



## **Disability Inclusion in the Palestinian Local Government Sector**

### **Legislative Framework, International Commitments, and Pathways for Alignment**

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## Executive Summary

This study highlights the challenges of inclusion within the local government sector, particularly following the accession of the State of Palestine to the Convention on the Rights of Persons with Disabilities (CRPD) in early April 2014, along with the resulting legislative, policy, and practical obligations. It also examines the implications of the issuance of Decree-Law No. (36) of 2023 concerning the publication of the CRPD in the Official Gazette (Palestinian Gazette), which entails the alignment of local government legislation with the disability inclusion approach and the achievement of tangible progress in this field.

The importance of this study stems from the significance of the local government sector, which is considered one of the most vital sectors in the provision of public services yet continues to face serious challenges in mainstreaming the rights of persons with disabilities based on an inclusion approach. The absence of legislative alignment contributes to the expansion of discriminatory and exclusionary practices based on disability and obstructs progress toward achieving social justice and inclusion.

This study, **the first of its kind** in terms of providing a comprehensive and in-depth legal analysis of Palestinian legislation related to the local government sector, examines the Palestinian Basic Law (Constitution), the Palestinian Local Authorities Law No. (1) of 1997 and its amendments, the Decree-Law No. (23) of 2025 and its amendments concerning the Election of Local Council Bodies, and the Decree-Law No. (25) of 2016 on the Municipal Development and Lending Fund, in connection with the Law on the Rights of Persons with Disabilities No. (4) of 1999 and its Executive Regulations of 2004, culminating in Decree-Law No. (36) of 2023 concerning the publication of the CRPD in the Official Gazette (Palestinian Gazette).

Following its analysis of Palestinian legislation, the study reviewed international standards related to the local government sector and inclusion, particularly the CRPD, the recommendations of the United Nations Committee on the Rights of Persons with Disabilities to the State of Palestine regarding disability inclusion in the local government sector, recommendations issued by other UN treaty bodies, and the latest developments in this field. The study constitutes an important “**roadmap**” for advancing disability inclusion and ensuring the compliance of local government legislation with international conventions.

This study adopted an original and innovative methodology based on **specific, limited, and effective legal approaches** within local government legislation, strengthening coordination and partnership with representative organizations of persons with disabilities as emphasized by the CRPD, and developing effective assessment and implementation mechanisms to ensure disability inclusion in the local government sector. This

contributes effectively to achieving “**measurable progress**” by the State of Palestine, through **the Ministry of Local Government**, in implementing the Convention, particularly in light of the “**List of Issues**” submitted by the CRPD Committee to the State of Palestine (**CRPD/C/PSE/Q/1**), published on 25 April 2023, and the constructive dialogue conducted by the Committee with the delegation of the State Party during its 33rd session at the United Nations Headquarters in Geneva in August 2025.

The study presented numerous important recommendations to strengthen disability inclusion in the local government sector. These include drafting “**Executive Regulations**” based on the Local Authorities Law, in partnership with representative organizations of persons with disabilities, to ensure disability inclusion in the local government sector; institutionalizing and activating the oversight committees stipulated in the law; introducing legal measures to ensure inclusion within the Decree-Law on the Election of Local Councils and strengthen the right of persons with disabilities to participation and decision-making; adopting a comprehensive multi-dimensional quota system; proposing practical measures to ensure inclusion within the policies and activities of the Municipal Development and Lending Fund; implementing sustainable training and capacity-building programs; enhancing institutionalization, good governance, and partnerships; strengthening mechanisms for monitoring international agreements; and developing inclusion assessment indicators and tools.

## **1. Inclusion Challenges in Local Government Legislation**

### **1.1 The Amended Basic Law of 2003 and Its Amendments**

The Amended Basic Law (Constitution), under Chapter Two concerning public rights and freedoms, affirmed the well-established constitutional principle set forth in **Article (9)**, namely “**equality and non-discrimination,**” including the prohibition of disability-based discrimination. The provision states: “Palestinians shall be equal before the law and the judiciary, without distinction based upon race, sex, color, religion, political views, **or disability.**”

Article (32) of the Amended Palestinian Basic Law further emphasized that: “**Any violation of personal freedom, the sanctity of private life, or any other rights and public freedoms guaranteed by the Basic Law or by law shall constitute a crime not subject to any statute of limitations for criminal or civil proceedings arising therefrom. The Palestinian National Authority shall guarantee fair compensation to any person harmed by such violation.**” Since Article (9), which prohibits disability-based discrimination in all its forms (with the constitutional prohibition being absolute), falls within Chapter Two concerning public

rights and freedoms guaranteed by the Basic Law, any violation of the prohibition of disability-based discrimination constitutes **a constitutional crime**.

With the issuance of **Decree-Law No. (36) of 2023 concerning the publication of the Convention on the Rights of Persons with Disabilities in the Official Gazette**, and its publication at the beginning of 2024 (to be discussed later), **“disability-based discrimination”** should be understood in accordance with the definition adopted under the Convention on the Rights of Persons with Disabilities (CRPD), to which the State of Palestine acceded without reservations on 2 April 2014. Such accession entails the obligation to implement the rights of persons with disabilities contained in the Convention at the legislative, policy, and practical levels. Accordingly, Article (2) of the CRPD defines disability-based discrimination as **“any distinction, exclusion, or restriction based on disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment, or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field. It includes all forms of discrimination, including denial of reasonable accommodation.”**

Accordingly, **any form of disability-based discrimination** within the system of civil, political, economic, social, and cultural rights embedded in local government laws and legislation **must be reviewed** and aligned with the provisions of the Amended Basic Law (Constitution), the Convention on the Rights of Persons with Disabilities, and other relevant international conventions to which the State of Palestine has acceded and which have been published in the Official Gazette, together with their corresponding obligations, in accordance with **an inclusion approach**. This alignment is necessary to ensure the achievement of **“measurable progress”** before the relevant international treaty bodies monitoring the extent of the State of Palestine’s compliance with its obligations, particularly within the largest and most socially connected sector: the local government sector.

Legislation related to local government should therefore be interpreted in light of Decree-Law No. (36) of 2023 issued by the Palestinian President concerning the publication of the Convention on the Rights of Persons with Disabilities in the Official Gazette (**Palestinian Gazette**), thereby considering the Convention **an integral part of the Palestinian legislative framework** governing all rights of persons with disabilities and the detailed provisions set forth in this international convention.

Attention should also be given to the Law on the Rights of Persons with Disabilities No. (4) of 1999, its Executive Regulations of 2004, and the duties and responsibilities related to the Ministry of Local Government and local authorities explicitly stipulated within these legislative instruments, **particularly with regard to making public spaces accessible to the needs and requirements of persons with disabilities, and ensuring that**

**the technical, engineering, and architectural standards and specifications required in public buildings and facilities are aligned with the needs and requirements of persons with disabilities, based on an inclusion approach<sup>1</sup>.**

This approach requires abandoning the isolated sectoral reading of Palestinian laws as though they exist in “**separate islands**,” and instead adopting an integrated interpretation grounded in **the unity of the legal system**, particularly the Basic Law, the 2023 Decree-Law concerning the publication of the Convention on the Rights of Persons with Disabilities in the Official Gazette and its implications, local authorities legislation, the Law on the Rights of Persons with Disabilities of 1999 and its Executive Regulations, while adhering to the principle of equality and non-discrimination as a governing constitutional principle. This orientation represents the most effective approach within the context of implementing the study’s recommendations and is the most consistent with the requirements of the anticipated “**measurable progress**” expected from the State of Palestine before the international committee.

Consequently, the entire legislative framework concerning the rights of persons with disabilities and its developments should be interpreted in light of the State of Palestine’s accession to the Convention on the Rights of Persons with Disabilities (CRPD) and the Decree-Law issued by the President on 27 December 2023 concerning the publication of the Convention in the Official Gazette, published on 28 January 2024. **Put more clearly**, legislative reforms within the local government sector should take into account the provisions of the Basic Law (Constitution), the international conventions acceded to by the State of Palestine, foremost among them the Convention on the Rights of Persons with Disabilities and the 2023 Decree-Law concerning its publication in the Palestinian Official Gazette, the Law on the Rights of Persons with Disabilities of 1999 and its Executive Regulations of 2004, alongside local government legislation, in order to **achieve legislative harmonization** in a manner consistent with the provisions of the Basic Law and international conventions.

In this context, **the jurisprudence of the Palestinian High Court of Justice** issued in 2005 (High Court of Justice: 56/2005) constitutes a decisive judicial reference, not only because it predates the State of Palestine’s accession to the Convention on the Rights of Persons with Disabilities (CRPD) in early April 2014, but also because **it established a binding interpretative principle that legislation concerning the rights of persons with disabilities was not enacted for intellectual luxury or legal ornamentation, but rather to protect,**

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<sup>1</sup> Chapter Three of the Law on the Rights of Persons with Disabilities of 1999, entitled “Accessibility of Public Places for Persons with Disabilities,” particularly Articles (12, 13, 14, and 15), and Chapter Four of the Executive Regulations of the Law on the Rights of Persons with Disabilities of 2004, particularly Articles (13 and 14), which explicitly stipulate the role and responsibilities of the Ministry of Local Government.

**regulate, and address an existing social reality. Any administrative refusal to implement these provisions, fragment them, or deprive them of their practical effect constitutes a violation of the principle of legality and an abuse of authority.**

The comprehensive and interconnected interpretation adopted by **the Palestinian administrative judiciary** regarding local government legislation and disability legislation is complemented by the approach established within the **Palestinian constitutional judiciary**, as reflected in Constitutional Court Decisions No. (4) and (5) of 2017. These decisions affirmed that international human rights conventions, once published in the Official Gazette (Palestinian Gazette), **prevail over ordinary legislation** and constitute a binding reference for their interpretation and application. In this sense, the administrative judiciary **defined the function of legislation**, while the constitutional judiciary defined its **hierarchical status**. Together, they close the door to any fragmented or isolated interpretation of disability inclusion within local government legislation and legislation concerning persons with disabilities, in implementation of **the principle of the unity of the Palestinian legal system** and the principle of the rule of law as the foundation of governance in Palestine, as stipulated in Article (6) of the Basic Law (Palestinian Constitution).

