; five were released.

167. All rights to a fair trial that apply to the non-disabled inmates apply equally to inmates with disabilities. The following additional rights apply:

168. Upon entering prison, inmates with disabilities are given the opportunity to declare any disability from which they may be suffering and provide information about their needs. They may retain the assistive devices related to their disability.

- The health of inmates is assessed in a manner appropriate to their disabilities and the results are documented by a competent medical committee; they are put on a work programme appropriate to their disability; all treatment, medication and medical services are provided free of charge for inmates with disabilities.
- With support from the United Nations Office on Drugs and Crime (UNODC), several clinics inside reform and rehabilitation centres have been upgraded and re-equipped to meet the medical needs of inmates with disabilities. Inmates are also provided with assistive devices.
- As regards spatial accessibility, the structural layout of existing reform centres poses a real challenge to providing better services and living conditions for inmates with disabilities. As these old centres do not conform to international standards, the Department of Reform and Rehabilitation sought as part of its 2017–2019 plan to provide improved living conditions by building modern centres to international standards that meet the needs of persons with disabilities.³²

169. There is a gap between the legislation designed to protect inmates with disabilities and its implementation. Personal freedoms in Palestine are linked to the reality of Israeli occupation of Palestinian land and, as such, it is often difficult for the Palestinian Government to ensure the rights of inmates with disabilities. There are many prisoners with disabilities held in Israeli jails, deprived of protection and safeguards and denied the care and rehabilitation they need.

170. According to the Commission of Detainees and Ex-Detainees Affairs, there are 10 Palestinian prisoners with motor disabilities in Israel jails, three of whom have been sentenced to life imprisonment; two have been detained since 2014 and 2015. Some of these detainees suffer from partial paralysis and others from motor disabilities. Four developed physical disabilities after being wounded by Israeli occupation forces.³³ The number of prisoners with motor and hearing disabilities stood at 45 in 2018, including those in detention and those sentenced to life imprisonment. Some 25 prisoners suffer from various disabilities as a result of assault by Israeli occupation forces.³⁴ Some prisoners are at risk of becoming disabled due to the failure of the occupation forces to provide proper treatment. Table 5 shows the number of prisoners with disabilities held by the occupation forces, their sentences and the various disabilities from which they suffer.

171. The Commission of Detainees and Ex-Detainees Affairs visits prisoners, including the sick and those with disabilities, taking requests and supplying items they need. The Commission submits an application for a copy of a prisoner's medical file to the Israel Prison Service; if approved, this is presented to a competent physician, who examines the prisoner. In the case of prisoners with disabilities, the situation is normally followed up with a view to providing them with new or replacement assistive devices or wheelchairs, as required. Costs are covered by the Commission of Detainees and Ex-Detainees Affairs and other support organizations. However, these measures are dependent on the approval of the Israeli occupation authorities.

Article 15: Freedom from torture or cruel, inhuman or degrading treatment or punishment

172. Article 13 of the Basic Law forbids torture and requires that all persons deprived of liberty receive decent treatment. The current penal laws in Palestine punish the torture or inhuman treatment of inmates designed to intimidate or force them to confess.³⁵

173. The State of Palestine has acceded to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol thereto. Work is underway on creating a national body to prohibit torture, which will visit and inspect detention centres, including special centres for persons with disabilities. In actual fact, no cases of the torture of persons with disabilities were recorded during the reporting period.

174. Additional information on the application of this article is provided below.

Article 16: Freedom from exploitation, violence and abuse

175. Article 19 of the Rights of Persons with Disabilities Act stipulates that the State shall formulate regulations and controls to ensure the protection of persons with disabilities against all forms of violence, exploitation, and discrimination. Article 10 of the implementing regulation of the Act states that it is the responsibility of the Ministry of Social Development to coordinate with the relevant bodies with a view to formulating regulations to guarantee the protection of persons with disabilities against all forms of violence, exploitation, and discrimination.³⁶ The new bill will contain legal provisions guaranteeing the protection of persons with disabilities against all forms of violence and exploitation.

176. The Jordanian Penal Code imposes severe punishment for abuse of a person with disabilities, particularly one with mental disabilities. Article 293 states that any person who engages in forced sexual intercourse with an unmarried female who cannot defend herself due to physical weakness, mental impairment or the use of trickery shall be sentenced to a term of hard labour. Article 297 of the same Code states that any person who violates the honour of a person who cannot defend himself/ herself due to physical weakness, mental impairment or the use of trickery, or a person who causes someone to commit such an act, shall be sentenced to a term of hard labour.

177. Any person with disabilities who has been abused, whether a child, young man, elderly person, woman or girl, is given immediate protection upon presenting at a police station either by himself/ herself or accompanied by Ministry of Social Development staff, or upon submission of a report. Action is taken immediately and all protective measures are put in place. If the victim is a child with disabilities, rapid intervention is carried out to monitor the situation. Initially, this involves visiting the child, in the light of which the Family Protection Police subsequently follow up the case, in accordance with the Children Act.

178. In 2015, the police processed 42 cases (27 males and 15 females). Six per cent of cases involved violations.

179. The Ministry of Social Development has specialist staff – integration and disability counsellors – in the West Bank, whose job it is to offer the protection, support and intervention needed in cases where persons with disabilities have been abused. The Ministry has 12 such counsellors in directorates across the West Bank governorates.

180. The Ministry of Social Development intervened in 13 cases of violence in 2015 and 17 in the first half of 2016. There were some 28 cases of integration in 2015 and 26 in the first half of 2016. Table 6 shows cases presenting to the Ministry of Social Development in 2015 and the first half of 2016.

181. To ensure their protection from violence, the Ministry of Social Development provides sheltered accommodation for persons with severe disabilities, as well as rehabilitation and day care. Sheltered accommodation is purchased from centres and societies that apply the quality standards set out in the Convention. In 2015, there were 27 cases of persons with disabilities provided with sheltered accommodation and 286 in 2016, across all West Bank governorates. The Ministry of Social Development has built a new centre for persons with severe disabilities in Nablus, which will open in the beginning of

2019. Working through three centres, the Ministry provides services for approximately 150 persons with disabilities each year.

182. Daytime rehabilitation services are purchased from several organizations. In 2016, there were 720 instances of the purchase of these services in the West Bank, compared with 435 in 2015.

183. If a person with disabilities is subjected to violence in a sheltered accommodation facility, early intervention is carried out, following a defined set of procedures. Firstly, the abused person is given protection. An investigation committee is then formed to monitor the situation. The committee submits its recommendations on measures to be taken and, if necessary, punishments to be imposed. The same procedures are followed if the abuse takes place in a non-governmental facility. There are no official figures on cases of neglect involving persons with disabilities.

184. In 2017, there were 25 boys and girls with disabilities living in Ministry shelters; the boys were aged between six and 13, while the girls were aged between six and 15. In its capacity as national human rights authority, the Independent Commission for Human Rights monitors cases where persons with disabilities of either sex have been subject to violence and neglect. The Family Protection Police and several NGOs also monitor and follow up such cases.

185. Abuse of Palestinians, including those with disabilities, by Israel occupation forces takes many forms. They endure violence and assault on a daily basis. By way of example, 1,680 assistive devices were lost by persons with disabilities during the attack on Gaza and nine rehabilitation centres were destroyed by Israeli occupation forces.³⁷

186. There are numerous laws, policies and programmes designed to curb violence against persons with disabilities. However, their effectiveness remains limited as they often conflict with the traditional view, underpinned by the prevailing culture, that regulation of family affairs is a private matter. This represents a major challenge to the attempt to change social attitudes. In addition, the overall scale of violence against persons with disabilities has still not been determined. The Ministry of Health has developed a programme for the early detection of cases of child neglect, particularly children with disabilities, who present at Ministry clinics and hospitals. However, the Ministry has no measures in place for the early detection of practices that violate the right to life, security and freedom of persons with disabilities.

187. The State of Palestine is currently seeking to introduce an act to protect the family from violence, taking into account the legal provisions set out in international conventions, with the aim of reducing the incidence of crimes of violence and domestic abuse. The act will provide legal protection for family members, including those with disabilities, against acts of violence to which they may be subjected within the domestic environment. The act will also ensure that victims receive compensation. It will impose severe penalties on perpetrators in cases where the victim is a person with disabilities. Furthermore, it will ensure that under no circumstances may a domestic violence case be dropped, if the crime was committed against a person with disabilities, a child or an elderly person. In such cases, personal right may not be extinguished.

Article 17: Protecting the integrity of the person

188. The Jordanian Penal Code guarantees the right to personal integrity and articles 333–335 affirm the importance of protecting the integrity of all persons. Furthermore, it imposes severe penalties for committing an act causing injury or offence to persons with disabilities.

189. Article 60 of the Public Health Act affirms the need to obtain the consent of the person concerned, including a person with disabilities, before carrying out any medical procedure, in a manner consistent with the type and degree of disability. In the case of persons with mental disabilities, the consent of the parent/ guardian or trustee is required before treatment can begin.

190. Current Palestinian legislation only permits abortion in the exceptional cases set out in the Health Act and Penal Code namely, when it is necessary to protect personal integrity. Furthermore, the Health Act imposes a prison sentence on anyone who performs an abortion or helps a woman to obtain an abortion with or without her consent. Punishment is

more severe if the abortion results in death, in which case the offender will be sentenced to not less than five years' hard labour. The Act also ensures the protection of all women from forced sterilization.

191. As regards the forced sterilization of women and girls with mental disabilities, the Minister of Health, after becoming aware that such operations have been performed, issued a decision in 2011 forbidding hysterectomy to be carried out on females with mental disabilities under pain of criminal responsibility.

192. At the beginning of 2014, after noting a number of abuses against women and girls with intellectual disabilities involving hysterectomy operations performed with the connivance of their families and at the urging of certain officials of sheltered accommodation facilities as a condition of admission, the General Union of People with Disabilities launched a national campaign in partnership with women's organizations to put pressure on the authorities to adopt laws designed to deter families and medical centres from subjecting girls to such abuse. Working in cooperation with the Ministry of Social Development, the General Union succeeded in having the Minister issue Circular No. 5 (2014), on safeguarding the health of girls with disabilities and prohibiting such violations in governmental or other facilities under pain of criminal responsibility.

193. Statistics on these operations are not available and no cases came to the attention of the Ministry of Social Development in 2016 and 2017. Workers in sheltered accommodation have been trained in case management and quality standards and several workshops have been held with the General Union of People with Disabilities.

Article 18: Freedom of movement and nationality

194. The Basic Law states that Palestinian nationality is regulated by law. However, Israeli occupation of Palestinian territory represents an obstacle and a challenge to the adoption of such a law. Palestinian nationality continues to be regulated by several different pieces of legislation, the most significant of which is the Palestinian National Charter. It has also been influenced by international law; the Civil Status Act (1999); several provisions of the Consolidated Palestinian Citizenship Orders issued by the British Mandate (1925); the Jordanian Nationality Act No. 6 (1954, amended), effective in the West Bank; and the Palestinian Nationality Regulation (1947, amended), effective in the Gaza Strip. Meanwhile Israel, the occupying power, applies the Permanent Residence Law arbitrarily to the Palestinian population of East Jerusalem.

195. The Children Act states that a child has the right to be registered in the civil register immediately after birth, without discrimination. Nationality is granted immediately to the child, on a basis of equality, pursuant to the provisions of the said Act. This includes children with disabilities. Additionally, articles 17–19 of the Civil Status Act state that an authorized and recognized person must notify the Ministry of the Interior of the birth at once, providing specific information on time, date and place of birth, as well as the sex, name and status of the newborn, as stated on the notice of live birth received from the health service provider.

196. Refugee children are neither allowed to return nor to be registered, it being the policy of Israel, the occupying power, to deny refugees the right of return, including the right to enter the Occupied Palestinian Territory.

197. The right to nationality and to move freely from one country to another is linked more to the policy of the Israeli occupation than it is to the policy of the State of Palestine. The Israeli occupation denies many Palestinian citizens, including persons with disabilities, the right to obtain identity cards and be registered in the Palestinian Population Register. Additionally, freedom of movement internally and abroad is restricted.

Article 19: Living independently and being included in the community

198. The disability card determines the basket of services which a person with disabilities is entitled to receive as part of a system regulated and implemented by the Ministry of Social Development in partnership with various authorities, government ministries and NGOs. The card is mandated under the Rights of Persons with Disabilities Act and article 3 of the implementing regulation and the Government is obliged to issue it and provide a range of health, social, vocational and educational integration, rehabilitation and support

services, commensurate with the type and degree of disability. The card system is designed to institutionalize in a practical way the process of service provision and the distribution of functions and to define the responsibilities of stakeholders.³⁸

199. Due to the unfortunate political situation in Palestine and the difficulty ministries and organizations have in communicating with each other in occupied Palestine, the disability card has not been introduced in the Gaza Strip since the programme was adopted.

200. In reality, delivery of the full range of services for persons with disabilities is linked to the ability to cover the cost. Given the budgets allocated to ensuring the rights of persons with disabilities, the State of Palestine faces a real challenge. In cooperation with local authorities, the Ministry of Transport and Communications has allocated free parking spaces for persons with disabilities subject to the production of a disability card or letter from the Ministry stating that the vehicle is registered in the name of a person with a disability.

201. To ensure that persons with disabilities are able to live an independent life, the Ministry of Social Development provides specific-purpose rehabilitation programmes focusing on, for example, home adaptation and provision of assistive devices. Supervised by the Ministry, this programme received funding in 2017 of 2.5 million shekels from the Government for assistive devices. In 2018, 1,700 applications for assistive devices were received. A list of names was forwarded to Al-Jaleel Charitable Society and Bethlehem Arab Society for Rehabilitation, examinations and diagnoses were carried out and appropriate assistive devices supplied; some 325 persons nationwide received assistive devices.

202. In cooperation with the Emirates Fund, the Ministry of Social Development has allocated the sum of US\$ 6,517,300. Of this, US\$ 2,821,342 were transferred to projects and the remaining US\$ 3,691,958 were used to provide soft, interest-free loans of between US\$ 5,000 and US\$ 10,000 each for persons with disabilities to enable them to set up productive, income-generating projects. Loans for successful projects that meet requirements may be renewed.

203. The Fund seeks to rehabilitate persons with disabilities who are capable of operating income-generating projects to provide them with social and economic security. Furthermore, it seeks to ensure the participation of persons with disabilities in production and development with a view to integrating them in society and changing stereotypes.³⁹ Between 2008 and 2018, some 557 persons with disabilities were granted loans by the Fund to set up income-generating projects.

204. In 2016, the Minister of Social Development published the statutes of the Emirates Fund for the rehabilitation of persons with disabilities, setting out the administrative and financial organization of the fund, composition of the board of directors and technical committee etc. The higher coordinating committee for the rehabilitation of persons with disabilities (attached to the higher committee for camps) operates a home visit programme, delivering services to persons with disabilities at home among their families. Staff seek to raise awareness among families, counsel them how to deal with disability, identify the psychological and social needs of family members with disabilities, enable them to enjoy the greatest possible measure of independence and help them to integrate in society.

205. However, these programmes do not meet the stated goal of ensuring full accessibility for all persons with disabilities. Nevertheless, although the financial ability of the State is very limited, work is underway on overcoming these difficulties by expanding the number of rehabilitation and integration programmes that target persons with disabilities, increasing available budget allocations and ensuring greater access to public buildings, facilities and transport. The cutback in UNRWA services for refugees with disabilities also poses difficulties. Not only must Agency services be restored but the support of the international community needs to be increased to enable the Agency to serve all refugees.

Article 20: Personal mobility

206. Palestinian legislation provides guarantees of personal mobility for persons with disabilities. Thus article 16 of the Rights of Persons with Disabilities Act states that the Ministry of Transport will seek to prepare a suitable environment to facilitate the mobility

of persons with disabilities, including a special discount on public transport for them and their carers. Article 17 of the implementing regulation clarifies this, stating that the Ministry of Transport, in coordination with the Ministry of Social Affairs, seeks to prepare a suitable environment to ensure the mobility of persons with disabilities as follows: installing disability signs in public parking spaces, such as car parks and bus stops; providing specially-equipped buses for persons with disabilities on main routes; spreading traffic awareness among drivers; and training the public how to help people with disabilities use public transport.

207. Acting in partnership with the ministries of transport, finance and health, the Ministry of Social Development offers exemption from customs duty for persons with disabilities. A customs exemption committee has been formed, which meets every two weeks to study applications and examine applicants for personal or proxy exemption.

208. The Traffic Act No. 5 (2000) and its implementing regulation (amended) guarantee the right of a person with disabilities to obtain a driving licence. Furthermore, the Act provides for payment of a symbolic vehicle license fee.⁴⁰ Article 89 of the Act deals with vehicle license fees, with paragraph 11 specifying the licence fee for a private car or motor cycle registered under the name of a person with disabilities at five dinars or equivalent thereof in legal tender. This article conflicts with article 6 (2) of the Rights of Persons with Disabilities Act, on the personal vehicles of people with disabilities, which provides for exemption from all fees, customs duties and taxes. All legislation needs to be amended to ensure that it is fully consistent with the Convention.

209. To facilitate the right to mobility, a car belonging to a person with disabilities is exempt from customs duty, pursuant to Cabinet Decision No. 24 (2006), on the implementing regulation pertaining to the exemption from customs duties and taxes of private cars for the personal use of persons with disabilities. Persons with disabilities are exempt from customs duties on their vehicles pursuant to article 2 of the above-mentioned regulation, subject to the following conditions:

- (a) Official confirmation from the Ministry of Transport (Vehicle Engineering Department) that the vehicle has been specially modified;
- (b) The person concerned is of sound senses and upper body functionality and free from visual and intellectual disability;
- (c) The person holds a valid driving licence issued by the licensing authority of the Ministry of Transport and Communications.

Note that exemption is given for vehicles equipped to be driven with the hands not the feet.

210. This regulation was amended by Cabinet Decision No. 7 (2010), on the implementing regulation, by the addition of a new article allowing the parent/ guardian of a person with first degree disabilities to obtain exemption from customs duty for a private car for personal use on condition that a social worker's report on the person concerned is obtained from the Ministry of Social Affairs. The process of issuing a report involves the person with disabilities submitting an application to the Ministry of Social Development which, in turn, forwards the application to a medical committee for a report on the person's medical status. The Ministry of Social Development then refers the application, with the medical report attached, to the exemptions committee, which will decide to grant exemption if the conditions are met.

211. In February 2012, a guide to the customs exemption procedures for persons with disabilities was produced by the Ministry of Social Development and customs exemption committee. This was approved by the Prime Minister and formally adopted. Customs exemption is granted to persons with disabilities in accordance with the conditions set out in the guide.

212. A total of 6,596 customs exemptions were granted between 2007 and the end of July 2018. Some 800 persons were granted customs exemption in 2017, while 552 persons had been granted exemption up to October 2018.

213. The Ministry of Social Development faces a number of challenges with regard to customs exemptions, including the sale of exemptions to non-disabled persons. To overcome such difficulties, several conditions have to be met and undertakings must be signed by those seeking customs exemption. Agencies have been stopped by the courts

from obtaining legal guardianship from a court and the purchase agreement for a car in the name of a person with disabilities has been regulated. Note that it is the police and customs authorities which are responsible for inspection. Furthermore, medical committee reports are sometimes unclear or inaccurate. If there is any doubt about an application or medical report, the person with a disability is called for interview by an exemptions committee chaired by the Ministry of Finance with a membership consisting of the Ministry of Social Development, Ministry of Health, Ministry of Transport and Communications and General Union of People with Disabilities. A meticulous examination is carried out by this committee, which has the right to overturn the decision of the other two committees.

