



**Report on the List of Issues Related to the Initial Report  
of the State of Palestine under the Convention on the Rights of  
Persons with Disabilities**

**Submitted by  
QADER for Community Development**

**Submitted to  
The UN Committee on the Rights of Persons with  
Disabilities**

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QADER for Community Development is a Palestinian non-governmental, not-for-profit, and rights-based organization specializes in the rights of persons with disabilities, and established in 2008 in Bethlehem, Palestine. QADER leads a twin-track approach, dedicated to the empowerment and protection of children, women, and youth with disabilities from marginalization, discrimination, and all forms of disability and gender-based violence. QADER is committed to aligning societal, institutional, and policy contexts with the principles of “disability inclusion” and “leave no one behind” in Palestine. Through this alignment, QADER strives to foster its active engagement and meaningful participation across diverse facets of life and to ensure their full entitlements of rights by local laws and international human rights conventions and standards. In addition, QADER leads its international advocacy efforts through monitoring and documentation of human rights violations and international crimes, legal analysis, and reporting, to foster avenues for accountability and the protection of the rights of persons with disabilities ([www.qader.org](http://www.qader.org)).

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## Executive Summary

1. QADER for Community Development (hereinafter “QADER”) has the honor to submit the present report to the Committee on the Rights of Persons with disabilities (hereinafter “the Committee”) in relation to the List of Issues (CRPD/C/PSE/Q/1) concerning the initial report of the State of Palestine under the Convention on the Rights of Persons with disabilities (hereinafter “the Convention”). This submission is informed by an independent and critical analysis that reflects QADER’s perspective as a representative organization working with and for Persons with disabilities. It draws upon the organization’s extensive field-based experience and its ongoing monitoring and analysis of relevant legislative, policy, and institutional frameworks within the occupied Palestinian territory (oPt).

2. The report documents **the widespread and deepening structural discrimination and marginalization of Persons with disabilities in Palestine**. This is reflected in the absence of specialized surveys, lack of inclusive national policies, weak disability inclusion in national and sectoral plans, and lack of meaningful participation of Persons with disabilities and their representative organizations in decision-making. It further highlights the State party’s failure to uphold its obligations under the Convention, particularly since the onset of the military aggression on the Gaza Strip on 7 October 2023, which has resulted in grave violations, international crimes, and compounded catastrophic impacts on Persons with disabilities.

3. QADER expresses its concern **that the State of Palestine has not made its official report in response to the List of Issues publicly available**, nor has it provided OPDs or CSOs with the opportunity to review and comment on it. This stands in contravention of the provisions of the Convention, the guidelines issued by the Committee (CRPD/C/2/3), the revised reporting framework, including the simplified reporting procedure (CRPD/C/3), as well as the harmonized guidelines on reporting under international human rights instruments.

4. In light of the above, **the present report provides detailed, evidence-based, and practical recommendations addressing all issues raised in the List of Issues**. It calls for urgent structural reforms, strengthening protection mechanisms, a shift from a care-based to a rights-based approach, and the full and effective participation of Persons with disabilities and their representative organizations in all stages of planning, implementation, and accountability.

## Introduction

5. This report presents an independent and comprehensive analytical assessment prepared by QADER regarding the extent to which the State of Palestine complies with the provisions of the Convention. It responds to the List of Issues adopted by the Committee and sent to the State party. The report is grounded in field-based data, credible sources, and a thorough analysis of relevant policies, legislations, and practices. It examines structural gaps, persistent challenges, and systemic discrimination against Persons with disabilities - particularly in the context of the

severe deterioration across the occupied Palestinian territory, and the catastrophic escalation of violations in the Gaza Strip since the onset of the military aggression on 7 October 2023.

6. The report highlights - in the analysis provided - the principles and obligations enumerated in the Convention, with particular emphasis on Article 11, which addresses the protection of Persons with disabilities in situations of risks and humanitarian emergencies. It also draws upon **UN Security Council Resolution (2475)** which obliges States to take effective measures to ensure the protection and participation of Persons with disabilities in the context of armed conflict, including through humanitarian response mechanisms and reconstruction planning. These references are of heightened relevance in the Palestinian context, where discrimination and marginalization are deepening, and risks are escalating, while national measures to address or mitigate such threats remain largely absent.

7. This report reflects **QADER's** commitment to providing a meaningful and comprehensive contribution to the **constructive dialogue** that the Committee will hold with the State of Palestine during its upcoming session and supports the adoption of **precise and effective concluding observations** by the Committee. QADER calls on the State of Palestine to respond clearly and in detail to the recommendations set forth in this report, accompanied by specific timelines and effective implementation mechanisms. This is essential to move from pledges to practice, and from recommendations to enforcement, in a manner that upholds the dignity of persons with disabilities and strengthens equality and inclusion - both in times of conflict and in peace.

**8. This report constitutes a critical and constructive human rights submission, grounded in factual evidence, obligations, and specialized expertise, placing the rights and dignity of Persons with disabilities at the core of comprehensive national reform and equitable transformation process in Palestine.**

#### **Purpose and General Obligations (Articles 1 - 4)**

9. In item 1(a) of the List of Issues, the Committee requested the State of Palestine to provide information on the measures taken to publish the Convention and its Optional Protocol in the Official Gazette to enable their direct implementation within the Palestinian legal system.

10. **QADER** respectfully informs the Committee that the State of Palestine has officially published the CRPD in the Official Gazette, through Law by Decree No. 36 of 2023, which was issued in Gazette No. 210, dated 28 January 2024. However, **the Optional Protocol to the Convention has not yet been published in the Official Gazette**, despite the State's formal accession to the Protocol on 10 April 2019.

11. In item 1(b), the Committee requested information on the status and time frame to adopt a new disability law. It also requested an update on the progress of the Legislative Harmonization Committee, formed in 2017, to amend legislation and administrative

procedures in line with the Convention. QADER confirms that no progress has been made on the draft **Law by Decree on the Rights of Persons with disabilities of 2019** over the past six years, and there is no clear timeline for its adoption, while ensuring the effective participation of Persons with disabilities and their representative organizations.

12. **The Law on the Rights of Palestinian Disabled No. (4) of 1999**, currently in force, remains incompatible with the Convention on the Rights of Persons with disabilities (CRPD), and has not undergone any amendments despite more than a quarter of a century having passed since its adoption and entry into force. The law continues to be rooted in the **medical - charity** model and links the rights of Persons with disabilities to the Ministry of Social Development. This can be clearly observed in the title of the law, its definition of disability, and its fragmented rights-based approach, particularly with regard to political rights. Furthermore, the law lacks a dedicated chapter on **penalties** for violations, which has rendered it non-binding and led to its ineffectiveness.

13. No tangible progress has been made by the Committee for **the Harmonization of Legislation with International Conventions**, established in 2017, in terms of amending laws and administrative procedures to align with the provisions of the Convention. QADER notes that the Committee is composed of 14 members, of whom 11 represent official governmental bodies, while only 3 represent non-governmental institutions (the Bar Association, the Independent Commission for Human Rights, and the General Union of Palestinian Women), **with no representation of organizations of Persons with disabilities (OPDs)**. This composition entrenches the systematic exclusion of Persons with disabilities from decision-making processes concerning their rights, in clear violation of Article 4 (3) of the Convention. It also further widens the gap between the State of Palestine's treaty obligations and the existing legal and institutional framework, which continues to be grounded in a **charitable approach** that strips rights of their participatory and human rights-based substance.

14. Under item 1(d) of the List of Issues, the Committee requested information on the national strategic framework for disability and the implementation of plans for the Convention. QADER highlights that **there is still no national strategy grounded in a rights-based and developmental approach that recognizes disability as a cross-cutting issue. Instead, the prevailing model remains medical and relief-based.** The Ministry of Social Development drafted a strategic plan for the years 2024–2029; however, its development was suspended following the onset of the aggression on Gaza - **without a justified rationale for halting progress. Furthermore, the Government's 2024 Emergency Response Plan does not incorporate a disability-inclusive perspective, and the Ministry of Social Development's budget shows no clear allocations for the implementation of the Convention.** QADER expresses its concern regarding the lack of effective participation of Persons with disabilities and their representative organizations in the formulation of the strategy and in monitoring implementation mechanisms to ensure effectiveness and inclusivity. This gap exacerbates marginalization and undermines the State party's ability to uphold the

fundamental rights of Persons with disabilities s, particularly in times of emergency and conflict.

15. Under item 1 (e), the Committee requested information on reaching Persons with disabilities s, including in the Gaza Strip, and on the systematic collection of disaggregated data by age, sex, gender identity, ethnic origin, and place of residence. **QADER confirms that the State of Palestine has not conducted a *specialized survey* of Persons with disabilities since the first and only such survey, which was carried out by the Palestinian Central Bureau of Statistics in cooperation with the Ministry of Social Development in 2011. To date, there is no disaggregated national database reflecting the situation of Persons with disabilities in Gaza and the West Bank.** This gap persists despite the escalation of attacks and international crimes committed by the Israeli occupation since October 7 2023, which prevents an accurate assessment of the humanitarian catastrophe affecting Persons with disabilities and hinders the development of effective responses based on reliable and accurate data.

