

Editorial Pages
Muhannad Al Azzeh

Interviews
Muhannad Al Azzeh
Marie-Noëlle AbiYaghi

Translation
Nicole Azzi

Arabic proofreading
Muhannad Al Azzeh

Illustrated map
Ghassan Abou Chaar

Graphic Design
Wardalina Ayoub

Coordination and Research
Marie-Noëlle AbiYaghi

Disclaimer:

Please note that the material contained on this publication and on our website is for information only. We try to keep the information up to date, but we cannot guarantee its accuracy at all times.

The responsibility for opinions expressed in signed articles, studies and other contributions rests solely with their authors, and publication does not constitute an endorsement by neither CBM, Handicap International, nor their partners in the initiative, of the opinions expressed in them.

Funded and Produced by

**HANDICAP
INTERNATIONAL**



Useful links:

Disability Monitor Initiative Middle East
www.disabilitymonitor-me.org

Disability Monitor Initiative South East Europe
www.disabilitymonitor-see.org

United Nations Enable, Rights and
Dignity of Persons with Disability
www.un.org/disabilities

www.srdisability.org

Gulf Disability Society
www.gulfdisability.com

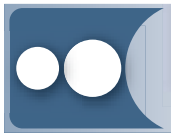
Landmine Survivors Network
www.musawa.org

The National Council for Childhood and
Motherhood (Egypt)
www.nccm.org.eg

Contact us:

Let us know what you think of individual articles,
or suggest topics you feel we should take up in
future issues!

Please send your comments and feedback to:
editor@disabilitymonitor-me.org



Disability Monitor Initiative
Middle East

Rights, Social Innovation and Policy Reforms



**A view from the
Middle East
of the entry into force of the
convention on the
rights of persons
with disabilities.**

Inside you will find:

Forestalling Initiative and Optimistic Future

Interview with Dr. Hmoud Olimat, the Secretary General of the Higher Council for the Affairs of Persons with Disability, Jordan.

The Particularity of Palestine Situation as an Observer Member in the United Nations, and the Horizons of CRPD.

Interview with Mr. Bahaaeldin Sadi, the human rights officer in UN-OHCHR occupied Palestinian territory.

Between a Rock and a Hard Place.

An interview with Ms. Ola Abu Al-Ghaib, Chairwoman of the Stars of Hope Association, Palestine.

Towards The ratification, constitutional barriers and Gaps to be bridged

Interview with Ms. Corinne Azar, the director of the disability directorate in the ministry of social affairs, Lebanon.

The Responsibility of the Disability Movement to Promote the Convention; the Limited Choices

Interview with Ms. Sylvana Lakis, president of Lebanese Physical Handicapped Union (LPHU), Lebanon.

CRPD, Challenges and priorities

Interview with Dr. Heba Hagra, a leader in the disability field in Egypt and a member in the Arab Organization of Disabled People (AODP).

Steps towards change. CRPD, Yemeni context

Interview with Ms. Raja Al-Musaabi, Chairwoman of the Arab Human rights Foundation (AHRF), Yemen.

CRPD. A Regional Prospective

Interview with Dr. Nawwaf Kabbara, the President of Arab Organization of Disabled People (AODP).

CRPD on the Arab League Agenda

Interview with Mr. Ibrahim Al-Souri, the director of the department of social development and policies in the Arab League.

Between the Present and the Future. The UN Standard Rules and CRPD; Substitution, Competition or Complement.

Interview with Ms. Hissa Al Thani, the United Nations Special Rapporteur on Disability.

Disability Monitor Initiative-Middle East, (DMI-ME)

Monitoring Legislative Change, Social Innovation and Public Policies

Launched by CBM and Handicap International, together with Bethlehem Arab Society for Rehabilitation, Arab Organization of Disabled People, Lebanese Physical Handicapped Union and Al Hussein Society, The Disability Monitor Initiative (DMI) for Middle East is an advocacy initiative that gathers and disseminates information on relevant disability topics underpinning the move towards full participation and equal opportunities of people with disabilities. The DMI-ME is primarily based on field research consulting with people with disabilities, service providers, members of civil society, government officials and local authorities. The objectives of the DMI-ME are to build up knowledge on the situation of people with disabilities, examine best practices in terms of social innovation happening on the grass-roots level as well as to inform about policy reforms on the national and international levels. The aim is that the DMI-ME will serve as a tool for reporting on critical issues affecting people with disabilities in an effort to support the empowerment of relevant stakeholders with information.

Monitoring social innovation:

One of the key features of the DMI-ME is whilst disseminating information, it monitors social innovation carried out by local actors including Disabled Peoples Organizations (DPOs), service providers and local authorities. The methodology behind the DMI-ME is to gather information on a local level through field work within Handicap International (HI), CBM or partner projects in order to have first hand information. It includes consulting with people with disabilities, their representative organisations, service providers, as well as local and national authorities.

Monitoring legislations

The DMI-ME will monitor the evolution of legislation of all Arab countries with regards to the compliance or not with the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

Monitoring Public Policies

Often the missing links between socially innovative practices and upgraded legislation is the development of sound public policies. In the Middle

East, a key focus of the DMI-ME will be the monitoring of development and enforcement of public policies and allocation of public resources. Attention will be paid to budgeting issues, decentralization, and institutional capacities to enforce legislation. The DMI-ME will also pay a special attention to policies of multilateral and bilateral agencies as they can strongly influence local stakeholders both from civil society and public sector.

A combined perspective

In this way the DMI-ME has a unique perspective on disability issues; it looks at both the macro level policies in place while monitoring how these policies translate into practice and how these practices impact the lives of people with disabilities. The DMI-ME should contribute actively to making available knowledge that will help stakeholders in the implementation of the UNCRPD. The objective of the DMI-ME is to be an advocacy tool to monitor and facilitate the sharing of knowledge on the ways that local organisations, authorities and international agencies develop and support reforms that promote and enable the full participation of people with disabilities.

The Disability Monitor Initiative- Middle East and the Making It Work project

The ratification of the UNCRPD sets a major challenge: how to bridge the huge gap that exists between the standards set by this international convention and the actual standards of existing services, systems and policies, particularly in low or middle income countries. The central aim for Making it Work is to reduce this gap through processes of information dissemination and exchange, and in doing so, to promote a model for inclusive development. The purpose of this initiative is to develop a monitoring tool that will support the collection and exchange of information about inclusive disability policies and practices. The goal is to promote a bottom-up approach to inclusive development, where actors and agencies working at the field level (particularly in countries where there are limited resources) have the opportunity to influence national development frameworks, in collaboration with policy-makers and civil society groups.