214. Future improvements to the customs exemption service include adoption of draft regulations amending the existing customs exemption regulations to keep pace with developments in the rights of persons with disabilities, including granting customs exemption to the blind and other groups included under the current regulations and granting exceptional powers to the committee, allowing it to award exemption to whomever it sees fit, even if the normal criteria are not applicable, such as in cases of severe intellectual disability. It is planned to carry out the electronic archiving of files, for which the Ministry of Social Development will need specialist staff.

215. In cooperation with the Ministry of Transport and Communications, the Ministry of Social Development operated specially adapted buses for the use of persons with disabilities at the Karameh crossing between Palestine and Jordan. Working in coordination with a private company, the Ministry operated two such buses. However, the service was stopped as a result of measures taken by Israel, the occupying power.

216. The Ministry of Transport and Communications offers supplementary training courses for drivers to obtain a public transport licence. Courses include components on the practical skills required for dealing with persons with disabilities and their assistive devices.

217. As part of a scheme to improve the quality of the bus service in the West Bank, the Ministry of Transport and Communications seeks to provide long-term maintenance for its fleet of buses and boost the long-term financial sustainability of the sector by introducing certain reforms. This is consistent with the Ministry's strategy for developing the transport sector and raising levels of service to ensure they conform to best international principles and practice.

218. The Ministry of Transport and Communications implements the legal provisions set out in the Transport Act (2000), collecting a fixed fee of five dinars instead of a reduced license fee for a vehicle registered in the name of a person with disabilities. The Ministry also implements the provisions on the registration and licensing of vehicles in the names of persons with disabilities, if the legal provisions apply. The Ministry of Finance is currently formulating a customs exemption policy.

219. The Ministry of Transport and Communications is taking action to apply and utilize smart transport systems in the transportation sector on two levels, as follows:

- A team has been charged by the Cabinet with reviewing the final draft of the smart transport system strategic framework, which will be submitted to the Cabinet for approval;
- In the light of its active involvement in the European Union-funded EuroMed Transport Support Project, the Ministry set up a smart transport project contact point and submitted a report on the status of smart transport in Palestine, noting challenges and needs.⁴¹ The project action plan will include activities relating to smart transport systems, which will have a positive impact on the transport sector in Palestine.

220. Regarding access of persons with disabilities to human assistance and intermediaries, joint consultations have been held by the Ministry of Social Development and relevant ministries to discuss the best way of coordinating services and promoting social justice through integrated policies on the basis of the disability card. The formation of an internal committee consisting of representatives of all relevant departments to develop scenarios and practical steps in accordance with the law and public order has also been discussed.

221. The problem with giving discounted transport tickets to persons with disabilities is that the transport sector is owned and run by the private sector and, naturally, the main aim of the operator is to make a profit from the service it is commissioned to run on behalf of

the Ministry. Furthermore, the Government cannot simply issue discounted tickets to certain groups because the transport operators do not use the ticketing system which issues persons with disabilities with the said tickets, making it difficult for the Ministry to determine the operator's percentage and how the Government should cover the remainder. Moreover, there is less than complete coordination between the General Union of People with Disabilities and operators. The Ministry is currently working on introducing a card system for persons with disabilities and students that will enable reduced price tickets to be issued.

222. Approximately 2,694 vehicles are registered with the Ministry of Transport and Communications as belonging to persons with disabilities, while 2,555 vehicles are licensed to persons with disabilities.

223. The survey conducted by the Palestinian Central Bureau of Statistics in 2011 indicates that 76.4 per cent of persons with disabilities (75.5 per cent in the West Bank and 78.1 per cent in the Gaza Strip) do not use public transport because it lacks essential infrastructure to meet their needs. The sector is not subsidized by the Government and the cost of adapting public transport for the use of persons with disabilities is prohibitive. The Ministry of Transport and Communications introduced a special public transport programme for persons with disabilities using vehicles meeting the required technical specifications in terms of assistive devices but only one person in Bethlehem took up the offer.

224. Regarding live assistance for persons with disabilities, the Ministry of Education and Higher Education appoints companions for students with disabilities to help them with reading, writing etc. Furthermore, Palestinian law guarantees persons with disabilities the right of access to various assistive aids and mobility devices. The Ministry, in cooperation with governmental, non-governmental and civil society organizations and with occasional help from project budgets, seeks to provide assistive aids and devices.

225. As regards provision of appliance, devices and other technologies designed to promote the mobility of persons with disabilities, the Ministry of Social Development, with support from Save the Children, provided talking laptops to 99 students with visual impairment in 2015, 2017 and 2018.

226. Several NGOs are helping to improve mobility, independence, training and learning for persons with disabilities by providing them with medical equipment and assistive devices. Table 7 shows the cost of essential modifications to adapt vehicles for disabled use.

Article 21: Freedom of expression and opinion and access to information

227. Palestinian law guarantees freedom of opinion and expression to all. Furthermore, Palestine is keen to facilitate access to information by persons with disabilities. The Rights of Persons with Disabilities Act explicitly states that the State must introduce sign language facilities. Furthermore, article 17 of the Act stipulates that the Ministry of Telecommunications shall endeavour to provide the necessary facilities to enable persons with disabilities to use telecommunications equipment, devices and facilities.

228. Article 18 of the implementing regulation requires the Ministry of Telecommunications to provide persons with disabilities with facilities for Internet use, modified public telephones and a percentage discount on their telephone bills to be determined in consultation with the Ministry of Social Development. Article 15 of the implementing regulation requires the Ministry of Social Development to introduce the use of sign language in governmental and non-governmental facilities in line with a plan formulated in cooperation with the relevant government bodies.

229. Furthermore, the General Personnel Council has created the position of sign language interpreter with a view to improving services for persons with hearing impairment and facilitating their integration in society.

230. The Ministry of Information formulated a plan for the disability sector based on three strategic goals: developing media coverage of disability issues; promoting social and institutional sensitivity to disability issues; and increasing the awareness of persons with disabilities of their legal rights and the services available to them. To achieve these goals, action focused on cooperation and networking among disability organizations and media organizations and several awareness-raising workshops were organized. Despite poor

understanding of the role of the Ministry of Information on the part of organizations working with disability, the Ministry set up a coordinating framework – the disability sector media support network – in partnership with several disability organizations. However, activity has been temporarily suspended due to internal circumstances within the organizations concerned.

231. The Ministry of Information has sought to publicize disability issues, preparing a plan for the sector, implementing activities and workshops for disability groups and cooperating and coordinating with media organizations. It has also distributed a guide for media workers and media organizations on how to cover disability issues from a rights perspective.

232. The most significant challenge consists in the lack of proper coordination between disability organizations in relation to the media.

233. Regarding the right of access to information in the State of Palestine, three principal information outlets are widely available: radio, Internet and satellite television channels. Persons with hearing disabilities have access to information via the Internet. Indeed, they are the most active users of social media platforms, given the limited utility of television due to the lack of sign language interpretation and restriction of subtitles to foreign programmes.

234. Basically, persons with visual disabilities have access to information via the radio, which is the most popular media outlet in Palestine. Television is less popular and they rarely use the Internet, preferring special computers for persons with visual disabilities. Persons with other forms of disability have access to all media and even the poorest can listen to the radio which, unlike the Internet, does not require a monthly subscription. Accordingly, all persons with disabilities have access to at least one media outlet.

235. The telecommunications and information technology strategy (2017–2022) has adopted a key policy: the use of information technology to empower persons with special needs, involving cooperation with relevant organizations to develop programmes on the use of ICT tools to serve persons with disabilities, as well as programmes designed to integrate persons with disabilities in the job market. These interventions will be implemented over the life of the strategy.

236. The Government has equipped nine post offices with a special entrance for persons with motor disabilities and installed an elevator in the international exchange office in Jericho. Ministry headquarters and offices have been modified to allow access by persons with disabilities. Furthermore, the issue of a postage stamp marking the International Day of Persons with Disabilities has provided a morale boost to such persons.

237. Palestinian telecommunications companies have introduced special programmes for persons with disabilities, including discounts of up to 25 per cent, depending on degree of disability confirmed by approved medical report. Furthermore, special entrances have been installed in all telecommunication companies to facilitate access by persons with difficulties to company buildings and service centres.

238. The principal task of the Palestinian Central Bureau of Statistics is to develop and improve the system of official statistics on legal foundations and to regulate the process of data collection and use for statistical purposes. The Bureau seeks to collect statistical information on local and external social classes and groups by all available means. Persons with disabilities are one of the groups targeted by the data collection process, both directly and through representative organizations.

239. The Bureau publishes information in a variety of ways and its publications are available to all without exception. Its printed materials are widely distributed and reach a large number of interested parties, including persons with disabilities and their representative organizations. In general, the extent to which persons with disabilities access information depends upon the extent to which the information meets their needs.

Article 22: Respect for privacy

240. The Basic Law guarantees the human right to inviolability of private life, including the right to protection from violation of personal freedom under pain of criminal responsibility and the right to civil compensation.⁴² Palestinian legislation on the protection

of private life does not distinguish between persons with disabilities and others, given that it involves intrinsic rights common to all. Article 60 of the Public Health Act guarantees this right equally to sick persons.

241. The Public Statistics Act (2000), which regulates the work of the Central Bureau of Statistics, makes clear provision for confidentiality of the data of persons with disabilities. The Act states that all information and data on individuals obtained by the Bureau for statistical purposes is confidential and may not be disclosed to any individual or public or private body or used for purposes other than the preparation of statistical tables. The Bureau publishes official statistical bulletins in the form of aggregate tables that do not address individual or personal data. Furthermore, each employee and official must sign an undertaking to the effect that he/ she will not disclose or disseminate any personal information or data.

242. The Ministry of Health has measures in place to protect the records of persons with disabilities from unlawful and arbitrary interference. Records are stored in the electronic information system used by all government hospitals in certain health directorates. In other directorates, work is underway on computerizing patient records, including those with disabilities. All hospital and health directorate staff receive training in use of the above-mentioned electronic information system, guaranteeing that the privacy of persons with disabilities will be protected.

243. The Ministry of Social Development has measures in place to safeguard the records of persons with disabilities, all of which are stored in a file under the responsibility of a Ministry social worker. No special training in confidentiality is provided as ensuring confidentiality is taken for granted.

Article 23: Respect for home and the family

244. The Personal Status Acts, the Children Act and other acts represent the legislative framework for the institution and regulation of marriage and the family. Article 19 of the Children Act stipulates that every child has the right to live in a cohesive family unit and that the State must take measures to ensure that the family assumes its responsibilities toward its children. Article 21 of the same Act states that, without prejudice to any harsher penalty provided for in any other law, anyone who neglects a child in his/ her care will be sentenced to a term of imprisonment of between one month and three years.

245. Article 8 of the Jordanian Personal Status Act in force in the West Bank grants a sharia court judge the authority to perform the marriage of a person with intellectual disabilities, if a medical report from a competent physician establishes that marriage is in the person's interest and after ensuring the consent of the other party, if able-bodied.

246. As regards the personal life and marriage of persons with disabilities, the 2011 survey indicated that 35.7 per cent of persons with disabilities in the West Bank and 30.7 per cent in Gaza have never married, while 44.5 per cent of persons with disabilities in Palestine are married. Some 18.2 per cent of persons with disabilities (both sexes) are widowed (15.9 per cent in the West Bank and 23.1 per cent in Gaza). The divorce rate among persons of both genders with disabilities stood at 2.4 per cent across Palestine (2.8 per cent in the West Bank and 1.6 per cent in Gaza). Note that the survey targeted individuals aged 15 and above.

247. Although the law guarantees that persons with disabilities have the right to form a family, that families with children with disabilities must receive support, without discrimination, and that foster care must be available for children denied a family life, in practice there is still discrimination against persons with disabilities, as indicated by the social stigma which attaches to the marriage of women with disabilities and the difficulty of finding a foster family for a child with disabilities.

248. NGOs provide free or low-cost services to enable the family to provide appropriate rehabilitation for a child with disabilities; they also endeavour to raise the awareness of society and the family of how to deal with persons with disabilities. Several governmental and non-governmental organizations in the West Bank and Gaza provide alternative day care and sheltered accommodation for children, including the Dar al-Bayda Centre for Persons with Mental Disabilities, a government-run organization in the town of Salfit.

Article 24: Education

249. Article 24 of the Basic Law guarantees the right to free, compulsory education for all citizens up to at least the end of primary school, without discrimination on grounds of sex or disability.⁴³ The State is responsible for supervising all stages of education in all institutions and for raising the standard of education. This is affirmed by article 38 of the Children Act (amended), which requires the State to take all appropriate and effective measures to eliminate all forms of discrimination in education. Article 12 of the Rights of Persons with Disabilities Act states that it is the duty of the Ministry of Education and Higher Education to ensure the right to education of persons with disabilities on an equal footing with others.⁴⁴

250. Article 14 of the Rights of Persons with Disabilities Act states that the Ministry of Education and Higher Education must ensure a disability-friendly environment in schools, colleges, and universities.

251. In 2017, a legislative decision was issued, bringing public education into conformity with the international conventions to which the State of Palestine has acceded. It stipulates that it is the right of everyone to enjoy an appropriate level of education regardless of disability, difficulty or sex, as long as individual differences are observed and individual needs met. This accords with the radical changes needed in the educational system and is consistent with recognized international principles.

252. The Ministry of Education and Higher Education has adopted a policy of integrating students with disabilities in public schools and guaranteeing that education will be free for all such students who qualify. The Ministry takes a special interest in schools and institutions involved with the teaching and rehabilitation of students with severe disabilities and provides them with trained Ministry staff. The policy of inclusive education was drawn up in October 2015.

253. In school year 2014–2015, some 7,552 male and female students with disabilities were integrated in the public school system, including 5,557 in the West Bank (2,967 males and 2,590 females) and 1,995 in Gaza (1,031 males and 946 females).⁴⁵ Note that the number of persons with disabilities in Palestinian society is considerably higher than this, standing at 2.7 per cent of the total population on the basis of “disability” and 6.9 per cent on the basis of “difficulty”. The number of persons with disabilities is constantly rising due to increased Israeli aggression and large numbers of wounded, as well as other, natural, factors.⁴⁶

254. No statistics are available on the dropout rate among students with disabilities.

255. The Ministry of Education and Higher Education produces annual statistics on the numbers of students with disabilities in public schools, as well as in special schools and institutions for persons with disabilities, with a view to developing plans based on the statistical data. In school year 2017–2018, the number of integrated students stood at 5,171 (2,675 males and 2,496 females). There were 100 students with total visual impairment. Some 150 students with disabilities took the general secondary school examination that year. The number of students with severe disabilities (including hearing and mental disabilities, autism etc.) in special schools and institutions exceeded 3,000.

256. At the beginning of each year, the Ministry of Education and Higher Education in Gaza arranges for a group of teachers to work on secondment to certain organizations, teaching children with intellectual and hearing disabilities.⁴⁷

257. Each year, the Ministry updates the instructions for the general secondary examination to ensure that it matches the capacities of the students with disabilities who sit the examination, making appropriate accommodation for each disability to give them a fair chance of passing. Accommodation is made for blind students and facilities are installed, allowing them to choose how they want to sit the examination: with TalkBack, employing the help of a scribe or using a Perkins Braille machine. Additionally, blind students may be excused from the mathematics examination and any outstanding fees until the use of such methods has been finally decided. The Ministry has also put in place facilities for students with hearing disabilities, including assigning a sign language interpreter and exempting them from certain subjects. Around 150 male and female students with disabilities sat the general secondary examination in 2018, of whom 70 passed. Ten of these were awarded scholarships for achieving grades above 90 per cent.

258. The Ministry works within its available resources to provide assistive devices, such as Perkins Braille, laptops with TalkBack, white canes, special learning materials and wheelchairs. Course materials are provided free of charge to all blind students.

259. The Ministry monitors students with disabilities who have passed the general secondary examination with a view to enabling them to progress to university education. There is a trend in most Palestinian universities to admit students with disabilities through special committees. Precise statistics on the number of students with disabilities enrolled in higher education are not available.

260. Non-formal education, including literacy and parallel teaching programmes, is offered to persons with disabilities in four centres, in which 20 persons with mild motor, visual, hearing and mental disabilities are currently enrolled. Several NGOs offer this service, including the Al-Amal school for adults with disabilities.

261. As regards equality in respect of nursery and kindergarten education, the Ministry of Social Development, pursuant to the National Early Childhood Development and Intervention Strategy (2017–2022) and in partnership with the Ministry of Health, Ministry of Education and Higher Education and UNRWA, is working on an evaluation project based on global measures of child development. A pilot project was rolled out in two governorates in the West Bank and one in Gaza, with funding from UNICEF. The project targets children aged from one month to six years and involves training staff how to evaluate child behaviour, focusing on five areas of child development – motor, cognitive and perceptual, social and affective, linguistic and communicative and self-organizational/self-care. Training has been given to nursery teachers and supervisors and kindergarten nurses, doctors and supervisors, as well as to staff of UNRWA and the Spafford Children's Centre in East Jerusalem.⁴⁸ Furthermore, parents have been taught how to help develop their children's capacities by creating a stimulating home environment. A number of courses designed to teach parents how to address the development needs of their children from the ages of one month to three years have been implemented. In 2017, the Ministry of Social Development developed a nursery accreditation and quality system, covering children with disabilities. Furthermore, child development indicators have been adopted as the basis of the nursery action programme. Work is currently underway on developing two centres in the West Bank, one public sector and the other private sector, as part of a project that seeks to improve State interventions and provide an environment supportive of children's needs.

262. Work is also underway, in partnership with ministries and with support from UNICEF, on developing the RapidPro project, a digital platform for communicating with the families of children under assessment with the aim of monitoring progress. This facility is free for families.

263. Pursuant to the above strategy, there are now more than 204 government-run kindergartens under the umbrella of the Ministry of Education and Higher Education. The Ministry has held training courses for a total of 68 kindergarten supervisors on integrating children with disabilities.

264. No statistics are available on the number of students with disabilities enrolled in vocational education.

265. The Ministry of Education not only seeks to integrate students with disabilities who are able and qualified but also endeavours to ensure that they can attend the school nearest to their home, once essential modifications to the building have been made. Students with severe disabilities are taught in special schools. In practice, schools are able to admit almost all students with visual and motor disabilities. However, work continues on integrating students with hearing disabilities, moderate to severe intellectual disabilities and autism. Students with visual and hearing impairment are seated at the front of the class to enable them to learn better.

266. Some 30 schools have been targeted for essential modifications to make them suitable for students with disabilities, 30 resource rooms have been opened in remote schools and at least 10 buses have been adapted for student transport, including students with disabilities. Leisure activities, excursions etc. are organized for integrated students with disabilities, as part of the projects and programmes designed to serve remote schools.

267. The Ministry of Education and Higher Education appoints and trains staff to spread and promote the philosophy of inclusive education. Furthermore, the Ministry has adopted the resource room programme. Resource rooms are separate classrooms in a regular school, equipped with appropriate pedagogical aids, games and furnishings and staffed by a trained special needs teacher. They are part of the school profile and the school is responsible for the appointment and training of staff. Teachers work with students from grades 1 to 4, teaching Arabic language and mathematics (i.e. reading, writing and arithmetic). The target group includes students with learning difficulties, slow learners and those with mild intellectual disabilities; the amount of time spent in the resource room depends upon individual need. There were 265 resource rooms, catering to 3,443 male and female students in school year 2017–2018. The total number of integrated students was 8,050, including 5,171 in the West Bank and 2,879 in Gaza, representing a rate of enrolment of approximately 0.65 per cent of the total student population of the West Bank (814,439) and 0.90 per cent of the total student population of Gaza (319,260).

