

## Introduction

1. This report was prepared in cooperation and on behalf of a coalition of The Palestinian disability Forum – PDF and associations in Lebanon, which operate in the field of disability working in the Palestinian communities in Lebanon. It is a network that contains various associations and organizations working in the field of disability, including UNRWA and international NGOs. The alliance of Palestinian disability Forum aims for coordination between the various parties, so as to promote the rights of people with disabilities to be independent and ask for their rights in accordance with the Convention on the Rights of People with Disabilities and the related conventions and provide services of various kinds of rehabilitation and secure some needs.
2. The PDF and Mousawat Organization has organized courses and workshops within associations and organizations for rehabilitation of activists working in the field of disability in Palestinian Communities in Lebanon in the preparation of the universal periodic report on the situation of Palestinian refugees with disability, training on the International Human Rights protection mechanism and tools, Universal Periodic Review UPR and reporting in order to develop an comprehensive action plan for UPR report concerning the situation of Palestinian refugees with disabilities, followed-up with focused groups in order to classify and lay the foundations for the prominent violations against Palestinian refugees with disabilities in Lebanon, which is reflected in this report.
3. This report focuses on and highlights the main dire human rights violations which the PDF and associations of disability in Lebanon, contributed to laying the Human Rights violations reflected in this report. This is to contribute in the monitor and the extent of progress implementation and commitment accepted, and the extent of how the Lebanese government fulfills its promises in the Universal Periodic Review Lebanon 2010.
4. The principle concept of the protection the rights of people with disabilities has been adopted since the Universal Declaration of Human Rights in 1948 and a series of instruments and international conventions concerned with the protection of human rights in general or on the categories of people with disabilities, but the Lebanese government did not fulfill its promises and ratify the International Convention on the Rights of People with Disabilities (CRPD) and the optional protocol annexed to it, based on the obligations of the Lebanese government in the international conventions ratified and signed, it is worth mentioning that in the introduction of the Lebanese constitution paragraph (b): states that "Lebanon is a founding and active member of the United Nations and abides by its covenants and the Universal Declaration of Human Rights."
5. In 2000, the Lebanese government has issued law 220, which guarantees at a high percentage the adoption of the fundamental rights of people with disabilities. It was not based fully and clearly on the concept of integration and independence in the adoption of services for people with disabilities with the absence and / or complete ambiguity of applied mechanisms. The law left for the concerned ministries and departments to put enforcement mechanisms, according to what is fit, in the absence of a apparent mechanism that highlights the violations related to work in terms of rejecting employment requests the, and health services in terms of hospitals refuse to receive people with disabilities and the justified delay in obtaining a rehabilitative treatment and education for the reason that not adapting the curricula to the needs of people with disability.

6. The Palestinian refugees with disabilities are exposed to multiple forms of discrimination and deprivation within the laws and procedures and restrictions that keep the legal status free of any clear and binding framework to provide them with protection, although law 220/2000 states the definition of a "disabled person" and not a Lebanese person with a disability. The law does not limit the practice of rights granted by the law and the regulations for any nationality, although it deprives the Palestinian refugees with disabilities by the law 220/2000 and not benefit from the services and privileges granted by law, which exerted a huge burden on Palestinian refugees with disabilities who are the most marginalized and the volume of suffering and deprivation increased. They are exposed to marginalization and exclusion within the community and the extent of negative repercussions on their right in legal personality as a disabled person, the freedom of movement, travel and residence, the right of accessing the facilities independently, the right of health and rehabilitation, the right of work, the right of education, the right of adequate housing, the right to own a property, the right of founding associations, the right to freedom of opinion and expression, and the right of protection for Palestinian refugees with disabilities within the family, and respect of privacy.
7. The Palestinian Disability Forum and various service providers for people with disabilities in Palestinian community, including UNRWA suffer lack of fund and the ability to provide appropriate services and needs. They also suffer from its inability to ensure the sustainability of specialized rehabilitation projects.
8. Although Lebanon has accepted the recommendations of the report, "The Working Group on the Universal Periodic Review of Lebanon" A/ HRC / 16/18, dated 12 March (January 2011), which is 80 (1-2-3-4-5-6 -21-22-23-24-25-29-32-33) the Lebanese government did not comply with the terms of the signing and/or ratifying the conventions mentioned in the recommendations and or take an appropriate actions, contrary to the support of the Lebanese government in front of the international community.<sup>1</sup> The Lebanese government has to respond and ratify the international conventions for the Rights of People with Disabilities and the optional protocol thereto.
9. Although Lebanon claimed that the recommendations of the report mentioned "The Working Group on the Universal Periodic Review of Lebanon" A/ HRC / 16/18 on January 12 is being implemented or carried out, but the only recommendation 81 (1-2-3 -10) is carried out by the issuance of law 164/2011 "punishment of the crime of trafficking in persons" and 81 recommendations remained (1-2-10-14-15-17-21-25-26) being implemented and did not make any significant progress in recommendations 81 (4- 7-8-9-13-16-21)<sup>2</sup>