Index

	A Turning Point.	1
	CRPD from A Middle Eastern perspective	1
	List of the signatories and ratifications.	2
	CRPD. Negotiating Manoeuvres and Realistic Concerns Forestalling Initiative and Optimistic Future.	3
	Forestalling Initiative and Optimistic Future	5
	Interview with Dr. Hmoud Olimat, the Secretary General of the Higher Council for the Affairs of Persons with Disability, Jordan.	5
	The Particularity of Palestine Situation as an Observer Member in the United Nations, and the Horizons of CRPD.	7
	Interview with Mr. Bahaaeldin Sadi, the human rights officer in UN-OHCHR occupied Palestinian territory	7
	Between a Rock and a Hard Place.	8
	interview with Ms. Ola Abu Al-Ghaib, Chairwoman of the Stars of Hope Association, Palestine.	8
	Towards The ratification, constitutional barriers and Gaps to be bridged	9
	Interview with Ms. Corinne Azar, the director of the disability directorate in the ministry of social affairs, Lebanon.	9
	The Responsibility of the Disability Movement to Promote the Convention; the Limited Choices	9
	Interview with Ms. Sylvana Lakis, president of Lebanese Physical Handicapped Union (LPHU), Lebanon	9
	CRPD, Challenges and priorities	10
	Interview with Dr. Heba Hagra, a leader in the disability field in Egypt and a member in the Arab Organization of Disabled People (AODP)	10
	Steps towards change. CRPD, Yemeni context	11
	Interview with Ms. Raja Al-Musaabi, Chairwoman of the Arab Human rights Foundation (AHRF), Yemen:	11
	CRPD. A Regional Prospective	12
	Interview with Dr. Nawwaf Kabbara, the President of Arab Organization of Disabled People (AODP)	12
	CRPD on the Arab League Agenda	13
	Interview with Mr. Ibrahim Al-Souri, the director of the department of social development and policies in the Arab League:	13
	Between the Present and the Future. The UN Standard Rules and CRPD; Substitution, Competition or Complement.	14
	Interview with Ms. Hissa AlThani, the United Nations Special Rapporteur on Disability	14
	And What's Next?	16
	Selected Publications	17
	Agenda and Events	18

Members of the DMI-ME Steering Committee: LPHU, BASR, Al Hussein Society, CBM, HI

Members of the DMI-ME Advisory Committee: AODP

The opinions expressed by the DMI Journal and publications do not necessarily reflect the opinions of the Advisory Committee members.

The Advisory Committee is not responsible for any information published.

Editorial Pages



Dr. Muhannad Al Azzeh
Regional disability Rights and Advocacy
Coordinator, Handicap International,
Middle East

A Turning Point:

No doubt that the adoption of the Convention on the Rights of Persons with Disabilities (CRPD) by the General Assembly of the United Nations on December 13th 2006, has formed a turning point in the general view of the disability issues. The CRPD derives its strength from being the first legally binding instrument at the international level drafted with full participation of the stakeholders. This unique characteristic will enforce the CRPD as the main obligatory reference of the disability policies at the national levels.

The rights based approach as a cornerstone of disability issues has been tackled about three decades ago. Nevertheless the concept of this approach wouldn't have moved from the theoretical frame to more practical position till the emergence of the Convention.

With the depositary of the 20th ratification of The CRPD on 3 April 2008, the rights based approach has found its legal way to be part of the national legislation concept. This would lead the stakeholders to handle the disability affairs in accordance with the general principles of the CRPD as stated in article 3. These principles embody the rights based approach-concept, which calls for consideration the disability issues on bases of equality without any form of discrimination through an environment free

of barriers. This concept turns disability from its traditional static-status, to a dynamic status where it might appear on different levels or disappear totally, depending on the barrier types/size and the provided accessibility.

In brief, disability is not any more an individual situation where the responsibility of the restriction in practicing a right or a fundamental freedom is being entailed on the person. The disability, according to the rights based approach, is an inclusive situation through which the impairment as a personal factor, and the environmental barriers interact, which creates a situation of the limitation and restriction of exercising or enjoying one's right or fundamental freedom on equal bases with others.

CRPD from A Middle Eastern perspective

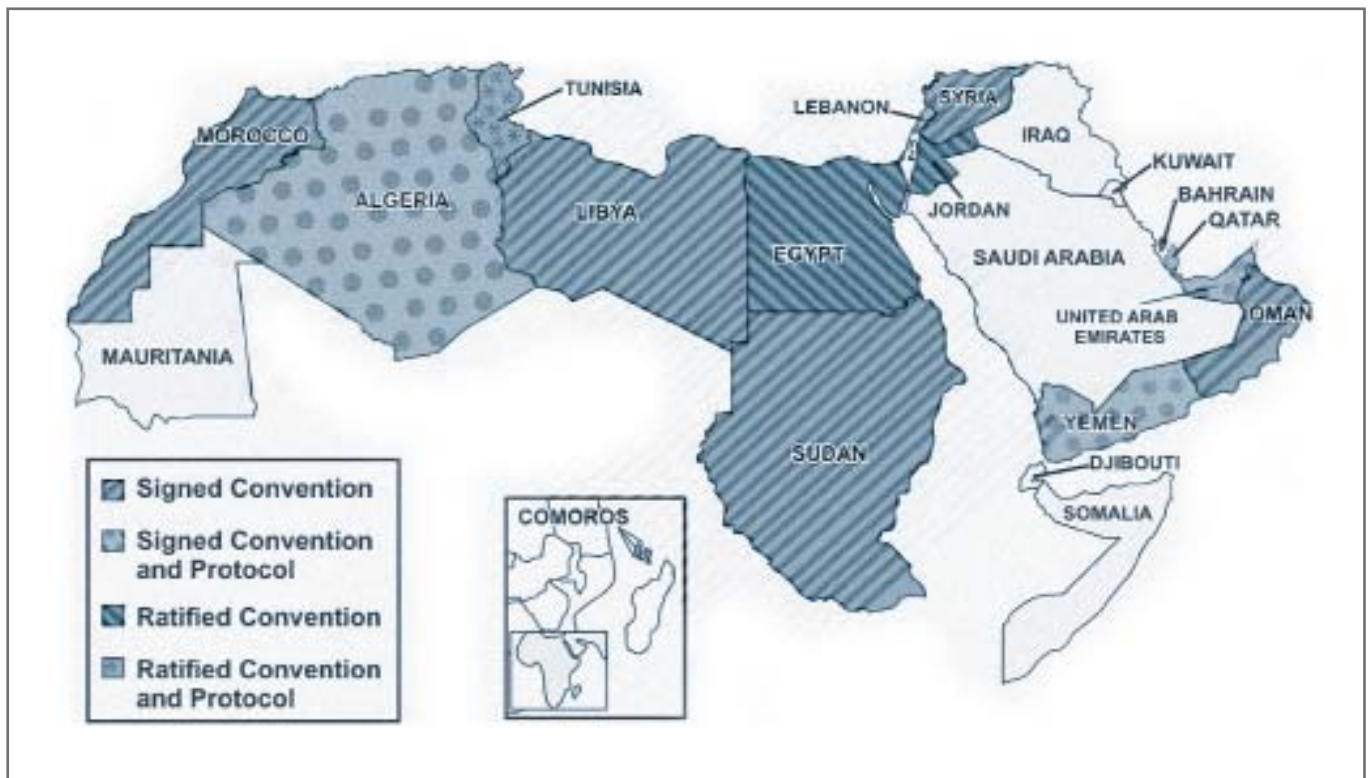
Status of signatures and ratifications in the Arab world