16. Under item 2(a) of the List of Issues, the **Committee requested information regarding the legal status of the Higher Council for Persons with disabilities.** QADER reports that the Council was established by a Presidential Decree in 2010 and later amended by a subsequent decree in 2012. It is chaired by the Minister of Social Development and includes members from both governmental and non-governmental organizations. However, **the decree does not set out any membership criteria** that would ensure the full and effective participation of Persons with disabilities and their representative organizations. While the decree grants the Council powers related to monitoring the implementation of disability legislation and the Convention, as well as policy development and oversight of relevant institutions, **no tangible achievements have been recorded by the Council in these areas.** The Council was included in the draft law of the Rights of Persons with disabilities of 2019; however, this draft law has not yet been adopted.

17. Under item 2(b) of the List of Issues, the Committee requested clarification on the mechanisms and methodologies in place to ensure the participation of Persons with disabilities s, through their representative organizations, across all government sectors. QADER reports that **the State of Palestine lacks effective mechanisms and institutionalized methodologies to ensure the meaningful participation of Persons with disabilities in the development, implementation, and monitoring of policies, legislation, and decisions that affect their lives, which constitutes a clear violation of Article 4(3) of the Convention.** In practice, official engagement is often limited to the General Union of Persons with disabilities s, thereby excluding the diversity of voices within the disability community and undermining the independent, participatory, and inclusive nature of representation required under the Convention. **This structural flaw undermines the effective enforcement of the Convention** at legislative, policy, and operational levels.

18. Under item 2(c) of the List of Issues, the Committee asked for measures taken to promote the establishment and to strengthen the work of organizations representing women and girls with disabilities, organizations of persons with intellectual or psychological disabilities, and organizations of internally displaced and refugee persons with disabilities. QADER reports that the State of Palestine **has not made any initiative to take any such measures** even though multiple and intersecting forms of violence and discrimination are faced by women and girls with disabilities, particularly in the Gaza Strip amid the ongoing Israeli aggression, international crimes, and forced displacement. The State of Palestine has not supported or empowered these OPDs, in violation of both the Convention and UN Security Council Resolution 2475 (2019). Furthermore, the State of Palestine continues to require **“prior security clearances” from the General Intelligence and the Preventive Security Service for the registration of organizations. This discriminatory prerequisite violates the Palestinian Basic Law**, restricts freedom of association, and impedes the formation of independent representative bodies for the most marginalized groups.

19. QADER recommends that the Committee urge the State of Palestine to adopt serious and concrete measures to end the current legislative and institutional stagnation and to translate its obligations under the Convention into enforceable and inclusive policies. This includes: promptly publishing the Optional Protocol to the Convention in the Official Gazette; adopting a new Disability Rights Law that is fully aligned with the Convention and developed through effective consultation with OPDs, with a clear timeline for its adoption and publication in the official gazette; reconstituting the Legislative Harmonization Committee to ensure equal representation of Persons with disabilities s; adopting a national strategy grounded in a rights-based and inclusive approach, with dedicated budget allocations and transparent reporting on resource allocations; developing a disaggregated and regularly updated national disability database; establishing legal mechanisms that mandate the participation of OPDs in decision-making processes; halt the requirement for "prior security approvals" for the registration of organizations; and activating the role of the Higher Council for Persons with disabilities in a way that enhances its independence an oversight function. The continued absence of these measures exacerbates structural discrimination and undermines access to justice, protection, and dignity for Persons with disabilities in the occupied Palestinian territory.

### **Equality and Non-Discrimination (Article 5)**

20. In paragraph (3) of the list of issues, the Committee requested information on measures taken to repeal or amend discriminatory laws against Persons with disabilities s, including those that restrict their legal capacity or exclude them from rights; efforts to overcome stereotyping and stigma; measures aimed at developing supported decision-making mechanisms as alternatives to substitute arrangements; and ensure access to effective remedies.



21. QADER reports that **the State of Palestine has not taken any legislative or administrative measures to repeal or amend laws that restrict the legal capacity of Persons with disabilities, in violation of Article 12 of the Convention.** The inherited Ottoman-era Code of Civil Procedures (serving as the civil law) and the Personal Status Law of 1976, inherited from the Jordanian period, remain in force and **perpetuate concepts of guardianship, tutelage, and interdiction**, which discriminatorily deprive persons with disabilities - **particularly those with intellectual disabilities** - of their legal capacity. The Penal Code (1960), the Code of Criminal Procedure (2001), and the Evidence Law (2001) contain terms and provisions that involve stereotyping and exclude persons with disabilities from testifying, procedural guarantees, and participation in civic life. This **structural discrimination** also extends to banking transactions, where administrative requirements restrict the legal capacity of persons with disabilities without legal basis and in violation of the Palestinian Constitution. Furthermore, there is no Palestinian legislation criminalizing all forms of discrimination, **including disability-based discrimination**, nor imposing penalties for such acts.

22. QADER notes that the State of Palestine has drafted a proposed **Personal Status Law by Decree for 2025**. QADER expresses its **concern** that the draft law replicates **the same concepts and terminologies** found in the Ottoman-era Code of Civil Procedures and the 1976 Personal Status Law. **It contains multiple and intersecting forms** of discrimination based on gender and disability, particularly in matters related to marriage, divorce, guardianship, custody, and legal capacity. The draft Law by Decree strips Persons with disabilities - **especially those with intellectual disabilities** - of their legal capacity and civil rights, in clear violation of Article 12 of the Convention. The draft Law by Decree also lacks principles of **disability inclusion** and **reasonable accommodation**. Furthermore, OPDs were not represented in the committee responsible for drafting the Law by Decree, in violation of Article 4 (3) of the Convention. The content of the draft is also inconsistent with the Concluding Observations of the CEDAW Committee regarding Palestine's initial report (CEDAW/C/PSE/CO/1), as well as the List of Issues and questions raised by the same Committee in preparation for the State's second periodic report (CEDAW/C/PSE/QPR/2). In addition, the draft Law by Decree reflects underlying **negative perceptions and stereotyping** based on gender and disability.

23. Protection systems for women survivors of violence - such as the Regulation on Shelters for Battered Women (2011) and the National Referral System for Battered Women (2022) - **reveal significant gaps in disability inclusion**. These include the lack of reasonable accommodation in shelters to meet the needs and requirements of women with disabilities, the absence of specialized personnel, lack of procedural safeguards, and the use of non-inclusive forms and tools, in addition to **limited budget allocations**. Such gaps undermine access to remedies and deepen the multiple and intersecting forms of discrimination faced by women and girls with disabilities.

24. QADER recommends that the Committee urge the State of Palestine - within a clear timeline - to repeal or amend all legal, procedural, and regulatory provisions that discriminate against persons with disabilities, as they violate the Basic Law (Article 9) and the provisions of the Convention. This includes, in particular, those that restrict the legal capacity of persons with disabilities, such as the Ottoman Code of Civil Law, the Personal Status Law of 1976, the Penal Code of 1960, the Code of Criminal Procedure of 2001, the Evidence Law of 2001, and the administrative standards applied in the banking sector. QADER further recommends a comprehensive review of the Draft Personal Status (Family) Law by Decree of 2025 to ensure its full alignment with the provisions of the Convention, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the Convention on the Rights of the Child (CRC). It also calls for the adoption of legislative measures to criminalize all forms of discrimination, including disability-based discrimination, and to impose effective and dissuasive sanctions. QADER also recommends the development of mechanisms to support decision-making based on full equality, and the amendment of regulations concerning the protection of women survivors of violence to ensure the inclusion of women and girls with disabilities. This includes adapting the premises of protection centers, qualified personnel, procedural safeguards, and inclusive forms, as well as allocating adequate and traceable financial resources within the budget of the Ministry of Social Development, in accordance with the Convention, principles of justice, self-empowerment, and accountability.

#### **Women with Disabilities (Article 6)**

25. Under item 4 of the List of Issues, the Committee requested the State party to provide information on the measures taken to protect women and girls with disabilities from multiple and intersecting forms of discrimination, and to ensure their full participation in all spheres of life.

26. QADER reports that women and girls with disabilities in the State of Palestine continue to face compounded forms of structural discrimination, which are further exacerbated by the Israeli occupation, forced displacement, and weak legal and social protection, particularly in the Gaza Strip. **The 1999 Law on the Rights of the Disabled does not include any specific provisions addressing the rights of women with disabilities.** Additionally, the current legal framework - including the Personal Status Law and the Ottoman-era Code of Civil Procedures (*Ottoman Majalla*) - fails to uphold the principles of equality and non-discrimination. It reinforces male guardianship and restricts legal capacity, which undermines autonomy and limits opportunities for self-empowerment.