268. The Ministry has also adopted a resource centres project, which seeks to identify students with disabilities and integrate them in public schools, making use of resource rooms. Centres are staffed by physiotherapists, occupational therapists, language and speech specialists, counsellors and special needs teachers, whose duties include making cognitive, perceptual, language, speech, motor and psychosocial assessments of students with disabilities in public schools, as well as life skills assessment. They also prepare individual pedagogical, rehabilitation and counselling plans for students with disabilities with a view to integrating in the public school system.

269. A national inclusive education plan for persons with visual disabilities has been prepared and textbooks printed in Braille have been provided to visually impaired students in grades 1 to 12.

270. One hundred per cent of schools in the West Bank and Gaza Strip have access to electricity and 93 per cent have Internet access, although the percentage varies depending on the school supervisory body. Some 23.2 per cent of schools in the West Bank and Gaza have computers.⁴⁹

271. Some 58.2 per cent of schools in Palestine have disabled toilets and 51.3 per cent have wheelchair ramps. Some 99.5 per cent of lower primary schools, 99.6 per cent of upper primary schools and 99.8 per cent of secondary schools have access to drinking water.

272. Some 99.3 per cent of lower primary schools and 99.6 per cent of upper primary schools and secondary schools have single-sex hygiene facilities. Some 99.2 per cent of lower primary schools, 98 per cent of upper primary schools and 98.5 per cent of secondary schools have access to basic hand washing facilities.

273. As regards challenges, a large number of school buildings are rented and old and it is difficult for the landlord to make modifications. Signs also have to be changed to facilitate integration of persons with disabilities by making it easier for them to negotiate the physical environment. Furthermore, students with difficulties do not enjoy the same opportunities as others when it comes to practising sport. Indeed, the Ministry's interest in disabled sports remains limited. Additionally, there is poor coordination between the Ministry and the Higher Council for Youth and Sport over the introduction of sporting events specifically designed for students with disabilities.⁵⁰

274. The broad goal of the Ministry of Education and Higher Education strategic plan (2014–2019) is to establish a results-based and student-focused educational system providing high quality, inclusive education at all levels, appropriate to the 21st century. It will be an educational system that is free and meets all individual needs. It will be an educational system that lies at the core of political, economic and social development in Palestine.

275. In public schools, students with disabilities engage in a range of extracurricular activities, including art competitions and creative pursuits with a view to developing their talents. There are no specific programmes for academically outstanding and gifted students as a group; if there is any focus here, it is on an individual basis.

276. Regarding peer support and guidance, a friends of students with disabilities committee has been formed in most schools to provide their disabled colleagues with help and support.

277. Inclusive education counsellors have been trained in the skills of guidance, facilitating mobility and sign language. Furthermore, environmental facilities and assistive devices (wheelchairs, crutches etc.) are supplied to students with motor disabilities. A total of 40 schools have been modified to include inclined floors and health units. Additionally, 606 assistive devices and appliances were provided in the first term of school year 2015–2016.

278. Training has been given to a small number of teachers in public schools but it is in special education schools that most of the rehabilitation and teaching of students with visual and hearing disabilities takes place, using sign language and Braille. Palestine needs to include sign language and Braille in the national curriculum and its teacher training programmes. Approximately 224 teachers were trained in dealing with visual and hearing disabilities in the first term of school year 2015–2016.

279. There are 350 special education teams in the West Bank. Teams include teacher, specialist and administrator, distributed as follows: 17 special education supervisors, 211 resource room teachers, 10 resource centre specialists, 53 inclusive education mentors, 17 guidance and special education supervisors and 2,203 inclusive education officials in the directorates. Some 38,044 persons are employed as teachers or administrators in the public education system in the West Bank; special education administrative staff make up 1 per cent of the total, while special education teachers make up 8.7 per cent.

280. Special schools for students with disabilities in the Gaza Strip include the Sanabel School for Special Education (for children with intellectual disabilities), Future of Palestine School (for children with cerebral palsy), Mustafa al-Rafie School for the Deaf, Al-Noor Centre for the Blind, Al-Amal Centre for the Blind and Shams al-Amal School (for children with motor disabilities).

281. Difficulties faced include a shortage of resource rooms at all grades in all schools to support students with disabilities. Moreover, school administrators, teaching staff and students still do not know sign language and cannot read and write in Braille.

282. Inclusive education faces a number of challenges, including a shortage of specialist teachers to monitor and meet fully the needs of students with disabilities, given an insufficient number of teachers whose academic specialization is special education, which is the major required to qualify someone to teach individuals with disabilities. Furthermore, the lack of financial resources has led to a reliance on projects. There is also a lack of standard diagnostic tools and staff trained to use them. There is little coordination and cooperation at institutional level between government bodies and NGOs working with persons with disabilities to facilitate early detection and diagnosis and identify needs and appropriate devices. There is a need to review the curriculum and adapt it to embrace inclusive education. Finally, there is a lack of coordination and consultation between Palestinian universities and the Ministry of Social Development: when introducing a special education academic major, the universities need to consult with the Ministry on the needs of persons with disabilities.

283. UNRWA, which provides education for Palestinians, has adopted a policy of inclusion based on the right to access and participate in the education process and the right of all children to learn in a safe and stimulating environment without discrimination. Resources include a toolkit of 19 teaching tools, each of which addresses a particular area of student need, including literacy, arithmetic, reading, behaviour, health and physical disability.

284. As part of its programme for persons with disabilities, UNRWA conducts primary health assessments when children start school. In 2018, approximately 6.15 per cent of children in Agency schools in the Gaza Strip and 6.04 per cent in West Bank schools were identified as having some form of disability. However, the programme has been affected by the cutbacks in Agency services mentioned above.

285. A number of NGOs, including the Bethlehem Arab Society for Rehabilitation, are engaged in helping the Ministry of Education and Higher Education to implement the inclusive education programme and develop resource centres for students with visual disabilities. In the West Bank, organizations such as Qader seek to promote access of persons with disabilities to higher education. Additionally, there are several organizations engaged in rehabilitating slow learners and individuals with moderate intellectual

disabilities with a view to integrating them in public or private schools; these include Al-Fajr Association, Sanabel School for Special Education and Al-Amal School for Deaf Children in Gaza.

Article 25: Health

286. Article 12 of the Rights of Persons with Disabilities Act stipulates: “The Ministry of Social Development is in charge of coordinating with stakeholders to ensure the welfare and rehabilitation of persons with disabilities in the following areas: ... (2) Health: diagnose and classify degree of disability.”⁵⁰ The same article also sets out the preventive measures which the Ministry of Social Development and Ministry of Health must take and the importance of raising awareness. Furthermore, the Public Health Act guarantees women, including women with disabilities, free prenatal and postnatal health services.⁵¹

287. As regards equal access to health services, the Ministry of Health delivers exactly the same health services (preventive, treatment and general health) to persons with disabilities as it does to others under the Public Health Act and health insurance scheme. To ensure that health facilities, products and services are within safe and easy reach of persons with disabilities, particularly in marginalized and rural areas, the Ministry of Health arranges for them to be delivered by village clinics or mobile clinics.

288. Health services are provided free of charge or at reasonable cost to all persons with disabilities and the level of care they receive meets the same quality standards as others. This includes free reproductive and sexual health services, infectious disease treatment and cancer treatment. In general, the free consent of the person with disabilities is required in order to receive medical treatment. In the case of mental disability, however, the law states that treatment is not subject to the consent of the patient but to that of the family member responsible for his/ her care. Although the Ministry of Health provides full information on AIDS and sexually transmitted diseases, it has not yet made this available in Braille for persons with visual disabilities.

289. Health insurance for persons with disabilities is provided by the Ministry of Social Development on the basis of degree of incapacity as determined by a Ministry of Health medical committee. It is Ministry of Social Development policy that a person with disabilities can obtain health insurance, if the degree of incapacity is 60 per cent or more.⁵² To date, no special health policies have been issued specifically for persons with disabilities, who enjoy the range of services covered by the current health insurance system. The Ministry of Health insurance system covers persons with intellectual and psychological disabilities free of charge. Essential medication is also provided free of charge.

290. The General Union of People with Disabilities has been involved with the issue of health insurance for persons with disabilities in general, monitoring individual cases at branch level and calling for insurance to be decoupled from the 60 per cent degree of incapacity requirement and based on the criteria for disability set by the Convention. It has also called for all health services to be covered. In October 2017, the General Union organized a conference on disability and health in cooperation with the Ministry of Social Development and Ministry of Health and under the auspices of the Cabinet. The conference discussed a range of health issues, including insurance, assistive devices, medication, etc. It was agreed that the General Union would follow up these matters. Meetings are continuing with the Government on amending laws and regulations. A recent Cabinet decision addressed the subject of assistive devices and explored the possibility of developing health insurance for persons with disabilities; a committee has been formed to investigate this.

291. Under the disability card scheme, the Ministry of Health seeks to develop its current programmes with a view to improving the detection of disabilities among children at birth and the method of referral of cases for diagnosis and identification of type and degree of disability. A national committee has just completed the first draft of a protocol for the early detection and prevention of disability.

292. The Ministry of Health, in partnership with the Ministry of Social Development, plans to identify children entitled to a disability card on the basis of a medical, physical, psychological and social diagnosis using the international classification of functionality. The Ministry has begun developing a database on persons with disabilities.

293. The Ministry of Health has adapted all government hospitals to enable access for persons with motor disabilities. It has also partially adapted several health directorates in partnership with local and international organizations in order to facilitate access. Work is currently underway on adapting toilets and elevators.

294. The Ministry of Health provides early detection of health conditions that may lead to intellectual disabilities if not treated in a timely manner.⁵³ The Ministry also provides free diagnoses, treatment and rehabilitation to persons with psychological and intellectual disabilities at the West Bank psychiatric hospital and the Gaza psychiatric hospital. If the situation permits, they are then monitored by community mental health departments.⁵⁴

295. The Ministry of Health faces obstacles to carrying out its work, principally the political situation, closure, roadblocks and lack of contact between Gaza and the West Bank. There is sometimes a lack of cooperation from families.

296. The 2011 survey indicates that the principal cause of disability in Palestine is illness. Furthermore, certain of the medical needs of persons with disabilities are not properly addressed. Thus 18.2 per cent of persons with visual disabilities need magnifying lenses; 46.5 per cent with hearing disabilities need hearing aids, 14.3 per cent need a cochlear implant and 12.5 per cent need visual and sensory alerts; 37.1 per cent of those with motor disabilities need physiotherapy, 24 per cent need bathroom appliances, 23.5 per cent need a wheelchair and 21 per cent need walking aids; 32.5 per cent of those suffering from loss of memory and concentration need medication, while 39.9 per cent of slow learners need psychological support; 38.2 per cent of persons with psychological disabilities need psychiatric help and 34.7 per cent need the support and assistance of specialist centres.

297. Analysis of the obstacles preventing access to health services by persons with disabilities shows that there are difficulties at all levels. More than 80 per cent of those questioned in the 2011 survey were unable to afford the cost of treatment and around 70 per cent could not afford the cost of transport.

298. Preventive measures taken include introduction by the Ministry of Health of early detection for children and other citizens, depending upon age group and type of disability. Preventive and treatment interventions are provided, including treatment for Phenylketonuria (PKU), as well as vaccinations, vitamin A and D supplements and iron supplements, all free of charge up to the age of one.

299. Under the school health programme, it is the policy of the Ministry of Health to provide, free of charge, early detection for visual and hearing disabilities, learning difficulties and curvature of the spine among girls up to the age of 12. The Ministry also carries out preventive action and provides certain treatments free of charge to school pupils, including those with disabilities.

300. The Ministry of Health works in partnership with the Ministry of Education and Higher Education to support and encourage the adaptation of school buildings in order to meet the needs of students with physical disabilities. It also seeks to integrate students with mild and moderate intellectual disabilities, pursuant to a diagnosis and report by mental health departments of the Dr Mohammed Saeed Kamal Psychiatric Hospital.

301. Hygiene facilities are available at all government hospitals and are readily accessible. However, they are still unavailable in most health directorates or are available but unused due to budgetary considerations.

302. Until 2018, UNWRA provided primary health care services for adults and children in Palestine and registered refugees, classified by UNRWA health centres as suffering from permanent physical disabilities and/ or visual and hearing disorders, were entitled to financial support from the Agency's health department to cover the cost of assistive devices, such as hearing aids, spectacles, prosthetic limbs, wheelchairs etc. However, the cutback in the Agency budget has affected services for Palestinians with disabilities.

303. The Ministry of Health faces many challenges and obstacles that limit its capacity to respond to the needs of persons with disabilities; these include limited financial and material resources. With the exception of early detection and preventive interventions, such as vaccination, milk for PKU patients and supplements, the Ministry does not have a specific budget for persons with disabilities. A further challenge consists in training

medical staff how to deal with persons with disabilities, particularly hearing disabilities. The Ministry has no staff specialized in dealing with persons with disabilities.

304. The Israeli occupation is one of the main challenges facing the Ministry of Health, as it bears most of the burden of treating the victims of Israeli aggression. It is this aggression which has largely contributed to the increase in the number of persons suffering from physical and psychological disabilities. It has also led to the creation of additional budgets to deal with the consequences of war and aggression in Gaza and the West Bank.

305. As regards planned improvements in the health service for persons with disabilities, the Public Health Act will be amended to include provisions relating specifically to persons with disabilities and the free health services to which they are entitled. Furthermore, rehabilitation policy for persons with disabilities will be developed at national level to ensure access to high quality services that meet international standards. The Ministry of Health has not provided materials in Braille or otherwise to raise awareness among persons with disabilities of AIDS and hepatitis.

Article 26: Habilitation and rehabilitation

306. Article 1 of the Rights of Persons with Disabilities Act defines rehabilitation as a basket of services, activities and social, psychological, medical, educational, and vocational aids designed to enable persons with disabilities to live independently and with dignity. Article 5 (1) stipulates that the State must provide persons with disabilities with rehabilitation in accordance with the type of the disability. The contribution of the person with disabilities will not exceed 25 per cent of the cost. Article 5 (2) stipulates that a person with a disability who resists the occupation shall be exempt from this contribution.

307. Article 10 of the Rights of Persons with Disabilities Act provides details:

“4. Regarding rehabilitation and employment:

- (a) Train qualified technical staff to work with all types of disability;
- (b) Ensure the right to enrol in rehabilitation and vocational training facilities in accordance with current laws and regulations on the basis of equality of opportunity, and provide vocational training program for persons with disabilities.”

308. Article 4 of the implementing regulation of the Act sets out the duties of the various ministries, particularly the Ministry of Social Development, regarding the rehabilitation of persons with disabilities. If government institutions are unable to provide an adequate rehabilitation service, it must be purchased from appropriate NGOs.⁵⁵ Furthermore, Cabinet Decision No. 50 (2006) established a credit and employment fund for persons with disabilities, attached to the Ministry of Social Development, with a view to providing for their rehabilitation and helping them to find employment as stallholders.

309. Under the health insurance scheme, rehabilitation services are provided by the Ministry of Health for persons with disabilities. If unable to deliver such services itself directly, the Ministry purchases them from the private sector. Persons with disabilities receive specialist medical services under the same conditions and to the same quality standards as the able-bodied.

310. To ensure access by persons with disabilities to affordable and high quality rehabilitation services of appropriate type, the Ministry of Health plans to put in place a set of national service standards. It will also develop mechanisms to monitor and ensure the application of these standards. Furthermore, the Ministry plans to train and qualify staff to work with all types of disability.

311. Early stage rehabilitation is dependent on prompt diagnosis by the Ministry of Health and availability of services. Services are generally available in towns and can also be readily accessed in rural communities. Habilitation and rehabilitation services for persons with disabilities are not provided on a voluntary basis.

312. Vocational rehabilitation is provided by Ministry of Social Development vocational training centres in Nablus and Hebron governorates. Staff working in these centres are trained in ways of dealing with persons with disabilities.

313. A total of 21 training programmes have been provided by Ministry of Labour vocational training centres, involving 69 courses in 9 centres. Annex 8 shows vocational training centres attached to the Ministry of Labour.

314. A total of 40 trainers received training in how to deal with persons with disabilities in Ministry of Labour vocational training centres, with support from the Bethlehem Arab Society for Rehabilitation. The next stage is planned to involve the same 40 trainers being trained in an advanced sign language programme.

315. Local committees attached to UNRWA's Higher Coordinating Committee of Community Rehabilitation Centres have adopted all aspects of the concept of community-based rehabilitation. The community-based rehabilitation programme focuses on integrating persons with disabilities into the local community.

316. Local committees rely on the local community to apply the concept of community-based rehabilitation.⁵⁶ In turn, the local community trusts and cooperates with the committees to ensure the success of these programmes.⁵⁷ Since their establishment, committees have sought to achieve the following goals: social, vocational and functional rehabilitation of persons with disabilities in all areas of life; delivery of the programmes and services persons with disabilities need in their daily lives; early detection and diagnosis of disability; provision of essential appliances and assistive devices for persons with disabilities; rehabilitation of persons with disabilities followed by their transfer to and integration in the public school system; and delivery of vocational training courses to enable persons with disabilities to learn the skills needed to practice a trade.

317. There are two government rehabilitation centres in the West Bank: the Sheikhha Fatima Centre in Hebron and Sheikh Khalifa Centre in Nablus; work is underway on establishing a centre for persons with severe disabilities in Nablus.

318. The Ministry of Local Government has widened its cooperation with community-based rehabilitation organizations in all regions, increasing the number of rehabilitation workers to 87, whose salaries are partially paid from the budgets of local authorities attached to the Ministry.

319. Several NGOs provide vocational habilitation and rehabilitation services in Palestine. In addition to the Palestine Red Crescent Society, these include the Bethlehem Arab Society for Rehabilitation, which has a field outreach programme for persons with disabilities in their homes and local communities. The Jerusalem YMCA offers vocational diagnosis and rehabilitation. Furthermore, Al-Amal Adult Education Centre offers vocational rehabilitation for persons with hearing disabilities.

Article 27: Work and employment

320. Article 25 of the Basic Law guarantees the right to work and affirms that it is the duty of the State to provide employment for anyone who is capable of working. It calls for employment relations to be organized in a manner that guarantees justice for all, including the provision of health care and social security for workers.

321. Article 10 of the Rights of Persons with Disabilities Act obliges private and public sector establishments to ensure that at least 5 per cent of their employees are persons with disabilities. The Labour Act No. 7 (2000) states that employment is a right for all citizens who are capable of working, on the basis of equal opportunity and without discrimination. The Labour Act defines a person with disabilities as anyone suffering from the incapacity of certain of his/ her physical, sensory or mental faculties as a result of disease or accident or a congenital or genetic factor, resulting in his/ her inability to work, continue to work or to be promoted at work, or which has diminished his/ her ability to perform any of the basic functions of life and who needs care and rehabilitation in order to integrate or reintegrate in society.

322. Article 13 of the Labour Act requires employers to ensure that at least 5 per cent of their employees are persons with disabilities capable of working in jobs commensurate with their disabilities. Cabinet Decision No. 146 (2004), on the employment of persons with disabilities in ministries and government institutions, affirms the provisions of article 10 of the Act.

323. Several articles of the Civil Service Act No. 4 (1998) deal with persons with disabilities. Article 1 stipulates:

- (1) The percentage of jobs to be allocated to released prisoners and persons wounded in the course of resistance operations whose condition allows them to work shall be determined by Cabinet decision; the decision will classify the condition of the wounded and set out the terms of employment.
- (2) The spouse, brother or sister of a wounded person may be appointed in place of the wounded person, if the latter is totally incapacitated or dead, as long as the terms of employment are met.

The law maintains that persons wounded in attacks by Israeli occupation forces have become persons with disabilities; as such, it allocates a number of jobs to them.