- Total 15 signatures
- 7 signatures on the optional protocol
- Total 4 ratifications
- 1 ratification on the optional protocol



Gaza strip, Palestine, 2008.

List of the signatories and ratifications:

**Algeria**

Signed: 30-3-2007

Signed Protocol: 30-3-2007

Bahrain

Signed: 25-6-2007

Comoros

Signed: 26-7-2007

Egypt

Signed: 4-4-2007

Ratified: 14-4-2008

Jordan

Signed: 30-3-2007

Signed Protocol: 30-3-2007

Ratified: 31-3-2008

Lebanon

Signed: 14-6-2007

Signed Protocol: 14-6-2007

Libyan Arab Jamahiriya

Signed: 1-5-2008

Morocco

Signed: 30-3-2007

Oman

Signed: 17-3-2008

Qatar

Signed: 9-7-2007

Signed Protocol: 9-7-2007

Ratified: 13-5-2008

Saudi Arabia

Ratified: 24-6-2008

Ratified Protocol: 24-6-2008

Sudan

Signed: 30-3-2007

Syrian Arab Republic

Signed: 30-3-2007

Tunisia

Signed: 30-3-2007

Signed Protocol: 30-3-2007

Ratified: 2-4-2008

Ratified Protocol: 2-4-2008

United Arab Emirates

Signed: 8-2-2008

Signed Protocol: 12-2-2008

Yemen

Signed: 30-3-2007

Signed Protocol: 11-4-2007

CRPD. Negotiating Manoeuvres and Realistic Concerns

The impact of the CRPD has started to effect the disability field in the Middle East since the drafting process of the convention. This impact could be noticed at the governmental level through some progressive initiatives that were taken by some Arab countries to improve their legislation in cooperation with the stakeholders, and at the society level through the effective participation of some of the Disabled Persons Organizations (DPOs) and persons with disability (PwDs) from the region in the Ad hoc meetings and the related activities, then at the national level by transferring the obtained knowledge from these meetings to the local stakeholders.

Having said that, it is obvious that each State during the process of drafting a binding international instrument tries to mobilize its efforts in accordance with its higher interests embodied in the prevailing cultural values, national constitution, available resources and the economic circumstances. It's undeniable that these points are considered real challenges ahead of enforcing a convention that tackles different types of rights and freedoms of a group that has been excluded for a long time from the general scope of the human rights concept.

In this regard, the main challenges which face the CRPD implementation in the Middle East could be classified in three categories. These being the legal and ethical concerns, the lack of resources and finally the fragility of the structure of the civil society, specifically DPOs.

Legal and Ethical Challenges

Although the International covenant on political and civil rights (ICCPR) Article 12/3, and the Universal Declaration of human rights (UDHR) article 29/2, give the right to the States parties to take into consideration the national interests including; public order (ordre public), domestic security and the social moralities in their countries, No controversy that States sometimes use such legal tools in order to ensure specific

achievements during the negotiations.

This trend was very noticeable in the drafting process of the convention on the rights of persons with disabilities.

The majority of the Arab constitutions state in their general principles that the Islam Shariah is the main source for legislation. This means that the provisions adopted at the national level (including the ratified international instruments) should conform with the Islamic principles. Otherwise, any contradictory provision is a subject to annulment either by the constitutional court or the court of cassation. This legal justification has formed the central-point for the Arab and Islamic States parties to argue on some controversial provisions in the CRPD. This explains as well the insistence of the Arab countries on incorporating the reference to the national laws which was included in the draft text of the convention.

Apart from the political maneuvers and the practical interests of the States, it might be useful to provide some life examples and short legal analysis of these justifications/arguments in order to inspect its accuracy.

With regard to the life examples, as mentioned above, the Arab States constitutions adopt common principles based on Islamic Shariah and the joint social and cultural values, meanwhile, some of these States have ratified the convention without reservations. This indicates that the constitutional and social values are not necessarily conflicting with the main principles of the convention.

As for the analysis of the legal arguments presented by the Arab and Islamic group on the conflict between some provisions in the CRPD and the national constitutions/laws, it's worth mentioning that the Islamic history provides more than one example that proves the conformity between the general principles of the Shariah and the CRPD.

The provision of reasonable accommodation for instance; had been exercised in different occasions. The history narrators mention that Abdullah bin Om Maktoum (one of the Prophet's companions) was blind and responsible for calling to some prayers, he was performing the call for the dawn prayer which must be performed directly with the rise of the dawn, thus he was waiting for a

passerby to inform him that the dawn has risen in order to do the job. The prophet (Upon whom be peace) modified the job-time and charged him the first call (known as the alarm call) which should be performed in the last part of the night before the rise of the dawn. By this adjustment in the job-time, this companion became able to do his job independently as it is easier for him to recognize the last part of the night than the emergence of the dawn-light as the Muslim people at that time used to wake up after the midnight to perform some supererogatory prayers. This embodies the reasonable accommodation in one of its non-physical forms. In the first two centuries of Islam, the blind persons were provided with personal assistants in order to guide and read for them, those assistants had been taking their salaries from Bait Al-mal (State treasury).