27. **The absence of a disaggregated database on women's empowerment, the lack of dedicated financial allocations,** the weakness of awareness-raising programs, and the persistence of institutional and attitudinal barriers have all compounded the difficulties faced by women and girls with disabilities in accessing justice and have severely undermined the availability and effectiveness of remedies.

28. QADER recommends that the Committee urge the State of Palestine to take immediate measures to repeal or amend all discriminatory legislation affecting women and girls with disabilities, including the 1999 Law on the Rights of the Disabled, the 1976 Personal Status Law, and the *Ottoman Majalla*. A “clear timeline” should be established for adopting these amendments in close consultation with organizations of Persons with disabilities. QADER also recommends the adoption of a new Disability Rights Law that is fully aligned with the Convention and enshrines the principles of equality and non-discrimination. It further calls for the inclusion of gender and disability in all national policies and plans, the development of a disaggregated database to reflect the realities of multiple and intersecting discrimination, and the establishment of an accessible complaint mechanism for Persons with disabilities within the Prime Minister’s Office and all relevant ministries. In addition to strengthening awareness-raising programs, allocating clear and traceable financial resources, amending the Women Protection Centers Regulation and the National Referral System to ensure the inclusion of women and girls with disabilities, ensuring the accessibility of protection centers in terms of infrastructure, staffing, forms, and referral and follow-up mechanisms. This is deemed necessary to ensure safe access to justice, and strengthen remedies, protection, and self-empowerment.

#### **Children with Disabilities (Article 7)**

29. Under item 5 of the List of Issues, the Committee requested the State party to provide information on the situation of children in the Gaza Strip, particularly concerning measures to ensure an adequate standard of living, including access to food, drinking water, clothing, and housing.

30. QADER reports that the ongoing wide-scale Israeli military aggression on the Gaza Strip since 7 October 2023 has caused devastating harm to children. The UN has described Gaza as **“the most dangerous place in the world for children”** (QADER, *Impact of the Israeli Aggression on the Rights of Persons with disabilities in Gaza*, April 2024). According to data from the Euro-Mediterranean Human Rights Monitor (June 2025), **more than 18,000 children have been killed over 600 days of bombardment, in addition to thousands of injured children and thousands more who have acquired long-term physical and psychosocial disabilities**. UN experts have further stated that **“many of the approximately 100,000 Palestinians injured in Gaza will acquire long-term disabilities** requiring rehabilitation, assistive devices, and psychosocial support” (QADER, *The Reality of the Rights of Palestinian Children with Disabilities Under Israeli Colonial Occupation: Patterns of Violations, Accountability Pathways, and Remedies*, November 2024).

31. Children with disabilities in Gaza are subjected to **grave and compounded violations, including killing, starvation, forced displacement, denial of access to essential vaccinations, and the obstruction of entry for assistive devices and life-saving medical supplies**. The ongoing Israeli aggression has also targeted critical facilities dedicated to their care, including Al-Wafa Hospital, the Sheikh Hamad Center

for Prosthetics, and the Medical Relief Assistive Devices Center. The Gaza Strip is now facing a complete collapse of the healthcare system, with widespread disease outbreaks and famine – with compounding impact on children - which has severely limited access to care and rehabilitation services. **QADER’s field team has observed the absence of disability-inclusive humanitarian response in the aid provided, and the systematic exclusion of children with disabilities from the priorities of emergency interventions.** This reflects structural **discrimination** in times of crisis (QADER, Regional Conference on *the Role of the International Community and Civil Society in Protecting the Rights of Palestinian Children*, November 2024).

32. **QADER recommends that the Committee request the State of Palestine to provide detailed and specific information on the measures and actions taken to protect with disabilities in the Gaza Strip, and to urge the State of Palestine to develop a comprehensive national strategy for the protection of Persons with disabilities s, especially children and women, in situations of armed conflict; addressing prevention, response, recovery, and rehabilitation, and ensure the inclusion of disability in all national plans. QADER also recommends that the Committee to urge the State of Palestine to establish a disaggregated database to reflect the realities and needs of Persons with disabilities and ensure their inclusion in humanitarian response priorities, including their access to medical and psychological support, rehabilitation services, assistive devices, and life-saving health supplies. Such measures are essential to ensure an effective and inclusive response during conflict and crisis, in line with the State of Palestine’s obligations under the Convention and the UN Security Council Resolution 2475 (2019).**

#### **Article 8: Awareness-Raising**

33. Under item 6 of the List of Issues, the Committee requested the State of Palestine to provide information on the measures taken to address negative social attitudes, eliminate stereotypes and stigma associated with Persons with disabilities s, including through awareness campaigns, school curricula, and media. QADER informs the Committee that the State of Palestine has not taken any serious or strategic steps to promote awareness of the rights of Persons with disabilities in a way that strengthens inherent human dignity, empowerment, and participation.

34. Current legislation, **including the draft Personal Status Law by Decree of 2025**, continues to use discriminatory terminology such as “*insane*,” and “*incapable*,” **which reinforces stereotyping and exclusion.** Moreover, the State of Palestine continues to use such stigmatizing and discriminatory language in its official reports submitted to the Committee, rather than eliminating it. Disability inclusion remains absent from educational curricula, and the contribution of the media in challenging stereotypes and promoting a culture of human rights is still limited. There is no national awareness-raising strategy grounded in the Convention that ensures the participation of OPDs in its design and implementation.

35. QADER recommends that the Committee call on the State of Palestine to develop a “comprehensive awareness-raising strategy” on the rights of Persons with disabilities, in close consultation with their representative organizations. This should include a review of legal terminology, the inclusion of disability inclusion in school curricula and media, the implementation of regular national campaigns, and the development of inclusive communication mechanisms during times of conflict. QADER also stresses the need for effective diplomatic efforts to hold the occupying authorities accountable to their obligations under international law, ensure the facilitation of humanitarian aid and essential services, and guarantee the protection of Persons with disabilities in situations of conflict, in line with the Convention and the UN Security Council Resolution 2475 (2019).

#### Accessibility (Article 9)

36. Under item 7 of the List of Issues, the Committee requested information on the measures taken to ensure that Persons with disabilities have access to the built environment, transportation, communications and technology, and other facilities and services, including in rural areas.

37. QADER reports that Persons with disabilities in the occupied Palestinian territory face **significant barriers** to accessibility, which hinder their ability to enjoy the rights guaranteed under the Convention and UN Security Council Resolution 2475 (2019). These barriers are further compounded by **the absence of a strategic framework based on disability inclusion, the suspension of the National Strategic Plan on the Rights of Persons with disabilities, the lack of meaningful participation of Persons with disabilities and their representative organizations in official planning and implementation processes, and the weakness of enforcement mechanisms and budget allocations necessary for effective implementation.** Although Article 7 of the 1999 Law on the Rights of the Disabled stipulates that “Upon request from the Ministry of Social Development, governmental institutions shall submit their plans and annual reports related to the services they provide to persons with disabilities” **yet this provision is not enforced in practice**, and disability inclusion is often neglected in the policies and plans of various ministries, including the absence of accessibility measures in conflict situations - such as the ongoing aggression on the Gaza Strip - and in emergency responses, as previously seen during the COVID-19 pandemic.

38. The repeated and escalating Israeli military incursions in the West Bank, particularly since 7 October 2023, have resulted in **the fragmentation of cities and villages through military checkpoints and iron gates, creating isolated “ghettos.”** that has deepened spatial exclusion and severely restricted access to essential services, posing a serious threat to the full realization of the rights of Persons with disabilities as guaranteed under the Convention. Meanwhile, the ongoing Israeli blockade and military aggression on the Gaza Strip has further exacerbated barriers accessing **food, water, healthcare, education, and protection**, in a context of widespread destruction

of infrastructure and the absence of reasonable accommodation. **QADER** has documented the deprivation of persons with disabilities from life-saving humanitarian assistance, including assistive devices, medications for chronic and mental health conditions, batteries, and personal hygiene items.

39. Although the 1999 Law on the Rights of the Disabled (Articles 12–17) requires the adaptation of public and private spaces to be accessible for Persons with disabilities, there is no effective monitoring to ensure its implementation. Moreover, **the law does not contain a dedicated chapter on sanctions for non-compliance with these legal obligations, which has undermined the enforceability of its provisions in practice.**

**40. QADER recommends that the Committee urge the State of Palestine to adopt a comprehensive strategic framework on accessibility based on disability inclusion, in full partnership with OPDs. This should include: enforcement of existing legal provisions - particularly those in the 1999 Law on the Rights of the Disabled related to accessibility; addressing the legal gap caused by the absence of sanctions for non-compliance; and expediting the adoption of the draft Law on the Rights of Persons with Disabilities in a manner fully aligned with the provisions of the Convention. QADER further emphasizes the need to allocate traceable financial resources and to ensure the systematic inclusion of disability across all policies and plans, including emergency preparedness and response measures, particularly in light of the ongoing aggression and military incursions.**

#### **Right to Life (Article 10)**

41. Under item 8 of the List of Issues, the Committee requested information on the measures taken to ensure the right to life of Persons with disabilities on an equal basis with others, particularly in the context of armed conflict and the ongoing military aggression on the occupied Palestinian territory.

