



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of the State of Palestine*

A. Purpose and general obligations (arts. 1–4)

1. Please provide information about:

(a) Measures taken to publish the Convention and its Optional Protocol in the official gazette of the State party and enable their direct application in the domestic legal system;

(b) The current status and the time frame to adopt a new disability law that is compatible with the concept of disability in the Convention and a gender perspective, measures to address fragmentation in the legal system, which entail varying degrees of protection for persons with disabilities, particularly in the West Bank and the Gaza Strip, and about the progress achieved in the work of the legislation harmonization committee formed in 2017 to amend legislation and administrative procedures and to bring them into line with the Convention;

(c) Measures taken to ensure the protection of the rights of persons with disabilities across its territory, in particular the Gaza Strip, the West Bank, including East Jerusalem, including in areas in the West Bank in which the Palestinian Authority has limited control;

(d) The current status and achievements of the National Strategic Framework for Disability and steps taken to develop a national strategy and action plans to implement the Convention, including their budget allocations and measures taken to implement disability-related policies, particularly concerning inclusive education and health insurance;

(e) Measures taken to reach out to persons with disabilities, including in the Gaza Strip, in particular refugee and internally displaced persons with disabilities and persons with disabilities still living in institutions, and to collect systematically up-to-date data disaggregated by age, sex, gender, ethnic origin and place of residence.

2. Please provide information about:

(a) The legal status of the Higher Council for Persons with Disabilities, its human, technical and financial resources to comply with its oversight role and mechanisms for grass-roots organizations of persons with disabilities to participate in it, alongside the appointed representatives;

(b) Mechanisms and methodologies to ensure the involvement and consultation of persons with disabilities through their representative organizations across all government sectors and levels of administration;

* Adopted by the pre-sessional working group at its seventeenth session (27–31 March 2023).



(c) Measures to promote the establishment and to strengthen the work of organizations of women and girls with disabilities, organizations of persons with intellectual or psychosocial disabilities, and organizations of internally displaced and refugee persons with disabilities.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

3. Please inform the Committee about:

(a) Measures taken to eliminate all forms of discrimination against persons with disabilities, including in legislation and in practice, and to eliminate disability stereotypes and stigma;

(b) Measures to prevent and eliminate multiple and intersectional discrimination against women and girls with disabilities, including discriminatory customary practices and legislation, all forms of gender-based violence and prejudice and isolation of girls and young women with disabilities at home;

(c) The situation of Bedouin and herder persons with disabilities in the West Bank and the extent to which they have been included in strategies and programmes for persons with disabilities;

(d) Remedies and redress mechanisms available in cases of discrimination against persons with disabilities and accessible formats to submit claims;

(e) Mechanisms for recognition of reasonable accommodation for persons with disabilities, in all areas of life, and the lack of reasonable accommodation as a form of discrimination.

Women with disabilities (art. 6)

4. Please inform the Committee about:

(a) Measures taken to address the limited participation of women with disabilities in public life, employment, education and leisure, to ensure the exercise of their right to marriage and their right to live independently and in the community;

(b) Mechanisms to consult with and facilitate involvement of organizations of women with disabilities concerning programmes carried out by the Ministry of Women's Affairs and consultative bodies, such as the legislation harmonization committee and the Higher Council for Persons with Disabilities;

(c) Measures to promote economic empowerment of women and girls with disabilities and their autonomy in managing their income.

Children with disabilities (art. 7)

5. Please provide information about:

(a) The situation of children with disabilities in the Gaza Strip, particularly concerning measures to ensure their adequate standard of living, including access to food, drinking water, clothing and housing, and to address malnutrition in the context of conflict and occupation, including the blockade;

(b) Measures to implement the recommendations issued by the Committee on the Rights of the Child, in 2020,¹ particularly concerning measures to eliminate stigmatization, prejudice, abandonment and concealment and multiple forms of discrimination against children with disabilities;

¹ CRC/C/PSE/CO/1, para. 49.

(c) Actual participation of children with disabilities in the student parliaments formed by the Ministry of Education and Higher Education, as well as their representation in the Palestine Children's Council;

(d) Services offered to Palestinian refugee and internally displaced children with disabilities to ensure that they are treated equally with other children.