Controversial Points:

The sexual and reproductive health provisions were subjects to long discussions amongst the Arab and Islamic States. The delegations of these countries had intended to ensure that nothing in the present text would provide a legal base for some practices of which were not recognized by the national laws. For this reason, the Arab and Islamic group insisted on the deletion of the indication to have a right to establish intimate relationships out of the marriage scope as was stated in article 23 of the draft text of the convention. In the same direction, a reference to the national laws is incorporated in the present text in the same article regarding the right to adopt children, this "right" is considered a prohibited practice in Arabic laws, this provision is taken from the Islamic rules which organize the family affairs.

The major controversial point; is related to the provisions set forth in article 12/2 of CRPD on legal capacity. The Arab group and others have expressed some concerns on the full recognition of the legal capacity particularly for persons with intellectual and psychosocial disability. A footnote was proposed by the group in the final draft text (known as chair text as well), this footnote indicates that the recognized legal capacity for

PwDs means the legal for rights, not the legal to act, which means that PwDs will not be fully able to conduct their legal affairs and consequently will have extensive limitations in exercising their basic rights and fundamental freedoms stated in the convention and the other human rights instruments. After long discussions, the objectors had agreed on removing the footnote with keeping their right to give interpretive statements on how they understand and implement the provisions related to the legal capacity in Article 12.

Challenges Related to the Resources:

Article 32 of CRPD on international cooperation was one of the most difficult articles during the negotiations. The developing countries had raised constantly the financial obstacles to fulfill their obligations set forth in the convention. This concern is legitimate as the developing countries 'including the Middle East region' face great economic difficulties at the public level and obviously in the disability services, besides the instant need for the technical support at all levels in the disability field. Meanwhile, the developed countries expressed deep concerns about the interpretation of the international cooperation and intended to ensure that article 32 will not create a modle of donors (the rich/developing countries) and donees (the developed countries). The present text of this article affirms the importance of the cooperation and exchange of experiences amongst the countries including the technical and the financial support, in the same time, Paragraph 2 of this article reaffirms that the international cooperation, in all its forms, is without prejudice to the fulfillment of the obligations under the present convention. However, a lot of the international bodies have already started to set up plans and implement relevant activities to enforce the international cooperation focusing on the technical support and the capacity building for the regional and national stakeholders in the Middle East.

Challenges Related to the Disability Movement and the Civil Society Structure:

As similar to some regions around the world, disability affairs in Middle East were, and still are based on the charitable approach and the medical trend in denying disability and providing these services. If the fragility in the structure of the DPOs and the civil society movements in general are being added to this, it would be clear then how long the process would take to shift from that traditional model to the rights based approach. The modernity of the human rights concepts and the democracy culture in the Middle East necessitate to increase the efforts towards constituting disability rights including the participation of PwDs in the decision making process, networking, advocacy and equal opportunities in addition to promote the public policies which must reflect the general principles of the convention at the public authority level. The awareness raising of the society is one of the main priorities. The media should be the pioneer in this issue by disseminating the non-discrimination values and the elimination of the stereotypical portrayal about PwDs. This sought-after goal should be achieved within a systematic training for the media staff and the stakeholders themselves.

The challenges might seem various and not so easy to overcome, but the positive atmosphere which has started to spread throughout the region is so encouraging in order to take the necessary steps towards better understanding for the disability and blooming future for PwDs.



A person with a disability in his shop manufacturing an electrical conductor, South Lebanon, 2007

Forestalling Initiative and Optimistic Future



Dr. Hmoud Olimat, Former Secretary General of the Higher Council for the Affairs of Persons with Disability, and Former Secretary general of the Ministry of Social Affairs Jordan

Jordan has ratified the Convention on the Rights of Persons with Disabilities on March 31, 2008 to be the first Arab country to do so and the 18th amongst the World. We have not ratified the Optional Protocol yet.

Jordan witnessed many positive changes and developments in compliance with the Convention on the Rights of Persons with Disabilities. These developments include: The formulation of the 'Law on the Rights of Persons with Disabilities no (31) for the year (2007) which adopts a rights-based approach to disability rather than the welfare approach adopted previously. Moreover, legal amendments have also been supported by developing a National Strategy on Disability (2007 – 2015).

The New Approach and Ongoing Activities:

It is worthy to note that the implementation of this national strategy is monitored by the Higher Council for the Affairs of Persons with Disabilities. The Council has created a technical department which is composed of sections relevant to the rights as stated in the above mentioned Law. The Council also works in coordination with the relevant stakeholders to provide comprehensive services to persons with disabilities in Jordan. We

also have created a department for on media and awareness in compliance with article 8 of the Convention.

The ratification of the Convention means that Jordan is committed to its international obligations, and that the government is obliged to prioritize the disability issue and mainstream disability in social and economic development plans. The Convention on the Rights of Persons with Disabilities was incorporated into the national legislation as it was published in the Official Gazette as law no 7 for the year 2008. The Council also plans on creating a committee to revise all relevant legislation to ensure that it is in conformity with the Convention.

Towards National Monitoring:

We are in the process of formulating a vision to monitor the Convention in coordination with all relevant actors. However, as we are among the first 20 countries that ratified the Convention, we hope that Jordan will be part of the international monitoring committee. We will also work with all stakeholders to ensure that the monitoring process at the national level is inclusive of persons with disabilities and of civil society actors, issue an annual report on the status of persons with disabilities and organise an annual conference on disability in Jordan as a preparatory step for our participation at the Meeting of State Parties. We appreciate international support in developing our monitoring mechanism including the formulation of relevant monitoring indicators.

The Council's philosophy is to work in cooperation with all relevant stakeholders; therefore, we expect cooperation with DPOs and NGOs in the monitoring process. The Council also believes in engaging persons with disabilities themselves in this process. We would like to see that the DPOs capacity to advocate for their own rights is enhanced, but this definitely requires a technical and financial support to build the capacity of all DPOs in the future.