42. **QADER** reports that Persons with disabilities in the Gaza Strip face an **immediate and existential threat** amid the ongoing and escalating military aggression in both Gaza and the West Bank. The occupying authorities have committed **a pattern of grave violations that amount to acts of genocide**. According to data documented by the Euro-Mediterranean Human Rights Monitor after 600 days of continuous bombardment on Gaza (May–June 2025), more than 62,890 people have been killed, including 18,890 children and 12,920 women, among them 7,920 mothers - equating to the killing of one woman every 67 minutes. Data further indicates that 70% of the victims were killed inside their homes, and more than 43,600 children have been orphaned. The situation is further exacerbated by the deliberate use of starvation as a weapon of war, which constitutes a war crime and is part of a broader strategy aimed at the forced displacement of Gaza's population.

43. **QADER** considers that the failure to ensure protection for persons with disabilities, the structural discrimination embedded in humanitarian response, the denial of access to essential services during the ongoing hostilities, and the international community's persistent failure to uphold its responsibilities and obligations to protect persons with

disabilities in situations of armed conflict and military occupation - as in the case of Palestine - constitute a grave violation of Article 10 of the Convention, particularly in light of the provisional measures issued by the International Court of Justice (ICJ) in the genocide case, UN Security Council Resolution 2735 (2024) calling for a ceasefire and the unconditional entry of life-saving humanitarian assistance, and Resolution 2475 (2019) on the protection and promotion of the rights of persons with disabilities in armed conflict. These instruments all underscore the obligation to ensure immediate access to humanitarian aid and the protection of civilians, including Persons with disabilities.

**44. QADER recommends that the Committee urge the State of Palestine to adopt urgent and systematic measures to protect the right to life of Persons with disabilities, including the development of disability-inclusive response protocols in situations of conflict and emergency. This should involve the inclusion of effective reasonable accommodations into protection policies, early warning systems, evacuation procedures, and access to medical care, while ensuring unconditional access to life-saving humanitarian aid. QADER also calls on the Committee to invoke Article 6 of the Optional Protocol (OP CRPD) and establish a “fact-finding mission” to investigate grave violations and international crimes committed against Persons with disabilities, particularly in the Gaza Strip, which constitute a grave breach of Article 10, other provisions of the Convention, and Security Council Resolution 2475 (2019) on the protection of Persons with disabilities in armed conflict, as well as the provisional measures issued by the ICJ and Security Council Resolution 2735 (2024) calling for a ceasefire and unrestricted humanitarian access to Gaza. Such steps are critical to ensuring accountability for the Israeli occupation and the protection, justice, and redress for Persons with disabilities.**

#### **Situations of Risk and Humanitarian Emergencies (Article 11)**

45. Under item 9 of the List of Issues, the Committee requested the State party to provide information on the measures taken to protect Persons with disabilities in situations of risk and humanitarian emergencies, including in the context of armed conflict and natural disasters.

46. **QADER reiterates that Persons with disabilities in the occupied Palestinian territory, particularly in the Gaza Strip, face a real existential threat amid the ongoing Israeli military aggression since 7 October 2023. According to data from the Euro-Mediterranean Human Rights Monitor, over 62,000 persons have been killed and 127,000 injured during 600 days of aggression on Gaza - including thousands who have acquired disabilities** – in addition to the destruction of infrastructure, healthcare facilities, housing, and rehabilitation centers, and depriving Persons with disabilities from essential services and medical care.

47. Furthermore, **the rate of repeated forced displacement in the Gaza Strip has exceeded 98% according to the Euro-Mediterranean Human Rights Monitor, after 600 days of ongoing aggression,** with the absence of reasonable accommodations

for Persons with disabilities and safe access to humanitarian assistance. QADER observes the absence of any disability-inclusive humanitarian response amid a catastrophic situation that entrenches structural discrimination and threatens the right to life for the population of Gaza - disproportionately affecting persons with disabilities. The systematic denial of access to clean water, electricity, and the repeated interruption of telecommunications further exacerbates the dire conditions faced by persons with disabilities.

48. **QADER** notes that the occupying authorities continue **to obstruct the entry of humanitarian aid through UN agencies, particularly UNRWA, and insist on allowing only limited quantities of aid to enter via Gaza Humanitarian Foundation. This aid is distributed at only four distribution points - three in Rafah, in the south of the Gaza Strip, and one in central Gaza along what is known as the “Netzarim military corridor.” This distribution excludes northern Gaza, where hunger and famine are rapidly worsening. This constitutes a deliberate policy of “militarization of aid” and “engineered starvation,”** in direct violation of international humanitarian law and the principles of neutrality and non-discrimination in the delivery of humanitarian assistance. The United Nations Secretary-General, UN Special Rapporteurs, and UN agencies have emphasized that this mechanism is inconsistent with international law and amounts to the use of starvation of the civilian population as a method of warfare. These policies have resulted in the killing and injuring of hundreds of starving civilians while attempting to access food, often requiring them to travel long and dangerous distances - journeys that are impossible for persons with disabilities. **QADER considers that the strategic objective of these policies is to force the population of Gaza, including Persons with disabilities, into farced displacement, as part of a broader plan of mass forcible transfer, with starvation used as a central weapon of aggression. This assessment has repeatedly been echoed by numerous international organizations, UN Special Rapporteurs, and independent experts.**

49. **QADER** recommends that the Committee request the State of Palestine to provide detailed information on the measures taken to ensure the comprehensive protection of Persons with disabilities since the onset of the military aggression on Gaza on 7 October 2023, and the mechanisms in place to strengthen this protection. **QADER** reiterates its call for the Committee to invoke Article 6 of the Optional Protocol (OP CRPD) and to establish a fact-finding mission, in accordance with Article 11 of the Convention, Security Council Resolution 2475 (2019) on the protection of Persons with disabilities in armed conflict, Security Council Resolution 2735 (2024), and the provisional measures issued by the ICJ in relation to the situation in Gaza.

50. **QADER** further recommends that the Committee urge the State of Palestine to assume an active diplomatic role in international platforms to expose the coercive policies pursued by the Israeli occupation, particularly the systematic use of starvation as a tool of forced displacement. The State should also disclose the measures undertaken to confront the unilateral mechanisms of the "*militarization of*



*humanitarian aid*" and the "engineering of *starvation*", and ensure that humanitarian assistance is delivered through UN channels - particularly UNRWA - in a manner that guarantees a neutral and non-discriminatory response, upholding the human dignity of Persons with disabilities at all stages of conflict and emergencies. QADER also underscores the urgent need to advance political reform and implement a comprehensive transitional justice program to promote rights and freedoms, and to work toward the unification of institutions in the West Bank and Gaza Strip. These efforts are essential to strengthening the resilience of Palestinians in the face of grave violations and international crimes, whose impact is disproportionately borne by persons with disabilities.

### **Equal Recognition Before the Law (Article 12)**

51. Under item 10 of the List of Issues, the Committee requested information on the measures taken to ensure the legal recognition of Persons with disabilities on an equal basis with others, including the review of discriminatory provisions in personal status laws in both the West Bank and Gaza Strip that restrict legal capacity, particularly for persons with intellectual disability, as well as the judicial and administrative remedies available in cases of rights violations.

52. **QADER** emphasizes that persons with disabilities in the Occupied Palestinian Territory, particularly persons with intellectual disabilities, continue to be denied full recognition of their legal capacity under Palestinian legislation. This includes the 2025 Draft Personal Status (Family) Law by Decree, which in Article 203 declares that persons with intellectual disabilities are “**not qualified to exercise their civil rights**,” and Article 210 mandates **the imposition of legal guardianship upon them** by force of law. To date, no legal or procedural arrangements exist to ensure the exercise of legal capacity in accordance with the provisions of the Convention. Furthermore, there is no framework in place to provide decision-making support or safeguards against exploitation and abuse of power. QADER also notes the complete absence of effective judicial or administrative remedies in cases of violations of this right, both in law and in practice.

53. QADER recommends that the Committee call on the State party to take immediate steps to adopt a legal framework that ensures full recognition of the legal capacity of Persons with disabilities, on an equal basis with others, in line with Article 12 of the Convention. This includes conducting a comprehensive review of the draft Personal Status Law by Decree of 2025 to ensure its full alignment with the Convention, CEDAW, and the CRC. QADER further recommends the establishment of a supported decision-making system that respects the dignity and autonomy of Persons with disabilities, amending existing legislation accordingly, and setting a clear timeline for these reforms. The State party should also provide effective legal safeguards against exploitation and abuse of power, and guarantee access to effective judicial and administrative remedies in cases of violations of this right.