324. Persons with disabilities are able to access inclusive employment, under which they are employed on the basis of their academic qualifications and practical experience. The General Personnel Council is committed to appointing persons with disabilities without discrimination and affords them the opportunity of civil service employment under the same conditions as anyone else, subject to the terms of employment. All civil service positions have a job description card that sets out terms of employment, including academic qualifications; disability is not an issue when competing for civil service jobs. Civil service jobs are advertised in the media and candidates are selected on the basis of an online examination and oral interview. There is nothing to prevent persons with disabilities applying for public sector jobs as long as they meet the conditions stated in the advertisement.

325. Previous experience is not a requirement for public sector jobs advertised in the media, either for persons with disabilities or others. Persons with disabilities who are appointed acquire the necessary experience on the job. A department is obliged to assign employee duties on the basis of the job description card.

326. Persons with disabilities receive the same wages as others, pursuant to the wage scale set out in the Civil Service Act. The employing ministry must ensure that the workplace is fully adapted to accommodate the particular type of disability.

327. As regards protection from violence and abuse at work, persons with disabilities are protected from slavery, servitude and forced or compulsory labour just like others. Work is underway on amending the Civil Service Act to include explicit prohibition of sexual harassment in the workplace, along the lines of the Labour Act.

328. Persons with disabilities have been appointed to a wide range of civil service positions, including physicians, engineers, pharmacists, legal workers, managers, accountants and many other jobs. The proportion of persons with disabilities in the civil service is rising. The figure stood at 5.7 per cent of the total workforce in 2014, 6.1 per cent in 2015 and 6.4 per cent in 2016, rising to 6.8 per cent in 2017. Persons with disabilities sometimes experience difficulties using transport to get to work.

329. The General Personnel Council has adopted a particular strategy to exceed the 5 per cent figure. This involves rounding up the decimal fraction left over from calculating the 5 per cent of job allocations for persons with disabilities. For example, say that a government department has 10 job allocations; five per cent of 10 is 0.5 which rounds up to one, giving the department one extra person with disabilities. Note that the meaning of "allocation" as it appears in the State budget is: "a financial appropriation for an earmarked position".

330. Furthermore, the General Personnel Council makes appropriations to government departments that have not been granted job allocations, allowing it to ring-fence the 5 per cent quota from the last three years with deduction made in the year in which the strategy is used, with retroactive effect. Most government bodies in Palestine are committed to adopting the quota.

331. Although the Civil Service Act requires employees to be free of physical and mental illness, the General Personnel Council announced implementation of the legal annual quota of persons with disabilities in each ministry at a 2012 press conference, noting that a person's disability does not prevent the performance of his/ her employment duties, as stated above.

332. The Labour Sector Strategic Plan, the strategic framework for persons with disabilities and the Palestinian Decent Work Programme all make provision for persons with disabilities in employment, vocational training, inspection, employment protection, union organization, wage and social security programmes. They also provide for the representation of persons with disabilities and disability organizations on the national Legislative Review Group, its specialist subcommittees and the Labour Policy Committee. To promote the participation of persons with disabilities in the workforce, the Ministry of Labour introduced a new definition of disability as part of the current review of the Labour Act and Social Security Act, designed to take into account the rights of persons with disabilities. The Ministry encourages persons with disabilities to join trades unions and workers' committees to defend their interests. The Ministry also encourages private sector employers to undertake to employ persons with disabilities and has drawn up measures to require compliance. However, this right is not subject to criminal protection and there are currently no punitive measures that can be taken against an employer who fails to comply.

333. Pursuant to inspection and employment protection reports, the number of persons with disabilities monitored in the workplace by the Ministry of Labour stood at 61 (57 males, two females and two children) in 2016, rising to 168 (145 males and 23 females) in 2017; according to the half-yearly inspection report for 2018, the figure stood at 75 (58 males and 17 females).⁵⁸ However, despite the inclusion of persons with disabilities in the strategy of the Ministry of Labour Employment Department, there are at present no special employment programmes targeting them. The strategy relies upon projects delivered by and in collaboration with civil society organizations; one programme is currently being implemented in partnership with the Palestine Employment Fund and Bank of Palestine. Furthermore, an employment day for persons with disabilities was held in Hebron. The General Union of People with Disabilities and General Personnel Council monitor the employment of persons with disabilities and results indicate that the 5 per cent quota has still not been achieved in a number of public, non-governmental and private sector organizations.

334. Despite the inclusion of persons with disabilities in Ministry of Labour strategic plans, vocational training programmes designed to facilitate employment have not been adapted to suit persons with disabilities: courses, buildings, devices and equipment have still not been adequately modified. Nevertheless, the Ministry admits any applicant with disabilities who wishes to enrol in a course and is able to follow the training.

335. The Sheikh Khalifa Centre in Nablus, Sheikha Fatima Centre in Beit Ummar (Hebron governorate) and Al-Shabiba Rehabilitation Centre in Halhoul provide rehabilitation for approximately 320 persons with disabilities. Twenty trainees from the Sheikh Khalifa Centre have found jobs and 39 individuals have benefitted from the Centre's employment fund. A dress design section has been established, which has so far trained 23 students.

336. The Labour Act contains provisions on occupational health and safety in the workplace. Furthermore, occupational safety instructions and the Ministry-approved Table of penalties for non-compliance, must be displayed in all establishments. A legislative decision on the status of private sector workers under the Social Security Act was issued with a view to providing them with basic, compulsory social security benefits, in accordance with the principles of fairness, sustainability, transparency and efficiency.

337. As regards the systematic and widespread violation of the right to work committed by the Israeli occupation against the Palestinian people, including persons with disabilities, 10 facilities for persons with disabilities were destroyed by Israeli occupation forces, according to figures from Palestinian Consultative Staff for Developing NGOs.

Article 28: Adequate standard of living and social protection

338. Articles 22 and 23 of the Basic Law include the right to housing, social security and disability and old age benefits. The Rights of Persons with Disabilities Act affirms the right to a decent standard of living and article 31 of the Children Act provides for the right of children with disabilities to obtain social assistance, on an equal footing with other children.

339. The Social Protection Sector Strategy (2014–2016) sought to develop social assistance and empowerment systems for the poor and marginalized, regulating and coordinating monetary and non-monetary assistance to enable poor families to escape the

cycle of poverty and promoting food security for poor and marginalized groups. The strategy also sought to develop social services for the poor and marginalized, including persons with disabilities.

340. The Government of the State of Palestine has successfully reformed and consolidated its various cash assistance programmes into a single national programme, with a unified approach to targeting and benefit calculation, and is rolling out the programme across Palestine. This is one of the most significant achievements of the social protection sector. Furthermore, the Ministry of Social Development has created a national poverty and marginalization database.⁵⁹ The Ministry provides cash assistance via a money transfer programme funded by the Public Treasury, the European Union and the World Bank. The programme provides cash assistance to approximately 11,116 children classified as having disabilities. Table 9 shows figures on children classified as having disabilities who benefit from the programme.

341. Under the disability card system, which is regulated and implemented by the Ministry of Social Development in partnership with various government ministries, authorities and NGOs, persons with disabilities are entitled to receive a range of services. Mandated under the Rights of Persons with Disabilities Act and article 3 of the implementing regulation, the Government is obliged to issue the card and provide the concomitant range of health, social, vocational, educational, integration, rehabilitation and support services, commensurate with the type and degree of disability. The card system is designed to institutionalize in a practical manner the process of service provision and the distribution of stakeholder functions and responsibilities.

342. A Cabinet decision of 2009, on implementation of the disability card programme, allocated US\$ 238,000 to implement stage one by conducting a specialist survey in cooperation with the Central Bureau of Statistics. The survey was carried out in 2011 on a sample 15,572 Palestinian families. In the same year, the Cabinet issued a decision forming the national disability card implementation committee, membership of which included 12 government ministries, tasked with coordinating efforts and activities relating to the services guaranteed under the card programme, formulating plans for persons with disabilities, determining the budgets necessary to implement the programme and drafting a procedures guide to ensure systematic implementation of programme goals, in addition to prioritizing disability issues on the agendas of ministries and government institutions.

343. Following a delay in implementing the card by 12 ministries, and taking the Lebanese experience into account, a decision was taken by the Ministry of Social Development to implement, as a first step, the card programme only in respect of services provided by the Ministry and other core ministries, including the Ministry of Health and the Ministry of Education and Higher Education. The other ministries would join the programme at a later date. Under the card programme, the initial launch of the case management system featured the services provided by the above ministries; these represent part of the case management system programmed by the Ministry, with funding from Save the Children. The programme covers detection, diagnosis, assessment and service provision.

344. The software for detection and diagnosis is complete and work is underway on the software for assessment. The Ministry of Social Development is currently implementing the assistive devices scheme with full government funding. This scheme was discussed above.

345. As regards challenges, there have been no tangible changes in Palestine commensurate with the global shift in attitudes toward disability as a human rights issue. This is reflected in the low level of cooperation between the ministerial committees implementing the disability card programme and the limited extent to which ministerial plans and programmes feature disability issues. Furthermore, the shortage of qualified staff in public sector institutions represents a real challenge for the Government.

346. In the Gaza Strip, where the disability card programme has not been introduced, teams from the General Directorate for Persons with Disabilities, based in ministry headquarters and the directorates, nevertheless chalked up a wide range of achievements in 2015 in implementation of the annual plan, especially in the field of educational counselling.

347. As regards cash assistance for poor families, the entitlement criteria apply to the family as a unit. The family completes a form containing a number of questions to be

answered; a checklist is then completed during a field visit to the family. On this basis, the situation of the family and the extent to which it meets the conditions for assistance are determined.

348. The method of determining entitlement to assistance will be changed to allow a person with disabilities to obtain his/ her natural right to assistance as an individual instead of as a member of a family, in the 2019 Ministry of Social Development budget.

349. The Ministry of Social Development works in cooperation with the Palestine Red Crescent Society on a home adaptation programme, providing financial assistance to improve the domestic environment of persons with disabilities, with a view to meeting their needs and those of their carers. A further programme, on motor guidance for persons with visual disabilities, is designed to develop their skills to enable them to live independently at home. There is also a service purchase programme for persons with disabilities under which services were purchased for 1,675 persons with disabilities in 2017 and 2018. Table 10 shows cases of service purchase by the Ministry of Social Development in 2018.

350. As regards the quality of life of persons with disabilities, the 2011 survey indicated that 34.2 per cent (32.1 per cent in the West Bank and 38.4 per cent in the Gaza Strip) were wholly incapable of carrying out day-to-day activities around the home due to environmental and physical obstructions, while 24.6 per cent (28.3 per cent in the West Bank and 16.2 per cent in the Gaza Strip) were in urgent need of ramps at home to help with mobility. Note that the survey targeted persons aged 18 and above.

351. The results of the 2011 survey indicate that persons with motor disabilities had the greatest difficulty accessing public services, followed by those with communication disabilities (74.4 per cent and 67.2 per cent respectively). Furthermore, 26.9 per cent of persons with motor disabilities and 25 per cent of persons with communication difficulties struggle to access banking services.

352. During the said period, Palestinian Consultative Staff for NGO Development received 264 complaints involving the right to a decent standard of living. The organization was able to find a positive solution in only 42 cases. In the remaining 222 cases, despite receiving written replies to the complaints, it proved impossible to reach a satisfactory solution.

353. The main issue here is that the poverty equation in social development programmes does not treat persons with disabilities as a distinct element, separate from the rest of the family; instead, it treats them as one component of the poverty equation and dependent on the family.

354. The UNRWA Social Safety Net Programme, provides food for families unable to meet their basic nutritional needs. In the West Bank, the Agency distributed food coupons to approximately 45,000 persons in 2014 and 2015, of whom around 2,000 had disabilities. However, along with other services for Palestinian refugees, this assistance has been affected by the cuts in international aid to the Agency.

355. The abuses committed by the Israeli occupation threaten the right of persons with disabilities to a decent standard of living. The occupation has a policy of demolishing the homes of Palestinians, including the homes of those with disabilities. It also follows a policy of forced evacuation and bombardment of houses, as during the series of wars against the Gaza Strip, when 351 houses in the Gaza Strip were destroyed, 58 of them completely and 293 partially. As a result of the war, 2,204 persons with disabilities living in Gaza were forced to leave their homes and seek shelter in one of the 45 accommodation centres set up in schools.⁶⁰

Article 29: Participation in political and public life

356. Article 26 of the Basic Law guarantees all Palestinians the right to participate in political life without discrimination.⁶¹ Article 4 of the Rights of Persons with Disabilities Act and article 8 of its implementing regulation guarantee persons with disabilities the right to form associations and societies.

357. Since its foundation in its present form in 2002, the Central Elections Commission has not neglected persons with disabilities. Indeed, under the General Elections Act, it provides them with all necessary assistance. Article 80 of Act No. 9 (2005), on elections,

and article 86 (4) of Legislative Decision No. 1 (2007), on general elections, address the right to vote of persons with disabilities: "If a voter is illiterate or has a disability such as would prevent him/ her from marking the ballot paper alone, he/ she may seek the help of another, trusted person, subject to the agreement of the election committee; the head of the election committee must check the ballot paper and confirm that the person's wish has been carried out. This procedure was followed in the 2005 presidential elections and 2006 Legislative Council elections, where the Commission's guidelines ensured that the right of the voter to cast his/ her vote with complete freedom was upheld.

358. Pursuant to the provisions of article 40 of the Local Government Council Election Act No. 10 (2005), the Central Elections Commission put in place rules and procedures for illiterates and persons with disabilities to ensure their right to vote in the 2017 local elections, allowing them to be escorted by a companion to help them vote on condition that the companion is at least a second degree relative of the voter. The polling station is responsible for recording the names, ID numbers and signatures of these voters and their companions on a special form in order to prevent the companion from helping more than one voter and limit claims of illiteracy.

359. Articles 27 and 28 of Legislative Decision No. 1 (2007), on general elections, determine eligibility to vote and the scope of the right to vote. Article 29 considers those who have lost legal capacity on the basis of a final court ruling as having been deprived of the right to vote.

360. Pursuant to the provisions of the Act, the Central Elections Commission has implemented a series of projects to ensure the full participation of persons with disabilities in elections, in cooperation with the General Union of People with Disabilities in the West Bank (including Jerusalem) and Gaza Strip. It has also promoted partnerships with NGOs, including the Stars of Hope Foundation for women with disabilities and other organizations with a view to attracting their expertise and knowledge of the needs of persons with disabilities. In collaboration with the Ministry of Education and Higher Education and Ministry of Local Government and with the help of the Engineers Association, it has taken measures to ensure that polling stations meet the needs of persons with disabilities.

361. With a view to formulating a comprehensive picture of the interventions necessary to meet the needs of persons with disabilities, the Commission implemented a three-stage project: Stage one involved concluding a memorandum of understanding with the General Union of People with Disabilities and liaising with the Ministry of Social Development and stakeholders to obtain data and statistics on disability. A survey of polling stations in the West Bank, Jerusalem and Gaza was conducted to gauge the extent to which they have been adapted to the needs of persons with disabilities and identify those which need further modification; the survey showed that 27 polling stations needed modification. The most significant outcome at this stage was the acquisition of data on 71,006 persons with disabilities officially registered with the authorities, of whom 70 per cent (i.e. 50,196 individuals) were registered on the electoral roll (30,822 in the West Bank and 19,385 in Gaza).

362. In stage two, the Commission held a number of workshops for branch heads of the General Union of People with Disabilities and Commission staff in the West Bank to explain the aim of the project and the Commission's vision. Stage three elaborated the project concept and activities were implemented by the Commission in 2015 and 2016 with funding from the Government of Norway. These activities included training Commission staff to make the accommodations necessary for persons with disabilities to participate in the electoral process with ease. This was put into practice in the 2017 local elections.⁶²

363. The Commission adapted a number of polling stations to meet the needs of voters with visual disabilities. This involved making voting instructions available in Braille and installing special pathways to guide voters to polling booths without assistance. The Commission also prepared a form containing the names of candidates in Braille as they appear on the ballot paper.

364. In the 2017 local elections, 10,382 (56 per cent) out of a total of 18,607 registered persons with disabilities cast their vote.

365. Having urged its partners in the electoral process to harmonize election procedures, the Commission amended all its procedures relating to observers, candidates and political

parties. It adopted a matrix for this purpose, designed in partnership with the General Union of People with Disabilities. Fully comprehensive plans have been prepared to ensure the secure and genuine participation of persons with disabilities.

366. The most significant challenge facing the Commission is the limited treatment the issue of persons with disabilities receives in domestic electoral legislation. Clear, mandatory procedures must be put in place for the Commission's electoral partners to follow, particularly with regard to electoral lists and political parties. Nevertheless, the monitors invited relevant organizations to take an active part in the 2017 local elections. The Commission has opened at least one centre in every Palestinian city, each fully adapted to the needs of persons with disabilities, particularly visual disabilities, to enable them to cast their vote freely without impediment.

367. In principle no citizen, whether or not they have a disability, may be denied the right to vote or the right to stand for election save pursuant to a final judicial ruling issued by a competent court. The Commission is keen to encourage the families of persons with disabilities to participate in electoral workshops in order to raise awareness. It calls upon the relevant bodies to do what is necessary to ensure the free participation of persons with disabilities in elections. The Commission's lack of resources is another challenge and a special budget is needed to enable the Commission to continue its work with electoral partners. This work was begun in part by international organizations and now needs to be brought to a conclusion. Note that the Israeli colonial occupation system of roadblocks and other obstacles and abuses makes it difficult for persons with disabilities to move freely and gain access to polling stations.

368. The Central Elections Commission plans to extend its activity to include candidates, political parties and other partner institutions, working in parallel with the Commission to provide the resources needed to ensure that procedures are properly applied in future elections. The Commission will focus on three approaches with a view to integrating persons with disabilities. Building upon its previous work, it will continue to adapt and develop measures for persons with disabilities in the course of the four-year electoral cycle, for application in future elections. It will seek to fund and implement schemes to involve persons with disabilities in the electoral process and develop mechanisms to benefit the Commission and its partners, including federations, organizations, political parties and the media, with the aim of promoting the concept of disability integration and integrating persons with disabilities in the partnership system; the Commission plans to implement an integrated US\$ 160,000 project, once donor funding becomes available. Finally, the Commission will work together with partner organizations to adapt procedures and measures to ensure the effective participation of persons with disabilities.

369. The General Union of People with Disabilities was founded in 1991 as a non-profit making grassroots rights organization attached to the Department of Popular Organization of the Palestine Liberation Organization and working to ensure the representation of persons with disabilities and the defence of their rights in all areas of life. It provides services without discrimination and has no political, religious or sectarian affiliation. Its headquarters are in Jerusalem but it is currently operating out of temporary headquarters in Ramallah, with offices in each of the governorates.

370. regards the representation of different groups, article 4 of its statutes stipulates that the Union shall be constituted as follows:

- (1) Branch general committee, made up of all branch members who have met their obligations under the statutes;
- (2) Branch management committee, consisting of seven members elected for a three-year term by the branch general committee;
- (3) General conference, the Union's highest authority; competent to consider all issues and take all organizational decisions except those delegated to the committees;
- (4) Board of directors, consisting of 13 members of the general conference from all areas, elected for a three-year term by the general conference;
- (5) Oversight committee, elected by the general conference.

The Union also has a number of specialized committees (sports, social, women etc.) working in parallel with the board and branch committees.⁶³ Committees give priority to the representation of women and persons with motor, hearing and visual disabilities.

371. Working on a voluntary basis, Union staff monitor all issues concerning Palestinians with disabilities, representing them and defending their rights on a daily basis. They follow up the work of government ministries, participate actively and effectively in the formulation of ideas, policies and plans and monitor the extent to which these are implemented on the ground. The Union is also involved in formulating the policies and plans of NGOs in relation to the rights of persons with disabilities.