Awareness-raising (art. 8)

6. Please provide information about:

(a) Measures taken to eliminate disability stigma and the use of discriminatory language affecting persons with disabilities, in particular persons with intellectual or psychosocial disabilities and to raise awareness among journalists and on social media about the rights and dignity of persons with disabilities;

(b) Involvement of persons with disabilities through their representative organizations in the planning, implementation and monitoring of awareness-raising activities, including in campaigns carried out by the Ministry of Social Development acting in partnership with the Ministry of Information. Please also give an indication of the budget allocated to enable persons with disabilities and their representative organizations to meaningfully participate;

(c) Measures taken to revitalize the activities of the disability sector media advocacy network.

Accessibility (art. 9)

7. Please provide updated information about:

(a) Progress in adopting a national accessibility plan and completing reform of the Building Code concerning accessibility;

(b) Measures taken to eliminate barriers to access the built environment, transportation, information and communications and services open or provided to the public, including in the Gaza Strip;

(c) Progress made to ensure accessibility in schools, universities, companies, banks and service centres, including by ensuring ramps, parking spaces for persons with disabilities, Braille signage and sign language interpreters;

(d) Mechanisms for persons with disabilities to raise complaints concerning lack of accessibility and request accessibility measures, and about sanctions imposed in cases of violation of the duty to adapt and ensure accessibility, as provided for in the Rights of Persons with Disabilities Act;

(e) Measures to ensure that persons with disabilities have access to information, communications and technology, including the necessary equipment at an affordable cost.

Right to life (art. 10)

8. Please provide information about:

(a) Measures taken to protect the life and integrity of persons with disabilities and to investigate reported deaths of persons with disabilities, including children with disabilities, still living in institutions and to prosecute and convict perpetrators;

(b) Measures taken to ensure the right to life of persons with disabilities in the context of conflict and occupation;

(c) The number of deaths, missing persons and directly affected persons attributed to disasters for every 100,000 people, disaggregated by sex, age and disability (indicator 1.5.1 of the Sustainable Development Goals).

Situations of risk and humanitarian emergencies (art. 11)

9. Please provide information about:

- (a) Measures taken to ensure respect for all the human rights of persons with disabilities and their safety and security in the context of conflict and the occupation by Israel, including during military operations, and specific measures to tackle and address the impacts of restrictions on freedom of movement and on the rights to family life, education, health, work and an adequate standard of living of persons with disabilities;
- (b) Early warning mechanisms and evacuation plans that are accessible for persons with disabilities during military operations and measures to ensure protection of civilian buildings in which persons with disabilities are reported to live;
- (c) Measures taken to ensure access to humanitarian response and recovery by persons with disabilities in the Gaza Strip and the West Bank, including East Jerusalem, and plans for an enduring recovery from the effects of conflict, occupation and the blockade, and to involve organizations of persons with disabilities in reconstruction and attempts at reconciliation and peace. Please also provide information about the proportion of aid recipients with disabilities, compared with the proportion of persons with disabilities in the population, disaggregated by sex, age and disability;
- (d) Measures taken to guarantee continuous and unrestricted access to prosthetic and assistive devices, spare parts and batteries, health care and electricity by persons with disabilities, including children with disabilities in the Gaza Strip, and to facilitate training on methods of evaluation, maintenance of devices and rehabilitation, including in relation to hearing impairments;
- (e) Measures taken to ensure that persons with disabilities through their representative organizations are consulted and actively involved in strategies and programmes related to humanitarian response and recovery, as well as their periodic monitoring and evaluation. Please elaborate on information about measures to ensure inclusion of persons with disabilities in strategies and plans for refugee and internally displaced persons;
- (f) Measures taken to protect persons with disabilities, including women, older persons and children with disabilities, during the coronavirus disease (COVID-19) pandemic and other emergency situations, the impact of these measures and the mainstreaming of a disability perspective in recovery plans.

Equal recognition before the law (art. 12)

10. Please inform the Committee about the measures taken to:

- (a) Revise discriminatory provisions in personal status laws, including those applicable in the Gaza Strip and the West Bank, that restrict legal capacity and subject persons with intellectual or psychosocial disabilities to guardianship, and establish supported decision-making mechanisms in all areas of life;
- (b) Eliminate prejudice in families and in society, which undermine the exercise of legal capacity of persons with disabilities;
- (c) Ensure that support provided to persons with disabilities respects their rights, autonomy, will and preferences, and protect persons with disabilities from undue influence and conflicts of interest.