### Access to Justice (Article 13)

54. Under item 11 of the List of Issues, the Committee requested information on the measures taken to ensure access to the justice system for Persons with disabilities, including the provision of procedural and general reasonable accommodations, the training of judges, prosecutors, and law enforcement officials, and the specific procedures in place to guarantee access to justice for women with disabilities in cases of gender-based violence.

55. QADER underscores that **the right to access to justice continues to face significant barriers in the occupied Palestinian territory** due to the absence of effective measures to provide reasonable accommodation, limited specialized training for judges, prosecutors, and police, the lack of disability-inclusive procedural rules, and the continued absence of accountability mechanisms that take into account the specific circumstances of women with disabilities who are survivors of violence. The justice system remains physically and institutionally inaccessible, entrenching structural exclusion, undermining trust in justice institutions, and widening the protection gap. Law by Decree No. 40 of 2020 amending the Judicial Authority Law No. 1 of 2002 stipulates in Article 5 that candidates for judicial office must “**meet the health requirements for appointment**,” thereby institutionalizing a **medical - charity** model and excluding persons with disabilities from serving as judges, in violation of the Convention. The Criminal Procedure Law No. 3 of 2001 and its amendments are not disability-inclusive and contain no provisions regarding reasonable accommodation, accessibility, or inclusion. The same applies to the Civil and Commercial Procedures Law No. 2 of 2001 and its amendments; Law by Decree No. 8 of 2021 on the Sharia Judiciary; the Law on Sharia Court Procedures No. 31 of 1959; Law by Decree No. 17 of 2016 on Sharia Enforcement; Law by Decree No. 2 of 2018 on the Security Forces Judiciary; and the Revolutionary (Military) Penal Procedure Law of the Palestine Liberation Organization of 1979 - all of which lack a **disability-inclusive legislative approach**. Despite the publication of the Convention in the Official Gazette, no timelines have been established for harmonizing these laws with the CRDP provisions.

56. QADER recommends that the Committee urge the State of Palestine to adopt **urgent legislative and procedural measures to guarantee the right of persons with disabilities to access justice. This includes conducting a comprehensive review of all applicable legislation to bring it into full compliance with the Convention, establishing a clear timeline for this harmonization, eliminating all discriminatory criteria for judicial appointments, and incorporating explicit provisions on reasonable accommodation and procedural adjustments at all stages of legal proceedings.**

### Liberty and Security of Person (Article 14)

57. In item (12), the Committee requested information on measures taken to ensure that Persons with disabilities are not detained on the basis of disability, including alternatives to forced institutionalization, measures for detention centers, in particular the situation of women with disabilities and children with disabilities, and mechanisms

to monitor the situation of Persons with disabilities in detention centers in accordance with the requirements of the Convention.

58. QADER affirms that Persons with disabilities continue to face systemic discrimination in places of detention, both in Israeli prisons and in rehabilitation and correctional facilities under the jurisdiction of the State of Palestine. In Israeli detention centers, detainees with disabilities are subjected to torture, ill-treatment, and medical neglect, leading to an increase in both physical and psychological disabilities, in the absence of reasonable accommodation and disability-inclusive services. Monitoring further indicates the continued practice of involuntary institutionalization in health facilities in Palestine, without the requirement of free and informed consent - particularly under outdated legislation such as the Penal Code No. 16 of 1960, in force in the West Bank. Article 29, under the heading “**Confinement in a Preventive Institution,**” states: “Anyone sentenced to confinement in a preventive institution shall be placed in a special hospital and cared for according to their condition.” Similarly, Article 92, titled “**Exemption of the Insane from Punishment and their Confinement in a Mental Hospital,**” reinforces this approach. This same framework is reflected in the Penal Code No. 74 of 1936 and its amendments, applicable in the Gaza Strip. The Criminal Procedure Law No. 3 of 2001, applicable in both the West Bank and Gaza, also adopts this model under Article 269, titled “**The Mentally Ill Defendant,**” which permits placement in a psychiatric facility. All of these provisions enable involuntary institutionalization without free and informed consent, entrenching a medical and exclusionary approach. Rehabilitation and correctional facilities lack disability-inclusive procedures and services, and institutional staff remain without specialized training in this area.

59. QADER recommends that the Committee urge the State of Palestine to repeal all laws and policies that permit involuntary institutionalization or forced treatment of persons with disabilities on the basis of disability or perceived mental capacity, and to ensure that free and informed consent is upheld as a fundamental standard. QADER further calls for accountability for the serious violations committed by the occupying authorities against detainees with disabilities, and for the State party to provide disaggregated statistical data on this group, including women and children, as well as information on the measures taken to ensure their protection. It also recommends the urgent need to make correctional and rehabilitation facilities in Palestine fully accessible, train medical and administrative staff, provide reasonable accommodation and comprehensive healthcare for Persons with disabilities within these facilities, and ensure the meaningful participation of representative organizations of persons with disabilities in legislative reviews and specialized training initiatives.

## **Prohibition of Torture or Cruel ,Inhuman or Degrading Treatment or Punishment (Article 15)**

60. Under item 13 of the List of Issues, the Committee requested the State party to provide information on the measures taken to prevent all forms of violence and abuse against Persons with disabilities , including the establishment of an effective and independent national mechanism for the prevention of torture.

61. **QADER** affirms that the policy of arbitrary detention remains ongoing in the State of Palestine, including the failure to implement court orders for the release of individuals held unlawfully, and the arbitrary detention of children by Palestinian security agencies - particularly **the General Intelligence and Preventive Security Services**. This also includes actions by the so-called “**Joint Security Committee**,” an entity lacking any legal status to justify interference with personal liberty. According to a statement issued by Defence for Children International – Palestine on 31 May 2025, **33 violations against children** were documented between 15 December 2024 and 22 May 2025, involving Palestinian security agencies and the Joint Security Committee. These included the arbitrary detention of two children for over three months, the failure to implement four judicial release orders, and the referral of four children to the Joint Security Committee without access to family or legal counsel - constituting a flagrant violation of the child justice system. Such practices foster an environment conducive to acts of torture and ill-treatment in detention facilities operated by Palestinian security services.

62. **No cases of accountability have been recorded for perpetrators of these violations, nor has any effective redress been provided to victims of torture**, reinforcing concerns about entrenched patterns of abuse that remain unchecked and unremedied. There are no specialized mechanisms in place to monitor violations occurring within detention facilities under the authority of the State of Palestine, including the direct impact of torture and ill-treatment in causing physical or psychological impairments, or in exacerbating existing disabilities. **Although Law by Decree No. 25 of 2022 provided for the establishment of a National Preventive Mechanism against Torture, the body has not yet been operationalized. Furthermore, its legal framework suffers from fundamental flaws, particularly with respect to institutional and functional independence, and it fails to include representation from organizations of persons with disabilities in Palestine.**

63. **QADER** recommends that the Committee urge the State of Palestine to provide detailed information on the legislative and practical measures taken to protect Persons with disabilities from all forms of torture and ill-treatment, particularly in places of detention and involuntary institutionalization. This includes disaggregated data on the number of law enforcement personnel held accountable for acts of torture and ill-treatment in detention facilities, the nature of sanctions imposed, and copies of judicial rulings where available. The State should also report on the nature, scope, and beneficiaries of compensation awarded to victims, including Persons with disabilities, as well as on rehabilitation measures and guarantees of non-repetition. **QADER** further calls for the

**immediate establishment of the National Preventive Mechanism against Torture, in full compliance with the Optional Protocol and grounded in principles of independence and inclusive representation, ensuring the meaningful participation of organizations of persons with disabilities in its structure and operations.**

#### **Freedom from Exploitation, Violence and Abuse (Article 16)**

64. Under item 14 of the List of Issues, the Committee requested information on the measures taken to protect Persons with disabilities, particularly women and children, from all forms of violence, exploitation, and abuse, in both private and public settings, including residential institutions.

65. **QADER** affirms that the protection system suffers from the absence of implementation frameworks, despite the Disability Rights Law of 1999 affirming the State's obligation to establish regulations to ensure protection from violence, exploitation, and discrimination. Executive Regulation No. 40 of 2004 further mandates the Ministry of Social Development to develop these regulations. However, to date, no such regulatory framework has been issued by the government, **nor has the Ministry set the necessary standards and safeguards** - reflecting an ongoing legislative and administrative failure to act.

**66. QADER recommends that the Committee urge the State of Palestine to adopt a comprehensive regulatory framework for the protection of Persons with disabilities from all forms of violence, exploitation, and discrimination. Such a framework should outline procedures for prevention, reporting, and redress, and establish effective monitoring and accountability mechanisms. QADER also calls for the harmonization of the national complaints and referral system, as well as protection centers, with disability inclusion standards, and for the allocation of adequate financial resources to support their implementation.**

#### **Protecting the Integrity of the Person (Article 17)**

67. In paragraph 15 of the List of Issues, the Committee requested the State of Palestine to provide information on the measures taken to ensure the protection of the personal integrity of persons with disabilities, particularly in the context of involuntary institutionalization without free and informed consent, and forced medical and social interventions - especially as they affect women and girls with disabilities.