## **1.2 Palestinian Local Authorities Law No. (1) of 1997 and Its Amendments**

The Palestinian Local Authorities Law No. (1) of 1997 and its amendments<sup>2</sup> consists of **(40) legal provisions addressing, respectively:** definitions; the relationship between the Ministry and local authorities; the local authority; the establishment and dissolution of authorities; election of the head of the local authority; election of the deputy head; assumption of duties by the new council; council sessions; council term; resignation; vacancy of the president's position; vacancy of a member's position; dissolution of the local authority council; loss and restoration of membership; the functions, competencies, and powers of the council; the powers and responsibilities of the president; the powers of the deputy president; the director of the local authority; staffing structures; management of property; loans; revenues; property and land tax; brokerage fees; transportation fees and fines on roads; distribution of local authority revenues collected by the executive authority; collection of local authority funds; reductions; registration of immovable property; the fund; the budget; final accounts; financial regulations; supplies, tenders, and contracts; oversight; annual reports; general and transitional provisions; repeals; and publication and entry into force.

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<sup>2</sup> The Palestinian Local Authorities Law No. (1) of 1997 was amended pursuant to Decree-Law No. (9) of 2008 concerning the amendment of the Local Authorities Law, and Decree-Law No. (8) of 2016 concerning the amendment of the Local Authorities Law. These amendments were published in the Official Gazette (Palestinian Gazette).

Article (2) of the Local Authorities Law constitutes an important legal basis upon which the implementation of international conventions, including the Convention on the Rights of Persons with Disabilities (CRPD), may be grounded, in a manner consistent with Decree-Law No. (36) of 2023 concerning the publication of the Convention in the Official Gazette (Palestinian Gazette), as well as with the aforementioned administrative and constitutional judicial rulings concerning the principle of the unity of the legal system and the supremacy of international conventions over ordinary legislation. It also provides an opportunity to demonstrate “measurable progress” highlighting the efforts of the State of Palestine, represented by the Ministry of Local Government, in strengthening disability inclusion. In our view, such progress will receive the attention of the Committee on the Rights of Persons with Disabilities and other international committees during their forthcoming dialogues with the State of Palestine at the United Nations Headquarters in Geneva.

Article (2) of the Palestinian Local Authorities Law, **under the heading “The Relationship Between the Ministry and Local Authorities,”** stipulates the following: “In accordance with the provisions of the law, the Ministry shall undertake the following: 1. Formulate the general policy governing the work of Palestinian local authority councils and supervise the functions, competencies, project organization affairs, budgeting activities, financial and administrative oversight, and procedures related to the formation of these councils. 2. Carry out technical and administrative functions related to regional planning and organization in Palestine. 3. **Issue any regulations or bylaws necessary for the implementation of its duties set forth in the preceding paragraphs or pursuant to the provisions of the law.**”

Based on **Paragraph (3) of Article (2) of the Palestinian Local Authorities Law**, which explicitly affirms the necessity of issuing regulations or bylaws enabling the Ministry of Local Government to fulfill its duties under this broad legal provision, including formulating general policies for local authority councils, supervising their functions and competencies, and implementing the Ministry’s obligations pursuant to the Local Authorities Law as a whole, we propose the development of “**Executive Regulations**” grounded in this legal basis **to ensure disability inclusion within the local government sector and define the relationship between the Ministry of Local Government and local authorities** in a manner consistent with the Convention on the Rights of Persons with Disabilities, the Decree-Law concerning its publication in the Official Gazette, and the achievement of progress in this field.

We believe that the issuance of **Executive Regulations to ensure disability inclusion in the local government sector**, grounded in the strong and coherent legal basis contained in **Article (2), Paragraph (3)**

of the Local Authorities Law, **and aligned with Decree-Law No. (36) of 2023** concerning the publication of the Convention on the Rights of Persons with Disabilities in the Official Gazette, **as well as with Palestinian administrative and constitutional judicial jurisprudence** regarding the unity of the legal system and the supremacy of international conventions over ordinary legislation, would contribute effectively to **achieving legislative harmonization** between local government legislation, disability legislation, the Basic Law, and international conventions. It would also demonstrate the commitment of the State of Palestine to the rights of persons with disabilities, **through an inclusion approach**, while ensuring their participation and the participation of their representative organizations in legislation, policies, and plans. Such measures would constitute a serious and qualitative transformation at the current stage, paving the way toward a future trajectory for strengthening disability inclusion within the local government sector.

The Palestinian Local Authorities Law of 1997 and its amendments contain numerous legal provisions incorporating mechanisms **capable of ensuring the implementation of the proposed Executive Regulations**, following their preparation by the Ministry of Local Government **in full partnership** with persons with disabilities and their representative organizations, and their issuance by the Council of Ministers in accordance with the legislative policy governing Executive Regulations. This **qualitative approach** complements the Ministry's clear efforts within its sectoral strategy, aimed at developing a modern and comprehensive legislative framework, including drafting a modern Local Authorities Law and strengthening legislation related to the local government sector.

Referring to **Article (35)** of the current Local Authorities Law, **under the heading "Oversight,"** the provision states: "A. The Minister [Minister of Local Government] may establish oversight and inspection committees to conduct, at any time, oversight over all financial, administrative, legal, and organizational transactions of local authorities and verify their compliance with laws and regulations. The head of the local authority shall provide all necessary facilities to enable these committees to perform their tasks. B. The Minister [Minister of Local Government] may take the necessary measures to rectify violations and irregularities upon their confirmation." **Accordingly**, following the preparation of the Executive Regulations by the Ministry of Local Government in partnership with persons with disabilities and their representative organizations, and their approval by the Council of Ministers in accordance with the government's legislative policy, such regulations would become a framework for oversight over local authorities under Article (35) of the applicable Local Authorities Law concerning disability rights and issues within the local government sector.

In this context, it is important to **establish a training program, in partnership with organizations of persons with disabilities, targeting oversight committees to raise awareness** and strengthen the capacities and skills of oversight bodies to verify **disability inclusion** within local government sector policies and procedures. This important legal provision should be activated to ensure **good governance, the rule of law, and effectiveness** within the local government sector.

It also does not appear clear that the Ministry of Local Government effectively participated in the preparation of **the official report** submitted by the State of Palestine concerning the Convention on the Rights of Persons with Disabilities (CRPD), which contributed to **the lack of clarity regarding the local government sector before the Committee on the Rights of Persons with Disabilities at the United Nations**. This is reflected in the **“List of Issues”** submitted to the State of Palestine (CRPD/C/PSE/Q/1), published on the official website of the Committee on the Rights of Persons with Disabilities on 25 April 2023, and was also reflected in the dialogue conducted by the Committee with the State Party during its 33rd session at the United Nations Headquarters in Geneva in August 2025.

It is further observed that the involvement of the Ministry of Local Government in the **preparation of reports related to international conventions** acceded to by the State of Palestine, and its participation within state delegations during discussion sessions in Geneva, remains limited, despite **the essential and central role** of the local government sector in the lives of Palestinian communities, its status as the second largest sector after the governmental sector, and its close connection to local communities and sensitivity to their needs and the services provided to them. This highlights **the importance of investing in specialized and sustainable training** programs within the Ministry, particularly regarding the United Nations human rights monitoring system and the mechanisms for preparing and following up on international treaty reports.

Referring to **Article (36)** of the applicable Local Authorities Law, **under the heading “Annual Report,”** the provision states: “The President [President of the Local Authority Council] shall prepare an annual report on the activities carried out within the local authority, and a copy of this report shall be sent to the Minister [Minister of Local Government] together with the observations of the Council.” In this context, it is essential to **monitor** the extent to which all Palestinian local authorities comply with submitting their annual reports in accordance with the aforementioned provision, thereby strengthening the principle of the rule of law, and **to publish these annual reports for public access** in line with the requirements of transparency and good governance. This approach would contribute effectively to verifying disability inclusion across all local authorities, particularly following the approval and entry into force of the proposed Executive Regulations

concerning disability inclusion in the local government sector. Activating this important legal provision also requires **institutionalizing the work of the oversight committees stipulated in Article (35)** of the Palestinian Local Authorities Law to ensure follow-up on the implementation of annual reports and the effective integration of disability issues within local authority policies and procedures.

It should be noted that **the mandate letter of the nineteenth government, and the response of Prime Minister Dr. Mohammad Mustafa to that mandate letter**, repeatedly emphasized strengthening partnership with civil society organizations, good governance, and enhanced accountability within the government's work program<sup>3</sup>.

**Article (31)** of the Local Authorities Law, **under the heading "Budget,"** further provides the following: "1. An annual budget shall be prepared for the local authority and shall become effective following its **approval** by the Council [Local Authority Council] and ratification by the Minister [Minister of Local Government]. Supplementary budgets may also be prepared through the same process. 2. The annual budget must be submitted during the final four months and at least two months before the beginning of the new fiscal year. Expenditures may not exceed those allocated within the previous year's budget until the new budget is ratified..."

**Article (31)** may be regarded as one of **the most effective legal oversight tools within the Local Authorities Law** for ensuring the commitment of all local authorities to the principles of the rule of law, transparency, good governance, strengthened partnerships, inclusion, and effective performance. It also provides a practical and effective mechanism **for implementing the proposed Executive Regulations concerning disability inclusion within the local government sector** across all Palestinian local authorities, whereby compliance can be verified through the inclusion of financial allocations related to disability inclusion within each local authority's budget and supplementary budgets **before ratification by the Minister of Local Government**, as stipulated in Article (31) of the Local Authorities Law. Activating this provision **ensures** commitment to disability inclusion, the rule of law, and international conventions within the local government sector.

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<sup>3</sup> The Letter of Mandate addressed by the Palestinian President to the Nineteenth Palestinian Government headed by Dr. Mohammad Mustafa, dated 14/03/2024.

### 1.3 Decree-Law on the Election of Local Authority Councils No. (23) of 2025 and Its Amendments

The Decree-Law on the Election of Local Authority Councils No. (23) of 2025 and its amendments constitutes the legislative framework governing the right to political participation at the local level. It **explicitly repealed** the Law on the Election of Local Authority Councils No. (10) of 2005 and its amendments, which had governed the electoral process for local authority councils for more than two decades. **Examining both the repealed 2005 law and the current 2025 Decree-Law** is of particular importance in light of the constitutional and normative developments witnessed within the Palestinian legal system, particularly the accession of the State of Palestine to the Convention on the Rights of Persons with Disabilities (CRPD) in early April 2014 and its publication in the Official Gazette pursuant to Decree-Law No. (36) of 2023, together **with the resulting legislative obligations requiring the integration of a disability inclusion** perspective throughout all stages of the local electoral process, beyond limited procedural or formalistic measures.