## **10. The right to recognize the legal status of the Palestinian refugee with disabilities**

### **10.1 Denial of the Palestinian person with disabilities from the "disabled personal card."**

Article 220/2000 in the Lebanese law, paragraph A states: "for each disabled person who listed his disability in the list mentioned in Article III of this law has the right to obtain a personal identity card which enables him to exercise the rights and privileges granted by

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<sup>1</sup> <https://www1.umn.edu/humanrts/arabic/AR-HRC/AHRC16-58.pdf>

<sup>2</sup> <https://www1.umn.edu/humanrts/arabic/AR-HRC/AHRC16-58.pdf>

the laws and in force regulations". It is noted that the law 220/2000 did not exclude the Palestinian person with disability and did not restrict the practice of the rights and privileges granted by the law and in force regulations of any nationality. Although the same law article IV, paragraph (b) considers that "This card is the only way to prove the disability" has been limited to prove the disability for Lebanese government.

**10.2 Deprivation of Palestinian refugees with disabilities who lost their identity documents from all the services and obtaining an evidence for their personality and prove their disability**

The Lebanese government deprives and discriminates the disabled and most marginalized category and deprives them from all benefits of the Lebanese government and even the civil community grants. The Lebanese government has stopped issuing any legal identity card. Although law 220/2000 did not specify whether the condition of the nationality or not but this category also was deprived from the personal identity card of the disabled person, which is the only proof of disability by the Lebanese government.

**10.3 Denial of the Palestinian person with a disability from Syria to Lebanon to benefit from the contributions of the Lebanese government**

The Lebanese government does not sensitize and deprived the forcing Palestinian refugees with disability to flee from Syria to Lebanon due to Syrian civil war, and not allow them to enjoy the rights and privileges granted by laws 220/2000. Even the UNHCR did not consider them as one of the most vulnerable and marginalized categories because of the lack of recognition by the Lebanese government as refugees

**10.4 Recommendation 1:**

*The Lebanese government has to enforce law 220/2000 and ensure that the Palestinian refugees with disability enjoying the rights and privileges granted by law 220/2000 for them.*

**10.5 Recommendation 2:**

*The Lebanese government has to issue a "disabled personal card" for the disabled Palestinian refugee as enforcement of the law 220/2000.*

**10.6 Recommendation 3:**

*The Lebanese government grants official identification sustainable documentation and issuing a personal disabled card of disabled Palestinian refugees which ensures their legal personality and protects their human dignity equally to other people with disabilities in Lebanon.*

**10.7 Recommendation 4:**

*The Lebanese government should enforce the law 220/2000 and ensure the right of the Palestinian refugees with disability from Syria to Lebanon to enjoy the rights and privileges granted by the law 220/2000.*

**11. The right of moving, accommodation and travel**

**11.1 Difficulties in the movement of the Palestinian refugees with disability because of putting barriers not equipped for crossing people with disabilities to and from the Palestinian refugees camps**

The Lebanese government did not equip the military checkpoints at the entrances of the Palestinian refugees camps, with the necessary equipment to deal with this category and facilitate its passing, leading to the obstruction of movement of the Palestinian refugees with disabilities while entering and exiting to the camp, and this is contrary the Law 220/2000 and international conventions.

