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Written statement* submitted by the Arab NGO Network for Development, a non-governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 February 2011]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

The conditions and rights of persons with disabilities in Lebanon**

The Lebanese Coalition for Persons with Disabilities (PWD) welcomes the recommendation presented by the member states to Lebanon during the Universal Periodic Review (UPR) which urges the Lebanese government to ratify the Convention on the Rights of PWD (CRPD). The Coalition also welcomes the acceptance of the recommendation by Lebanon's representative.

First, the Coalition would like to comment on what the representative of Lebanon regarded as achievements over the past ten years in the field of Human Rights for PWD. This achievement had identified the approval of a Law for the rights of PWD and the establishment of a national committee for disability issues.

The Coalition has two comments regarding the mentioned achievements:

1. They date back to more than 10 years ago, highlighting the fact that the government finds it difficult to mention any progress in the field of human rights for PWD over the last decade.

2. Approval of the legislative texts and establishment of committees cannot be considered as indicators that PWD enjoy their rights.

The Coalition also indicates within this written statement to the de-facto status of Palestinian PWD in Lebanon and puts forward recommendations to enhance their human rights.

The basic issue in the access for PWD to human rights is that the services that the State provides to the PWD in Lebanon are not based on the principles of human rights. The notion of human rights for the State of Lebanon rules out PWD and this is highlighted through the policy practices in all fields of human rights, regarding PWD. Thus, the problem lies in the absence of these principles and the lack of representation by PWD in all fields, and not in the quality and the quantity of what is being provided.

In terms of education, PWD are not educated within the general educational system. As such, the Ministry of Education does not take the responsibility for the education of PWD and does not have any policy relating to their education. As a result, non-governmental organizations who receive financial support from the Ministry of Social Affairs (MOSA) carry out this task. This support is not based on educational policy in the Ministry, but on the policy of social charity. We can thus deduce that the State is not responsible up to today for providing the right of education for PWD. This begs the questions: do these non-governmental charity organizations guarantee the right of education for PWD in Lebanon? The educational policy adopted by these organizations contradicts with the principles of human rights where children with disabilities are being separated from their families using their education as a pretext. Therefore, these children are being isolated from their communities and prohibited from their right to participate in social and cultural life. These organizations also don't guarantee the education for all PWD in Lebanon, as can be seen by the percentage of PWD who are involved with these organizations and yet are illiterate.

** The Lebanese Coalition for Persons with Disabilities (PWD), consisting of the Lebanese Physical Union (LPHU), Youth Association of the Blind (YAB), Norwegian People Aids (NPA), Lebanese Association for Self Advocacy (LASA) and the Parents Association of Hard of Hearing Children in Lebanon (APML), NGOs without consultative status, also sharing the views expressed in this statement.

In addition, Lebanon has no policy to make a higher educational system accessible to PWD based on their qualifications. This is due to the engineering obstacles found in the universities buildings and to the lack of essential supporting services.

Furthermore, vocational and technical education is not available for PWD within the private and public education system. Meanwhile, non-governmental organizations set off to implement vocational habilitation and rehabilitation programs that are not related to the labor market.

In terms of work and providing better life standards for PWD, studies have shown that 83% of PWD are unemployed and the high percentage of these have never worked. This highlights the absence of policies in Lebanon to provide equal opportunities for PWD in terms of work in general and in the freedom of choosing work and its conditions. In addition, the absence of unemployment compensation policies certainly leads to the lack of better living standards for unemployed PWD and prevents them from providing their daily needs in a way to preserve their human dignity. Furthermore, the health-social insurance policies for individuals in Lebanon is provided under conditions of work and this deprives unemployed PWD from access to health, social and insurance policies.

Non-discrimination is a fundamental principle of human rights that is not respected in many fields of human rights of PWD in Lebanon, including:

- PWD are unable to enjoy their right to access most public and private places, due to physical accessibility issues.
- PWD do not enjoy full legal capacity in a variety of fields, including the right to vote and individual ownership of banking procedures, among others.

Doctors, engineers, women, and other social groups in Lebanon are represented by their unions, associations, or trade unions. These organize elections to choose their representatives, under the supervision of the State. This is not the case for PWD who do not freely choose their representatives. MOSA organizes elections favoring individuals to unions, generating representatives of PWD, and ruling out associations or unions for PWD.

PWD do not have access to information, knowledge and culture from their various sources, including electronic information, books, magazines, newspapers, legal documents and others.

Recommendations:

- Ratifying CRPD and its Protocol.
- Amending the legislation and current laws to ensure that the rights of PWD are respected, in accordance with acts and legislations of CRPD.
- The Ministry of Education should be responsible for ensuring the right of education for PWD within the General curriculum
- The State of Lebanon should adopt policies that will ensure equal opportunities for PWD in the labor market and implement laws to enforce such policies, safeguarding against discrimination against PWD in applying for jobs of any kind or category and in running competency examinations and preserving the continuity of work.
- The State should provide social and health insurance programs, including unemployment compensation for PWD in a way to ensure a better living standard as well as preserving their human dignity.
- The State should also adopt and implement regulations to provide physical access to public places for all citizens

- The State should provide the conditions that guarantee voting freedom and accessibility to PWD in the electoral process organized by the State.
- The State should ensure the rights of PWD to access information from its different sources. The State should also guarantee the participation of PWD in the social, cultural and political life.
- The State should ensure that the existing legislation and laws respect the legal capacity of PWD in all fields.
- The State should respect the rights of PWD to form associations and unions representing them, and limit its involvement to monitoring the elections within these associations and unions, all the while refraining from organizing parallel elections to choose representatives for PWD.
- Regarding the rights of Palestinian PWD, they are the most marginalized group in the Palestinian community in Lebanon. All Palestinian refugees face great suffering and injustice, and marginalized groups face even greater problems.
- In terms of education, not all Palestinian PWD attend the UNRWA schools responsible for teaching all the Palestinians students, given the fact that these schools are not inclusive.
- In terms of health services and rehabilitation, the risk is that these services are not sustainable, threatening the lives of Palestinian PWD.
- In terms of employment, this is the most important right not guaranteed by UNRWA or the State of Lebanon.

Recommendations:

- The State of Lebanon and UNRWA should ensure the rights of the Palestinians PWD within the rights of Palestinian refugees in Lebanon.
 - The State of Lebanon and UNRWA shall prohibit all forms of discrimination against Palestinian PWD within the Palestinian community in the fields of education, health, employment and better life standards.
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