The Palestinian Law on the Election of Local Authority Councils No. (10) of 2005 and its amendments<sup>4</sup> consisted of **(74) legal provisions distributed across (17) legislative chapters addressing, respectively:** definitions; assigning the administration and supervision of local elections to the Central Elections Commission; the Elections Cases Court; local election administration; the right to vote; the voters' register; objections to the voters' register; candidacy and registration of electoral lists; electoral campaigning; ballot papers; voting; vote counting; seat allocation; announcement of election results; appeals against results; the elected council; vacancy of the president's or member's position; electoral crimes; and final provisions.

A review of the 2005 Law on the Election of Local Authority Councils and its amendments<sup>5</sup> demonstrates that **it lacked sensitivity toward the issues and rights of persons with disabilities, similar to the situation within the Palestinian Local Authorities Law of 1997 and its amendments**, despite the accession of the State of Palestine to the Convention on the Rights of Persons with Disabilities since April 2014 and its publication by Decree-Law in the Official Gazette in January 2024.

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<sup>4</sup> The Palestinian Law on the Election of Local Authority Councils No. (10) of 2005 was amended pursuant to Decree-Law No. (12) of 2005 concerning the amendment of certain provisions of the Law on the Election of Local Authority Councils, Decree-Law No. (8) of 2012 concerning the amendment of the Law on the Election of Local Councils, and Decree-Law No. (2) of 2017 concerning the amendment of the Law on the Election of Local Authority Councils. All these amendments were published in the Official Gazette (Palestinian Gazette).

<sup>5</sup> For further reference, see Dr. Isam Abdeen, *The Reality of the Rights of Persons with Disabilities in Palestine- Challenges and Proposed Solutions*, [QADER for Community Development](#).

It should be noted that the most recent local elections were held in 2021, and that the Council of Ministers issued a decision on 2 December 2025 designating Saturday, 25 April 2026, as the date for elections of local authority councils. These elections are to be conducted in accordance with the provisions of Decree-Law No. (23) of 2025 and its amendments, which explicitly repealed the Law on the Election of Local Authority Councils No. (10) of 2005 and its amendments, together with the regulations issued pursuant thereto and any provisions inconsistent with it, under Article (73) of the new Decree-Law.

A review of the provisions of the **repealed** 2005 Law concerning **local elections** reveals that **disability issues** were addressed in only **“two provisions” out of the law’s (74) articles**, similar to the situation under the General Elections Decree-Law of 2007 and its amendments. Article (40) of the Law on the Election of Local Authority Councils provided that: “1. If a voter is illiterate or has a disability preventing them from marking the ballot paper themselves, they may seek the assistance of a relative up to the second degree to mark the name of the list according to their instructions. 2. Without prejudice to the provisions of this law, the Central Elections Commission may establish the legal controls it deems appropriate to ensure that the voting of illiterate persons or persons with disabilities is not exploited in violation of the provisions of this law.” The advantage of this provision, however, was that it granted the Commission a specific legal authority to establish safeguards preventing exploitation of voting.

Article (28), Paragraph (4) of the Law on the Election of Local Authority Councils, contained in Chapter Seven under the heading “Electoral Campaigning,” further stipulated that: “Electoral campaigning shall not include speeches, publications, advertisements, or electoral images containing incitement against or defamation of other candidates based on sex, religion, sect, profession, or disability, nor any incitement that undermines the unity of the Palestinian people.” This law, similar to the General Elections Decree-Law, required legislative review addressing **reasonable accommodation, accessibility, inclusion, and the gender dimensions affecting women with disabilities at the legislative level**. It was also necessary to include temporary special measures (**disability quota**) within legislation governing local and general elections.

The same legislative approach **lacking sensitivity toward the issues and rights of persons with disabilities** was also reflected in General Elections Decree-Law No. (1) of 2007. Article (86), Paragraph (4) of the Decree-Law concerning ballot marking provided that: “If the voter is illiterate or has a disability preventing them from marking the ballot paper themselves, they may seek assistance from any other person they trust, subject to the approval of the polling staff, and the head of the polling team shall supervise the voting process and ensure that the voter’s wishes are implemented.” Article (66), Paragraph (8), under the heading “Restrictions on

Electoral Campaigning,” further stated: “Without prejudice to the right of presidential candidates or lists of Legislative Council membership candidates to campaign for their programs and candidates in the manner, place, and time they deem appropriate, electoral campaigning, speeches, publications, advertisements, or electoral images shall not contain any incitement against or defamation of other candidates based on sex, religion, sect, profession, or disability, nor any incitement undermining the unity of the Palestinian people<sup>6</sup>.”

**A review of Decree-Law No. (23) of 2025 concerning the Election of Local Authority Councils and its amendments demonstrates that it failed to achieve any measurable progress in integrating a disability inclusion perspective within elections for local authority councils,** despite the passage of more than twenty years since the enactment and implementation of the repealed 2005 law. Article (40) of the 2025 Decree-Law, corresponding to Article (40) of the repealed law, **replaced the mechanism allowing a person with a disability preventing them from marking the ballot paper** to seek assistance from a second-degree relative (old text) with the ability to seek assistance from a person of their own choosing to help mark the ballot paper (new text), meaning that the assistant is no longer required to be a second-degree relative.

Conversely, the provision **concerning electoral campaigning witnessed regression in the new Decree-Law compared to the old law.** While Article (28), Paragraph (4) of the 2005 law **explicitly prohibited disability-based discrimination in electoral campaigning,** this language **was removed from the corresponding provision** in Article (29), Paragraph (4) of the 2025 Decree-Law, which merely states: “Electoral campaigning shall not include incitement, racist speech, hate speech, or any harm directed toward any lists or candidates.” Although **the new Decree-Law was amended twice**—first by Decree-Law No. (1) of 2026 amending Decree-Law No. (23) of 2025 issued on 11 January 2026, and second by a Decree-Law issued on 27 January 2026—these legislative amendments **introduced no developments regarding the international obligations of the State of Palestine in relation to a disability inclusion approach within elections for local authority councils.** Furthermore, the restriction of the right to candidacy in a manner inconsistent with the provisions of the Basic Law and relevant international standards directly affects the natural and constitutional right of persons with disabilities to effective participation in local elections.

Given that the **methodology** of this study focuses on **specific, limited, and effective amendments** to legislation related to the local government sector in order to ensure disability inclusion, without unnecessary legislative expansion or complexity, and in line with the principles and techniques of legislative drafting, we

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<sup>6</sup> For further reference, see Dr. Issam Abdeen, *The Reality of the Rights of Persons with Disabilities in Palestine – Challenges and Proposed Solutions*, published by [QADER for Community Development](#).

emphasize the importance of continuing to apply this methodology in dealing with the 2025 Law on the Election of Local Authority Councils and its amendments, alongside the Local Authorities Law of 1997 and its amendments and related legislation, within the framework of legal reform.

This carefully designed legislative approach seeks to achieve **tangible and rapid measurable progress in the harmonization process** with international conventions and their obligations, particularly **regarding disability inclusion within the local government sector and the strengthening of the institutional relationship** between the Ministry of Local Government and local authorities, thereby ensuring sustainable legislative practices aligned with the principles of inclusion, transparency, and the rule of law.

**Article (6)** of the 2025 Decree-Law and its amendments, **concerning the administration of local elections**, stipulate the following:

“1. In accordance with the provisions of this Decree-Law, the Commission [Central Elections Commission] shall be the authority entrusted with administering and supervising elections and taking all necessary measures to ensure their integrity and freedom. In pursuit of this objective, the Commission shall have the following functions and powers:

- a. Appoint employees to work in its offices and within registration, polling, counting, and supervisory teams, and oversee their work.
- b. Accredit journalists and observers and facilitate their work.
- c. Determine registration and polling centers.
- d. Prepare and update the voters’ register.
- e. Approve candidacy applications.
- f. Manage the voting and counting process, announce election results, and issue certificates for winners.
- g. Exercise any powers assigned to it pursuant to this Decree-Law.

2. The Central Elections Office shall operate under the supervision of the Commission and shall constitute its executive administration.

3. The Commission shall exercise the powers assigned to it under the applicable General Elections Law for the purposes of implementing this Decree-Law.”

We propose **adding a new provision** under Paragraph (1) of Article (6) as follows: **“Ensuring disability inclusion in all procedures necessary for the administration and implementation of elections at all**

**stages**<sup>7</sup>.” This amendment aims to guarantee disability inclusion within elections for local authority councils and to integrate persons with disabilities throughout all stages of the electoral process. It would further strengthen the obligations of the State of Palestine under the Convention on the Rights of Persons with Disabilities (CRPD) and achieve serious and tangible progress in the areas of equality and inclusion within the electoral process. Following the same approach, this provision could also be incorporated into **the General Elections Decree-Law** through rapid, precise, and comprehensive legislative reforms.

**Article (12)** of the 2025 Decree-Law and its amendments provide the following: “1. The Commission shall open registration for a period of five days to receive registration applications. 2. The voters’ register shall include the following information:

1. Full name.
2. Gender.
3. Date of birth.
4. Specific residential address.
5. Type and number of identification document.”

We propose adding a **new provision** to the content of the voters’ register under Article (12), Paragraph (2), as follows: “**Type and degree of disability, if any.**” This addition constitutes an important step toward harmonizing Palestinian legislation with the obligations of the State of Palestine under the Convention on the Rights of Persons with Disabilities (CRPD), including within the local government sector, particularly since Article (31) of the Convention obliges States Parties to collect **statistical data necessary** for developing and implementing evidence-based policies to ensure implementation of the Convention.

The importance of this amendment is further heightened by the absence of a “**specialized survey**” on persons with disabilities capable of documenting, analyzing, and monitoring the catastrophic reality of marginalization and exclusion resulting from all forms of disability-based discrimination. It should be noted that the first and last specialized survey conducted by the Palestinian Central Bureau of Statistics, in cooperation with the Ministry of Social Development, took place in 2011. The need for such data has become even more urgent

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<sup>7</sup> The Central Elections Commission affirmed its commitment to ensuring disability inclusion within its procedures for the administration and supervision of local authority council elections, despite the absence of the proposed legal provision within the Law on the Election of Local Authority Councils. This was confirmed during an in-depth interview conducted with Suhair Abdeen, Director of the Electoral Procedures Department, and Anis Abu Sbaa, Head of the Political Parties and Candidates Department at the Central Elections Commission, for the purpose of clarifying the Commission’s position. Nevertheless, we believe that such commitment does not diminish the importance of the proposed legislative amendment, as it would provide the Commission with greater flexibility “**grounded in a legal basis**” to ensure disability inclusion throughout all of its procedures.

given the massive numbers of persons with various disabilities resulting from **the ongoing aggression and crimes of genocide committed** by the occupation in Gaza.