68. **QADER** notes that the applicable penal legislation in the West Bank (Penal Code No. 16 of 1960) and the Gaza Strip (Penal Code No. 74 of 1936), as well as the Criminal Procedure Law No. 3 of 2001, **permit the involuntary institutionalization of persons with intellectual or psychosocial disabilities without their free and informed consent**, based solely on medical or psychological assessments and in the absence of independent judicial oversight or effective complaint mechanisms. The Committee's List of Issues refers to information indicating that a number of women with disabilities were institutionalized between 2011 and 2014 based on psychosocial evaluations, **without subsequent review**. No independent legal or institutional safeguards exist to

protect Persons with disabilities from forced medical or social interventions or to ensure respect for free and informed consent, in clear violation of Article 17 of the Convention.

**69. QADER recommends that the Committee urge the State of Palestine to amend the Criminal Procedure Law and all related legislation to abolish involuntary institutionalization and to establish legal and institutional safeguards that prohibit medical or social interventions without the free and informed consent of Persons with disabilities , in line with the provisions of the Convention. These safeguards must include effective oversight mechanisms and independent remedies that uphold the dignity of Persons with disabilities , with particular attention to the rights of women and girls with disabilities. QADER further calls for the meaningful participation of representative organizations of persons with disabilities in the development, implementation, and monitoring of these safeguards.**

### **Liberty of Movement and Nationality (Article 18)**

70. Under item (16), the Committee requested information on the measures taken to ensure that Persons with disabilities s, including children, enjoy their right to liberty of movement, nationality, and access to official documentation, without discrimination based on disability.

71. QADER observes that the enjoyment of this right by Persons with disabilities in the occupied Palestinian territory is severely affected by ongoing violations committed by the Israeli occupation. These include the continued aggression on the Gaza Strip, which has resulted in the destruction of civilian infrastructure, including essential medical, social, and service institutions relied upon by Persons with disabilities. In the West Bank, the fragmentation caused by military checkpoints and metal gates (**ghettos**) continues to restrict freedom of movement and hinders access to essential services.

72. In the domestic context, although the 1999 Law on the Rights of the Disabled (Articles 12–17) obliges public and private entities to ensure environmental and infrastructural accessibility, the **absence of an effective monitoring system, lack of accountability, and the lack of a dedicated section on penalties for non-compliance have led to poor implementation. This continues to pose a direct barrier to the freedom of movement of Persons with disabilities. Moreover, disability inclusion is absent from government emergency response plans**, which neither consider the needs of Persons with disabilities nor ensure the participation of their representative organizations. Despite being introduced six years ago, the 2019 Law on the Rights of Persons with disabilities has yet to be issued. Additionally, the National Strategic Plan for Persons with disabilities (2024–2029) has been **suspended without any official justification**, further undermining the State party’s obligations under the Convention.

**73. QADER recommends that the Committee urge the State of Palestine to take urgent measures to ensure the accessibility of the physical environment in public and private institutions and to establish monitoring mechanisms. This includes**

**adopting a dedicated chapter on sanctions within the Law on the Rights of Persons with disabilities to guarantee enforcement, lifting the freeze on the 2024–2029 strategic plan, and ensuring the participation of representative organizations of Persons with disabilities in the development and implementation of emergency plans and relevant legislation. QADER also calls for the adoption of a national policy and the allocation of clear and transparent financial resources to guarantee the freedom of movement of Persons with disabilities and to safeguard this right in the face of systematic restrictions imposed by the occupying power.**

#### **Living Independently and Being Included in the Community (Article 19)**

74. Under item (17), the Committee requested the State party to provide information on the measures taken to enable Persons with disabilities to live independently and be fully included in the community, particularly in relation to facilitating livelihood opportunities and ensuring equal participation in community life.

75. **QADER** notes that the ongoing Israeli military aggression on the Gaza Strip since 7 October 2023, now entering its twentieth month, has caused widespread destruction of infrastructure, including residential areas, care centers, and community support facilities that are essential for Persons with disabilities to live with dignity and independence. An estimated 98% of the population has been forcibly displaced, resulting in the collapse of the living environment necessary for community inclusion. Persons with disabilities are also being denied access to food, water, and shelter - fundamental conditions for independent living - as documented by the Euro-Med Human Rights Monitor over the course of 600 days of aggression.

76. In this context, QADER recalls the statement issued by the **UN Independent International Commission of Inquiry (May 2025)**, which affirmed that the “Israeli aggression led to the destruction of livelihoods, living environments, and essential infrastructure, and has had ongoing catastrophic impacts on the most vulnerable groups, including Persons with disabilities, who have been left without protection and without meaningful support for reintegration into society.” The findings of the **Euro-Mediterranean Human Rights Monitor**, issued more than 600 days after the continued aggression on the Gaza Strip and the longstanding blockade imposed on its population, reinforce these facts, revealing the ongoing displacement of Persons with disabilities and their denial of access to basic services and conditions for a life in dignity. This highlights the urgent need for dual accountability, and comprehensive and immediate measures to ensure protection and social inclusion.

77. **QADER** recommends that the Committee urge the State of Palestine to provide detailed information on the interventions it has undertaken - particularly since the onset of the full-scale aggression on the Gaza Strip on 7 October 2023 and its extension to the West Bank - to support Persons with disabilities and ensure their inclusion in society. This should cover both Gaza and the West Bank and clarify the resources allocated and actually spent on this purpose. The State should also clarify the extent to which OPDs were involved in the design and implementation of these interventions and provide disaggregated data and

**indicators reflecting the impact of the aggression and governmental measures on the protection of this fundamental right.**

#### **Personal Mobility (Article 20)**

78. Under item (18), the Committee requested information on the progress made in amending the customs exemption service with a view to reinstating this exemption for all Persons with disabilities, as well as the financial and logistical resources allocated to enable their access to assistive mobility devices and other necessary equipment.

79. **QADER** affirms that the Law on the Rights of the Disabled No. 4 of 1999, currently in force, clearly stipulates in Article 6: **“In accordance with the provisions of the law, the following shall be exempt from fees, customs duties, and taxes: (1) all educational and medical materials, assistive devices, and means of transportation necessary for licensed schools and institutions for persons with disabilities; (2) personal means of transport for use by persons with disabilities.”** Despite the clarity of this provision in granting broad, non-discriminatory exemptions regardless of disability type, the government issued Executive Regulation No. 24 of 2006 on customs and tax exemptions for private vehicles used by persons with disabilities, restricting the benefit to individuals with mobility impairments in the lower limbs only, and imposing complex bureaucratic conditions. This was followed by the amended Executive Regulation No. 7 of 2010, which added further burdensome requirements, such as obtaining a social report from the Ministry of Social Development and limiting families with more than one person with a disability to a single exemption. These executive regulations contradict the law and may not restrict or undermine its substance - especially considering that the law was enacted by the Palestinian Legislative Council and that executive regulations cannot override or conflict with it without being rendered legally void.

**80. QADER recommends that the Committee urge the State of Palestine to immediately amend Executive Regulations No. 24 of 2006 and No. 7 of 2010, in line with the provisions of Article (6) of the 1999 Law on the Rights of Persons with disabilities, without introducing any forms of discrimination or restrictions that would undermine the essence of this right. The State should also provide a clear timeline for completing these amendments. Furthermore, QADER requests that the Committee call on the State to submit detailed information on the extent to which the exemption provisions set out in the law have been implemented over the past five years, and whether representative organizations of Persons with disabilities have been involved in monitoring implementation and holding relevant authorities accountable.**

#### **Freedom of Expression and Opinion, and Access to Information (Article 21)**

81. Under item (19), the Committee requested the State party to provide information on the measures taken to ensure access to information for Persons with disabilities, including through facilitated access to the official language, sign language, and augmentative and alternative modes of communication.



82. **QADER** notes that Persons with disabilities face **significant challenges in accessing information** from both official and non-official sources, due to the lack of reasonable accommodation measures. This includes the absence of sign language interpretation for persons with hearing disabilities, and screen readers and accessible printed materials for persons with visual disabilities. This lack of accessibility extends to schools, universities, and justice institutions - including civil, religious, and military courts - which do not incorporate these requirements into their infrastructure or procedures.

83. **Sign language has not yet been recognized as an official language**, and there are no governmental policies or plans in place to ensure its use in public services, including during emergencies and conflict situations, or its inclusion into ministries' strategies. This lack of recognition further marginalizes the role of representative organizations of Persons with disabilities in the design, implementation, and monitoring of such measures, in clear contradiction with Article 4(3) of the Convention.

**84. QADER recommends that your Committee urge the State of Palestine to adopt "legislative and policy" measures to formally recognize sign language as an official language of the State, and to ensure the inclusion of reasonable accommodation across public institutions - particularly in the education, health, and justice sectors - as well as in emergency response plans. These measures must be developed and implemented in full partnership with representative organizations of Persons with disabilities.**

#### **Respect for Privacy (Article 22)**

85. Under item (20), the Committee requested information on the measures taken to ensure the protection of the privacy of Persons with disabilities in all aspects of life, including their personal life, health and social records, and living arrangements, whether within families or in institutions.