**11.2 Deprivation of people with disabilities in the camps of equipped public facilities**

The Lebanese government violates the law 220/2000 article 33, which states: "Every disabled person has the right in an accessible environment, in the sense that every person with a disability has the right to access anywhere the disabled person can" but the buildings, facilities, public and private utilities and roads, buildings and facilities inside the camps are not equipped and qualified for public or private use which are not conformable with the standards and according to the conditions stipulated in this law. The absence of proper and timely adjustments which imposes an additional unnecessary burden, and that they are needed in a particular case, leads to the obstruction and depriving the Palestinian refugees with disability.

**11.3 Deprivation of the Palestinian person with disability to benefit from public transport in Lebanon**

Most public transport in Lebanon which is made of buses and cars are not eligible for use by people with disabilities, which impede their movement. The absence of accessible adjustments and appropriate arrangements impose an inappropriate or unnecessary burden, there is a need in a particular case, which lead to disruption of the Palestinian refugees with disability from the freedom of movement.

**11.4 Putting social restrictions on the Palestinian refugee women with disabilities which limits and thus prevents her from the right to move**

Women and girls with disabilities are subject to multiple forms of discrimination and violence in the family and society because of the many habits and traditions based on the idea that women with disabilities are vulnerable and unable, as well as they did not receive the necessary protection and assistance within families. That prevents the full enjoyment of human rights equally with others, although law 293/2014 "Protection of Women and other family members from domestic violence Act," did not recognize women with disabilities within the law, which exposed them to isolation and limit their movement and denial of access to services independently.

**11.5 Restriction of movement and access to public facilities (Directorate-General for Political Affairs, Refugees, and public security centers outside Beirut) for the disabled Palestinian refugee**

The procedures and arrangements for giving a special card and a travel document for the Palestinian refugees with disabilities requires to goes to the Directorate General for Political Affairs, since the Palestinian person with a disability from Syria to Lebanon require to goes frequently to the public security centers, where most of the centers are not equipped to receive them and facilitate their access.

**11.6 Recommendation 5:**

*The Lebanese government should enforce law 220/2000 and equip the check points with the necessary equipment and training needed to deal with the Palestinian refugees with disability and facilitate passing and movement during the entry and exit to camps.*

**11.7 Recommendation 6:**

*The Lebanese government should enforce law 220/2000 and build public facilities and prepare them for accessibility and the services provided through them. It should ensure also the necessary adjustments and the appropriate arrangements to facilitate the accessibility.*

**11.8 Recommendation 7:**

*The Lebanese government has to take all appropriate administrative measures to enforce the rights within the law 220/2000 and facilitate the use and access of public transport in accordance with international safety standards.*

**11.9 Recommendation 8:**

*Amend law 293/2014 "Protection of women and other family members from domestic violence" in order to ensure protection for Palestinian people with disabilities within families.*

**11.10 Recommendation 9:**

*The Lebanese government should take the necessary action to ensure that the Palestinian refugees with a disability from Syria enjoys the rights and privileges granted by the applicable laws and regulations, specifically the right to choose his legal representative or his/her right to be represented by a guardian legitimate or a family member who is civilly capable.*

**11.11 Recommendation 10:**

*The Lebanese government has to equip the centers with equipment required for the arrival of the Palestinian person with disability at the Directorate General for Political Affairs, and public security centers. In addition to taking facilitative arrangements to facilitate the residency stay of the Palestinian refugees with disability from Syria or whoever represents him before the law as an enforcement of the law 220/2000.*

**12. The right to access facilities with complete independence**

**12.1 Deprivation of Palestinian refugees with disabilities from accessing, living independently and participating fully in all aspects of life.**

The Lebanese government does not guarantee the right of Palestinian refugees with disabilities to access the surrounding environment and transportation, and did not remove the barriers for their access to buildings, roads and other facilities indoor and outdoor in full independence, including schools, housing, medical facilities and workplaces. The same applies to access information and communication and other services, such as electronic services and emergency. The law 220/2000 states in the general cationic "social

integration opportunities in utmost independence, thus enabling the disabled person to play the role of an effective and positive citizen and dedicate it in a clearly in the law."