**Article (15), Paragraph (3)** of the 2025 Decree-Law and its amendments concerning (**women's representation- list quota**) provides as follows: "Women's representation within the electoral list shall not be less than:

- a. Three women in municipalities with (11) council seats.
- b. Four women in municipalities with (13) or (15) council seats."

**Article (20)** of the 2025 Decree-Law concerning (**women's representation- seat quota**) further stipulates that: "The number of women within the membership of local authority councils shall not be less than:

1. Two seats in local authorities whose councils consist of (9) seats.
2. Three seats in local authorities whose councils consist of (11) seats.
3. Four seats in local authorities whose councils consist of (13) or (15) seats."

There is a serious need to introduce **a comprehensive multi-dimensional quota system** into the electoral framework of the 2025 Law on the Election of Local Authority Councils in order to guarantee the representation of underrepresented groups, particularly **persons with disabilities**, in a manner consistent with international conventions at the legislative level, including the Convention on the Rights of Persons with Disabilities, to which the State of Palestine acceded in April 2014. This must again be read alongside the Decree-Law issued by the Palestinian President in December 2023 concerning the publication of the Convention on the Rights of Persons with Disabilities in the Official Gazette, officially published in the January 2024 issue of the Palestinian Gazette.

Given the importance of this proposal, not only for integrating and strengthening the role of persons with disabilities, and women with disabilities, on the basis of inclusion within the Law on the Election of Local Authority Councils, but also for integrating and strengthening the role of youth and women in general as

underrepresented groups in political participation and decision-making, we conducted an in-depth meeting with the Central Elections Commission to benefit from its expertise in this regard<sup>8</sup>.

The Central Elections Commission explained that the “**quota**” system is considered the most effective tool for enhancing women’s participation and guaranteeing their representation in elections in all their forms, as well as ensuring direct change at the representation level. The quota system may take several forms in practice, including reserved seats for women, reserved constituencies for women, nomination rules without ranking requirements, nomination rules with ranking requirements, and nomination rules with ranking requirements combined with guaranteed numbers or percentages of seats. **The most effective forms are those that establish a quota for women both at the nomination stage and in the final results.** The Commission further noted that the electoral system directly affects women’s chances of success, as proportional representation systems tend to contribute to the election of larger numbers of women compared to majority systems. A range of interventions is usually adopted to enhance the participation of underrepresented groups, **such as persons with disabilities.** Among the most important and effective interventions is allocating a specific share **for persons with disabilities (quota)**, which itself may take various forms. Additional interventions may include **awareness-raising** regarding the importance of participation, the rights guaranteed by law and international standards, and the removal of barriers preventing participation. The Commission concluded by emphasizing that, as a technical body with specialized expertise in election administration and supervision, it **can present proposals for inclusion within the Law on the Election of Local Authority Councils**, including the integration of a comprehensive multi-dimensional quota system and the strengthening of effective representation for underrepresented groups<sup>9</sup>.

Accordingly, we propose translating **the concept of a comprehensive multi-dimensional quota system**, in a manner consistent with the obligations of the State of Palestine under international conventions, by adding a new provision to Article (15) of the Law on the Election of Local Authority Councils stating: **“Women’s representation in electoral lists shall not be less than 30%, and the representation of persons with disabilities shall not be less than 10%. The Commission shall establish procedures ensuring the achievement of this objective and shall adopt measures to promote youth participation.”** This proposal

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<sup>8</sup> An in-depth interview was conducted with Suhair Abdeen, Director of the Electoral Procedures Department, and Anis Abu Sbaa, Head of the Political Parties and Candidates Department at the Central Elections Commission, to clarify the Commission’s position regarding the “comprehensive multi-dimensional quota.”

<sup>9</sup> An in-depth interview was conducted with Suhair Abdeen, Director of the Electoral Procedures Department, and Anis Abu Sbaa, Head of the Political Parties and Candidates Department at the Central Elections Commission, to clarify the Commission’s position regarding the “comprehensive multi-dimensional quota.”

reflects a commitment to the values of diversity and inclusion, the empowerment of underrepresented groups, the enhancement of their opportunities and participation in decision-making, and the State of Palestine's commitment to applying international standards and best practices.

We believe that the quota percentages proposed in the suggested provision **may be clarified based on international standards and best practices**. The minimum quota of 30% allocated to women represents the minimum standard within international frameworks, particularly taking into consideration Draft General Recommendation No. (40) currently being developed by **the United Nations Committee on the Elimination of Discrimination against Women** concerning equal and inclusive representation of women in decision-making systems (**50:50**), with the aim of achieving equal participation and full equality at all levels and systems of decision-making. Furthermore, **both the Palestinian National Council and the Central Council of the Palestine Liberation Organization** have issued two successive decisions guaranteeing women's representation of no less than 30% within all structures and institutions of the Palestinian political system<sup>10</sup>. This further strengthens the justification for raising women's representation within electoral lists to a minimum of 30%.

The proposed 10% quota allocated to persons with disabilities represents **the minimum standard in accordance with the Convention on the Rights of Persons with Disabilities (CRPD)**, to which the State of Palestine has acceded. **Article (1) of the Convention (Purpose of the Convention)** explicitly affirms the obligation to ensure the full enjoyment of all human rights by persons with disabilities on a basis of full equality (50:50) with persons without disabilities. In addition, **Article (29)** of the Convention explicitly requires the State of Palestine to guarantee persons with disabilities **full and effective participation** in political and public life on an **equal basis** with others. This percentage is both logical and reasonable given that women with disabilities would also have opportunities within the 30% quota allocated to women, thereby facilitating effective implementation of the process.

Furthermore, the proposal concerning "**promoting youth participation**" (through the amendment of Article 15 by adding a new Paragraph 5) is grounded in international standards and best practices, most notably **United Nations Security Council Resolution 2250 (2015)**, which constitutes the first international resolution at this level urging States to enhance youth participation and ensure comprehensive youth representation in decision-making at all levels. It is also supported by **the Montevideo Declaration** adopted

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<sup>10</sup> Dr. Isam Abdeen, *Follow-Up Report on the Beijing Declaration and Platform for Action (Beijing +30)*, prepared for the General Union of Palestinian Women, 2024.

in 2019 during the Global Youth Forum, which emphasized the necessity of empowering youth and ensuring appropriate levels of representation reflecting a genuine commitment to strengthening their participation in decision-making. Similarly, **the World Programme of Action for Youth**, adopted by the United Nations General Assembly in 1995, underscores the importance of promoting youth participation in public and political life as a means of achieving sustainable development and fostering innovation and creativity in decision-making. These references collectively confirm the importance of strengthening youth participation within local authorities.

In this context, it becomes evident that **Article (20)** of the Decree-Law, despite its importance in guaranteeing a minimum level of women's representation within local authority councils, was drafted in isolation from **any broader legislative vision concerning multi-dimensional representation**, particularly regarding persons with disabilities and underrepresented groups more generally. Restricting the provision solely to women's seat quotas, without linking it to the inclusion approach that should govern both the nomination stage (Article 15) and the results stage, leaves the quota system fragmented and limits its ability to achieve structural change in the composition of elected councils. This separation between list quotas and seat quotas reveals an objective need to develop a coherent legislative approach that treats **Articles (15) and (20) as a single regulatory framework** capable of translating the principles of inclusion and equality into tangible outcomes in terms of representation within local councils, rather than limiting reform to partial measures that fail to address existing structural exclusion.

**Article (29), Paragraph (4)** of the 2025 Decree-Law on the Election of Local Authority Councils and its amendments, concerning **electoral campaigning**, provides that: "Electoral campaigning shall not include any incitement, racist speech, hate speech, or harm directed against any electoral lists or candidates." We propose explicitly **reinstating the prohibition of disability-based discrimination within electoral campaigning**, which had been contained in the corresponding provision of the repealed 2005 Law on the Election of Local Authority Councils, in line with the provisions of the Convention on the Rights of Persons with Disabilities (CRPD) and the recommendations of the international Committee.

**Article (61) and subsequent provisions** of the 2025 Decree-Law and its amendments address electoral crimes, including bribery and vote-buying, interference with voters' freedom, unlawful voting, crimes related to electoral materials, crimes related to ballot papers or electoral records, and other offences. Accordingly, we propose **introducing a provision criminalizing any form of discrimination or violence based on disability throughout all stages of the electoral process**. This proposal is grounded in the obligations of the State of

Palestine under the Convention on the Rights of Persons with Disabilities, the Decree-Law concerning its publication in the Official Gazette, and the “List of Issues” submitted by the CRPD Committee to the State of Palestine.

**Article (69)** of the 2025 Decree-Law and its amendments provide that: “The Commission [Central Elections Commission] shall issue the instructions and procedures necessary for implementing the provisions of this Decree-Law.” This provision is highly significant in promoting disability inclusion within the Palestinian local government sector. Accordingly, we propose **establishing a full partnership bringing together the Ministry of Local Government, the Central Elections Commission, and organizations of persons with disabilities to develop “comprehensive instructions” promoting disability inclusion within elections for local authority councils.**

For the purpose of legislative governance, we further propose amending the aforementioned provision (**Article 69**) so that it reads as follows: “The Commission shall issue the instructions and procedures necessary for implementing the provisions of this Decree-Law in a manner that **guarantees disability inclusion within its texts and provisions, including reasonable accommodation, accessibility, and the participation of persons with disabilities and their representative organizations.**” Even if the provision remains unchanged, the Central Elections Commission would still be able **to issue such instructions** in a manner that guarantees inclusion and partnership throughout all stages of the electoral process.

This should be read together with **Article (4), Paragraph (3)** of the Convention on the Rights of Persons with Disabilities (CRPD), which explicitly affirms the obligation of the State of Palestine **to closely consult** with persons with disabilities and their representative organizations regarding all matters related to the development and implementation of legislation and policies aimed at implementing the Convention, as well as in decision-making processes concerning persons with disabilities.