The International Cooperation. Needs and Expectations:

In fact, international cooperation is necessary to implement all the rights in the Convention. However, we will start this year to implement a national survey on disability, and we currently need international expertise in the area of surveying, diagnosis, and issuing the relevant disability identification. This includes advanced training on diagnosis of all types of disability especially for developmental and learning disabilities.

Moreover, the challenge of implementing inclusive education means that we need expertise to develop the necessary testing tools which will allow us to correctly diagnose children with disabilities, and properly manage their abilities to maximize their use of mainstream education. Training all pedagogical staff on disability issues is also important and international cooperation will be necessary in that regard.

Additionally, accessibility is one of the most important issues since it is the basis to other rights. Without accessibility, persons with disabilities cannot access schools, work or achieve any form of independence. We give a high priority to achieving an accessible transportation system and welcome international support to help us achieve this target.

The Council is now giving high priority to data collection and surveying as it will create the baseline for monitoring progress in implementing the Convention. We are also placing high emphasis on awareness raising measures, creating standards for disability centers to monitor the quality of services provided, and continuing to provide the wide range of services to persons with disabilities through the NGOs and other government entities.

The Particularity of Palestine Situation as an Observer Member in the United Nations, and the Horizons of CRPD



Bahaeldine Saadi, Human Rights Officer in UN-OHCHR occupied Palestinian territories and one of the civil society activists, working for several years in the human rights movement including the rights of persons with a disability in Palestine.

Where do you classify disability rights on your Agenda?

As a former director of a branch office of the Palestinian Independent Commission for Citizens' Rights, and as a human rights officer in the OHCHR in Palestine, I coordinated with some stakeholders some activities in the occupied territory to disseminate the information about the CRPD as a first binding instrument on the human rights of persons with disabilities. Moreover, for our action plans in 2008, we take into consideration the entry into force of the convention and the entailed responsibilities and the resulting activities which should take place in cooperation with the DPOs and NGOs to promote and monitor the implementation of the Convention.

When it is obvious that the observer member in the United Nations, does not have the required legal capacity to sign or ratify the international instruments, how this would effect the application of the convention?

I think the Basic Law for the Palestinian National Authority in the Transitional Period provides a legislative base of which can be built on to ensure the enforcement of the human rights instruments, including CRPD at the national level. Article 10 in this law states that: "1. Basic human rights and liberties shall be protected and respected. 2. The Palestinian National Authority shall work without delay to become a party to regional and international declarations and covenants that protect human rights".

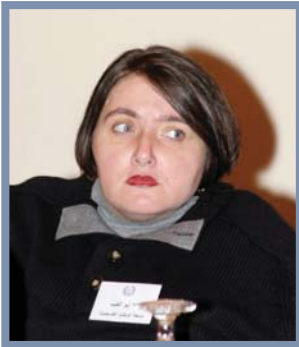
This legislative base is strongly valid to advocate upon urging the Palestinian authority to incorporate the concept and the principles of CRPD in the national laws.

In its legal advisory opinion on the construction of the separation wall, the International Court of Justice (ICJ), has reaffirmed the responsibility of Israel to apply the International bill of rights and the human rights customary norms and instruments in the adjacent Palestinian lands .

In this sense, how can civil society particularly the DPOs and the human rights agencies, rely on this rule to enforce the convention in the occupied territories?

There is more than one practice in this regard, the NGOs in Palestine and some of the human rights organizations in Israel had conducted several monitoring activities including shadow reports on Israel implementation of different international human rights conventions such as: CEDAW and CERD. I think CRPD should have the same attention from the stakeholders particularly the DPOs and the human rights agencies.

Between a Rock and a Hard Place



Ola Abu el Ghaib, Chairwoman of the Stars of Hope Association, Palestine, one of the disability movement leaders in Palestine, a member in national, regional and global disability networks.

At first glance, It might seem strange to talk about the application and enforcement of an international instrument in the occupied territories especially with the present situation in where the civil society and the whole population confront daily living difficulties. Under such situation, the public attention is very low towards the international commitments , in addition to the reality that Palestine is not illegible to sign or ratify the international instruments due to the limitations granted to the observer member in the United Nations.

Having said that, I call for everybody who works in the disability field to promote the convention at the national level via all available means. In the Stars of Hope Society, we have been involved in disseminating the information about the CRPD. This included training sessions for the DPOs in different governorates and cities in the West Bank in cooperation with local and international actors. We delivered training sessions through the Handicap International ongoing project in Yattah municipality Hebron governorate. On the same track, Stars of Hope is in a partnership with Handicap International for the 5 coming years. This would provide further opportunities to incorporate the CRPD concept in the intended projects.

The Present Law and the Wind of Change:

The surrounding atmosphere in the neighbouring countries like Jordan who ratified the convention and adopted a new law on the rights of disabled persons, will certainly ameliorate the legislative situation of disability rights bearing in mind that most of the present national laws in Palestine are being taken from the national codes of Jordan. Therefore we hope that one of the available possibilities to overcome the legal obstacle of adopting the convention officially by the Palestinian authority, would be citing the provisions stated in the modern law on the rights of persons with disability which has been enacted recently in Jordan.

I think the present law on disability in Palestine is characterized by very brief provisions, in addition to the abstract language which manifests the articles as a final statement or a declaration of recommendations. Meanwhile, there is a clear lack of the necessary executive regulations to implement the law. I hope that the CRPD entry into force would open wide horizons to modify the law and adopt a national action plan on the disability affairs.

Between the internal difficulties embodied in the charitable approach which is still strongly prevailing in addition to the competitive character amongst the DPOs, and all types of pressures resulted from the occupation, I hope that the DPOs and PwDs will be able to bear their duties to advocate for their rights and urge the different authorities to take their responsibilities, thus entering the new stage in the disability field which will take place on May the third.

Towards The ratification, constitutional barriers and Gaps to be bridged

Ms. Corinne Azar, the Director of the Disability Directorate in the Ministry of Social Affairs, Lebanon.

Lebanon used to send delegations to the Ad Hoc committee in the United Nations and we even participated in the drafting process. Alongside Jordan, we were the main two countries from the region that expressed such a high interest to this Convention. With the assassination of Former Prime Minister Al-Hariri in 2005, the Lebanese delegations were not able to attend the rest of the meetings. As you may know, Lebanon has signed the Convention on the 14th of June 2007. The State has no reservation on the Convention, if we hadn't had the constitutional vacuum, we would have ratified at the very early beginning.