372. The Union serves persons with disabilities on its own behalf and on behalf of the Government. Examples include providing free health insurance, taking joint action with the customs exemption committee and promoting the right to public and private sector employment. The Union also monitors implementation of the law in this regard. It follows up with the Government interventions for persons with disabilities in general, as well as individual cases requiring prompt action.

373. The Union has concluded several agreements to supply assistive devices, launch economic empowerment schemes, make home modifications and hold awareness-raising workshops. It has also concluded agreements with a number of enterprises, such as insurance companies, banks and the Paltel Group, as well as other local and international establishments, to raise awareness of the rights of persons with disabilities and ensure the application in practice of their rights.

374. The main challenges facing the Union are the absence of detailed financial and administrative guidelines, lack of sustainable funding and shortage of essential financial resources to implement projects, resulting in a failure to attract paid executives.

Article 30: Participation in cultural life, recreation, leisure and sport

375. The Rights of Persons with Disabilities Act guarantees the right of persons with disabilities to recreation and sport by providing for the adaptation of playing fields, sports halls, camps, clubs and facilities. It also supports the attendance of persons with disabilities at local and international sporting events by reducing entry fees to government leisure and cultural centres by 50 per cent. Article 12 of the implementing regulation addresses the cultural rights of persons with disabilities.

376. Palestine seeks to incorporate the cultural rights of persons with disabilities in its strategies and plans. As such, the Ministry of Culture's Strategic Plan (2017–2022) contains a set of programmes and goals relating to persons with disabilities. Furthermore, the annual implementation plan includes cultural projects and a wide range of activities for persons with disabilities, including painting, literature, music, singing, handicrafts, summer camps, drawing, individual support and institutional empowerment.

377. A bill is currently being drafted addressing copyright and related rights, including the right of persons with visual disabilities to enjoy printed materials transcribed in Braille or converted into audio format pursuant to the Marrakesh Treaty and the exceptions made for educational institutions and libraries, which enable printed materials to be converted into Braille or audio format without requiring the author's permission.

378. Persons with disabilities are integrated in all of the Ministry's activities and programmes, without exception, discrimination or distinction between one disability and another. Persons with visual, hearing and intellectual disabilities and Down's syndrome are treated equally, without discrimination; the only exception is Braille typing for the blind. Issues relating to persons with disabilities are accorded considerable importance in the action plans of the Palestinian Broadcasting Corporation, as reflected in the headquarters building, which has been adapted to facilitate the mobility of persons with disabilities, the integrated programming cycle which ensures their participation in television and radio activity and the allocation of airtime to disability issues.

379. Persons with disabilities are able to access all kinds of cultural materials. The Ministry has had short stories and novels printed in Braille, including *Haytalya* by Jabra Ibrahim Jabra and *The Little Lantern* by Ghassan Kanafani. Every year more material is printed in Braille.

380. One of the goals of the Ministry of Culture's strategic plan is to collaborate with theatres, cinemas and cultural centres to carry out modifications. When contacted, some facilities responded positively and carried these out, while others promised to do so. The main challenge is the modest financial support provided by the Ministry due to its limited budget.

381. As regards development of creative resources, the Ministry of Culture held a number of art exhibitions and painting workshops in 2015 and took part in the celebrations marking International Day of Persons with Disabilities. It also organized recreational activities, the last of which was held at the Qaqun Charitable Society for the Deaf and the Zuhayr al-Mohsen and Mahmoud al-Hamshari schools. These activities were held again in 2017.

382. Persons with disabilities took part in the Palestine International Book Fair in 2014, 2016 and 2018, housed in a wing provided free of charge to disability organizations.⁶⁴ To promote the cultural rights of persons with disabilities, the Ministry of Culture supplies libraries for the blind with its own publications and material purchased at the ninth and tenth Palestine International Book Fair. Nine societies and schools for persons with disabilities in the West Bank have libraries suitable for use by those with visual disabilities; there are also a number of libraries in Gaza for persons with disabilities.⁶⁵

383. Seeking to ensure the recreational and cultural rights of persons with disabilities, the Ministry of Culture offers discounted cinema tickets and a half-price entry charge for persons with disabilities to cultural and recreational centres and archaeological sites.

384. A 100 per cent discount for persons with disabilities is offered by all sports organizations. Furthermore, prominent cultural figures with disabilities are honoured, among them Fathi al-Anzawi, a leading cultural figure from Jenin governorate. The Rawan Association received funding for a summer camp for children with learning difficulties. The Ministry subsidized musician and theatre director Ibrahim Sarhan from Gaza and artist Mahmoud Daghsh from Tulkarm, both of whom have disabilities.

385. The Palestinian Broadcasting Corporation broadcasts television programmes dealing with disability to publicize disability issues and show that persons with disabilities are a normal part of the community. A series of documentary films on disability have been produced and the creations of artists with disabilities displayed. A *dabkeh* troupe, consisting of dancers with hearing and speech disabilities has been formed. On top of this, the Palestinian national anthem ("My homeland") has been sung in sign language. The Corporation broadcasts a live news broadcast in sign language.

386. In 2011, Voice of Palestine radio launched the first season of "Imprint of Hope", prepared and presented by a person with visual disabilities. The programme discusses disability issues live on air and broadcasts appeals for jobs and university scholarships for persons with disabilities. These appeals are sometimes answered. The Palestinian Broadcasting Corporation raises disability-related issues in other programmes, too, enabling persons with disabilities to have their voices heard and their concerns listened to. The Corporation signed an agreement with the Palestinian Union for the Deaf to translate daily television news bulletins into sign language for the hearing impaired.⁶⁶

387. The Higher Council for Youth and Sport has helped sports clubs carry out essential alterations under the Engineers Association-approved building code. These clubs include Shabab al-Bireh Institute, Jabal al-Nar Club, Beita Sports Club, Beit al-Tifl Club, Al-Bireh Cultural Club and Sareyyet Ramallah.

388. Furthermore, support was provided to enable persons with disabilities to qualify under International Paralympic Committee rules to take part in international events such as the West Asian Games and all Asian championships in preparation for the 2016 Summer Paralympics in Rio de Janeiro, Brazil, the 2014 Winter Paralympics in South Korea, the special world summer games in the United States and the special regional games in Egypt.

389. Persons with disabilities participate in all activities, programmes and projects organized by the Higher Council for Youth and Sport, which provides all essential facilities.

390. Disabled sports are overseen by the competent bodies, which provide appropriate support, including helping persons with disabilities participate in national and international events. They work in coordination with the International Paralympic Committee, disabled

sport's governing body, to which all sports clubs and associations for persons with physical and sensory disabilities are affiliated.

391. Persons with mental disabilities come within the purview of the Palestine Special Olympics Palestine; more than 2,000 sportsmen and sportswomen are registered for the Special Olympics and subsidiary programmes.

392. Sports clubs for persons with disabilities are licensed. Currently, there are 12 registered clubs for persons with disabilities operating in the West Bank and ten in Gaza. When evaluating the work of youth clubs and centres, one of the key elements is the extent to which they respond to the needs and demands of persons with disabilities, focusing on the four key themes of programmes, development, human resources and governance.

393. The Higher Council for Youth and Sport stresses the need to include persons with disabilities in summer camps for young people. In recent years, more than ten summer camps especially for persons with disabilities have been organized in which more than 1,000 have taken part. In other camps, participation has tended to be confined to a limited number of persons with disabilities, mostly those suffering from motor disabilities or partial hearing impairment.

394. Persons with disabilities have participated in many regional and international championships. For example, Al-Mustaqbal Club for the Persons with Disabilities took part in the West Asian sitting volleyball championship and West Asian wheelchair basketball club championship. Palestine took part in the Special Summer Olympiad in Los Angeles and Special Winter Olympiad in Austria in 2017. A Palestinian team took part in the special regional games held in Abu Dhabi in 2018 and the athletics championships in Turkey.

395. The Palestinian Special Olympic team has won numerous medals, including Los Angeles (six gold, four silver and six bronze) and Abu Dhabi (nine gold, six silver and eight bronze). Furthermore, Al-Mustaqbal Club took silver and the runner's up cup in sitting volleyball, as well as the bronze medal in wheelchair basketball.

396. The challenges facing the Higher Council for Youth and Sport with regard to the rights of persons with disabilities are linked to the abuses of the Israeli occupation, especially the repeated attacks on sports facilities and youth clubs. There is, too, the high cost of sports equipment for persons with disabilities; the acute shortage of modified public transport for persons with disabilities; the lack of trained staff capable of leading disabled sports and youth activities; the meagre financial resources of disabled sports organizations; the absence of modified public spaces; and the lack of awareness of the rights of persons with disabilities in the sphere of youth and sports. These all represent impediments to the exercise of their rights by persons with disabilities.

397. The future plans of the Higher Council for Youth and Sport involve greater inclusion of persons with disabilities in sporting activities, with due regard to their rights. The general policies developed by the Council recognize the rights of persons with disabilities and this is reflected in the programmes and activities it implements. In the course of developing the Council's strategy plan (2017–2022), a number of workshops for persons with disabilities were held to ensure that the plan took their needs and the challenges they face into consideration.

398. NGOs, including the Red Crescent, give persons with disabilities the opportunity to take part in recreational, sporting and cultural life in the West Bank and Gaza.

D. The situation of women and children with disabilities

Article 6: Women with disabilities

399. Palestine acceded to the United Nations Convention on the Elimination of All Forms of Discrimination against Women (1979) and its first official report was discussed by the CEDAW Committee in July 2018. The Basic Law affirms the equality of all citizens and outlaws discrimination on grounds of gender, disability etc.

400. The Ministry of Women's Affairs in Palestine seeks to institutionalize and mainstream the concept of gender. Given that the Ministry has a political rather than a service character and its planning extends across sectors, there is no clear and specific intervention focusing on women with disabilities for which the Ministry of Women's

Affairs is directly responsible. Other ministries, such as the Ministry of Social Development, are responsible for implementing a series of such interventions.

401. Over the last two years, a review paper on the situation of women with disabilities in Palestine has been prepared by the Ministry of Women's Affairs and two workshops have been implemented in collaboration with Ministry staff with a view to increasing awareness of issues of women with disabilities. Additionally, a workshop was held with coordinators from Tawasol centres to increase awareness of such issues. This is reflected in the role these centres play in the governorates.

402. Coordination has been stepped up with disability organizations in the West Bank, particularly those concerned with issues of women with disabilities. A workshop was organized with a group of such organizations as a first step toward developing a strategy plan designed to respond to gender and disability issues. Furthermore, a number of disability organizations took part in workshops focused on preparing the Ministry's national cross-sector strategy plan (2017–2022).

403. The Ministry of Women's Affairs cross-sector strategy plan (2017–2022) focuses on women with disabilities, aiming to develop a system of safe houses able to respond more sensitively to the admission of girls with disabilities. Working in coordination with the police, it seeks to incorporate issues of women with disabilities in family protection unit programmes at the level of interventions, skills and services. Additionally, the plan seeks to create a procedural environment in institutions of justice responsive to the needs of women and children with disabilities who have been affected by violence. A standard procedures guide has been prepared on the referral system for battered women. Policies sensitive to the needs of women with disabilities have been developed, ensuring that these are taken into account when formulating measures to protect women from violence. Together with its partners, the Ministry is engaged in planning to ensure that battered women with disabilities have access to appropriate services and that temporary alternatives are available where they can be protected. A national complaints system is being developed to respond to the needs of, in particular, women with disabilities. Training workshops have been held for female community rehabilitation workers on methods of detecting violence against persons with disabilities. Furthermore, work is underway on institutionalizing the protection of women with disabilities in particular by amending forms, functional descriptions and referral mechanisms and by reforming the bodies responsible for delivering health, social and legal services.

404. Women with disabilities are highlighted in campaigns implemented by the Ministry of Women's Affairs, such as the "From home to home" campaign. There is also a focus on women with disabilities in the referral system for battered women. Furthermore, intensive media seminars on protecting women with disabilities have been held.

405. The National Strategy to Combat Violence against Women (2011–2019) contains special provisions on women with disabilities, including the need to develop the capacities of specialist staff working with battered women with disabilities and create safe places where female victims of violence can be accommodated in a manner consistent with human rights standards. The Strategy further seeks to raise informed awareness of disability, particularly intellectual disability in order to understand and combat violence directed against women with disabilities. Between its foundation in 2007 and the end of 2017, the Mehwar Centre for the empowerment and protection of women, attached to the Ministry of Social Development, admitted 13 battered women with disabilities, as follows: six women with motor disabilities, four with mental disabilities, one with visual disabilities and two with hearing and speech disabilities.

406. Women with disabilities face a number of barriers to entering the job market, including gender-based difficulties relating to social attitudes, customs and traditions, low wages, lack of equal opportunity, the high rate of unemployment among women and low level of female participation.

407. An agreement of cooperation on reducing gender-based violence was worked out by the Ministry of Social Development and the Women's Centre for Legal Aid and Counselling. Covering the years 2015 and 2016, the agreement sought to develop procedures for dealing with battered women, including those with disabilities. Implementation of the agreement was monitored by the Ministry but the scheme failed for a number of reasons.

408. Several private sector organizations are active in raising the awareness of society as a whole of the rights of women with disabilities and empowering them economically. These include Stars of Hope in the West Bank and Al-Amal School for the Deaf in the Gaza Strip. However, the State of Palestine still faces social and cultural challenges to the employment with women with disabilities.

Article 7: Children with disabilities

409. The State of Palestine acceded to the Convention on the Rights of the Child (1989) and submitted its initial report to the Committee in 2018.

410. The Children Act (amended) accords particular attention to children with disabilities and several articles contain measures designed to ensure that children with disabilities enjoy all the rights stated in the Act. Article 8 states that all children must enjoy all rights on a basis of equality.⁶⁷ The Act exempts prosthetic, rehabilitative and assistive devices, as well as means of transportation for the use of children with disabilities, from fees. It also affirms the right of children with disabilities to receive education and training in the same schools and centres as able-bodied pupils. In cases of severe disability, special centres must be provided.

411. As regards early childhood education, the Cabinet issued Regulation No. 11 (2011), on nurseries, requiring nurseries to admit children with mild and moderate disabilities, give them the opportunity to integrate with other children and provide the necessary facilities for this purpose. The Regulation also requires that staff working with children with disabilities or with autism receive appropriate training. Several licensed nurseries have been adapted for children with disabilities, such as the Caritas nursery and crèche in the West Bank. To ensure a decent standard of living for all children, the Children Act affirms the need for children with disabilities to receive social assistance.

412. The Ministry of Social Development is responsible for coordinating with bodies that provide care and rehabilitation for children with disabilities. As such, it coordinates with the Ministry of Health to conduct diagnoses and provide home delivery of essential services. These include raising family awareness of how to deal with children with disabilities, counselling and providing information on available services and the procedure for transferring children to special disability centres. Services are also provided outside the home in centres run by the Ministry of Social Development and NGOs under contract to the Ministry to provide care and rehabilitation for children with disabilities.

413. The Ministry of Social Development intervenes in cases of severe disability, providing sheltered accommodation for children at the Dar al-Bayda Centre in Salfit. It also purchases this service from the Orthodox shelter and Al-Ihsan Charity in the West Bank.

414. The service purchase scheme remains inactive in the Gaza Strip, where NGOs work with children with disabilities and provide them with such services as they can. These include Al-Fajr Association for Care and Development, which seeks to integrate children with mild intellectual disabilities, mild autism and speech disorders in the community.

415. Through networking and partnerships between one another, Palestinian ministries seek to provide children with disabilities with the services stipulated in law under the aforementioned disability card programme. This programme, however, remains largely dormant in the Gaza Strip.

416. The Children Act stresses the need to take the child's best interest into account in all decisions concerning his/ her affairs. It affirms that consideration be given to the intellectual, psychological, physical and moral needs of children, including those with disabilities. This is affirmed by article 43 of a legislative decision on the protection of juveniles, which states that a juvenile may be placed in a social care home administered or recognized by the Ministry of Social Development. If the child has a disability, he/ she is to be placed in a suitable rehabilitation centre. A court will determine the place and term of placement. If the child is a victim of violence, neglect or abuse, he/ she will receive the protection of the child protection network headed by the Ministry, as well as of several government organizations and NGOs. These networks operate in accordance with the national Referral and Networking Directory and the best interests of the child are observed in all decisions taken. Children with disabilities are afforded no less protection than

others.⁶⁸ Child protection counsellors are trained to deal with children with disabilities who have been subjected to violence.

417. The Ministry of Social Development is concerned with children deprived of a family environment and seeks to provide care for orphans and those who have lost one or both parents. It sought to provide moral and social care by making maintenance payments to these children, orphan families and orphans with disabilities. However, payments ended when the source of funding dried up in 2016. The Ministry is looking for alternative sources of funding for orphans and seeking to cooperate with other organizations. The Yamima organization provides free, long-term care for children with mental disabilities of unknown parentage.

418. The Ministry of Health provides the full range of mental health services for children with psychological and intellectual disabilities under the National Strategy for Psychological Health (2015–2019), which seeks to develop a comprehensive community psychological health system. Two community psychological health centres for children and adolescents have been set up under the Strategy in Hebron and Nablus. Furthermore, mental health services have been incorporated within the primary health care system.⁶⁹

419. The Ministry of Health provides physiotherapy under the health insurance system and service purchase policy. It does not, however, provide assistive devices or appliances for children with physical disabilities, which are supplied by the Ministry of Social Development, as explained above.

420. Impediments to the exercise of the rights of persons with disabilities consist of budget shortages, lack of trained specialist staff to work with such persons and lack of adequate modifications in several Ministry of Health centres.

421. Children with disabilities in conflict with the law are subject to the same investigative procedures, protection and guarantees as other children, including medical and psychological examination and treatment appropriate to a juvenile. Certain parts of Juvenile Prosecution Service buildings are set aside for children with disabilities. The Service is particularly concerned with children with disabilities who are victims of violence or in conflict with the law. If, in a case before the Service, a child is unable to attend to give testimony during the initial investigation stage, due to disability or illness, the Juvenile Prosecutor will call upon the child to take his/ her statement.

422. If a juvenile defendant in a lawsuit has a hearing or speech impediment, the Juvenile Prosecution Service will appoint an approved expert to translate the statement delivered by the child in sign language or other means. If this procedure is not observed, the proceedings will be null and void in law. This procedure applies to child witnesses who attend to give testimony in juvenile cases.⁷⁰

423. If the Juvenile Prosecutor establishes during the initial investigation stage that, when the juvenile committed the crime of which he is accused, he was afflicted by an illness causing impairment of his intellectual faculties, he will hold the child to be incapable of understanding the criminal nature of his action. In this case, the Juvenile Prosecutor will prepare a memorandum to dismiss and submit it to the Public Prosecutor for approval. If the Juvenile Prosecutor establishes the juvenile to be suffering from severe mental disability preventing him from facing trial, he will request the court to have the juvenile placed in a medical institution for as long as is deemed necessary.

424. The Juvenile Prosecutor makes regular visits to places of detention for children, including children with disabilities. No abuses against children with disabilities were recorded between March 2016 and October 2018. No lawsuits involving juveniles with disabilities were recorded during the same period.

425. If there is a conflict of interest between a child with disabilities and his/ her legal guardian, the Juvenile Prosecution Service shall assume legal responsibility for all of the child's affairs, protection and representation pursuant to article 6 (2) of the Code of Criminal Procedure.

426. As regards the right of the child to express his/ her opinion, the student parliaments formed by the Ministry of Education and Higher Education are a clear reflection of Palestine's concern for the right of this child in this regard. The first Children's Council in Palestine was formed on the basis of elections held for this purpose. The Council represents

children, reflects their opinions and questions decision-makers on the extent to which the rights of the child are exercised in Palestinian society and the degree of respect accorded these rights. The Council, which operates in partnership with Defence for Children International and with support from Save the Children, has effectively become an advisory council for the Ministry of Education and Higher Education, Ministry of Social Development and the governorates of Bethlehem, Hebron and Ramallah. Membership of the Council includes children with motor disabilities and children with motor and visual disabilities were involved in preparing the report on implementation of the Convention on the Rights of the Child.