We further emphasize that this study adopted a legislative methodology focused on specific and limited qualitative amendments to legislation related to the local government sector **from a disability inclusion perspective.** This methodology addresses gaps directly related to accessibility, reasonable accommodation, and the effective participation of persons with disabilities within the electoral process for local authorities, without expanding into broader issues or the general conditions governing the right to candidacy beyond this framework, which **would require separate legislative treatment.** This approach is consistent with the principles and techniques of legislative drafting and aims to achieve tangible and measurable progress in harmonizing relevant legislation with international conventions and their obligations, while strengthening

sustainable legislative practices grounded in inclusion, transparency, and the rule of law within the local government sector.

#### **1.4 Decree-Law No. (25) of 2016 Concerning the Municipal Development and Lending Fund**

Decree-Law No. (25) of 2016 concerning the Municipal Development and Lending Fund **consists of (27) articles addressing, respectively:** definitions; the legal personality of the Fund; the objectives of the Fund; the functions of the Fund; management of the Fund; the functions of the Board of Directors; duration of Board membership; vacancy of membership; Board sessions; Board meetings and decisions; invitation of experts and specialists; duties of the Chairperson of the Board; Board employees; appointment of the Director General; duties of the Director General; the financial resources of the Fund; oversight of the Fund; borrowing eligibility and debt asset management; the Fund's budget; budget surplus; the Fund's assets and bank accounts; tax exemptions; dissolution of the Fund; issuance of regulations; repeal in cases of conflict; submission to the Legislative Council; and entry into force and implementation.

A review of the Decree-Law concerning the Municipal Development and Lending Fund demonstrates that **it lacks sensitivity toward the issues and rights of persons with disabilities, similar to the situation in the Local Authorities Law and the Decree-Law on the Election of Local Authority Councils**, despite the accession of the State of Palestine to the Convention on the Rights of Persons with Disabilities since 2014 and its publication in the Official Gazette at the beginning of 2024.

Although this Decree-Law does not explicitly address the needs and requirements of disability within its provisions, it may nevertheless be adapted to do so **without introducing direct amendments**, unlike the legislative approach adopted with respect to both the Local Authorities Law and the Decree-Law on the Election of Local Authority Councils. This is because the drafting structure of the Decree-Law is flexible and allows disability inclusion to be incorporated without the need for legislative amendments. Consequently, **disability inclusion within local government legislation may be ensured through limited yet effective legislative and policy measures.**

Referring to Article (6) of Decree-Law No. (25) of 2016 concerning the Municipal Development and Lending Fund, under the heading "Functions of the Board of Directors," the provision states as follows: **"The Board shall undertake the following functions and powers:**

1. Formulate the general policies of the Fund and supervise their implementation.

2. Formulate policies related to lending by the Fund and the provision of loans to local authorities.
3. Approve and amend the financial and administrative regulations of the Fund and recommend them to the Council of Ministers for ratification.
4. Approve and amend operational procedure manuals whenever necessary, in accordance with the internal regulations of the Fund.
5. Establish standards and mechanisms for allocating funds, loans, and financial transfers to local authorities in a manner that ensures fair distribution and serves the public interest.
6. Review and approve the accounts and budget of the Fund.
7. Establish the committees necessary for carrying out its work.
8. Contract an independent external auditor to audit the Fund's financial statements and reports.
9. Approve the annual report containing the Fund's activities and operations and submit it to the Council of Ministers."

We propose that the Board of Directors of the Local Authorities Development and Lending Fund, chaired by the Minister of Local Government, **ensure the integration of disability inclusion within the Fund's general policies and the supervision of their implementation pursuant to Item (1)** of the above provision, in line with the obligations of the State of Palestine under the international conventions to which it has acceded, including the Convention on the Rights of Persons with Disabilities and the Decree-Law issued by the Palestinian President in December 2023 concerning the publication of the Convention in the Official Gazette, which was officially published at the beginning of 2024 and has become an integral part of Palestinian legislation. This should also take into consideration that the Palestinian constitutional judiciary has established that international conventions hold a higher binding status than ordinary legislation (higher than the Fund's Decree-Law) while remaining subordinate to the Basic Law (Constitution).

Referring to **Item (7) of Article (6)** above, we further propose that the Fund's Board of Directors ensure the participation of persons with disabilities and their representative organizations within the **"committees necessary for carrying out the Fund's work"** in a manner that guarantees disability inclusion within the Fund's general policies and the supervision of their implementation. In this way, disability inclusion may be integrated into the provision without requiring any legislative amendment.

Referring to **Item (4) of Article (6)** above concerning the approval of operational procedure manuals whenever necessary, it is possible to develop **a guide for measuring and assessing inclusion within the Fund's work** in partnership with representative organizations of persons with disabilities, in compliance with Article (4), Paragraph (3) of the Convention. This would contribute to integrating persons with disabilities into

planning, implementation, evaluation, policy direction, compliance monitoring, and the promotion of social justice, while strengthening the Fund's ability to align its operations with the requirements of the Convention.

This should be accompanied by ensuring **the publication of the annual report** referred to in **Item (9)** above, containing the activities and operations of the Fund, in adherence to the principles of transparency and governance emphasized in the Letter of Mandate to the current Nineteenth Government dated 14/03/2024 and the Prime Minister's response thereto. Such publication would contribute to monitoring the **measurable progress** achieved in integrating disability inclusion within the Fund's policies through the publicly available annual report.

Article (11) of the Decree-Law concerning the Municipal Development and Lending Fund, **under the heading "Invitation of Experts and Specialists,"** provides that: "The Board may invite any person it deems appropriate from among experts and specialists to attend its sessions for consultation on any matter presented before it, without granting them voting rights." Accordingly, we propose that the Fund's Board of Directors ensure **the invitation of representative organizations of persons with disabilities to attend Board meetings for consultation regarding their perspectives and proposals concerning disability inclusion within the local government sector** at the legislative, policy, and practical levels. Such participation would strengthen the implementation of the Convention on the Rights of Persons with Disabilities and achieve **measurable progress** upon which the State of Palestine delegation may build during its forthcoming dialogue with the CRPD Committee.

Moreover, inviting organizations of persons with disabilities to attend meetings of the Fund's Board of Directors falls within the scope of **Article (4), Paragraph (3) of the Convention on the Rights of Persons with Disabilities (CRPD)**, which explicitly requires States Parties [the State of Palestine] to closely consult with persons with disabilities and their representative organizations regarding the development and implementation of legislation and policies aimed at implementing the Convention, as well as in decision-making processes concerning matters affecting them.

Given that **Article (12), Paragraph (1)** of the Fund's Decree-Law, under **the heading "Functions of the Chairperson of the Board" (Minister of Local Government)**, stipulates that: "The Chairperson of the Board shall undertake the following functions: publication of any reports or procedures related to the Fund's policies," partnership with disability organizations, as emphasized in the Government's Letter of Mandate concerning partnership with civil society organizations, would contribute to strengthening the reports and procedures

referred to in this provision with respect to **disability inclusion within the local government sector** and compliance with international conventions.

**Article (15)** of the Decree-Law concerning the Municipal Development and Lending Fund, **under the heading “Functions of the Director General,”** provides as follows: “The Director General shall issue instructions, procedures, and rules regulating the Fund’s various activities and operations and its relationship with all relevant parties within the policies adopted by the Board.” This legal provision also constitutes a basis for deepening partnerships with representative organizations of persons with disabilities **in the field of disability inclusion within the Fund’s activities and operations**, in line with the obligations of the State of Palestine under the Convention on the Rights of Persons with Disabilities and its resulting obligations.

Such partnerships may be envisioned in numerous areas addressed by the Convention, including providing guidance to the Director General **regarding environmental accessibility, universal design, reasonable accommodation, accessibility measures**, and inclusion within local authorities, in addition to other issues related to the rights of persons with disabilities, which may be addressed through **instructions issued by the Director General**. These partnerships may also contribute to developing **clear procedural standards** integrating disability inclusion within the planning, financing, implementation, and evaluation cycles of Fund-supported projects, thereby ensuring a shift from general approaches toward measurable and implementable institutional practices. This approach strengthens the efficient use of resources, reinforces the principle of genuine partnership, and contributes to achieving sustainable developmental impact consistent with standards of inclusion and accountability.

Article (24) of the 2016 Decree-Law concerning the Municipal Development and Lending Fund, **under the heading “Regulations,”** states the following: “The Council of Ministers shall issue the regulations necessary for implementing the provisions of this Decree-Law based upon the recommendation of the Board.” This provision is **of significant importance** in strengthening partnerships between the Fund and representative organizations of persons with disabilities in the field of **disability inclusion**. These partnerships may be further developed toward **drafting regulations** grounded in the Decree-Law concerning the Municipal Development and Lending Fund, specifically addressing **disability inclusion** within the policies, operations, and activities of the Fund in a manner ensuring implementation of the Convention on the Rights of Persons with Disabilities (CRPD) through such regulations, and recommending them to the Council of Ministers for issuance. This would constitute highly significant **“measurable progress”** in the field of disability inclusion within local authorities

at the legislative level and before the Committee on the Rights of Persons with Disabilities at the United Nations.

The analysis of Decree-Law No. (25) of 2016 concerning the Municipal Development and Lending Fund demonstrates that the legislative framework governing the Fund, despite lacking explicit provisions regarding disability inclusion, contains legal flexibility and broad regulatory space enabling the integration of this perspective **without the need for direct legislative amendments**. Through activating the powers of the Board of Directors, inviting experts, involving representative organizations of persons with disabilities, and issuing instructions, the Fund may systematically and sustainably integrate disability inclusion within its policies and operations. This approach represents a practical model of sound legislative governance that balances compliance with international conventions, foremost among them the Convention on the Rights of Persons with Disabilities (CRPD), with the requirements of institutional effectiveness, thereby contributing to tangible and measurable developmental impact within the local government sector and strengthening the ability of the State of Palestine to demonstrate serious **measurable progress** before international mechanisms.