86. **QADER** notes that the **right to privacy for Persons with disabilities continues to suffer from structural neglect in legislation, policy, and practice**. Reasonable accommodation measures to safeguard confidentiality and privacy are lacking across justice systems, healthcare, and social services - particularly for groups at heightened risk, including women and girls and persons with intellectual disabilities. Local reports, such as Terre des hommes' 2021 analytical report on access to justice for women with disabilities, document cases where health and social information was disclosed without consent, amid the absence of legal safeguards to prevent such breaches. There are also no laws or policies in place that regulate the protection of personal data for persons with disabilities in accordance with governance standards that respect their privacy and uphold their dignity.

87. **QADER** recommends that the Committee urge the State of Palestine to adopt clear legislative and institutional measures to protect the privacy and confidentiality of persons with disabilities across all service sectors. This includes safeguarding personal data, ensuring the confidentiality of health and social records, and providing effective

reasonable accommodation within justice, care, education, and health institutions. QADER also calls for the meaningful participation of representative organizations of persons with disabilities in the development and evaluation of these measures, in line with Article 4(3) of the Convention.

### **Respect for Home and the Family (Article 23)**

88. Under item (21), the Committee requested the State party to provide information on the measures taken to ensure the right of Persons with disabilities s, including children, to form a family, to maintain family relationships, and to not be forcibly separated from their families, as well as to guarantee access to support services and assistance for family life.

89. QADER notes that Persons with disabilities s, particularly women and girls, face **systemic barriers** in exercising their right to family life, due to both legal and societal factors. Civil and personal status laws continue to reinforce discriminatory norms **regarding marriage, guardianship, custody, and legal authority**, without consideration of individual capacities or the availability of support. Families caring for a person with disability also lack institutional support, guidance, and counseling services, which increases the risk of isolation, neglect, or involuntary separation. **QADER's 2023 report on the status of the rights of Persons with disabilities** documented such issues, including cases of involuntary family separation, the absence of family support services, and the lack of programs that promote family formation and independent living.

90. QADER recommends that the Committee urge the State of Palestine to amend civil and personal status laws, including by conducting a comprehensive review of the 2025 Draft Personal Status (Family) Law, within a clearly defined timeframe. The aim should be to guarantee the right of Persons with disabilities to marry and form a family on an equal basis with others, and to ensure access to support and effective reasonable accommodation. This includes the provision of training, counseling, and psychosocial support, and ensuring that no person with disability is forcibly separated from their family except under strict judicial safeguards. Representative organizations of Persons with disabilities must be actively involved in the development and implementation of these policies.

### **Education (Article 24)**

91. Under item (22), the Committee requested information on the measures taken to ensure that Persons with disabilities, particularly children, have access to inclusive and quality education on an equal basis with others, within the communities in which they live.

92. QADER notes **that inclusive education in Palestine continues to face structural persistent challenges**. While Law by Decree No. 8 of 2017 on Public Education adopted an inclusive education policy under Article (14), and the Ministry of Education formally endorsed the Inclusive Education Policy in October 2015, there remains a

significant gap between the legal framework and its practical implementation. Most Palestinian schools still lack reasonable accommodation, accessibility, and the essential conditions for inclusion, which continue to prevent the genuine inclusion of children with disabilities in mainstream education.

93. **QADER** highlights documented cases in marginalized areas such as Al- Dhahiriya town in the south of the West Bank, which illustrate the harsh realities limiting the right to inclusive education. These include children being denied access to school due to the lack of wheelchairs or being forced to travel long distances using unsafe means, amid inaccessible school environments that lack specialized staff and resource rooms (*QADER Report: The Status of the Rights of Persons with disabilities in Palestine, 2023*). This situation has worsened significantly since the full-scale aggression on Gaza and the increased fragmentation of cities and villages across the West Bank through military checkpoints and metal gates, starting 7 October 2023.

94. **QADER** recommends that the Committee urge the State of Palestine to provide detailed and disaggregated data on the implementation of the Inclusive Education Policy, including progress made since its formal adoption in 2015. This should cover the allocated financial resources, the availability of reasonable accommodation and accessibility, the number of teachers with disabilities, the extent to which individual learning differences are addressed in curricula and assessment methods, and the participation of representative organizations of Persons with disabilities in the planning and evaluation of inclusive education policies and practices.

### **Health (Article 25)**

95. Under item (23), the Committee requested information on the measures taken to ensure that Persons with disabilities have access to the highest attainable standard of health care, on an equal basis with others, as well as details on the budgets allocated for this purpose.

96. **QADER** notes that **the Governmental Health Insurance Regulation for Persons with Disabilities No. 2 of 2021** marked a significant legislative advancement. It provides for comprehensive and free preventive, diagnostic, therapeutic, and rehabilitative services for persons with disabilities and their families, adopting a disability definition and eligibility criteria aligned with the Convention. The regulation obliges the Ministry of Health to take specific measures, including issuing permanent insurance cards, ensuring accessibility of health centers, training medical staff, providing sign language interpreters, establishing disaggregated databases, publishing periodic reports, activating accessible complaints mechanisms, appointing judicial officers, and forming specialized committees to ensure implementation. **However, more than four years after the adoption of this inclusive and cost-free insurance system, the vast majority of its provisions remain unimplemented.** Specialized committees have not been activated, comprehensive services have not been delivered, judicial officers have not been appointed, and no complaint mechanisms or databases have been established. The required quarterly and annual reports have not been published. Moreover, in December 2022, the Ministry of Health introduced an

eligibility standard that contradicts the regulation, leading to the exclusion of thousands of persons with disabilities from access to health insurance.

97. QADER recommends that the Committee request the State of Palestine to provide detailed information and disaggregated data on the level of compliance with the implementation of the 2021 Government Health Insurance Regulation for Persons with disabilities. This includes clarification on whether the eligibility criteria currently in use are consistent with the definition of disability under the Convention, the number of actual beneficiaries, the types of services provided under the regulation, the budget allocated for its implementation, the amount spent on services, and the spending priorities since the regulation was adopted. QADER also calls for information on the measures taken to activate monitoring mechanisms, specialized committees, and to publish periodic reports required under the provisions of this regulation.

### **Habilitation and Rehabilitation (Article 26)**

98. Under item (24) of the List of Issues, the Committee requested information on the measures taken to ensure the provision of habilitation and rehabilitation services for Persons with disabilities, through the national health insurance system.

99. QADER notes that Article (11) of the 2021 Government Health Insurance Regulation for Persons with disabilities states: ***“The Ministry of Health shall provide the necessary rehabilitation services to Persons with disabilities based on a report from a multidisciplinary rehabilitation committee formed by a decision of the Minister. These services shall include: 1. Comprehensive rehabilitation services; 2. Medical, assistive, and mobility devices for various disabilities; 3. Any other rehabilitation services or assistive devices.”*** However, the multidisciplinary committee mandated by the regulation has not yet been established, and no decision has been issued yet by the Minister of Health to activate it. This highlights the significant gap between the legal provisions and their practical implementation, further exacerbating the hardship of Persons with disabilities, especially in Gaza, where the ongoing aggression and severe shortages of medical, assistive, and rehabilitative services have created an urgent and critical situation.

100. QADER recommends that the Committee request the State of Palestine to provide a detailed and disaggregated report on the nature of rehabilitation services provided under Article (11) of the 2021 Regulation, including the number of beneficiaries, the mechanisms for accessing services, and the financial resources allocated for this purpose. The report should also clarify the extent to which representative organizations of Persons with disabilities have been involved in the implementation and monitoring of these services, including in the Gaza Strip.

## **Work and Employment (Article 27)**

101. Under item (25) of the List of Issues, the Committee requested information on the measures taken to promote access to employment opportunities for Persons with disabilities in both the public and private sectors, and to ensure an inclusive and non-discriminatory work environment.

102. QADER notes that the State of Palestine has not provided official indicators on the employment rate of Persons with disabilities in the labor market - whether in the civil or military public sector, or in the private sector - nor on the level of compliance with the minimum 5% employment quota established under the 1999 Law on the Rights of the Disabled and related legislation. Reports published by CSOs working in the disability sector (2021) indicated that Persons with disabilities employed in the civil public sector did not exceed 1.22%, with no available disaggregated data by ministry or public institution, and no indicators concerning the security sector or the private sector.

103. QADER further notes that Article (12/5) of Executive Regulation No. 40 of 2004 to the Law on the Rights of the Disabled states that any company or institution that does not employ Persons with disabilities in accordance with the 5% quota shall be required to pay the equivalent of that salary into a **“special fund for Persons with disabilities”**, to be established by a decision of the Minister of Social Development. This fund is intended to provide financial support to unemployed Persons with disabilities. However, **this special fund has not been established, despite 21 years** having passed since the regulation was adopted. As a result, Persons with disabilities have been deprived of **financial resources** that could have been collected and used for this purpose.