427. In 2016, with support from Save the Children, the Independent Commission for Human Rights launched a children's complaints scheme, which provides mechanisms for children themselves to submit complaints to the Commission concerning violation of their rights. In 2018, UNRWA provided special education for 540 children with disabilities in community rehabilitation centres, while dedicated NGOs provided a similar service to 320 such children. However, following the decision to cut international support to UNRWA, the Agency reduced the services it provided to child refugees with disabilities.

428. The UNRWA Rehabilitation Centre for the Visually Impaired provides training, education and recreation for children and adults with visual impairment. Between 2014 and 2015, before the decision to cut international support to UNRWA in 2018, the Centre supported students with disabilities through its integration programme, which helped 300 students in public, private and UNRWA schools.

IV. Specific obligations

Article 31: Statistics and data collection

429. The work of the Palestinian Central Bureau of Statistics is regulated by the General Statistics Act (2000).⁷¹ In 1996, the Bureau began collecting data on the prevalence of disability nationally on the basis of family surveys (which were not specifically focused on disability) and censuses conducted in 1997 and 2007.

430. In 2011, in partnership with the Ministry of Social Development, the Bureau carried out the first specialized survey designed to monitor the prevalence of disability, disaggregated by gender and cause of disability from a social perspective, as well as other background characteristics, such as geography and age, and including data on appliances pursuant to type of disability; difficulties faced in carrying out daily activity; popular and social attitudes toward disability; degree of social integration based on ability to use public and private transport; and extent to which the environment is adapted to meet the needs of persons with disabilities. The census results enabled the publication of detailed data on disability. In 2017, the Bureau conducted the General Population, Housing and Establishment Census, which produced statistics on the numbers of persons with disabilities in Palestine disaggregated by degree of disability/ difficulty. The census covered both the West Bank and Gaza Strip.

431. As an example of the use of research to promote the rights of persons with disabilities, the first strategic goal of the National Strategy for the Development of Official Statistics (2014–2018) calls for increased use of statistics in decision-making. Accordingly, the Ministry of Social Development published a strategic framework for the development and advancement of persons with disabilities based on the 2011 survey data. The lower prevalence of disability in Palestine compared with levels recorded globally is due to Palestinian society's conception of disability and the way in which the census was conducted.

432. The second strategic goal of the National Strategy for the Development of Official Statistics calls for promoting partnership between producers and users of the national statistical system, involving persons with disabilities in the process of data collection and research, facilitating user access to the statistical information made available by producers and promoting partnership and mutual assistance to ensure the design of a statistical system that meets the needs of all users.

433. At the planning and preparation stage prior to conducting the 2011 survey, a national advisory group was formed that included a large number of stakeholders, most of whom

were themselves persons with disabilities and representatives of organizations working with disability. A specialized workshop was held at which the advisory group discussed improvements to the survey form to help meet the need for data and indicators with a view to improving services.

Article 32: International cooperation

434. The State of Palestine is anxious to improve avenues of cooperation with regional and international bodies and organizations by enabling staff to take part in conferences and training courses. Palestine receives a level of financial and technical support that allows a range of awareness-raising, rehabilitation and integration programmes to be offered to staff and assistive devices, aids and information technology systems to be provided. In recent years, Palestine has received financial and technical assistance from a number of international bodies and organizations, including a European Union project aimed at building the capacities of the Ministry of Social Development to plan, manage and monitor social services and promote decentralization by devolving greater powers to workers in the field. This project has been implemented in Jerusalem, Hebron and Nablus governorates.

435. Under the Ministry of Social Development strategy plan, a number of programmes and projects involving cooperation with international organizations have been implemented, including:

- Projects to develop the capacities of workers in the field, including one funded by Save the Children;
- A capacity-building project designed to raise awareness among families of how to deal with autism, funded by the League of Arab States;
- A network-based rehabilitation referral system, developed in cooperation with Handicap International;
- An agreement with UNICEF to provide project support in the fields of counselling and special education in the Gaza Strip.

436. The Palestinian Government provides technical and financial support to lawfully constituted charities. Between 2016 and mid-2018, the Government subsidized 151 charities through the service purchase scheme to the amount of US\$ 6,650,000 (equivalent to 19,331,850 shekels).

Article 33: National implementation and monitoring

Higher Council for Persons with Disabilities

437. The Higher Council for Persons with Disabilities was formed pursuant to Presidential Decree No. 3 (2004). The Council is chaired by the Ministry of Social Development and membership consists of a number of government bodies and NGOs. Its function is to monitor exercise of the rights of persons with disabilities and ensure access to the full range of preventive, rehabilitation, protection and welfare services. There is a movement to convert the Council into an autonomous body to enable it to carry out its duties independently of the Ministry of Social Development.

438. Despite the existence of a clear provision granting it the power to monitor compliance with legislation guaranteeing the rights of persons with disabilities, the Council has not initiated any action of this kind. A monitoring committee was formed but, for reasons relating to the legal position of the Council, took no action.

Independent Commission for Human Rights (Board of Grievances)

439. The Independent Commission for Human Rights (Board of Grievances) was formed pursuant to a presidential decree of 1993 and subsequently confirmed by article 31 of the Basic Law. The Commission operates as an independent national body that seeks to protect and promote human rights by monitoring and documenting abuses, receiving complaints and following them up with official bodies. The Commission adopts a rights-based approach that includes issues relating to the rights of persons with disabilities.

440. Most of the complaints received by the Commission under its complaints system involve the following:

- (a) Discrimination and unequal service provision on grounds of disability;
- (b) Failure on the part of ministries, authorities, service organizations and disability organizations to deliver services or failure to deliver the appropriate level of service to persons with disabilities;
- (c) Unsuitable working conditions.

441. To ensure full participation of persons with disabilities in the monitoring and implementation process, the Independent Commission invited the General Union of People with Disabilities to help develop its complaints system to make it more responsive to the rights of persons with disabilities. Furthermore, a bulletin was designed in cooperation with the Bethlehem Arab Society for Rehabilitation to monitor and document abuses of the rights of persons with disabilities. A training manual on the monitoring and documentation of rights abuses is currently being prepared, substantial parts of which will be devoted to monitoring the rights of persons with disabilities and the types of abuse and violation of rights to which they are subjected.

442. The Social Protection Sector Strategy (2014–2016) sought to develop social services for vulnerable and marginalized groups by promoting decentralized service delivery and adopting local community options. The policy seeks to promote the role of civil society organizations and local and private sector enterprises in the design and delivery of services with a view to creating a mixed market for services that will improve efficiency and ensure access by target groups on the basis of genuine need. The Social Protection Sector Strategy (2017–2022) contains a set of sector-based policies, such as including subjects in the school curriculum that promote equality and fairness and ensuring that improved social and health services are available to all, including persons with disabilities.⁷²

443. A large number of civil society organizations and associations working with disability operate in partnership with government bodies in several areas, including awareness-raising, rehabilitation and the provision of assistive devices and appliances. Furthermore, the Ministry of Social Development has prepared a social services accreditation guide that targets disability and focuses on quality, comparing current service quality with previous quality standards. Under this system, services can only be purchased if they meet the accreditation standards set out in the guide. Service providers must meet all conditions.

444. At the end of 2015, there were 1,005 associations and organizations registered with the Ministry of Interior in Gaza, including 30 working on disability issues.⁷³

445. Numerous NGOs monitor exercise of the rights of persons with disabilities. These include the Qader Organization in Bethlehem and Palestinian Consultative Staff for NGO Development, whose scope of activity extends throughout Palestine. These organizations labour to document violations against persons with disabilities committed by Israel, the occupying power.

446. Civil society organizations took part in formulating the above-mentioned strategic framework for the disability sector. Furthermore, several NGOs operate a service purchase scheme under which the Ministry of Social Development and Ministry of Health purchase accommodation services and assistive devices for persons with disabilities.

447. The Health Sector Review Report identified 52 rehabilitation centres in the West Bank and Gaza Strip. The UNRWA directory of organizations working with disability lists 84 organizations in the West Bank and four non-governmental rehabilitation hospitals in the West Bank and Gaza. The Government benefits from the expertise and specialist skills of NGOs and civil society organizations.

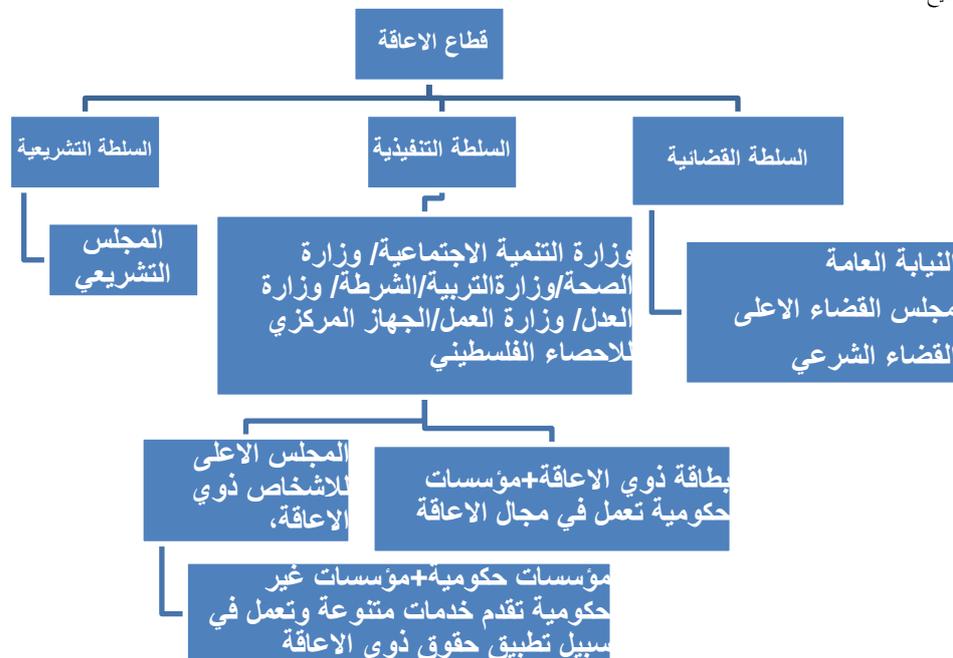
448. Some 23 service purchase agreements have been signed with centres and associations across the country to care for 755 persons with disabilities and four home service purchase agreements have been signed for persons with disabilities. Furthermore, the Ministry provides assistance in cash and in kind for persons with disabilities and the beneficiaries of Ministry programmes such as the cash assistance programme and DEEP project.

449. An agreement has been signed with Islamic Relief Gaza to implement psychosocial support programmes and furnish counselling rooms; a memorandum of understanding on inclusive education has been signed with the Palestinian Medical Relief Society; an

agreement has been concluded with the Centre for Mind-Body Medicine to implement the “Hope and Cure” programme for 400 students in east Gaza; and an agreement has been signed with the Gaza Community Mental Health Programme to train counsellors and furnish counselling units.

Notes

¹ الشكل التالي للتوضيح:



- ² تنظم المادة (6) من قانون السلطة القضائية الفلسطيني لسنة 2002 تشكيلة المحاكم حيث نص على انه: “تتكون المحاكم الفلسطينية من: أولاً: المحاكم الشرعية والدينية وينظمها القانون. ثانياً: المحكمة الدستورية العليا وينظمها القانون. ثالثاً: المحاكم النظامية وتتكون من: 1- المحكمة العليا وتتكون من: أ- محكمة النقض ب- محكمة العدل العليا. 2- محاكم الاستئناف 3- محاكم البداية. 4- محاكم الصلح. وتنظر كل منها في المسائل التي ترفع إليها طبقاً للقانون.”
- ³ تنص المادة 8 من قانون الطفل الفلسطيني المعدل لعام 2004 على: “تتخذ الدولة الاجراءات والتدابير المناسبة لضمان تمتع الاطفال ذوي الاحتياجات الخاصة بالرعاية اللازمة في المجالات كافة وخاصة التعليم والصحة والتأهيل المهني لتعزيز اعتمادهم على النفس وضمان مشاركتهم الفاعلة في المجتمع.”
- ⁴ هو آخر مسح تم اجراؤه، في المسح المذكور، بلغ حجم العينة 15,572 أسرة في كافة أنحاء الأرض الفلسطينية؛ منهم 10,422 أسرة في الضفة الغربية 5,150 أسرة في قطاع غزة.
- ⁵ “وفقاً لمنظمة الصحة العالمية ومجموعة واشنطن لإحصاءات الإعاقة، فقد تم تطوير مفهوم وتعريف موحد لقياس الصعوبات/الإعاقات في أي مجتمع، وقد اقترحت مجموعة واشنطن لإحصاءات الإعاقة 6 أسئلة محورية لقياس انتشار الإعاقة ضمن استمارة التعدادات السكانية، واشتمل كل سؤال على 4 فئات إجابة على النحو الآتي: لا يوجد صعوبة، بعض الصعوبة، صعوبة كبيرة، ولا يستطيع مطلقاً. وقد خرج الاجتماع الأخير لمجموعة واشنطن لإحصاءات الإعاقة، والذي عقد في شهر نوفمبر من العام 2010، بتوصية تقضي بدعوة الدول التي تقوم بقياس انتشار الإعاقة من خلال التعداد أو المسوح الأسرية باعتبار الفرد الذي يعاني من صعوبة كبيرة أو لا يستطيع مطلقاً على أنه فرد ذو إعاقة. لقد تم استخدام الأسئلة المحورية الستة التي طورها مجموعة واشنطن لإحصاءات الإعاقة في هذا المسح (صعوبة البصر، والسمع، والتواصل، والتذكر والتكرير، والحركة واستخدام الأطراف العلوية)، إضافة إلى سؤالين إضافيين حول صعوبة التعلم والصحة النفسية، وقد اشتمل كل سؤال على نفس فئات الإجابة التي أوصت بها مجموعة واشنطن.” تقرير الجهاز المركزي للإحصاء الفلسطيني ووزارة التنمية الاجتماعية 2011.
- ⁶ كذلك تناول الهدف الثاني من استراتيجية قطاع التنمية الاجتماعية 2017-2022: ضمان شمول مناهج التعليم العام والتعليم العالي المواد واهداف تعزيز المساواة والعدالة بين الجميع. وايضا إيجاد آليات وثقافة مجتمعية ومؤسسية تعزز دور المؤسسات والقيادات المحلية ويمثلي اصحاب الحقوق في مساءلة اصحاب الواجبات في جميع المجالات. وكذلك، وضع سياسات وتدابير من مؤسسات العدالة تمكن الفئات المهمشة من الوصول للقضاء النظامي والشرعي من خلال بناء نظام المساعدة القانونية. واخيرا توفير وتطوير الخدمات الاجتماعية والصحية والتعليم للفئات المهمشة بما فيها الاشخاص ذوي الاعاقة.
- ⁷ يعالج مشكلات نوعية وجودة الخدمات والازدواجية ويحد من العبث بحقوق الأشخاص ذوي الإعاقة، ويرشد ويوجه استثمار الموارد، ويسهل التعاون والتشبيك وطنياً ودولياً، كما يقدم نموذجاً عملياً لمشاركة الأشخاص ذوي الإعاقة بفعالية في إدارة شؤونهم.
- ⁸ كما تم تشكيل مكتب المجلس التنفيذي وخمسة لجان هي: التشريعية، التخطيط والسياسات، والرصد والمتابعة وجودة الخدمات بالإضافة الى لجنة المناصرة، كذلك تم إعداد واعتماد نظام داخلي لتنظيم عمل المجلس ومسودة قانون خاص لتكريس شخصية المجلس الانتخابية المستقلة وتعديل مركزه القانوني، حيث شارك ممثلون عن المجلس في العديد من الفعاليات والندوات وفي عدد من البرامج الإعلامية الرامية للتنوعيه بقضايا وحقوق الأشخاص ذوي الإعاقة.
- ⁹ هناك تباين من وزير الى آخر وفقاً لرؤية كل وزير ومدى قناعتته بأهمية المجلس كمظلة وطنية لقطاع الإعاقة، وقد أثر ذلك على دورية وانتظام الاجتماعات وعلى نوعية القرارات الصادرة عن اجتماعات المجلس التي كانت وتيرة انتظامها متأرجحة تبعاً لمستوى اهتمام الوزراء.
- ¹⁰ من ناحية اخرى عدم استقلالية المجلس يجعل قراراته ونشاطاته مرتبطة بموقف الجهة التي تتبع لها، علاوة على أن التبعية المالية وعدم وجود مخصصات مالية ولا طاقم موظفين وتعدد الأشخاص المتدخلين دون مبررات أدى الى حالة من الزعزعة التي أحيطت في الكثير من الأحيان بمبادرات عمل وأدت الى تراجع ملموس في وتيرة العمل. بالإضافة الى ذلك فإن تفاوت الصلاحيات ومستوى التفويض الذي يتمتع به كل عضو من أعضاء الحكومة أو الأهلية يؤثر سلباً أو إيجاباً فالأعضاء الذين لديهم رؤيا صلاحيات إتخاذ القرار مؤثرون إيجابياً وعلى العكس فمن تتدن رتبهم الوظيفية ولا يعملون رؤيا ولا حتى توجيهات والذين لديهم اتجاهات سلبية نحو ملف الإعاقة فإنهم يعوقون التقدم ليس بالضرورة عن قصد.
- ¹¹ خرج الاجتماع الأخير لمجموعة واشنطن لإحصاءات الإعاقة، والذي عقد في شهر تشرين الثاني من العام 2010، بتوصية تقضي بدعوة الدول التي تقوم بقياس انتشار الإعاقة من خلال التعداد أو المسوح الأسرية باعتبار الفرد الذي يعاني من صعوبة كبيرة أو لا يستطيع مطلقاً على أنه فرد ذو إعاقة، عن الجهاز المركزي