#### **12.2 Recommendation 11:**

*The Lebanese government should enforce law 220/2000 and approve procedures and decrees to ensure that Palestinian refugees with disabilities access anywhere they can independently, and their specifications should be correspondent to the standards in accordance with the terms and regulations set forth in the law.*

### **13 The right of health and rehabilitation**

#### **13.1 Deprivation of the Palestinian refugees with disability from medical care and rehabilitation**

The Palestinian refugee with disability does not benefit from the rights enjoyed by Lebanese people with disabilities, although law 220/2000 does not exclude the Palestinian person with disability from this right saying "disabled persons" and not a Lebanese disabled. As Article 27 guarantees the right of a disabled Palestinian refugee in "health and rehabilitation services, all support services at the expense of the state," but deprived from accessing the health services, rehabilitation and support services enjoying the health levels on the basis of disability, and technical aids and equipment services from mobile and fixed prosthetic devices, including the rehabilitation of health services, sexual health services and reproductive health and public health programs.

#### **13.2 Deprivation of the Palestinian refugees with disability such as physical disability to benefit from the presentations and physical therapy centers**

Article 27 B (3-4) of law 220/2000 ensures "internal and external specialist rehabilitation treatment) (physiotherapy, occupational therapy, audiovisual therapy, psycho therapy ...) and (technical aids and equipment of mobile and fixed prosthetic devices (parts and headsets, artificial eye, etc.), corrective forms, and mobility aids such as mobile chairs (sticks and crutches) enuresis dual aids dual smooth to prevent all sores and all implants used in surgical operations that this services include maintenance when it is needed), "but the Palestinian refugees who have motor disabilities are deprived from benefitting from privileges and physiotherapy centers. They are the largest rate among the Palestinian people with disabilities, as they are in constant need of health care and physical therapy on ongoing basis, and its prevention can lead to serious and deadly consequences, independence and maintaining this independence.

#### **13.3 Deprivation of a Palestinian child with disability from medical and health care**

The Palestinian refugee child with disability is deprive from early detection and intervention when appropriate, and services that aim to minimize disabilities and prevent more to happen that negatively reflect on their human dignity, independency and needs. The lack of health care for the Palestinian newborn child with disability makes their situation, and there is high death rate among Palestinian refugees children with disability.

#### **13.4 Recommendation 12:**

*The Lebanese government should implement and enforce law 220/2000 to ensure the right of the Palestinian refugees with disability in enjoying the rights, privileges and*

*benefit from health and rehabilitation services, which are granted to them by law 220/2000.*

### **13.5 Recommendation 13:**

*The Lebanese government should modify law 220/2000 to include the accessible health care needed for a Palestinian child with disability, this is in application to the Convention on the Rights of the Child, ratified by Lebanon, which is recognized by article 23 about the right of the disabled child in the free health care.*

## **14 The right to work**

### **14.1 Deprivation and restrictions on Palestinian refugees with disability on labour, employment and social benefits**

The Lebanese government denied the Palestinian person with disability from the rights enjoyed by the Lebanese people with disabilities, even though law 220/2000 does not exclude the Palestinian refugee. Section 8 article 68 in the law stated "the right of the person with disabilities in work, employment and social benefits", but the Lebanese government insisted that the Palestinian refugees with disability is subject to the Lebanese labour law 129/2010, which does not sensitize their status as Palestinian refugees with disability in Lebanon, and they are subject to the provisions of the laws that govern the work of foreigners, and deprive them of social services too.