### **1.5 Decree-Law No. (36) of 2023 Concerning the Publication of the Convention on the Rights of Persons with Disabilities**

On 27 December 2023, the President issued Decree-Law No. (36) of 2023 concerning the publication of the Convention on the Rights of Persons with Disabilities. This Decree-Law consisted of three articles. Article (1) provided that: **“The Convention on the Rights of Persons with Disabilities attached to this Decree-Law shall be published in the Official Gazette.”** Article (2) stipulated the following: **“Any provision inconsistent with the provisions of this Decree-Law shall be repealed.”** Article (3) further provided that: **“All competent authorities, each within its respective jurisdiction, shall implement the provisions of this Decree-Law, which shall enter into force from the date of its issuance and shall be published in the Official Gazette.”** The Decree-Law was published in the Official Gazette (Palestinian Gazette), Issue No. (210), issued on 28/01/2024, thereby rendering the Convention an integral part of the Palestinian legislative system.

The Decree-Law concerning the publication of the Convention on the Rights of Persons with Disabilities entered into force from the date of its issuance, namely 27 December 2023. Accordingly, from that date **(27/12/2023)**, the Convention on the Rights of Persons with Disabilities became part of Palestinian domestic legislation, as expressly confirmed by Article (3) of the Decree-Law. It should be noted, however, that the international Committee monitors the extent of the State of Palestine’s compliance with implementation at the legislative, policy, and practical levels beginning from the date of accession **(02/04/2014)**, and the delay in

publishing the Convention domestically does not affect Palestine’s international obligations from the official date of accession to the Convention.

Based on the Convention and the Decree-Law concerning its publication in the Official Gazette, the State of Palestine is required to demonstrate “**measurable progress**” in implementing the Convention on the Rights of Persons with Disabilities at the domestic level across various sectors, **including the local government sector**. In other words, this entails implementing the purpose of the Convention as stated in Article (1), namely “**to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.**” It further requires integrating disability-related concepts (Article 2), and the general principles based on respect for inherent dignity, individual autonomy, equality, non-discrimination based on disability, diversity, individual differences, equality of opportunity, and accessibility through an inclusion approach (Article 3), while ensuring respect for the obligations of the State of Palestine under the Convention (Article 4), and guaranteeing the full civil, political, economic, social, and cultural rights of persons with disabilities as elaborated in detail within the Convention, **throughout local government legislation**, public policies, and practice.

Since Article (2) of the 2023 Decree-Law concerning the publication of the Convention on the Rights of Persons with Disabilities explicitly states that: “**Any provision inconsistent with the provisions of this Decree-Law shall be repealed,**” the Ministry of Local Government and the Council of Ministers must, without delay, undertake legislative reviews ensuring that local government legislation complies with the provisions of the Basic Law (Constitution) in all matters related to any form of disability-based discrimination, and implement the Convention, including the Decree-Law concerning its publication, in a manner that guarantees the harmonization of local government legislation with the Convention on the Rights of Persons with Disabilities **in particular**, as well as with other conventions acceded to by Palestine. It should also be considered that the Decree-Law concerning the publication of the Convention **explicitly repealed any provisions inconsistent with its content**, thereby necessitating effective legislative interventions. It is important for the Ministry of Local Government to ensure the alignment of its legislation and policies with the requirements of the Convention on the Rights of Persons with Disabilities.

This study presents specific proposals for **limited, qualitative, effective, and implementable legislative interventions that are neither complex nor characterized by broad legislative overreach**. These proposals aim to remedy the deficiencies resulting from the delay in reforming local government legislation since Palestine’s accession to international conventions in April 2014. The objective of these proposals is to

achieve legislative harmonization with the obligations arising from international conventions, particularly the Convention on the Rights of Persons with Disabilities, leading toward **meaningful progress** that the official delegation of the State of Palestine may rely upon and defend before the Committee on the Rights of Persons with Disabilities at the United Nations during the discussions scheduled for August 2025.

It should not be overlooked that **full partnership with persons with disabilities and their representative organizations constitutes a decisive factor in implementing the Convention on the Rights of Persons with Disabilities** at the legislative, policy, and decision-making levels in all matters related to persons with disabilities. Article (4), Paragraph (3) of the Convention explicitly and uniquely affirms this by stating: **“States Parties [the State of Palestine] shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations, in the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities.”** Such consultation and partnership should be close, grounded in the principle of inclusion, and should avoid limiting representation on disability-related matters to a single organization or union, in accordance with the provisions and explicit language of the Convention.

Decree-Law No. (36) of 2023 concerning the publication of the Convention on the Rights of Persons with Disabilities constitutes **a decisive legislative turning point** within the Palestinian legal system, through which the Convention moved from being merely an international obligation to becoming a binding and enforceable domestic legislative reference. This transformation carries direct implications for the review, interpretation, and application of local government legislation and all related legislation. Accordingly, integrating a disability inclusion perspective into laws, policies, and practices is no longer a discretionary policy choice or a matter of legislative interpretation; rather, it has become **a legal obligation** imposed by the provisions of the Decree-Law concerning the publication of the Convention, including its repeal of any text or practice inconsistent with its content and objectives.

In this context, the legislative interventions proposed in this study represent a practical translation of this transformation, not through a comprehensive redrafting of the legal system, but rather through **specific and limited interventions** that redirect existing provisions and activate their latent powers in a manner ensuring their alignment with the Convention on the Rights of Persons with Disabilities (CRPD) and the “List of Issues” addressed by the Committee to the State of Palestine, which requires responses regarding the progress achieved in relation thereto, thereby strengthening the transition from theoretical commitment to effective

implementation. This methodological approach paves the way for moving toward the framework of **international obligations and follow-up mechanisms**, including a review of the relevant provisions of the Convention and the List of Issues issued by the Committee on the Rights of Persons with Disabilities, on the understanding that the forthcoming international assessment will primarily measure the ability of the State of Palestine to translate this emerging framework into tangible results in legislation, policies, and practice.

## 2. Obligations of the State of Palestine Under International Conventions

### 2.1 Convention on the Rights of Persons with Disabilities (CRPD)

The State of Palestine acceded to the Convention on the Rights of Persons with Disabilities (CRPD) on 2 April 2014. Pursuant to this accession and its resulting international obligations, the State of Palestine is required to harmonize its national legislation, policies, and practical measures with the provisions of this international convention. This commitment was further strengthened at the national level through the issuance of Decree-Law No. (36) of 2023 concerning the publication of the Convention on the Rights of Persons with Disabilities and its publication in the Palestinian Gazette, Issue No. (210), issued on 28/01/2024.

Article (1) of the Convention on the Rights of Persons with Disabilities (CRPD), to which the State of Palestine acceded without reservations, clarified **the purpose of the Convention**, stating that: “The purpose of the present Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.” Article (3) further outlined the **general principles of the Convention**, including: respect for the inherent dignity, individual autonomy, and independence of persons with disabilities, including the freedom to make their own choices; equality and non-discrimination; full and effective participation and inclusion in society; respect for difference and acceptance of persons with disabilities as part of human diversity and humanity; equality of opportunity; accessibility; and respect for the evolving capacities of children with disabilities and their right to preserve their identities.

Article (4) of the Convention on the Rights of Persons with Disabilities emphasized the general obligations (**Convention obligations**) that States [**the State of Palestine**] are required to respect and implement at the legislative, policy, and practical levels in all matters related to persons with disabilities and their rights. The essence of this obligation lies in the “undertaking” to ensure and promote the full realization of all human rights and fundamental freedoms for all persons with disabilities, without any form of disability-based discrimination.

Referring to the definition of **disability-based discrimination** contained in Article (2) of the Convention, it includes any distinction, exclusion, or restriction based on disability that has the purpose or effect of “impairing” or nullifying the recognition, enjoyment, or exercise of all human rights and fundamental freedoms on an equal basis with others in political, economic, social, cultural, civil, or any other fields. This means that disability-based discrimination does not occur only through the denial of rights; rather, the mere “impairment” of rights is sufficient for such discrimination to arise.

The definition further identified the “**denial of reasonable accommodation**” as one form of disability-based discrimination. Reasonable accommodation refers to measures of an “**individual**” nature that do not impose a disproportionate or undue burden on persons with disabilities (Article 2). An example would be the absence of sign language interpretation for persons with hearing disabilities (Deaf persons) within ministries or local authorities. Such absence falls within the concept of disability-based discrimination under the Convention because it reflects the denial of reasonable accommodation.

Article (9) of the Convention further emphasized the obligations of States to guarantee “**accessibility**” for persons with disabilities, a concept of central importance within the field of disability. Accessibility requires the simultaneous realization of three interrelated elements: first, ensuring a physical environment that is accessible to persons with disabilities; second, ensuring effective communication and interaction through measures such as sign language interpreters, assistive speaking devices, and similar means; and third, ensuring access to information, including information and communication technologies and systems. The purpose and general principles of the Convention extend beyond accessibility to include “**universal design**,” defined in Article (2) of the Convention on the Rights of Persons with Disabilities as: “the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. Universal design shall not exclude assistive devices for particular groups of persons with disabilities where these are needed.” In this sense, universal design constitutes an “**outcome**,” meaning that programmes and services should be designed for use by all persons while respecting individual differences, so that institutional designs, for example, are accessible and inclusive for persons with disabilities.

The broader concept within the disability field is “**inclusion**,” which may be understood as an organized process regardless of individual differences. Inclusion encompasses accessibility in its three dimensions (environmental accessibility, effective communication and interaction, and access to information and technology), in addition to governance, institutionalization, budgeting, environments, attitudes, and other

related elements. In other words, inclusion means that everything becomes welcoming and accessible for persons with disabilities.

**Disability inclusion:** An organized, institutional process aimed at making service-providing institutions more prepared and responsive to receiving everyone, regardless of individual differences, through governance, institutionalization, budgeting, architectural environments, and attitudes, in a manner that guarantees full participation.

There are **obligations incumbent upon the Ministry of Local Government regarding disability inclusion within the local government sector and its relationship with local authorities**, as already stipulated in Palestinian legislation even before the State of Palestine acceded to the Convention on the Rights of Persons with Disabilities and its resulting obligations. This refers specifically to the Law on the Rights of Persons with Disabilities No. (4) of 1999 and Executive Regulation No. (40) of 2004. Accordingly, it is important to read the applicable Palestinian legislation as **a unified whole** within the broader framework of strengthening disability inclusion in the Palestinian local government sector.

This was explicitly affirmed in **Article (15)** of the Law on the Rights of Persons with Disabilities of 1999, **under the heading “Responsibilities of the Ministry of Local Government,”** which states: “In coordination with the relevant authorities, the Ministry of Local Government shall assume responsibility for obligating governmental and private entities to comply with the technical, engineering, and architectural conditions and specifications required in old and new public buildings and facilities to serve persons with disabilities.”