- للإحصاء الفلسطيني، مسح الإعاقة 2011.
- 12 نصت المادة 15 من اللائحة التنفيذية لعام 2004: "تعمل وزارة الشؤون الاجتماعية على إدخال لغة الإشارة في المرافق الحكومية والمؤسسات الأهلية وذلك وفق خطة تضعها لتنفيذ ذلك وتشمل على سبيل المثال 1. التعاون مع وزارة التربية والتعليم والمؤسسات الأهلية العاملة في مجال لغة الإشارة بعمل دورات تدريبية للغة الإشارة في المرافق الحكومية. 2. التعاون مع وزارة المواصلات لوضع إشارات خاصة على مركبات السائقين المعوقين سمعياً. 3. استخدام لغة الإشارة في التلفزيون. 4. توعية الجمهور على أهمية استخدام لغة الإشارة لغة تواصل مع الأشخاص المعوقين سمعياً."
- 13 نصت المادة 24 من قانون الخدمة المدنية رقم 4 لعام 1998 على: "يشترط فمين يعين في أي وظيفة أن يكون: 1- فلسطينياً أو عربياً. 2- قد أكمل السنة الثامنة عشرة من عمره وبنيته عمر الموظف بشهادة ميلاده الرسمية وفي الأحوال التي لا يتيسر فيها الحصول على شهادة الميلاد يقدر عمره بقرار تتخذه اللجنة الطبية المختصة ويعتبر قرارها في هذا الشأن نهائياً. 3- خالياً من الأمراض والعيوب العقلية التي تمنعه من القيام بأعمال الوظيفة التي سيعين فيها بموجب قرار من المراجع الطبي المختص، على أنه يجوز تعيين الكفيف في عينيه أو فاقد البصر في إحدى عينيه أو ذي الإعاقة الجسدية، إذا لم تكن أي من تلك الإعاقات تمنعه من القيام بأعمال الوظيفة التي سيعين فيها بشهادة المرجع الطبي المختص على أن تتوافر فيه الشروط الأخرى للياقة الصحية. 4- متمتعاً بحقوقه المدنية غير محكوم عليه من محكمة فلسطينية مختصة بجناية أو بجنحة مخلة بالشرف أو الأمانة ما لم يرد إليه اعتباره."
- 14 مرت عملية التخطيط الاستراتيجي بالمراحل التالية: **المرحلة الأولى:** تشكيل فريق التخطيط الاستراتيجي وعملية التحضير. **المرحلة الثانية:** العمل الميداني. **والمرحلة الثالثة:** لقاءات تجميعية على مستوى المناطق. والمرحلة الرابعة: مرحلة التحليل، **والمرحلة الخامسة:** عرض نتائج العمل.
- 15 ويوفر هذا الإطار الاستراتيجي، أداة لقيادة العمل الوطني في قطاع الإعاقة ضمن رؤية موحدة للعمل المشترك في إطار النموذج الحقوقي التنموي، ويغطي هذا الإطار الاستراتيجي خمسة موضوعات إستراتيجية مبنية على اتجاهات التدخل من خلال السياسات المرتبطة بها، وبرامج للتدخل آنية ومستقبلية، إضافة إلى بناء قدرات المؤسسات العاملة في هذا القطاع.
- 16 فيما يتعلق بميكنية المجلس الأعلى للأشخاص ذوي الإعاقة؛ يتكون من الرئيس، وزير التنمية الاجتماعية، والأعضاء المكونة من: مؤسسات حكومية ووزارات التنمية الاجتماعية، الصحة، التربية والتعليم، العمل، المواصلات، الاتصالات وتكنولوجيا المعلومات، الحكم المحلي. إضافة إلى مؤسسات أهلية: الإتحاد الفلسطيني العام للأشخاص ذوي الإعاقة، جمعية بيت لحم العربية للتأهيل، الهلال الأحمر الفلسطيني، جمعية الشبان المسيحية-القدس، جمعية أصدقاء المريض/ مركز خليل أبو ريا للتأهيل، مؤسسة الجرح الفلسطيني، جمعية الأميرة بسملة. إضافة إلى عضوية فردية/ خبراء: من القطاع الخاص مركز التجارة الفلسطيني. أما أنواع العضوية فهي: أعضاء عاديون / تشمل جميع المؤسسات المبنية أعلاه، وأعضاء مراقبون؛ وتشمل، الهيئة المستقلة لحقوق الإنسان، إتحاد اللجان المحلية للتأهيل، جمعية نجوم الأمل، جمعية أصوات.
- 17 قيمة المنحة المالية المخصصة لهذا المشروع حسب الاتفاقية المبرمة: 6.513.300 دولار. أما مجموع المبالغ المحولة من المانح : 2.821.342 دولار، والمبلغ المتبقي للتحويل من المانح : 3.691.958 دولار. أما الرصيد البنكي المتوفر بتاريخ 2017/1/31: 1.069.064 دولار. وقد بلغ مجموع المشاريع : منح 533 مشروع، مشاريع فاشلة : 199 مشروع، ومشاريع ناجحة : 218 مشروع، ومشاريع معترفة : 100 مشروع، ومشاريع توفي أصحابها : 16 مشروع. أما مجموع التسديد حتى تاريخ 2017/1/31 (566.803) دولار.
- 18 آليات منح القروض بعد استقبال الطلبات هي:
- 1- يتم زيارة المستفيدين من البرنامج لتقييم مواقعهم واستاداهم لتنفيذ المشاريع.
 - 2- ترفع الطلبات الهازرة إلى اللجنة الفنية للصندوق من أجل مناقشتها وأخذ التوصيات اللازمة بشأها.
 - 3- ترفع الطلبات المنسوبة من اللجنة الفنية إلى مجلس الإدارة من أجل اعتماد الصرف.
 - 4- بعد اعتماد مجلس الإدارة للصرف يتم مراسلة الأخ معالي الوزير رئيس مجلس الإدارة لصرف الدفعة الأولى 25% من قيمة القرض.
 - 5- زيارة المستفيدين من الصندوق من أجل متابعة التنفيذ على أرض الواقع.
 - 6- احضار الفواتير الضريبية اللازمة من قبل المستفيدين بالبضاعة المشتراة أو اتفاقيات البيع حسب طبيعة المشروع.
 - 7- يتم مراسلة الأخ معالي الوزير رئيس مجلس الإدارة من أجل صرف الدفعة الثانية بقيمة 75% من باقي القرض.
- 19 تتمثل المعوقات والتحديات في الحاجة إلى تفويض دائرة الشؤون القانونية في وزارة التنمية الاجتماعية من أجل الزام المستفيدين بالتسديد بالإضافة إلى الحاجة لتوفير سيارة خاصة بالمشروع من أجل القيام بزيارات الميدانية، والتأخر في وصول الدفعات من المانحين في الوقت المحدد، وعدم تنفيذ السياسة القانونية تجاه المستفيدين عن الدفع. أما التوجهات المستقبلية، بالإضافة إلى ورد في التقرير، سيتم العمل على تفويض الشؤون القانونية في وزارة التنمية بالزام المستفيدين بالتسديد، والعمل كذلك على توفير سيارة خاصة بالمشروع من أجل المتابعة والتقييم.
- 20 نصت المادة 3 من قانون الطفل الفلسطيني المعدل: "1. يتمتع كل طفل بكافة الحقوق الواردة في هذا القانون دون تمييز بسبب جنسه أو لونه أو جنسيته أو دينه أو لغته أو أصله القومي أو الديني أو الاجتماعي أو ثروته أو إعاقته أو مولده أو والديه، أو أي نوع آخر من أنواع التمييز. 2. تتخذ الدولة كافة التدابير المناسبة لحماية الأطفال من جميع أشكال التمييز بهدف تأمين المساواة الفعلية والارتفاع بكافة الحقوق الواردة في هذا القانون."
- 21 تتضمن هذه المؤسسات على سبيل المثال وليس الحصر؛ جمعية الشبان المسيحية بالقدس، جمعية الهلال الأحمر الفلسطيني، مؤسسة قادر، جمعية بيت لحم العربية للتأهيل، جمعية الرعاية والارتقاء الفلسطينية فجر -مدرسة سنابل للتربية الخاصة، جمعية (أصوات)، جمعية (نجوم الأمل).
- 22 حيث تضمن هذا الدليل المقاييس الفنية ومتطلبات البناء للأشخاص ذوي الإعاقة، لكي تكون جزءاً من قواعد ومعايير البناء الهندسية الخاصة بإمكانية الوصول لهم، ضماناً لعدم مواجهتهم أي صعوبات أو عقبات أثناء ممارستهم لأنشطة فردية أو جماعية، وبالتالي تمكينهم بشكل فعلي من ممارسة حقوقهم في الوصول أسوةً بغيرهم من الأشخاص ذوي الإعاقة.
- 23 المصدر: شبكة الاجسام الممثلة، غزة.
- 24 تقرير الجهاز المركزي للإحصاء الفلسطيني لعام 2011 حول مواءمة البنية التحتية في المنازل:
- شواحيط في المنزل: 24.6% من الأفراد ذوي الإعاقة في الأرض الفلسطينية لم أفادوا بأنهم بحاجة ملحة لشواحيط في منازلهم لتساعدتهم في التحرك؛ 28.3% في الضفة الغربية و16.2% في قطاع غزة.
 - حمامات مواتمة: 33.7% من الأفراد ذوي الإعاقة في الأرض الفلسطينية أفادوا بأنهم بحاجة ملحة لحمامات مواتمة في منازلهم؛ 35.8% في الضفة الغربية و28.8% في قطاع غزة.
 - مطابخ مواتمة: 19.6% من الأفراد ذوي الإعاقة في الأرض الفلسطينية أفادوا بأنهم بحاجة ملحة لمطابخ مواتمة في منازلهم؛ 21.4% في الضفة الغربية و15.4% في قطاع غزة.
 - مصعد كهربائي: 15.0% من الأفراد ذوي الإعاقة في الأرض الفلسطينية أفادوا بأنهم بحاجة ملحة لمصاعد في منازلهم؛ 14.7% في الضفة الغربية و15.5% في قطاع غزة.
 - نظام منبهات مرئي: 7.8% من الأفراد ذوي الإعاقة في الأرض الفلسطينية أفادوا بأنهم بحاجة ملحة لنظام منبهات مرئي في منازلهم؛ 7.3% في الضفة الغربية و9.3% في قطاع غزة.
- 25 المصدر: الهيئة الاستشارية الفلسطينية لتطوير المؤسسات غير الحكومية.
- 26 نصت المادة 5 منه على أنه: "تختص المديرية العامة للدفاع المدني بما يلي: 1. جميع أعمال الدفاع المدني بما في ذلك إعداد المشروعات وخطط العمل والإشراف على تنفيذها وتدريب ما يلزم من أدوات ومهمات ودراسة أحدث وسائل الدفاع المدني وطرق نشر تعليمها بين الجمهور. 2. اتخاذ الإجراءات الضرورية مع اللجان المعنية لمواجهة الكوارث وحالات الطوارئ في الأحوال التي يقرها رئيس السلطة الوطنية. 3. توعية المواطنين بأعمال الدفاع المدني والتعاون مع فرقها وتوزيع النشرات والإعلانات المتعلقة بعملها في زمن السلم والحرب."
- 27 المصدر: الهيئة الاستشارية الفلسطينية لتطوير المؤسسات غير الحكومية.

- 28 “التقويم الهجري هو تقويم قمري يعتمد على دورة القمر لتحديد الأشهر، ويستخدمه المسلمون في كل مكان، خصوصاً في تحديد المناسبات الدينية، ويتكون التقويم الهجري من 12 شهراً قمرياً أي أن السنة الهجرية تساوي 354 يوماً تقريباً، بالتحديد 354.367056 يوماً، والشهر في التقويم الهجري إما أن يكون 29 أو 30 يوماً (لأن دورة القمر الظاهرية تساوي 29.530588 يوم). وبما أن هناك فارق 11.2 يوم تقريباً بين التقويم الميلادي الشائع والتقويم الهجري فإن التقويمين لا يتزامنان مما يجعل التحويل بين التقويمين أكثر صعوبة”.
- 29 في جميع الحالات السابقة يعامل معاملة الصغير صحيح الجسم باستثناء اجرة العلاج بحيث تشمل احتياجاته الطبية كاملة من ادوية وعمليات جراحية واجهزة طبية.
- 30 الولي أو الوصي يكون والده إن كان حياً، أو جده إن كان حياً، أو أي من أهله كأمه أو أشقائه إن كان جده ووالده متوفيان، ويعين الولي أو الوصي بعد أن يتثبت القاضي من أمانتهم واستقامتهم على أموال الشخص ذي الاعاقة العقلية المحجور عليه، بشهادة الشهود ليقوموا فقط بأمواله الإدارية.
- 31 نصت المادة 5 من تعليمات سلطة النقد: “على المصرف اتخاذ كافة التدابير اللازمة والفعالة لضمان المساواة للعملاء ذوي الاعاقة في ادارة شؤونهم المالية والمساواة في الحصول على الخدمات المصرفية والتسهيلات الائتمانية وغيرها من الخدمات المصرفية، وذلك على النحو التالي: 1. توفير نماذج فتح حساب وعقود التسهيلات بالخط المكبر مطبوع بنظام بريل. 2. اعتماد توقيع العميل المكفوف أو ذو الاعاقة السمعية دون اشتراط وجود شهود وذلك شريطة قيامه بالتوقيع على تعهد لمرء واحدة مؤثق بوجود شاهدين من غير موظفي المصرف، بحيث يقر العميل تحمله كامل المسؤولية عن اجراء المعاملات المصرفية دون وجود شهود واعفاء المصرف من اي مسؤولية ترتب على ذلك. ويتضمن التعهد الموقع على كافة بيانات العميل وصورته الشخصية ونوع اعاقته وشكل التوقيع الذي اختاره. 3. في حال قيام الشخص ذي الاعاقة (العميل) بتعديل توقيعه فإنه يجب توقيع تعهد جديد وفق متطلبات البند رقم 2 اعلاه. 4. فتح الحسابات وكافة المعاملات المصرفية للمكفوفين وضعاف البصر... الى اخر المادة.
- 32 ومواكبة للنهج الاصلاحى الحديث في إدارة المؤسسات العقابية؛ عملت إدارة مراكز الاصلاح والتأهيل على وضع تصاميم إنشائية للمراكز المنوي إنشاؤها بحيث تراعي احتياجات الاشخاص ذوي الاعاقة؛ حيث تتوفر في المراكز الجديدة دورات مياه ملائمة، وممرات خاصة موائمة، إضافة إلى توفير الوسائل المساعدة لمن يحتاجها منهم.
- 33 أصبح لدى هؤلاء الاسرى اعاقات مختلفة نتيجة إطلاق الرصاص عليهم قبل اعتقالهم أو نتيجة الهمال الطبي نتيجة وجودهم في السجن.
- 34 بحسب احصائيات هيئة شؤون الاسرى والمحررين الفلسطينية لعام 2018، أصيب الاسرى التالية اسماؤهم بإعاقات نتيجة تعرضهم لاعتداءات من قبل قوات الاحتلال الاسرائيلي، منهم من هو محكوم مؤبد أو أكثر أو اقل، ومنهم من هو موقوف، 23 منهم ذكور، 2 إناث، حيث يحتاج عدد منهم الى متابعة علاجهم:
- 1- هاشم ياسر شحده طه، مصاب برصاصتين أحدهما بالقدم اليمنى ورصاصة بالبطن مع وجود شظايا في القدم اليسرى، وانخفاض اداء الغدة الدرقية.
 - 2- جلال شاهر محمد شراونة، مبتور القدم على إثر اصابته برصاص دمدم اطلقته قوات الاحتلال عليه.
 - 3- خالد جمال موسى الشاويش، يعاني من شلل في الجزء السفلي من الجسم بسبب اصابته 14 عيار ناري في الظهر والساق واليد أثناء الاعتقال ويتنقل على كرسي، انزلاق بالعمود الفقري.
 - 4- ناهض فرج جدوع الاقرع، لديه إعاقه دائمة بسبب بتر قدمه اليمنى قبل الاعتقال بعد إصابتها بالرصاص، كما تم بتر قدمه اليسرى بعد الاعتقال بتاريخ 2013/4/3 نتيجة تلف أنسجتها، وهو موجود بشكل دائم بعيادة سجن الرملة
 - 5- محمد جمال فارس العلامنة، مصاب بعيار ناري في ركبته ويعاني من تعفن في القدم.
 - 6- عبد الناصر محمد محمود رزق، مصاب بخمسة آخرة نارية أدت إلى اصابته بالشلل في أصابع اليدين والقدمين ولا يقدر له سوى مسكنات.
 - 7- ياسر ياسين موسى الطرودة، مقعد، ومصاب بالرصاص، تم استئصال احدى كليتيه، كما تم قطع أحد أصابعه.
 - 8- سلام أسعد محمد زغل، يعاني من إصابة برصاصتين أحدهما في الفخذ الأيسر أدت إلى قصرها 4.5 سم وتم تركيب بلاتين فيها، والثانية في البطن، إضافة الى وجود 30 غرزة في البطن و15 غرزة في القدم، وآلام في الظهر، وهو موجود في عيادة سجن الرملة.
 - 9- سامر جمال محمود مضية، يعاني من إصابة في القدم اليسرى بمشي على كرسي متحرك.
 - 10- ايمن حسن محمد الكرد، أصيب بثلاث رصاصات في أسفل الظهر تسببت له بشلل في قدميه
 - 11- يوسف نمر محمد ابو قنديل، رصاص مستقر في رتيبه، ويعاني من شلل في يده اليسرى، ومشاكل في الكبد.
 - 12- أنس قاسم صلاح الاقرع، مصاب بالرقبة والظهر ولا يستطيع الحديث، كما يعاني من أعاقه في السمع والكلام وحالة نفسية ويتناول الدواء.
 - 13- قصي ابراهيم محمد حمادة، يعاني من إصابة بعيار ناري في رأسه.
 - 14- مجدي حسين يوسف الريماوي “أرحيمة”، يعاني من الفتاق، يعاني من إصابة رصاص بالساق.
 - 15- سامي سليم رشيد زيود، أصيب بعيار ناري في الرقبة أثناء الاعتقال، وأجريت له عملية، ويعاني من صعوبة في البلع أثناء تناول الطعام.
 - 16- صالح عمر صالح، أصيب بأربع رصاصات اثنتين بالصدر وواحدة بالبطن والرابعة بالظهر.
 - 17- عبد العزيز عرفة، يعاني من تكسر في عظام ساقه اليسرى بسبب رصاصة اخترقتها.
 - 18- اشرف مهيب ابراهيم ابو الهدى، أصيب برصاصة في منطقة الحوض ويسير على عكازات.
 - 19- عمر شمير محمود ريماوي، مصاب الاسير بثلاث رصاصات في الصدر والعمود الفقري واليد اليمنى، واثناء الإصابة تعرض للضرب ويتم اجراء علاج طبيعى له كل فترة وان الرصاصة في العمود الفقري والصدر.
 - 20- باسم فارس ابراهيم النعسان، مصاب برصاصه في الساق اليسرى ورصاصة في الصدر وتمزق في الشرايين، يحمل كيس للإخراج في الصدر.
 - 21- عثمان محمد كامل شعلان، مصاب برصاصة في القدم وتم وضع بلاتين في رجله.
 - 22- أحمد أمين حامد “سياغة”، أصيب 3 رصاصات في الساق اليمنى، والبطن والكف، مصاب بنقوب في الرئة وكسور في الاضلاع ورصاصة أسنقرت في الكبد.
 - 23- مهدي عبدالجواد فتحي دويكات، مصاب برصاصة بالقدم اليمنى “في الفخذ”.
 - 24- حلوة سليم محمد حمامرة، مصابة برصاصتين في البطن والقدم.
 - 25- اسراء رياض جميل جعايبص، مصابة بمروق في الوجه بسبب إطلاق النار عليها وتم قطع أصابع اليد.
- 35 وذلك عملاً بأحكام المادة 208 من قانون العقوبات الأردني رقم 16 لسنة 1960 الساري في الضفة الغربية، والمادة 108 من قانون العقوبات الانتدائي رقم 74 لسنة 1936 الساري في قطاع غزة، إضافة إلى المادة 280 من قانون العقوبات الثوري (العسكري) لعام 1979 الساري في الضفة الغربية وقطاع غزة.”
- 36 نصت المادة 10 من اللائحة التنفيذية ل(قانون حقوق المعوقين) لعام 2004: “تضع وزارة الشؤون الاجتماعية بالتنسيق مع الجهات المختصة الأنظمة والضوابط والمعايير التي تضمن للمعوقين الحماية من جميع أشكال العنف والاستغلال والتمييز ولتحقيق ذلك 1. تتولى وزارة الشؤون الاجتماعية حماية المعوقين المهنية سواء كانوا يعملون في مؤسسة حكومية أو غير حكومية أو في قطاع خاص حيث يطبق عليهم قانون العمل. 2. تقوم وزارة الشؤون الاجتماعية بحقه إذا تكرر منه نفس العمل. 3. تقوم وزارة الشؤون الاجتماعية بوضع الضوابط والمعايير اللازمة لمنع تعرض المعوقين لجميع أشكال العنف الجسدي واللفظي والنفسى لجميع المؤسسات التي ترعى الإعاقات المختلفة وللوزارة في سبيل ذلك أن تنشئ قسماً خاصاً بما لتلقي تظلمات وشكاوي المعوقين.”
- 37 المصدر: الهيئة الاستشارية لتطوير المؤسسات غير الحكومية.
- 38 تحذف (بطاقة المعاق) كذلك الى تأمين حصول الأشخاص ذوي الاعاقة على الخدمات التي نص عليها القانون وتحديد مصادر توزيع الخدمات وضمان جودتها وكيفية الحصول عليها.
- 39 ويهدف الصندوق أيضاً الى توزيع الأدوار وتحديد المسؤوليات بين مختلف الجهات ذات العلاقة، وتحديد مصادر توزيع الخدمات وضمان جودتها وكيفية الحصول عليها.