The Stakeholders Responsibilities:

However, now it's the DPOs role to lobby and advocate for an effective implementation of the Convention bearing in mind, that an efficient implementation requires appropriate economic circumstances.

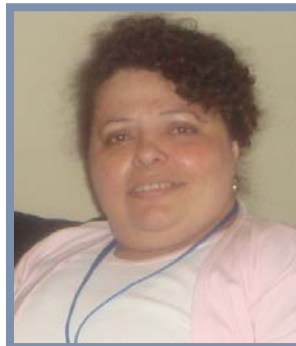
The National Commission has a vital role now in promoting the implementation of the convention and the monitoring process. The National Committee is the official body which is responsible for drawing the policies for the ministry of social affairs, one of the main tasks of the committee as well is to follow up the application of the Law 220 on the rights of persons with a disability. I suggest that the National Committee and the stakeholders propose a project on the implementation of the convention.

I reaffirm that our ministry faces great difficulties in carrying out its tasks at all levels. The financial obstacles form the main barriers in addition to the

lack of coordination with the related departments in other ministries.

The ministry of social affairs has very good relationships and partnerships with the DPOs and we try our best to support them by all means. We are aware that some of the stakeholders might be frustrated as the provided support is less than their expectations, but we do hope that the political and social situation would improve soon so that we can play our role efficiently.

The Responsibility of the Disability Movement to Promote the Convention; the Limited Choices



Sylvana Lakkis: President of the Lebanese Physical Handicapped Union (LPHU), one of the main founders of the disability movement in Lebanon.

In Lebanon, there was a noticeable participation from the disability movement at different levels. At the national level; the DPOs and the NGOs have been invited to take part in the national committee which has been established in accordance with the law number 220 in order to monitor its implementation, within this committee, we intended to follow up the convention in its different

stages. At the international level, the DPOs have contributed effectively to the convention through proposing specific points. Furthermore, some PwDs from Lebanon had participated in the Ad Hoc committee meetings in New York. As for the regional level, we have participated in different activities throughout the region in order to reach a common understanding and joint position on the convention.

The Convention on LPHU's Agenda:

LPHU concentrates on the promotion of CRPD as a preparatory step before the ratification. CRPD constitutes the main frame of all the activities we design and implement. Regarding the current political situation, I think we have a limited space to move within, therefore, it might be good to focus on the capacity building and the awareness raising aspects at the present time.

We do recognize that the value of the adoption of Law 220/2000 as a legal instrument enshrines the rights of PwDs in Lebanon, nevertheless, the present law is characterized by being indistinct, in addition to the lack of the executive mechanisms, I think that CRPD will help in remedying these gaps.

CRPD after the entry into force will be the main reference not only for the legislative movement at the national levels, but also for the disability policies, projects, activities, practitioners and the development sector in general.

CRPD, Challenges and priorities



Dr. Heba Hagra, a leader in the disability field in Egypt and a member in the Arab Organization of Disabled People (AODP)

Could you provide us a general overview about the efforts which have been exerted to promote the CRPD at the national level in Egypt?

Besides my participation in more than one meeting of the Ad Hoc committee in New York, several awareness campaigns were conducted in cooperation with some NGOs in Egypt targeting disabled people to help them understand the different articles of the convention as well as to get their opinions on the provisions.

After the signature on the Convention, further trainings were conducted targeting the decision makers according to each of his/her field. I think there were very good endeavors from some of the activists in the civil society in Egypt towards follow up the convention-process

How do you evaluate the outcomes of these trainings?

I have to admit that there is a real need to increase the efforts in this regard as the work on the disability issues here is not-strategically based, which requires a serious cooperation between the stakeholders and the decision makers to draw policies and set up national and local plans which aim to achieve the general concept of the CRPD and the standard rules.

Egypt has deposited its ratification of the CRPD to the UN, in your opinion, what would be the main

expected outcomes of this ratification at the legislative and the strategic levels?

It is undeniable that there were huge, but uncoordinated efforts by the different stakeholders which might have urged the State to accelerate the ratification-process. I do believe that the starting point should be from the legislative-movement through drafting human rights based law in consultancy with DPOs and PwDs. Good attempts have already commenced to draft a new inclusive disability-law. These attempts were hindered and have been side-tracked at some stages. However, such attempts indicate a positive attitude must be utilized by the stakeholders.

With regard to the strategies and policies, we are looking forward to having for a specialized body here the PwDs have an effective representation and through which can coordinate with the decision makers to accomplish one of the basic principles in the convention. This is that the participation of persons with disabilities and their representative organizations in the decision making process.

Steps towards change, CRPD; Yemeni context

Ms. Raja Al-Musaabi, Chairwoman of the Arab Human Rights Foundation (AHRF), a main leader in the disability field and human rights movement in Yemen.

Could you give us an overview about your organization?

Arab Human Rights is a Yemeni non-profit NGO, founded in February 20, 2002. Our Mission is; Promoting and fostering the Human Rights culture and principles, as well as Including the Human Rights values in all spheres of development with special emphasis on empowerment and civic

engagement of marginalized and vulnerable social groups.

AHRF accomplishes this through awareness raising and capacity building activities for the broad public as well as for specific target groups particularly youth. The Coordination with the counterparts organizations in Yemen or abroad and sharing experiences are main principles in the foundation's strategy.

Raising awareness and enforcing women's in different segment of the community in addition to Conduct development projects supporting vulnerable populations groups and promoting their rights are the main goals of our foundation.

What was your organization's input in the convention process?

My organization was honored by convincing the Yemeni government to participate in the UN Ad hoc committee-meetings in New York. This had been achieved through collective and individual efforts including organizing meetings with the related ministers, establishing a network in Yemen to urge the State to participate in the convention-process and finally ensuring the representation of PwDs. I represented my country in the Ad hoc meetings as a chairperson of the first official delegation then as a regular member, this besides my several participations as a civil society representative.

What is the status of ratification of Yemen, and are there any fears of potential reservations?

Yemen was one of the first Eight Arab signatories on the Convention on the 30th of March 2007, and I think that the State is about to finalize the ratification procedure. I expect that this will include the optional protocol as well. With regard to the reservations, I'm afraid that few reservations are anticipated, and we are working to overcome this issue.