Access to justice (art. 13)

11. With reference to the information in the State party's report indicating that the sharia courts hold persons with intellectual disabilities to be incapable of litigation and cognizance and that the quarantine rule imposed on assets of persons with intellectual disabilities by the Bureau of the Chief Qadi (paras. 133, 139 and 140 of the State party's report), please provide information about measures to ensure that interpretation and application of Palestinian law by the Bureau of the Chief Qadi and sharia courts comply with the State party's obligations under the Convention. Please also describe:

- (a) Procedural accommodation for persons with disabilities throughout legal processes in all areas of law and mechanisms to request procedural accommodation, including before sharia courts;
- (b) Measures taken to ensure access to justice to persons with disabilities in the Gaza Strip and in the West Bank, including East Jerusalem, including victims and witnesses of excessive use of force, abuse and injuries;
- (c) Accessible information and mechanisms to facilitate persons with disabilities' access to legal aid, particularly persons with disabilities in situations of poverty, access to remedies and redress before the judiciary, alternative dispute resolution mechanisms and restorative justice;
- (d) Measures taken to raise awareness and training for police officers, prosecutors, judges, lawyers and court personnel about the provisions of the Convention and its application in cases under their jurisdiction.

Liberty and security of person (art. 14)

12. Please provide information about:

- (a) Measures to prevent involuntary deprivation of liberty, including institutionalization in psychiatric facilities and residential care homes on the basis of disability, and about remedies available for persons with disabilities who are survivors of institutionalization;
- (b) The number of persons with disabilities in institutions, disaggregated by location, age, sex and reason for institutionalization;
- (c) Mechanisms to monitor the situation of persons with disabilities in facilities and centres of detention and ensure that reasonable accommodation is provided, in accordance with article 14 (2) of the Convention.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

13. Please provide information about:

- (a) Measures adopted to prevent and prohibit the use of seclusion, shackling, physical, chemical and mechanical restraints or any other non-consensual medical measures, particularly affecting persons with intellectual or psychosocial disabilities and children with disabilities, at home and in psychiatric settings;
- (b) Progress made towards creating a national body for the prevention of torture, aimed at visiting and inspecting detention centres, including special centres for persons with disabilities.

Freedom from exploitation, violence and abuse (art. 16)

14. Please provide information about:

- (a) Measures taken to protect persons with disabilities from all forms of violence, including gender-based violence, abuse and discrimination, including in the occupied parts of the State party's territory;
- (b) Measures taken to protect children with disabilities from violence at home, school and on the Internet;
- (c) Measures to eliminate all forms of corporal punishment against children with disabilities, in particular children with disabilities in institutional settings, as well as measures taken to strengthen their protection;
- (d) Measures taken to inform and raise awareness among persons with disabilities on how to prevent, identify, report and seek support against violence, exploitation and abuse;
- (e) Redress mechanisms for survivors of violence and abuse and measures to include persons with disabilities, in particular women and girls with disabilities and older

persons with disabilities, in the referral system for victims of violence. Please indicate all means of compensation available for persons with disabilities and provide details about the number of prosecutions and decisions made concerning complaints of violence and penalties imposed on perpetrators.

Protecting the integrity of the person (art. 17)

15. Please inform the Committee about:

- (a) Measures to amend the Public Health Act, which still provides for the practice of hysterectomy on persons with intellectual or psychosocial disabilities on the basis of third-party consent (para. 189 of the State party's report);
- (b) Information in accessible formats and awareness-raising among persons with disabilities, including persons with disabilities still living in institutions, about the prohibition on performing hysterectomies on women and girls with disabilities issued by the Ministry of Health in 2011 and by the Ministry of Social Development in 2014;
- (c) Mechanisms to seek and ensure free and informed consent of persons with disabilities, particularly women and girls with disabilities, prior to any medical treatment, including in relation to their sexual and reproductive health and rights;
- (d) Monitoring mechanisms to prevent forced sterilization, forced abortion and other practices affecting girls and young women with disabilities.

Liberty of movement and nationality (art. 18)

16. Please provide information about:

- (a) Measures to address marginalization and socioeconomic deprivation among refugee persons with disabilities, including people living in refugee camps in the Gaza Strip and the West Bank, including East Jerusalem;
- (b) Legislation and other measures taken to guarantee that migrants, refugees and asylum-seekers with disabilities in detention centres are provided with the appropriate support and reasonable accommodation and that relevant migration decision-making procedures are accessible for them;
- (c) Measures to ensure that existing laws on nationality, particularly outside the Occupied Palestinian Territory, apply to persons with disabilities on an equal basis with others, including registration of all children with disabilities at birth;
- (d) Strategies, including bilateral agreements, to address statelessness and deprivation of citizenship rights of persons with disabilities owing to long-term refugee status.