- 40 تناول قانون المرور رقم 5 لسنة 2000 تعريف ذي الاعاقة في المادة الاولى منه: "انه كل شخص صادقت الطبية المختصة المعنية بقرار من وزارة الصحة بأنه يتوافق فيه أحد الأمرين التاليين: انه معاق ويحتاج المركبة كوسيلة حركة بسبب عجز في كلتا رجليه. ان درجة اعاقته تزيد على 60% وان سيره على الطريق بدون مركبه من شأنه ان يضعف حالته الصحية."
- 41 بناءً على إدارة المشروع تم تشكيل فريق وطني موسع ضم: الفريق الوطني المكلف من مجلس الوزراء، بالإضافة إلى ممثلين عن: القطاع الخاص، المشغلين، أكاديميين، إتحاد المستوردين، مجلس الشاخصين، واستشاريين.
- 42 نصت المادة 32 من القانون الاساسي المعدل لعام 2003: "كل اعتداء على اي من الحريات الشخصية او حرمة الحياة الخاصة للانسان وغيرها من الحقوق والحريات العامة التي يكفلها القانون الاساسي او القانون، جريمة لا تسقط الدعوى الجنائية ولا المدنية الناشئة عنها بالتقادم، وتضمن السلطة الوطنية تعويضاً عادلاً لمن وقع عليه الضرر."
- 43 نصت المادة 24 من القانون الاساسي المعدل لعام 2003 على: "1. التعليم حق لكل مواطن، والزمام حتى نهاية المرحلة الأساسية على الأقل ومجاناً في المدارس والمعاهد والمؤسسات العامة. 2. تشرف السلطة الوطنية على التعليم كله وفي جميع مراحل ومؤسساته وتعمل على رفع مستواه. 3. يكفل القانون استقلالية الجامعات والمعاهد العليا ومراكز البحث العلمي، ويضمن حرية البحث العلمي والإبداع الأدبي والثقافي والفني، وتعمل السلطة الوطنية على تشجيعها وإعانتها. 4. تلزم المدارس والمؤسسات التعليمية الخاصة بالمناهج التي تعتمدها السلطة الوطنية وتخضع لإشرافها."
- 44 المادة 12 من (قانون حقوق المعوقين لعام 1999): "يطبق قانون التعليم الإلزامي ضمن فلسفة وزارة التربية والتعليم مع مراعاة وضع الطفل المعوق وقدراته الذهنية والحركية والحسية والنفسية. - يجب على الجامعات والمعاهد والمراكز التعليمية أن تعطي فرصاً متكافئة للمعوقين للالتحاق ضمن إطار المناهج المعمول بها. - على وزارة التربية والتعليم دعم التعليم المتخصص فقط للحالات التي يستعصي فيها تأمين التعليم ضمن البيئة العادية. - لا تشكل الإعاقة في حد ذاتها سبباً في رفض طلب الانساب أو الدخول إلى أي مؤسسة تربوية أو تعليمية رسمية أو خاصة. - على وزارة التربية والتعليم طرح موضوع الشخص المعوق في طلب برامج التربية المدنية في جميع المدارس. - تطبيق الحملات الإرشادية داخل المؤسسات التعليمية الثانوية لتوجيه الطلاب للاختصاص المطلوبة في مجال الإعاقة. - على وزارة التربية والتعليم مواءمة المدارس والمراكز والمؤسسات التربوية بما يتناسب والشخص المعوق. - إنشاء قسم خاص في وزارة التربية والتعليم للاهتمام باحتياجات الأشخاص المعوقين وتطوير البرامج والمناهج التعليمية الخاصة بما يتلاءم مع فلسفة التعليم العام وحقوق الأفراد في التعليم. - تطوير مراكز التدريب المهني لاستقبال الأشخاص المعوقين كحق لهم في التدريب. - مناهج دراسية للشخص المعوق مع خطوط كبيرة أو لغة برايل. - مهمة الجامعات من خلال برامج التعليم المستمر والمساقات التعليمية وضع البرامج المنهجية حول الإعاقة والبرامج التدريبية الخاصة للكوادر الفنية التي تعمل في هذا المجال لرفع مستوى الخدمات. - استحداث بنات تخصص للكوادر المدعومة والتي تكون قادرة على التدريب والتعليم للمستوى الجامعي."
- 45 تبنت وزارة التربية والتعليم العالي فلسفة التعليم الجامع في العام 1997 وهو التعليم الذي لا يستثني احد من الطلبة بغض النظر عن الصعوبات والاعاقات مراعية الفروق الفردية وملبية للاحتياجات دون وجود سياسة ملزمة في تلك الفترة.
- 46 المصدر: تقرير حول وضع حقوق الانسان في فلسطين 2015، التقرير السنوي 21/ الهيئة المستقلة لحقوق الانسان.
- 47 المصدر: جمعية الرعاية والارتقاء الفلسطينية-فجر، في غزة.
- 48 كما تم تطوير 10 نماذج لتقييم الطفل بحسب العمر. كما تم انجاز مؤشرات خطرة تدل على تأخر في النمو من عمر شهر حتى 3 سنوات (red flags) كما تم انجاز دليل مربيات دور الحضانه وهو في مرحله الاخيره.
- 49 تتفاوت النسب حسب الجهة المشرفة على المدارس حيث تصل الى 91.8% في المدارس الحكومية، 100% في مدارس وكالة الغوث، و 92.7% في المدارس الخاصة.
- 50 كانت هذه واحدة من مخرجات ورش العمل التي تم عقدها لمجلس اطفال فلسطين في رام الله بتاريخ 2016/11/5 في إطار تعريف الاطفال في فلسطين بقيام وزارة التنمية الاجتماعية بإعداد التقارير حول تنفيذ اتفاقيتي الطفل وذوي الاعاقة، حيث تحدثت الاطفال حول وجود حالات كهذه. يذكر بانه تم عقد ورش عمل لمجموعات من الاطفال في الضفة الغربية (شمال وجنوب ووسط) وورشتين في غزة، وورش في منطقة بلدو الكعابنة-منطقة مهمشة. بالإضافة الى التقرير السنوي 21 الصادر عن الهيئة المستقلة لحقوق الانسان لعام 2015 قد تطرق لذلك.
- 51 تنص المادة 12 من قانون حقوق المعوقين لعام 1999: "ضمنان الخدمات الصحية المشمولة في التأمين الصحي الحكومي مجاناً للمعوق ولأسرته، كذلك إعطاء الرعاية الطبية اللازمة بمختلف إعاقاتهم. - تقديم وتطوير خدمات الاكتشاف المبكر للإعاقة والرعاية الصحية المبكرة والعمل مع الأشخاص المعوقين وأسرتهم بهدف منع التدهور الصحي والوظيفي للشخص المعوق. - توفير الأدوات والأجهزة الطبية اللازمة لمساعدة المعوق وتقديم الخدمات الوقائية والعلاجية التي تهدف إلى تقليل نسبة الإعاقة في المجتمع. - توفير العلاجات اللازمة حسب النظام المعمول به وإجراء العمليات الطبية والجراحية والتشخيصية لكل شخص معوق وفي حالة عدم توفرها تتكفل وزارة الصحة بتسديد النفقات أو شراء الخدمة من القطاع الخاص سواء داخل الوطن أو خارجه."
- 52 نصت المادة 12 من اللائحة التنفيذية لعام 2004: "تقوم وزارة الشؤون الاجتماعية بالتنسيق مع الجهات المختصة بالعمل على رعاية وتأهيل المعوقين في المجالات التالية: "أ)التأمين: في المجال الصحي - تشخيص وتصنيف درجة الإعاقة لدى المعوق - ضمان الخدمات الصحية المشمولة في التأمين الصحي الحكومي مجاناً للمعوق ولأسرته، كذلك إعطاء الرعاية الطبية اللازمة بمختلف إعاقاتهم. - تقديم وتطوير خدمات الاكتشاف المبكر للإعاقة والرعاية الصحية المبكرة والعمل مع الأشخاص المعوقين وأسرتهم بهدف منع التدهور الصحي والوظيفي للشخص المعوق. - توفير الأدوات والأجهزة الطبية اللازمة لمساعدة المعوق وتقديم الخدمات الوقائية والعلاجية التي تهدف إلى تقليل نسبة الإعاقة في المجتمع. - توفير العلاجات اللازمة حسب النظام المعمول به وإجراء العمليات الطبية والجراحية والتشخيصية لكل شخص معوق وفي حالة عدم توفرها تتكفل وزارة الصحة بتسديد النفقات أو شراء الخدمة من القطاع الخاص سواء داخل الوطن أو خارجه."
- 53 تقوم وزارة الصحة بناءً على كتاب رسمي من وزارة التنمية أو الاتحاد العام لذوي الاعاقة، بفحص الأشخاص ذوي الإعاقة بمن فيهم الأطفال لتشخيص حالة الإعاقة ونسب العجز وذلك بالاستئناس بالتقارير الطبية التي يصدرها الأطباء الاختصاصيين من المستشفيات المعتمدة.
- 54 تضمنت المادة 4 من قانون حقوق المعوقين الفلسطيني لعام 1999 واجبات الوزارات المختلفة في التأهيل من خلال 1. قيام وزارة التنمية الاجتماعية بالتنسيق مع الوزارات المعنية والجهات الأهلية بوضع برامج تأهيلية وظيفية لجميع فئات الاشخاص ذوي الاعاقة من حيث الاعاقة والأعمار، وللأشخاص ذوي الاعاقة وأسرتهم واتحاداتهم ومؤسساتهم حق المشاركة في وضع السياسات العامة للتأهيل واستراتيجياته 2. قيام وزارة التنمية الاجتماعية بدراسة فلسفة الدمج في عملية التعليم الجامع ومدى توافقها مع الاحتياجات العامة لمرء هؤلاء الأشخاص سواء في رياض الأطفال أو في المراحل الدنيا للتعليم 3. قيام وزارة التربية والتعليم بالاهتمام بالأشخاص ذوي الاعاقة واحتياجاتهم التربوية والتعليمية وتوفير البرامج التعليمية إلى المؤسسات والمراكز الخاصة بالأشخاص ذوي الاعاقات الذهنية والعقلية، أو بطنية التعلم 4. وفي حالة عدم تمكن الوزارة من تأمين الخدمات التعليمية للطلاب ذوي الاعاقة يمكنها شراء هذه الخدمات من المؤسسات الأهلية أو القطاع الخاص...."
- 55 اضافة الى تقديم البرامج والأنشطة التي تسهم في التدريب على الرعاية الذاتية، وتقديم المساعدة والمشورة النفسية والاجتماعية للأشخاص ذوي الاعاقة وذويهم، وتغيير الاتجاهات الأسرية والاجتماعية تجاه الشخص ذي الاعاقة، وتعديل المساكن والمرافق العامة ليسهل على الاشخاص ذوي الاعاقة الوصول إليها.
- 56 تدار هذه اللجان من قبل مجموعات من الشباب والفعاليات الوطنية والإسلامية والاجتماعية بشكل تطوعي، بحيث بلغ متوسط أعضاء الإدارة في كل لجنة من 7-9 أشخاص يمثلون شرائح المجتمع المختلفة. كما يقوم بالعمل مع المعاقين عاملو وعمالات تأهيل بمتوسط 8 أشخاص، من كل لجنة يتقاضون راتباً محدوداً بعد مرورهم بخدمة طوعية لمدة ثلاثة أشهر على الأقل.
- 57 نصت المادة 22 من القانون الاساسي: "1. ينظم القانون خدمات التأمين الاجتماعي والصحي ومعاشات العجز والشيخوخة. 2. رعاية أسر الشهداء والأسرى ورعاية الجرحى والمتضررين والمعاقين واجب ينظم القانون أحكامه، وتكفل السلطة الوطنية لهم خدمات التعليم والتأمين الصحي والاجتماعي."
- 58 نصت المادة 10 من (قانون حقوق المعوقين 1999): "تولي الوزارة التنسيق مع جميع الجهات المعنية للعمل على رعاية وتأهيل المعوقين في المجالات التالية: 1. في المجال الاجتماعي: أ. تحدد طبيعة الإعاقة وبيان درجتها ومدى تأثيرها على أسرة المعوق وتقديم المساعدة المناسبة له. ب. تقديم الخدمات الخاصة بالمعوقين في مجال الرعاية والأغاثة والتدريب والتثقيف وإعطائه الأولوية في برامج التنمية الاسرية. ج. توفير خدمات الرعاية الاجتماعية الايوائية الشديدة والذين ليس لهم من يعولهم. د.

- دعم برامج المشاغل المحمية. هـ. إصدار بطاقة المعوق. ”
- 59 المصدر: استراتيجية قطاع الحماية الاجتماعية 2014-2016.
- 60 المصدر: الهيئة الاستشارية الفلسطينية لتطوير المؤسسات غير الحكومية.
- 61 نصت المادة 26 من القانون الاساسي المعدل لعام 2005 على: “للفلسطينيين حق المشاركة في الحياة السياسية أفراداً وجماعات ولهم على وجه الخصوص الحقوق التالية: 1. تشكيل الاحزاب السياسية والانضمام اليها وفقاً للقانون. 2. تشكيل النقابات والجمعيات والاتحادات والروابط والاندية والمؤسسات الشعبية وفقاً للقانون. 3. التصويت والترشيح في الانتخابات لاختيار ممثلين منهم يتم انتخابهم بالاقتراع العام وفقاً للقانون. 4. تقلد المناصب والوظائف العامة على قاعدة تكافؤ الفرص. 5. عقد الاجتماعات الخاصة دون حضور افراد الشرطة، وعقد الاجتماعات العامة والمواكب والتجمعات في حدود القانون.”
- 62 تمثلت أنشطة اللجنة كذلك: الاطلاع على تجارب محلية ودولية بهذا الخصوص بعمل زيارات خارجية ومنها زيارة دولة السويد من قبل طاقم متخصص. ومواءمة اللجنة لإجراءاتها للأشخاص ذوي الإعاقة؛ حيث تم استحداث برنامج الكتروني لتسجيل الناخبين، وتم وضع بيانات خاصة لدعم الأشخاص ذوي الإعاقة بما لا يؤثر على مشاركتهم الحرة وليكون محل نجاح لاعداد الخطط اللازمة لهم عند معرفة اعدادهم وطبيعية اعاقاتهم بمختلف انواعها. كما تم إنتاج مواد توعوية مرئية ومسموعة ومنشورات باللغات والأنظمة التي تتواءم مع مختلف أنواع الإعاقة، وكذلك مواءمة الموقع الالكتروني الخاص باللجنة؛ حيث تم إنتاج فلم وثائقي و3 بوستات تلفزيونية و3 بروشورات وثلاث مطويات لتوعية الأشخاص ذوي الإعاقة. وايضا تنفيذ 35 ورشة عمل توعوية استهدفت الأشخاص ذوي الإعاقة في كافة المحافظات؛ حضر الورشات حوالي 860 شخص من ذوي الإعاقة. تم إجراء محاكاة للعملية الانتخابية في 6 مدارس للأشخاص ذوي الإعاقة شملت 223 طالب وطالبة في الضفة و2 في غزة. كما قامت اللجنة ببناء كادر من الأشخاص ذوي الإعاقة ليكون ضمن الطواقم الانتخابية أثناء تنفيذ الانتخابات بتدريب 40 شخص منهم في غزة والضفة، وقامت بإطلاق حملة إعلامية وتوعوية شاملة حول مشاركة الأشخاص ذوي الإعاقة بالانتخابات وفي الحياة السياسية بشكل عام، تشمل كافة المؤسسات الوطنية والأهلية والرسمية.
- 63 تكون بيانات الهيئة العامة مسجلة في فروع الاتحاد حسب: الاسم، رقم الهوية، تاريخ الميلاد، الجنس، العنوان بشكل تفصيلي، المؤهل العلمي، طبيعة العمل، الحالة الاجتماعية، درجة الإعاقة، صوره شخصية، نوع الاحتياج من الأدوات المساعدة، نوع الإعاقة، رقم الهاتف والجوال، نوع الخدمة المقدمة، أي ملاحظات أخرى يتم تعيبتها.
- 64 تم اشراك الاشخاص ذوي الاعاقة في فعاليات يوم الثقافة الوطنية ويوم التراث، حيث تعمل وزارة الثقافة على الاعداد لمعرض تراث في مجمع مركز بلدنا الثقافي والذي يضم جميع المؤسسات التي تعنى بالتراث لدعم هذه المؤسسات وطلابها والهدف منه ترويجي وزيادة الدخل المادي للمؤسسات التي تعمل مع الاشخاص ذوي الاعاقة.
- 65 مكثبات الالعاب التربوية والترفيهية التي تم تجهيزها: مثل جمعية الياسمين وجمعية الاحسان كما تم دعم وتجهيز مكتبة بريل لجمعية البصيرة بمدينة جنين.
- 66 شاركت الهيئة العامة للاذاعة والتلفزيون بورقة عمل بحثية من إعداد الجوهري/مقدم البرنامج من الاشخاص ذوي الاعاقة، والتي حملت عنوان “تداعيات الحروب وآثارها السلبية على الأشخاص ذوي الإعاقة من منظور إعلامي واعى”؛ وتمت المشاركة في العديد من المؤتمرات الدولية في تونس، والمغرب، ومصر.
- 67 نصت المادة 8 من قانون الطفل الفلسطيني المعدل لعام 2004 على: “تتخذ الدولة الإجراءات والتدابير المناسبة لضمان تمتع الأطفال ذوي الإحتياجات الخاصة بالرعاية اللازمة في المجالات كافة وبخاصة التعليم والصحة والتأهيل المهني لتعزيز إعتمادهم على النفس وضمان مشاركتهم الفاعلة في المجتمع.”
- 68 وتعتمد النيابة العامة في قضايا الاعتداءات الجنسية الى التقصي عن الجرم المرتكب والتوسع بمجريات التحقيق تبعاً لتضارب المصالح فيما إذا كان الاعتداء الواقع داخل نطاق الاسرة او خارجها؛ حيث يتم توفير الحماية التي تشمل الدعم النفسي والايواء اذا تطلب الامر، وفقاً لما تقتضيه المصلحة الفضلى للطفل أو المرأة.
- 69 الاستراتيجية الوطنية للصحة النفسية للأعوام 2015-2019.
- 70 على مستوى الارشقة، بدأت النيابة العامة بأرشفة البيانات الخاصة بالأحداث من ذوي الاعاقة، ولا يزال ذلك في طور التدقيق.
- 71 وقد تم تحديد مجموعة من الأنشطة التي تنفذها مكونات النظام الإحصائي الوطني لتحقيق هدف تعزيز استخدام الإحصاءات في رسم السياسات، من خلال تطوير تقارير ملخصة ومركزة ونشرت ودراسات، وبناء قواعد بيانات مختلفة، وعقد ورش عمل وأنشطة توعوية تستهدف فئة صناع القرار في القطاعين العام والخاص.
- 72 المصدر: تقرير حول وضع حقوق الانسان في فلسطين 2015، الهيئة المستقلة لحقوق الانسان.
- 73 المصدر: تقرير حول وضع حقوق الانسان في فلسطين 2015، الهيئة المستقلة لحقوق الانسان.