This was further confirmed in **Article (13)** of the 2004 Executive Regulations, **under the heading “Accessibility of Public Places for Persons with Disabilities,”** which states: **\*\*\***“Public places must be accessible to persons with disabilities as follows: 1. Ensuring that streets, roads, pathways, and passages are paved and accessible, in coordination between the Ministry of Social Affairs, the Ministry of Transport, and the Ministry of Local Government. 2. Governmental and non-governmental buildings must be accessible to persons with disabilities for entry and movement, in coordination with the Ministry of Local Government, municipalities, and village councils. 3. Workplaces, markets, and commercial shops must be accessible to persons with disabilities, and this responsibility shall rest with the Ministry of Local Government and the Ministry of Labour.” Likewise, **Article (14)** of the Executive Regulations provides that: “Without prejudice to the provisions of Article (13) of Law No. (4) of 1999 concerning the Rights of Persons with Disabilities, all entities, particularly the Ministry of Local Government, the Ministry of Transport, and the Ministry of Tourism

and Antiquities, shall provide appropriate alternatives ensuring the use of public places by persons with disabilities.”

Finally, Article (16) of **the Local Authorities Employees Regulation No. (1) of 2009** provides that: “In appointing employees, consideration shall be given to **allocating 5%** of vacant positions to persons with special needs and to the children of martyrs and prisoners.” This highlights the importance of strengthening the oversight mechanisms stipulated in the Local Authorities Councils Law and the importance of issuing a detailed regulation concerning disability inclusion within the local government sector based on **Article (2)** of the Local Authorities Law, as clarified in this study. It also underscores the need to consider the other specific proposals contained within local government legislation as a **“roadmap”** for strengthening disability inclusion and alignment with international standards, including reviewing the disability quota in employment in a manner consistent with the previously proposed comprehensive multi-dimensional disability quota. Attention should also be paid to legislative terminology, particularly replacing the term “persons with special needs” with the term “persons with disabilities.”

## **2.2 Lists of Issues and Concluding Observations of the Treaty Bodies**

The State of Palestine has acceded to more than one hundred international conventions, including seven out of the nine **core** international human rights treaties, without reservations. The core conventions acceded to since 2 April 2014 are: the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of Persons with Disabilities, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the International Convention on the Elimination of All Forms of Racial Discrimination. The State of Palestine has not acceded to either the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families or the International Convention for the Protection of All Persons from Enforced Disappearance, both of which are core international human rights treaties.

A **“core”** human rights convention differs from other conventions to which States may accede in that it contains mechanisms (**follow-up mechanisms**) to ensure implementation by States Parties, namely the **“treaty bodies”** established under each core convention. These treaty bodies monitor the compliance of States Parties with the substantive provisions contained in the convention (**the rights protected under the convention**) at the legislative, policy, and practical levels. This is carried out through the constructive dialogue (**questions and**

answers) conducted by the relevant United Nations committee with the State Party during review sessions held at the United Nations Headquarters in Geneva, Switzerland.

The “**concluding observations**” issued by the treaty bodies responsible for the core human rights conventions, including the Committee on the Rights of Persons with Disabilities, constitute a “**roadmap**” that States are expected to follow at the legislative, policy, and practical levels, while demonstrating the “**measurable progress**” achieved. Once the dialogue sessions at the United Nations Headquarters in Geneva conclude, the United Nations treaty bodies emphasize to States Parties the importance and necessity of widely **disseminating the concluding observations** throughout the State Party and ensuring the participation of civil society organizations in national dialogues aimed at implementing the concluding observations<sup>11</sup>.

The Convention on the Rights of Persons with Disabilities contains an “**additional feature**” requiring **the involvement of representative organizations of persons with disabilities and close consultation with them** in the development and implementation of legislation, policies, and decision-making processes concerning all matters related to persons with disabilities.

The “List of Issues” sent by international treaty bodies to States Parties [the State of Palestine] differs from concluding observations in that **the List of Issues** essentially represents “**substantive gaps**” absent from the State’s official report. In other words, the report submitted to the Committee for purposes of review and constructive dialogue is considered **insufficient** in its current form for discussion with the Committee. The State Party is therefore required to submit written responses to the List of Issues “**before the official report is reviewed**” by the Committee. Accordingly, both the official report and the responses to the List of Issues become the basis for discussion, with the Committee’s priority focus directed toward the State’s responses to the List of Issues.

By contrast, “**concluding observations**” are issued **after the dialogue** conducted by the international Committee with the delegation of the State Party [the State of Palestine]. They reflect the outcome of the dialogue and contain an introduction, positive aspects, and **areas of concern** identified by the Committee that the State should prioritize to ensure the alignment of its legislation, policies, and practices with the Convention. The treaty bodies further emphasize the importance of widely disseminating both the Lists of Issues and the

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<sup>11</sup> QADER for Community Development, *Follow-Up Mechanism for the Core International Human Rights Conventions Acceded to by the State of Palestine*, 2024.

concluding observations and involving **civil society** in follow-up dialogues regarding the recommendations of international treaty bodies concerning implementation of international conventions.

Referring to **the List of Issues addressed by the Committee on the Rights of Persons with Disabilities (CRPD) to the State of Palestine on 25 April 2023**<sup>12</sup>, and reviewing it in connection with disability inclusion in the local government sector, the Committee requested in Paragraph 3(a) that the State of Palestine provide information on **“the measures taken to eliminate all forms of discrimination against persons with disabilities, including in legislation and in practice, and to combat stereotypes and stigma related to disability.”**

The Committee on the Rights of Persons with Disabilities further emphasized in Paragraph 4(a) of the List of Issues the necessity for the State of Palestine to inform the Committee of **“the measures taken to address the limited participation of women with disabilities in public life, employment, education, and recreational activities, and to enable them to exercise their right to marry, their right to independent living, and their right to participate in the local community.”** In Paragraph 4(b), the Committee requested information regarding **“consultation mechanisms with organizations of women with disabilities and measures facilitating their participation in Ministry of Women’s Affairs programmes and advisory bodies, such as the Legislative Harmonization Committee and the Higher Council for Persons with Disabilities.”**

The international Committee further emphasized in Paragraph (7), concerning Article (9) of the Convention on the Rights of Persons with Disabilities (**Accessibility**), the need for the State of Palestine to provide information on: **“(a) the progress made in adopting a national accessibility plan and finalizing building law reforms concerning accessibility; (b) the measures taken to remove barriers hindering access to the built environment, transportation, communications, and services open or provided to the public, including in the Gaza Strip; and (c) the progress achieved in ensuring accessibility in schools, universities, businesses, banks, and service centres, including through the provision of ramps, accessible parking spaces, Braille signage, and sign language interpreters.”** The List of Issues clearly demonstrates the scale of responsibilities placed upon the Ministry of Local Government pursuant to Article (2) of the Local Authorities Law governing the relationship between the Ministry and local authorities, including **the Ministry’s oversight over local authorities** in relation to the functions, competencies, and powers of local councils set out in Article (15) of the Local Authorities Law of 1997 and its amendments, as well as **all matters related to the**

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<sup>12</sup> Committee on the Rights of Persons with Disabilities, *List of Issues in Relation to the Initial Report of the State of Palestine*, International Document No. (CRPD/C/PSE/Q/1).

**accessibility of public spaces** and the Ministry's powers regarding **technical, engineering, and architectural standards and specifications** under both the Local Authorities Law and the Law on the Rights of Persons with Disabilities.

The Committee also emphasized in Paragraph (9) of the List of Issues concerning Article (11) of the Convention (**Situations of Risk and Humanitarian Emergencies**), specifically in Paragraph (a), the need for the State of Palestine to provide information on **“the measures taken to ensure respect for the human rights, safety, and security of persons with disabilities in the context of armed conflict and military occupation, including during military operations, as well as the specific measures taken to address and mitigate the effects of restrictions on freedom of movement and on the rights to family life, education, health, work, and an adequate standard of living for persons with disabilities.”** In Paragraph (b), the Committee requested information regarding **“accessible early warning mechanisms and evacuation plans for persons with disabilities during military operations, and measures aimed at ensuring the protection of civilian buildings where persons with disabilities are believed to reside.”**

The Committee on the Rights of Persons with Disabilities also requested, in Paragraph (c) of the same Article (11), that the State of Palestine provide information concerning **“the measures taken to enable persons with disabilities to cope with and recover from the humanitarian crisis in the Gaza Strip and the West Bank, including East Jerusalem, and plans for long-term recovery from the effects of conflict, occupation, and blockade, as well as the involvement of organizations of persons with disabilities in reconstruction and reconciliation and peacebuilding efforts, and information on the percentage of aid recipients who are persons with disabilities in comparison to the percentage of persons with disabilities within the population, disaggregated by sex, age, and disability.”** This is in addition to numerous other issues contained within the List of Issues that are directly and indirectly connected to the Ministry of Local Government, local authorities, and other ministries, both through the individual responsibility of each ministry and the collective responsibility of the government, in demonstrating **“measurable progress”** before the international Committee.

The importance of acting without delay **to strengthen inclusion within the local government sector** is not limited to the Convention on the Rights of Persons with Disabilities, the CRPD Committee, the List of Issues, and awaiting the responses of the State of Palestine. It also extends to other international treaty bodies, including highly influential United Nations committees, **particularly the Human Rights Committee**

(CCPR)<sup>13</sup>, which monitors the implementation by the State of Palestine of its obligations under the International Covenant on Civil and Political Rights concerning the rights of persons with disabilities, and **the Committee on Economic, Social and Cultural Rights (CESCR)**<sup>14</sup>, which monitors the implementation of obligations under the International Covenant on Economic, Social and Cultural Rights concerning disability rights, in addition to other treaty bodies linked to the core international conventions acceded to by the State of Palestine. This is self-evident, given that **human rights are indivisible**, and disability inclusion should always be interpreted within broad international normative frameworks that “**complement and reinforce one another**” in promoting, protecting, and ensuring the rights of persons with disabilities.