Living independently and being included in the community (art. 19)

17. Please indicate the measures being taken:

- (a) To recognize the right of persons with disabilities, irrespective of age, gender and impairment, to choose their place of residence and with whom they want to live, not to be confined to live with and to depend on their extended families and to have access to social support and security based on their individual requirements;
- (b) To put in place a deinstitutionalization programme with a timeline for all persons with disabilities who are currently in institutions of any kind, including educational institutions;
- (c) To provide persons with disabilities in the Gaza Strip with individualized support to live independently, and a disability card;
- (d) To increase the availability of and awareness among persons with disabilities regarding individualized support and services to live independently and be included in the community, which are age, gender and impairment responsive;
- (e) To include persons with disabilities, through their representative organizations, in the design, implementation, monitoring and evaluation of policies for the provision of

community-based services, on an equal basis with others, to ensure that they can live independently in the community, both in rural and urban areas.

Personal mobility (art. 20)

18. Please describe:

- (a) Progress made to amend the customs exemption service with the aim to extend such an exemption to all persons with disabilities for the procurement of motor vehicles for their use;
- (b) Measures taken to give training on mobility skills to persons with disabilities, including persons with vision impairments, children with disabilities and to staff supporting persons with disabilities;
- (c) Financial and logistical resources to ensure access to mobility aids, devices and other assistive technologies for persons with disabilities.

Freedom of expression and opinion, and access to information (art. 21)

19. Please inform the Committee about:

- (a) Progress to improve the accessibility of information and communications and other services open or provided to the public in all settings, through appropriate modes, means and formats of communication, such as audio description, Braille, captioning, Easy Read, plain language and sign language, as well as through interpretation for deafblind persons;
- (b) Outcomes of the work of the Ministry of Telecommunications to provide persons with disabilities with facilities to use the Internet and modify public telephones;
- (c) Measures to recognize Palestinian Sign Language as an official language and to promote the learning of sign language, the availability of qualified sign language interpreters and the use of sign language in all settings, in particular in education, the workplace and hospitals and across services in the community;
- (d) Steps taken to ensure availability in Braille and other augmentative modes of communication of publications meant to provide public information and to render websites meant to give information to the public, including government websites, accessible to persons with disabilities, particularly to persons with visual impairments.

Respect for privacy (art. 22)

20. Please indicate measures to protect the right to privacy of persons with disabilities, in particular of women and girls with disabilities, and the remedies available for cases in which their right to privacy has been affected.

Respect for home and the family (art. 23)

21. Please inform the Committee about:

- (a) Measures taken to revise provisions in the Jordanian Civil Code applicable in the West Bank that subject the marriage of persons with intellectual disabilities to medical reports, and steps taken to enact the family protection bill, the 2011 draft penal code and the personal status law and to ensure that women and girls with disabilities enjoy rights within the family on an equal basis with men;
- (b) Family-support programmes dedicated to persons with disabilities and their families, including those on parental skills, psychosocial support and services in the community;
- (c) Support for parents with disabilities in fulfilling their family and parental responsibilities and measures taken to ensure that children are not separated from their parents on the grounds of disability;
- (d) Measures taken to increase the network of foster families for children with disabilities.

Education (art. 24)

22. Please update the Committee about measures taken:

- (a) To implement quality inclusive education and to enable all children with disabilities to access quality inclusive education in their own localities, programmes to train teachers and personnel working in schools on inclusive methodologies and the provision of accessible teaching materials, means and modes of communication;
- (b) To ensure coverage of early childhood programmes for all children with disabilities, address the dropout rate of children with disabilities and ensure accessibility to the physical environment, information, textbooks and technological tools in schools;
- (c) To ensure the provision of reasonable accommodation and individualized support throughout the education system;
- (d) To promote the teaching of sign language and deaf culture, including reinforcing the level of professional training of sign language teachers in schools.

Health (art. 25)

23. Please inform the Committee about:

- (a) Measures taken to address the shortfall in the funding and health care for persons with disabilities, including refugee persons with disabilities, that was provided by the United Nations Relief and Works Agency for Palestine Refugees in the Near East until 2018;
- (b) Measures to ensure accessibility, quality health-care facilities, equipment and service provision for persons with disabilities, on an equal basis with others;
- (c) Sexual and reproductive health services available for all persons with disabilities, including young women and persons with intellectual or psychosocial disabilities;
- (d) Measures to train health professionals on the rights of persons with disabilities, including on requiring informed consent and on communication with persons with hearing impairments, including the use of sign language;
- (e) Prioritization of persons with disabilities in the provision of COVID-19 services, including access to tests, vaccines and information.