### **14.2 Depriving Palestinian refugees with disabilities from being directed to the labour market**

The Lebanese government deprives Palestinian refugees with disabilities who are eighteen years old, from rehabilitation, and directs them to the ordinary labor market, even though law 220/2000 article 70 has guaranteed for them this right. Not providing an opportunity for Palestinian refugees with disability to gain their livelihood in a work chosen freely in a labour market and work in an unsuitable environment and thus does not find new jobs that protects their independency and live in dignity.

### **14.3 Depriving Palestinian refugees with disabilities from unemployment compensation**

The Lebanese government deprives the Palestinian refugees with disability from their right to benefit from unemployment compensation, although law 220/2000 article 71 has secured this right for them as "every person who holds a disabled personal card and completed eighteen years of age, is considered unemployed if thier meets the conditions and criteria that are issued by a decree from the Council of Ministers according to a proposal from the Minister of Labour after consulting the Ministry of Social Affairs, then grant the right to take advantage of the unemployment compensation which is seventy-five percent of the minimum wages, paid by the Ministry of Labour."

### **14.4 Recommendation 14:**

*The Lebanese government has to implement and enforce law 220/2000 and guarantee the right of Palestinian refugees with disabilities to enjoy the rights and privileges granted by law 220/2000 instead of being subject to the law of labour 129/2010.*

## **15 The right of education**

### **15.1 Depriving Palestinian refugees with disability from education and sports**

The law 220/2000 gives the people with disability the right in education and sports as stated article 59 "every disabled person has the right of education, in the sense that the law guarantees equal opportunities of education to all those people with disabilities to children and adults in all educational institutions from all kind in regular classes or in private ones if necessary, "which prevents and deprives Palestinian refugees with disability from the chance to enjoy an educational opportunity equally to the Lebanese person with disability.

### **15.2 Recommendation 15:**

*The Lebanese government should implement and enforce law 220/2000 and ensures the right of Palestinian refugees with disabilities from education and sports granted by law 220/2000.*

## **16 The right to adequate housing**

### **16.1 Depriving Palestinian refugees with disability from adequate and rehabilitated housing**

The Lebanese government deprives Palestinian refugees with disability from the right of adequate and rehabilitated housing although law 220/2000 article 55, paragraph b states "the permanent or seasonal special residential areas should include eligible housing according to the minimum standards for buildings and facilities in addition to the standards imposed on the entrances, parking and other public spaces, in a way to be adequate for the use of people with disabilities whose mobility is limited (for example: people who use mobile chairs) in a ratio of two percent (2%) of the total number of houses. The ratio resulting from the calculation is rounded up "this may guarantee their right in an adequate housing under the criteria listed in the law. The Palestinian refugee camps are deprived from the care of the Lebanese government and lack the basic standards for minimum decent housing such as eligible buildings and residences that hinder facilitative arrangements for people with disabilities to live in a healthy environment.

### **16.2 Recommendation 16:**

*The Lebanese government should apply law 220/2000 on the nurture to ensure adequate housing in accordance within the basic standards of buildings and facilities for disabled Palestinian refugees.*

## **17 The right to own a property**

### **17.1 Deprivation and Expropriation of Palestinian refugees with disability from possession and also who possessed any property before 2001 and did not complete the registration in the responsible departments**

Exemptions of Palestinian people with disabilities in Lebanon from possession because they do not have the nationality of a recognized state. Under the pretext of refusing settlement of the Palestinians in accordance with law 296/2001, the property that is purchased and its price was paid before amending law 296/2001, and whose owners did not finish registration procedures prior to this date, has become now unable to be registered in the official real estate department because of the deliberate misinterpretation



of the law. Arbitrary actions by the real estate department deprived Palestinian refugees from transferring the ownership of property that was not registered before the enforcement of the inventory legacy issued by the spiritual courts, although law 296/2001 did not prevent it. Some of the victims who are forced to go to the justice and this poses additional financial burden, it is worth mentioning that the Lebanese judiciary is no longer looking in similar cases since 2014.