By way of illustration, **the Human Rights Committee (CCPR)**, in the List of Issues relating to the report of the State of Palestine under the International Covenant on Civil and Political Rights published on 19 September 2022 (**the implementation of which is currently being led by the Ministry of Justice**), stated in Paragraph (4): “**With reference to the information provided by the State Party** <sup>15</sup>[the State of Palestine], **please indicate whether the State Party intends to adopt comprehensive anti-discrimination legislation and amendments to existing legislation that would provide full and effective protection against all forms of discrimination prohibited under the Covenant, as well as effective remedies in judicial and administrative proceedings for victims of discrimination. Please also indicate all measures, including awareness-raising campaigns, taken to ensure respect for the principle of non-discrimination and to combat and prevent hate crimes, hate speech, and other forms of discrimination, stigma, and violence, particularly against women and girls, members of Bedouin communities, and persons with disabilities, especially women and girls with disabilities...**”

The Human Rights Committee (**United Nations Committee under the International Covenant on Civil and Political Rights**) reiterated these **concerns** in its **concluding observations** submitted to the State of Palestine on 22 August 2023. This was clearly reflected in Paragraph (11) of the Committee’s concluding observations under the heading **Non-Discrimination**, which stated that: “**...the Committee remains concerned about the absence of comprehensive anti-discrimination legislation providing full and effective protection**

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<sup>13</sup> Human Rights Committee, List of Issues in Relation to the Initial Report of the State of Palestine, Document No. (CCPR/C/PSE/Q/1), 19 September 2022.

<sup>14</sup> Concluding Observations of the Committee on Economic, Social and Cultural Rights on the Initial Report of the State of Palestine under the International Covenant on Economic, Social and Cultural Rights (E/C.12/PSE/1), particularly the provisions relating to the comprehensive prohibition of discrimination, including disability-based discrimination, and effective remedies.

<sup>15</sup> Reference is made to the Statement on Derogations from the Covenant in Connection with the COVID-19 Pandemic, International Document (CCPR/C/128/2), dated 30 April 2020.

against all forms of discrimination prohibited under the Covenant, including direct, indirect, and multiple discrimination, as well as effective remedies in judicial and administrative proceedings for victims...” The Human Rights Committee thus expressed its continuing concern regarding the absence of comprehensive Palestinian anti-discrimination legislation, particularly in relation to protecting persons from disability-based discrimination. The Committee also clearly indicated that the State’s response to the List of Issues had not been sufficient to convince it that adequate measures were in place to ensure effective protection against all forms of discrimination. This includes the necessity of providing effective remedies ensuring fair judicial and administrative procedures for victims.

Finally, given that legislation governing the local government sector—the **second largest sector after the governmental sector and the sector most directly connected to communities** through the provision of public services—has addressed the rights of persons with disabilities only marginally, thereby deepening patterns of discrimination, exclusion, and deprivation, this study presents a strategic “**roadmap**” aimed at strengthening disability inclusion within the Palestinian local government sector. Such efforts would contribute to advancing social justice and aligning national efforts with the Sustainable Development Goals, in order to ensure that no one is left behind.

### 3. Conclusions and Recommendations

#### 3.1 Study Conclusions

1. **Legislative shortcomings:** Palestinian local government legislation, which constitutes one of the most vital sectors in the provision of public services, suffers from serious shortcomings in incorporating the rights of persons with disabilities through an inclusion approach. This accumulated legislative gap contributes to reinforcing discriminatory and exclusionary practices and obstructs progress toward social justice and inclusion.
2. **Fragility of mechanisms:** Despite the existence of limited references to the rights of persons with disabilities within local government legislation, these references have remained theoretical and largely unimplemented in practice. The legislative framework governing local government lacks effective implementation mechanisms capable of promoting, protecting, and ensuring rights, and of removing barriers that prevent persons with disabilities from benefiting from public services.
3. **Exclusion and marginalization:** In the absence of inclusion, local government legislation contributes to perpetuating the social exclusion of persons with disabilities and increasing their suffering due to

inadequate access to essential services such as education, mobility, and healthcare, thereby exacerbating the crisis and deepening their isolation from society.

4. **Bureaucracy and policies:** Local government legislation, together with bureaucratic practices and structural challenges, collectively obstructs the implementation of policies that ensure disability inclusion within the local government sector. Governmental bodies and local authorities continue to face difficulties in coordination and in effectively translating policies into practice, ultimately hindering the rights guaranteed to persons with disabilities.
5. **Marginal implementation of conventions:** Despite the accession of the State of Palestine to the Convention on the Rights of Persons with Disabilities and other international conventions, along with their legislative and policy obligations, the actual implementation of these commitments remains highly limited. Local government legislation does not adequately reflect Palestine's obligations under international conventions, particularly the Convention on the Rights of Persons with Disabilities.
6. **Limited awareness and resources:** There is a need for awareness-raising, training, and capacity-building programmes aimed at strengthening understanding of the importance of disability inclusion within the local government sector in line with international standards. This negatively affects the ability of personnel within this vital sector to provide inclusive services. Moreover, the resources available to strengthen disability inclusion within the local government sector do not appear to be sufficient or fairly and effectively distributed.
7. **Weak partnerships:** Despite the Convention on the Rights of Persons with Disabilities explicitly emphasizing the necessity of effective consultation with representative organizations of persons with disabilities, existing partnerships do not appear sufficiently effective to ensure disability inclusion within the local government sector.
8. **Weak institutionalization and governance:** Although the Local Authorities Law grants the Ministry of Local Government broad oversight powers over local authorities and their councils (the relationship between the Ministry and local authorities), such oversight remains insufficiently institutionalized, appears ineffective, and has not strengthened disability inclusion. At the same time, local government legislation provides the possibility of issuing regulations and bylaws capable of ensuring disability inclusion and establishing effective oversight over performance.
9. **Weak evaluation mechanisms:** Despite the strength of the oversight provisions contained within local government legislation governing the relationship between the Ministry of Local Government and local authorities, particularly the Local Authorities Law, these provisions have not been translated into effective tools for assessing disability inclusion within the local government sector. This highlights

the importance of oversight and evaluation mechanisms, follow-up procedures related to international conventions, and inclusion assessment indicators and tools within the local government sector.

10. **These conclusions:** confirm the need for specific, limited, and effective legal interventions, in line with the methodology adopted in this study, as well as the need to strengthen coordination and partnerships and to develop effective evaluation and implementation mechanisms to ensure disability inclusion within the Palestinian local government sector.

### 3.2 Study Recommendations

1. The urgent development, without delay, of “**Executive Regulations**” supplementing the Palestinian Local Authorities Law No. (1) of 1997 and its amendments, based on **Article (2), Paragraph (3)** of the Law, to ensure disability inclusion within the local government sector, in partnership with representative organizations of persons with disabilities and civil society organizations, in a manner consistent with the amended Palestinian Basic Law (**Constitution**), the international conventions acceded to by the State of Palestine and their obligations, relevant international standards, and best practices.
2. Serious efforts must be undertaken to institutionalize and activate the “**oversight committees**” over local authorities stipulated in the Palestinian Local Authorities Law, and to activate the oversight provisions contained in this Law relating to the “**budget**” and “**final accounts**,” including the approval of local authority budgets and final accounts by the Minister of Local Government before implementation, in order to ensure effective oversight based on respect for the rule of law, good governance, disability inclusion within the local government sector, and compliance with the provisions of the Basic Law and international conventions.
3. Efforts should be undertaken to ensure the compliance of local authorities with the submission of “**annual reports**” on their activities, together with the observations of their councils, to the Ministry of Local Government, in accordance with the provisions of the Local Authorities Law, in a manner that strengthens effective oversight, ensures disability inclusion, and guarantees **public access** to such reports.
4. **Specialized and sustainable training programmes** should be developed within the local government sector in the field of disability inclusion. These programmes should not be limited to technical and service-related aspects, but should also **encompass the United Nations human rights monitoring system, methodologies for preparing periodic State reports under international conventions**, mechanisms for engaging with Lists of Issues and concluding observations issued by international treaty bodies, and the strengthening of the technical capacities of the Ministry of Local Government and relevant local authorities **to participate effectively within the delegations of the State of Palestine before international treaty bodies in Geneva**, including the Committee on the Rights of Persons with Disabilities (CRPD), in order to enhance effectiveness, the rule of law, and good governance.

5. Efforts should be made to ensure **disability inclusion throughout all stages of the administration and implementation of local authority council elections**. This study has presented specific and effective legislative proposals concerning Decree-Law No. (23) of 2025 on the Election of Local Authority Councils and its amendments, aimed at strengthening the political participation of persons with disabilities in a manner consistent with the Basic Law and international conventions.
6. The adoption of a **“comprehensive multi-dimensional quota”** within the 2025 Decree-Law on the Election of Local Authority Councils is necessary to guarantee fair and effective representation of underrepresented groups, particularly persons with disabilities, youth, and women. The study has presented practical and effective proposals in this regard.
7. Efforts should be undertaken to develop the **“voters’ register”** provided for in the Law on the Election of Local Authority Councils so that it includes the type and degree of disability, particularly considering the absence of a specialized survey concerning persons with disabilities since 2011. This should be aligned with the Convention on the Rights of Persons with Disabilities (Article 31), which emphasizes the importance of **statistics and data** in the formulation and implementation of policies ensuring the implementation of the Convention.
8. Efforts should be undertaken to ensure disability inclusion within the policies and activities of the **“Municipal Development and Lending Fund.”** The study has presented practical proposals for inclusion by utilizing the provisions of the 2016 Decree-Law concerning the Fund without the need for legislative amendments.
9. The entry into force of Decree-Law No. (36) of 2023 concerning the publication of the Convention on the Rights of Persons with Disabilities (CRPD) in the Official Gazette (Palestinian Gazette) on 28/01/2024 requires the adoption of a **written policy** guaranteeing disability inclusion within the local government sector. Equally important is the establishment of an effective mechanism ensuring the implementation of this policy in practice, together with oversight mechanisms safeguarding the quality and integrity of implementation.
10. The forthcoming dialogues between the Committee on the Rights of Persons with Disabilities and the delegation of the State of Palestine at the United Nations Headquarters in Geneva, aimed at assessing the **“measurable progress”** achieved in implementing the CRPD, require immediate efforts to strengthen disability inclusion within the local government sector. This study presents a strategic **“roadmap”** in this regard through specific and effective legal interventions responsive to the List of Issues submitted by the Committee on the Rights of Persons with Disabilities, as well as the Lists of Issues and concluding observations issued by other United Nations treaty bodies concerning disability inclusion and the protection of the rights of persons with disabilities in Palestine.