How the ratification on the convention would promote the disability situation in Yemen?

The Disability situation has started to change in the early 1990s. We have a specific law on disability in addition to the Yemeni Disability Fund for Care and Rehabilitation which has good resources. Nevertheless, no doubt that the paradigm shift towards the rights based approach in the disability field is a long run process. The entry into force of the convention at the national level after the ratification would enhance such process which has already started out with the early beginning of the negotiations and the draft meetings of the convention.

of Arab laws which promote and protect the basic rights and fundamental freedoms of PwDs.

Are you satisfied with the status of signatories and ratifications on CRPD in the Arab world?

If we are talking about 15 signatures and 4 ratifications of 22 countries till the present moment, then we are in a very good situation. The Arab world by these 3 ratifications; has guaranteed seats in the monitoring Committee of the convention.

In the same direction, do you see real opportunities for more ratifications by the Arab States?

I think 4 ratifications within one year is a very good result. We are aware that a few Arab States have some reservations on specific points. Unfortunately, the weakness in the disability movement in the Arab countries might decelerate the process of ratification moreover, the disability movement is not able to ensure ratifications without reservations by some of the Arab countries.

What are the main actions you may suggest for DPOs and NGOs to commence in order to urge their governments to sign and ratify the convention?

The advice I would give to all DPOs is to never stop advocating and working with other civil society organizations as the subject we tackle is a crosscutting human rights issue. It is also of vital importance to collaborate with the political parties in order to incorporate the disability rights issues in their agenda.

You mentioned implementation and monitoring more than once. As a regional body, how do you envision your input in this process?

Very bluntly, we have clear weaknesses in the disability movement, for example the lack of new leaders and lack of the democracy culture. We are planning to form a regional monitoring body; expected to be operating at the end of 2008. This body aimed at promoting CRPD in the

CRPD. A Regional Prospective

Dr. Nawwaf Kabbara, the President of Arab Organization of Disabled People (AODP), and one of the founders of the regional disability field as well as an actor of the global disability movement.

Who is the AODP?

The Arab organization of Disabled People is a regional DPO composed of coalition of DPOs throughout the region. AODP is a member of different global alliances such as: Disabled People International (DPI), the International Disability Alliance (IDA) in addition to the membership in the International Disability Caucus (IDC). The mission of AODP is aimed at motivating the establishment of the unions of persons with a disability in the Arab world, eliminating all forms of discrimination against PwDs, promoting the rights of woman with disability and strengthening their role, improving the provided services for PwDs in the Arab countries and activating the lawmaking

aspect of implementation and monitoring. The DPOs, the governmental representatives and the related international bodies will be included in this process. The work of this body will proceed at two levels. The first one is embodied in the capacity building for the stakeholders including the governmental representatives involved in the field, and the second one is directed to follow up and monitor the implementation of the CRPD through specific tools of which will be developed by the experts. Some of these tools will measure the accountability and the transparency.

A final word you would like to add?

Although the general perspective of the disability movement does not meet our ambition, but we still have strong DPOs in some countries like Morocco, Lebanon and Yemen. I do believe that we can build on that through a participatory work leading to real cooperation and a strong disability network.

CRPD on the Arab League Agenda



Mr. Ibrahim Al-Souri, one of the key persons in the arab league concerning the disability issues.

The Arab league has started to work alongside the official delegates of the Arab States and civil society to support the convention during the draft process by coordinating with the missions in the UN to present unified positions on specific points particularly the rights of persons with disabilities under occupation and during the armed conflict. We could achieve this goal as the convention now includes in the preamble provisions on the occupation issue and the armed conflict in addition to article 11 on the emergency situation.

Efforts Towards Ratification:

The Arab league has succeeded in convincing the Arab council of the ministers of social affairs to adopt a specific resolution calls for ratification and urging the Arab States to ratify as soon as possible. We have already now about 15 signatures and 3 ratifications.

Due to specific considerations, the optional protocol might take a longer time to be ratified by some states in the region. It's worth mentioning here that Tunisia has ratified the protocol.

I believe that the rest of the Arab states will ratify with no reservations or at least, with very limited ones.



Right to an accessible environment, (UNCRPD Article 9,) LPHU event, South Lebanon, March 2008

A Future Vision:

We are planning to organize a regional conference in next June in Saudi Arabia to set up a frame and guidelines for disability-plans/policies to be adopted by Arab countries at the national levels. The experts within the disability field from the region will have the dominant input in this regard. One of the objectives is to revise the Arab decade and to bridge the gaps between the latter and the convention.

The Arab league observes carefully the performance of the disability movement at the regional level and we are always ready to support any new initiative of which promotes the teamwork spirit amongst the DPOs and the PwDs.

I think the DMI project is directed towards the same goals that we intend to achieve, thus, personally, and at the official level, I do support the project and I offer unlimited cooperation including the facilitation of communication with the decision makers where needed.

Between the Present and the Future. The UN Standard Rules and CRPD; Substitution, Competition or Complement.



Ms. Hissa Al Thani, the United Nations Special - Rapporteur on Disability

How do you estimate the role of the Special Rapporteur in promoting the Convention?

I was fortunate enough to be appointed as a Special Rapporteur for monitoring the implementation of the Standard Rules for the Equalization of Opportunities for Persons with Disabilities at a historical moment in the life of the international disability movement, when the Convention on the Rights of Persons with Disabilities was being negotiated and drafted. It was impossible to ignore this milestone and to work as though the only instrument I needed to concern myself with is the Standard Rules.

Therefore, alongside the work I was doing on the Standard Rules, I was also promoting the Convention as a process, as a necessary human rights instrument and as an important future guarantor of the rights of persons with disabilities.

I would expect now that the Convention has been adopted and entered into force, and the next Special Rapporteur of the Standard Rules would be doing the same with far more emphasis on the Convention. It would be important in all encounters with the government officials to



Right of persons with disabilities to work, (UNCRPD Article 27) South Lebanon, 2007

advocate for and urge them to incorporate the Articles of the Convention into their legislation and to develop strong national action plans with a clear division of responsibilities, timelines and detailed activities in order to ensure full implementation. Resulting in safeguarding the rights of persons with disabilities and addressing all violations of those rights.