#### **17.2 Recommendation 17:**

*Stop compound discrimination against the Palestinian refugee and issuing the legal amendment that allows them to own property and stop arbitrary action that prevent the registration of the real property purchased before amended law 296/2010 and stop the discriminatory actions and complications the ownership transfer of the inherited property.*

### **18 The right to establish associations**

#### **18.1 Palestinian refugees with disabilities in Lebanon are prevented from the right to form associations and there are restrictions imposed on them and on their participation in the association.**

The fact that the Palestinian refugees are sometimes classified as special categories and at other times foreigners; they are deprived from forming associations and imposing restrictions on their participation because the operational procedures of the law didn't recognize the special status of Palestinian refugees. Every association is considered: "already run by foreigners; or its administration has foreign members; or at least a quarter of the members are foreigners." The foreign association is subject to a special law which is resolution no. 369 to L.R. - issued on 21/12/1939 as stated in article three of this law. Its creation also requires a special decree issued by the Council of Ministers.

#### **18.2 The Palestinian refugees with disability are deprived from the right to participate, vote and to run for elections for membership of the committees within law 220/2000**

The law 220/2000 did not give the Palestinian refugees with disability the right to participate, vote and run for elections to the committees set forth in the law itself, but they are deprived from the right to participate and to accept the request of his candidacy for membership of these committees.

#### **18.3 Recommendation 18:**

*Legalizing the establishment of associations for the disabled of Palestinian refugees in Lebanon, just like the Lebanese citizens with disabilities, and not being satisfied only by the concept " blind eye " as a contribution in the development of institutionalization and democratization of the existing Palestinian associations.*

#### **18.4 Recommendation 19:**

*The Lebanese government should implement and enforce law 220/2000 in order to ensure their right to enjoy vote and run for membership committees set within the law.*

### **19 The right in freedom of opinion and expression**

### **19.1 Restrict the freedom of expression by the Lebanese only and depriving Palestinian refugees with disability from it**

Decision 352 issued on 20/02/2006 by the Ministry of Interior and Municipalities that restricts the right to express their opinion by organizing Lebanese assembly only, while the Palestinian refugees with disability were forbidden from the right to organize assembly where paragraph 3 of the article 1 of the resolution stated clearly "The organizers of the demonstration must be Lebanese." Also the Palestinian refugees with disabilities from Syria are suffering from the same violation.

### **19.2 Recommendation 20:**

*Issuing a decision that permits the Palestinian refugees with disabilities to express their opinion through demonstrations and peaceful assembly without any hindrance.*

### **19.3 Recommendation 21:**

*The Lebanese government should provide legal and technical assistance to the Palestinians who work with this group of the Palestinian refugees in Lebanon.*

## **20 The right of the Palestinian with disability to be protected within the family**

### **20.1 The Palestinian refugees with disability are deprived from protection of the law 293/2014 "the protection of women and other family members from domestic violence."**

Since the law did not recognize people with disabilities in general and Palestinian refugees with disabilities in particular, and did not mention them despite their need for protection and special care as well as the weakness of the procedural justice in Lebanon, and its absence in the camps and in addition to the customs and traditions, which control the Palestinian communities.

### **20.2 Recommendation 22:**

*The Lebanese government should amend law 293/2014 in a way that recognizes the situation of people with disabilities in Lebanon*

### **20.3 Recommendation 23:**

*The Lebanese government should strengthen the procedural justice that recognizes the Palestinian refugee's with disability through training, rehabilitation and preparation in Lebanon, especially in the camps, and / or legalization of what is acting on its behalf within the camps (security and popular committees).*

## **21 Respect Privacy**

### **21.1 Palestinian refugees with disabilities are deprived from privacy**

The Palestinian person with disability is exposed, in their place of residence or his livelihood arrangements, to arbitrary or unlawful interference to his privacy, or his family, his home or his correspondence, nor the means of communication he uses, and to the attack and lack of protection under the law.

### **21.2 Recommendation 24:**

*The Lebanese government should take all action to protect the privacy of Palestinian refugees with disabilities.*