104. QADER recommends that the Committee request the State of Palestine to provide detailed and disaggregated data on the current status of economic empowerment and employment of Persons with disabilities in both the public and private sectors, including the employment rate within each ministry and public institution, as well as within security and military institutions, and the private sector. QADER further recommends the adoption of a binding timeline to fulfill the 5% employment quota as stipulated by law, the establishment of the special financial fund outlined in the 2004 Executive Regulation, the elimination and criminalization of all forms of discrimination and exclusion in public policies, and the provision of full customs exemptions in accordance with the 1999 Law on the Rights of the Disabled - not limited, unlawfully, to persons with lower-limb mobility impairments.

## **Adequate Standard of Living and Social Protection (Article 28)**

105. Under item (26), the Committee requested information on the measures taken to ensure that Persons with disabilities have access to social protection without discrimination, including social assistance, services, and programs, as well as the right to social security.

106. **QADER** notes that the State of Palestine still lacks a dedicated legal framework to guarantee free social protection for Persons with disabilities, despite **Article (22) of the amended Basic Law (Constitution)** affirming the State's obligation to provide social security services. The General Social Security Decree by Law No. 19 of 2016 was repealed in 2019, and no alternative legislation has since been adopted that addresses the specific needs of Persons with disabilities in line with the Constitution and relevant international standards.

107. **QADER highlights that responsibility for disability-related assistance under the social protection program of the Ministry of Social Development has been transferred to the "Palestinian National Economic Empowerment Institution," pursuant to Law by Decree No. 1 of 2019 and its amendments. This shift has effectively excluded the government from its constitutional obligation to ensure social protection, transferring authority to an institution that lacks governmental oversight, transparency, accountability, and adherence to principles of good governance and the rule of law. QADER** further underscores that the situation in the Gaza Strip exemplifies the collapse of social protection for persons with disabilities as a result of the ongoing blockade and military aggression - without a comprehensive national response that considers the specific needs of persons with disabilities and ensures access to essential services and emergency protection measures.

108. **QADER** recommends that the Committee request the State of Palestine to provide detailed and disaggregated information on the Palestinian National Economic Empowerment Institution, including the extent to which its establishment and governance align with the Constitution and meet transparency and government oversight requirements, particularly by the Ministry of Social Development. **QADER** further calls for the State to submit comprehensive data on the policies and programs in place to ensure social protection for Persons with disabilities, including the number and percentage of beneficiaries of cash and in-kind assistance, disaggregated by type of disability, gender, and geographic location. The State should also clarify the registration procedures, access mechanisms, regularity and timeliness of assistance, and the steps taken to develop dedicated legislation on free social security for Persons with disabilities. Additionally, **QADER** urges the State to report on the measures adopted to ensure urgent social protection in Gaza, and to ensure the active participation of representative organizations of Persons with disabilities in the design and monitoring of all related programs.

### **Participation in Political and Public Life (Article 29)**

109. Under item (27), the Committee requested information from the State party on the measures taken to ensure the effective participation of Persons with disabilities in political and public life, including the right to vote, stand for election, and hold public office.

110. **QADER** notes that the Law on the Rights of the Disabled No. 4 of 1999 contains no legal provisions guaranteeing the right of persons with disabilities to participate in political life, nor does it include any reference to women with disabilities. Furthermore,

the General Elections Law No. 1 of 2007 and its amendments, and the Local Council Elections Law No. 10 of 2005 and its amendments, lack reasonable accommodation measures to ensure accessibility and the effective participation of persons with disabilities in national and local elections. **These legal frameworks fall short of disability inclusion requirements and are inconsistent with the Convention.** Although the Central Elections Commission has taken limited steps in this regard, these measures were not based on a comprehensive assessment, failed to address the full spectrum of disability types and geographic areas, and were not developed in consultation with representative organizations of persons with disabilities. Persons with disabilities continue to face significant barriers to political participation, including the absence of accessible materials in sign language, lack of inclusive campaign content, and overall inadequacy of reasonable accommodations.

111. QADER recommends that the Committee request the State of Palestine to outline the legislative and institutional measures adopted to ensure the effective participation of Persons with disabilities in political life. This includes the availability of reasonable accommodation and accessibility, the rate of participation and representation, and the extent to which political parties have adopted “codes of conduct” that promote disability inclusion. The State should also provide information on the barriers faced by Persons with disabilities in exercising their political rights and the measures taken to address them, as well as the degree to which representative organizations of Persons with disabilities have been involved in reviewing relevant legislation and policies.

### **Participation in Cultural Life, Recreation, Leisure and Sport (Article 30)**

112. Under item (28), the Committee requested information on the outcomes of the Ministry of Culture’s Strategic Plan (2017–2022) regarding the participation of Persons with disabilities in cultural activities on an equal basis with others. The Committee also asked for updates on progress made in developing a draft copyright law grounded in disability-inclusive approach, and on the measures taken to ensure that Persons with disabilities, including women and children, have access to cultural, recreational, and sporting activities and services in both the public and private sectors.

113. **QADER notes the absence of a comprehensive national policy to ensure the participation of Persons with disabilities in cultural, sports, and recreational life.** This is reflected in the limited accessibility of cultural venues, community centers, sports facilities, and recreational spaces, as well as the lack of reasonable accommodation in public and artistic events, including the unavailability of sign language interpreters and accessible audio-visual materials. This gap persists despite the provisions of the 1999 Law on the Rights of the Disabled, particularly Article (10), which calls for adapting sports fields, halls, camps, and clubs, equipping them with the necessary tools, and supporting the participation of Persons with disabilities in national and international sporting events. The law also mandates a 50% reduction in entry fees to public cultural, recreational, and archaeological sites for Persons with disabilities. Additionally, Article (11) affirms the importance of introducing sign language in public facilities.

114. **QADER** notes that the draft Strategic Plan of the Ministry of Culture (2024–2029) has been suspended and **lacks the necessary requirements for disability inclusion. Representative organizations of persons with disabilities were not involved in its development.** Likewise, the Draft Copyright Law - referenced by the Committee - has remained a draft within the Ministry of Culture since 2012 (according to the Ministry’s official website on cultural legislation) and similarly fails to adopt disability-inclusive approach. The absence of participation and inclusion constitutes a violation of the Convention, reinforces institutional exclusion, and undermines the principles of genuine partnership as enshrined in the Convention.

115. QADER recommends that the Committee request the State of Palestine to provide information on the measures taken to ensure the equal participation of Persons with disabilities in cultural, sports, and recreational life. This should include disaggregated data on the number of beneficiaries of relevant programs and services, and details on the extent to which representative organizations of Persons with disabilities have been involved in the design and evaluation of these programs.

### **Data Collection, International Cooperation, and National Implementation (Articles 31-33)**

116. The Committee requested information on the measures taken to improve the collection, analysis, and disaggregation of data related to Persons with disabilities, as well as the extent of consultations with representative organizations of Persons with disabilities, their involvement in accessing international cooperation and support.

117. QADER notes that the State of Palestine does not have a national system for collecting, analyzing, and disaggregating data about Persons with disabilities, nor does it have guidelines for monitoring, documentation, and accountability grounded in disability-inclusive approach, which significantly hinders evidence-based planning. The Palestinian Central Bureau of Statistics has not conducted any specialized survey about Persons with disabilities and the rights enshrined in the Convention since the only survey carried out in 2011, in cooperation with the Ministry of Social Development. This ongoing data gap undermines the ability to assess impact - especially following the aggression on the Gaza Strip since 7 October 2023 - and leaves national actors without the necessary information to design needs-based and targeted interventions for the most affected groups.

118. Regarding Articles (32) and (33) of the Convention, QADER affirms that international cooperation to support the disability sector has significantly declined in recent years, particularly since the onset of the aggression, despite the catastrophic conditions faced by Persons with disabilities. Such cooperation is often carried out without the involvement of representative organizations of Persons with disabilities in priority-setting, planning, or monitoring the implementation of the Convention at the national level. This undermines the effectiveness of international cooperation and reduces its impact on advancing rights and disability inclusion.



119. QADER recommends that your esteemed Committee request the State of Palestine to provide detailed information on the legislative and institutional measures adopted for the collection, analysis, and disaggregation of data related to Persons with disabilities. This should include a clear timeline for conducting an updated, specialized survey addressing the rights set forth in the Convention; the development of guidance tools for monitoring, documentation, and accountability grounded in disability-inclusive approach; and the mechanisms in place to use data in the design of policies and interventions. The State should also clarify the measures taken to ensure the active participation of representative organizations of Persons with disabilities at all stages of data collection, planning, policymaking, and implementation of the Convention. Additionally, QADER calls for information on efforts made to re-align international cooperation and support with the priorities of Persons with disabilities and their representative organizations, particularly in light of the escalating violations since the onset of the aggression on Gaza on 7 October 2023.