What about the implementation scope of the Standard Rules with the Convention—entry into force?

As I have always insisted over the past five years, the Convention will not supersede the Standard Rules, in the same way that the Standard Rules added value, procedure, guidelines, explanation to the World Programme for Action.

I think everyone is aware of the great overlap and symmetry that exists between the Standard Rules and the Convention. The Standard Rules not only detail the responsibilities of governments at the national level to achieving equalization of opportunities, but also speaks to the community and the individual responsibility.

The Office of the UN Special Rapporteur, in partnership with the South-North Center for Dialogue and Development, developed a Global Survey on Government Action on the Implementation of the Standard Rules for the Equalization of Opportunities for Persons with Disabilities. Through this Survey, a set of 324 individual measures were extrapolated which if implemented would guarantee a world where equal opportunities for all is the norm rather than the exception. These measures are relevant to the implementation of the articles of the Convention as well and can be used as guidelines for what needs to be done to effectively implement the Convention at all levels.

A Transitional Stage:

On a more substantive level, it is true that the Convention deals with more issues than do the Rules—example article 12 on equality before the law and legal capacity—it is also true that the Standard Rules offer more details and better clarity on issues such as rehabilitation—including

the responsibility of governments, communities, families, individuals, the medical professions, and the organizations of persons with disabilities.

Further more, although I am in favour of every Member State becoming State Party to the Convention, I do recognize, from my experience and observation in many developing countries, that the infrastructure at legal, political and social levels is very much lacking for implementation of the Convention. The Standard Rules would remain not only relevant but a way to build up and strengthen that infrastructure for the future effective implementation of the Convention in all its details.

We must also recognize that quick ratification of the Convention does not necessarily mean implementation. In fact, governments that take the time to study, to adapt, to apply, to review, revise, redraft laws and conduct dialogue between stakeholders in preparation for ratification will likely have far more effective implementation.

Could you highlight the main activities that you conducted at the regional level in the Middle East to promote the Convention?

Even to just highlight the main activities would take many pages. But I would say, as I mentioned above, that the Convention featured equally as the Standard Rules in all my activities relating to advocating for the rights, needs, and issues of persons with disabilities. It was impossible, in the past five or six years to enter into any discussion of disability issues without talking about the Convention.

The Arab Parliamentary Symposiums that were being conducted to raise awareness of the Standard Rules and build the capacity of legislators on drafting disability legislations, always included at least one session on the Convention.

I have participated in a large number of regional, sub-regional and national meetings on the Convention and the future of the disability movement after the adoption of the Convention. I have always emphasized the legal obligation inherent in the Convention and the moral one inherent in the Standard Rules and made the point

about their integrity.

How do you see the role of the disabled persons organizations and the civil society in general at the implementation/monitoring stages?

I think that the negotiations and drafting process of the Convention has given a clear idea of the role that persons with disabilities and their organizations can and should play in all matters that concern them. I have always insisted that they themselves are the true experts.

Disabled persons organizations should be on hand and directly involved in every step of the implementation. And the most effective monitoring can only be achieved when persons with disabilities are present on the monitoring committees.

Additionally, I consider all society, whether it's the public or private sector, to be stakeholders in ensuring effective implementation and regular monitoring of the convention.

Further points you would like to add?

Thank you very much for giving this opportunity once again to speak about something that I strongly believe in - namely that the Convention and the Standard Rules are necessary for guaranteeing equalization of opportunities, full participation, preservation and promotion of the rights and dignity of persons with disabilities.

And What's Next?:

These interviews highlight various concerns and several challenges not only with respect to the CRPD ratification, implementation or monitoring, but also in the sought occurrence of the radical change in the disability movement milieu which turns it as a whole to the rights based approach. In the same time, these interviews provide common intentions, strong motivations and joint positions towards promoting the human rights culture and disability movement. The winds of change which started to blow already through the region with the kick-start of the CRPD in 2003, thrusts ahead this trend.

It is clear now that the rights-oriented stakeholders are able to diagnose the weaknesses and to identify the problems. The next step then should be the capacity building of the rest of the stakeholders to enhance the decision making process and direct it to mainstream disability inclusively. The current positive trends of the decision makers in the Arab world (which deduced from the number of the signatures and ratifications, additionally the progressive national initiatives in some countries), must be invested by the local, national, regional and the international bodies to create good practices aimed at enhancing the human rights of PwDs and the bases of the services provision.

Selected Publications:

Secretariat for the Convention on the Rights of Persons with Disabilities, DESA, OHCHR and IPU: Handbook for Parliamentarians on the Convention on the Rights of Persons with Disabilities, 2007.

World Bank: Disability and Poverty: A Survey of World Bank Poverty Assessments and Implications, 2008.

World Bank: A note on disability issues in the Middle East and North Africa, Human Development Middle East and North Africa Region, 2005,

Accessibility:

ESCWA and the Lebanese Ministry of Social Affairs: Accessibility for the Disabled. A Design Manual for a Barrier Free Environment and Accessibility for the Disabled in the Urban Environment in the ESCWA Region Planning and Design Solutions, 2003.

Decent Work:

UNenable: Employment for Persons with Disabilities, Fact sheets: <http://www.un.org/disabilities/documents/toolaction/employmentfs.pdf>

International Labor Organization: The Right to Decent Work of Persons with Disabilities, Working Paper, 2003.

Human Rights:

Handicap International: Reference Documents and Resources on Disability Rights and Policies, 2008.

AIFO: Training Manual on the Human Rights of Persons with Disabilities, 2007

Inclusion and Education:

OECD: Inclusive Education at Work Students with Disabilities in Mainstream Schools, 1999

DFID: Disability, Poverty and Development, 2000.

Events:

A conference about the rights of persons with disabilities and the media was held in Egypt in July 2008. It targeted the media staff: (Radio and TV directors, TV hosts, media producers and writers, journalists, and actors). It was organized in cooperation between the National Council of Childhood and Motherhood in Egypt and the Special Rapporteur's office under the patronage of the first lady of Egypt. It included presentations about the drama and disability and presentations on the international documents in addition to the national aspect of the disability.

The campaign on the War and Disability was launched in Lebanon in July 2008 it included video spots present the consequences of the war and its impact on the disability. The participants were from the national, regional and international disability alliances. It included as well presentations on the global survey and some related reports.