Habilitation and rehabilitation (art. 26)

24. Please inform the Committee about actual access by persons with disabilities to rehabilitation services through the health insurance scheme.

Work and employment (art. 27)

25. Please provide information about:

- (a) Measures taken to remove discrimination in the Civil Service Act, which requires job applicants to be “free from defect, disease and disability”;
- (b) Programmes to ensure access to employment by persons with disabilities in the open labour market and job preparedness for persons with disabilities, and to promote innovation in the labour market and income-generating activities for all persons, regardless of disability or type of impairment;
- (c) Actions taken to enforce the quota set out in article 13 of the Labour Act for public and private entities;
- (d) Measures to ensure equal wages and decent working conditions for women with disabilities and to eliminate prejudices and discrimination against persons with hearing impairments in accessing jobs;
- (e) Measures to ensure that employees with disabilities receive reasonable accommodation in the workplace and remedies available in cases of denial of reasonable accommodation.

Adequate standard of living and social protection (art. 28)

26. Please indicate the steps taken to safeguard and promote the right of persons with disabilities to an adequate standard of living for themselves and their families, and the continuous improvement of living conditions, without discrimination. Please also describe:

- (a) Measures to eliminate situations of poverty and extreme poverty among persons with disabilities and to increase the coverage of persons with disabilities in the Gaza Strip to the Palestinian National Cash Transfer Programme;
- (b) Budget allocations to social protection programmes inclusive of persons with disabilities, including internally displaced and refugee persons with disabilities;
- (c) Measures taken to establish a social development fund for persons with disabilities from the funds of employers who do not meet the 5 per cent employment quota;
- (d) Progress in implementing the disability card scheme, and the extent to which persons with disabilities can access support through cash transfers;
- (e) Measures to develop and implement compensation schemes for persons with disabilities with regard to disability-related extra expenses incurred by persons with disabilities and their families and measures to address interruption of cash assistance when the family has a source of income;
- (f) Measures to promote access to housing of persons with disabilities and to protect persons with disabilities from forced evictions and the risks of forcible transfers, particularly in the West Bank.

Participation in political and public life (art. 29)

27. Please provide information on measures taken:

- (a) To revise the discriminatory provisions of Legislative Decision No. 1 (2007) on general elections, which deny the right to vote to persons with disabilities who have lost legal capacity on the basis of a court ruling;
- (b) To provide an accessible and conducive voting environment for persons with disabilities, including the physical accessibility of all polling stations and the use of accessible formats, such as Braille, in electoral materials, and to ensure that persons with disabilities are guaranteed secrecy in the voting process.

Participation in cultural life, recreation, leisure and sport (art. 30)

28. Please provide information about:

- (a) The outcomes of the Ministry of Culture's Strategic Plan (2017–2022) on the participation of persons with disabilities in various cultural activities on an equal basis with others;
- (b) Progress in drafting the new bill addressing copyright in compliance with the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled;
- (c) Measures taken to ensure access for persons with disabilities, including children and women with disabilities, to cultural, recreational and sports activities and services, libraries and audiovisual services in the public and private sectors.

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

29. Please inform the Committee about measures taken to improve the collection, analysis and dissemination of disaggregated qualitative and quantitative data on persons with disabilities, including those living in rural areas and in conflict zones, and how persons with disabilities and their representative organizations are closely consulted and meaningfully involved in processes carried out by the Palestinian Central Bureau of Statistics.

International cooperation (art. 32)

30. Please describe the level of consultation and participation of persons with disabilities, through their representative organizations, in accessing international cooperation funds for disability-specific projects, agreements and programmes, including those related to humanitarian assistance and the implementation of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals.

National implementation and monitoring (art. 33)

31. Please provide updated information about:

(a) Human, financial and technical resources allocated to the Higher Council for Persons with Disabilities concerning plans to give effect to the Convention and about steps taken to designate focal points on disability in different sectors and at different levels of government and a coordination mechanism within the government to facilitate implementation of the Convention;

(b) Measures to designate the Independent Commission for Human Rights as the independent monitoring mechanism under the Convention and the human, financial and technical resources to perform its monitoring roles, including with respect to facilities and premises in which persons with disabilities live;

(c) Involvement of persons with disabilities and their representative organizations, including allocation of resources to them, in the process of monitoring the Convention.
