



المركز الوطني لحقوق الإنسان

The National Centre for Human Rights

**Parallel Report to the Report of the Government
on
the International Convention
on the Rights of Persons with Disabilities**

The Hashemite Kingdom of Jordan

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Preface

Jordan acceded to the International Convention on the Rights of Persons with Disabilities as of 30/3/2007. After a year of that date, Jordan ratified the Convention to announce its commitment to achieve the provisions and objectives of the Convention. Jordan did not only ratify the Convention with no reservation on any of its articles, but rather affirmed its commitment to the Convention at the national level through publishing it in the Official Gazette, to become an integral part of the national legislative set. Accordingly, Jordan amended the Disability Welfare Law No. 12 of 1993 and replaced it with the Law on the Rights of Persons with Disabilities No. 31 of 2007.

In response to the aspirations of Jordan to realize positive achievements in this area, the NCHR addressed the Cabinet to appoint a national action team that includes representatives of civil society institutions, academicians, persons with disabilities, and activists in this area for the promotion and protection of the rights of persons with disabilities, taking into account the geographical distribution of representation¹.

This report monitors the reality of disability in the Kingdom on the basis of **The National Disability Strategy** (which aims at focusing national efforts on monitoring and improving the conditions for persons with disabilities), and the **First National Conference on the National Disability Strategy**,

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which was held during the period (23-24/11/2009) under the patronage of HRH Prince Raad Bin Zaid, Chief Chamberlain and President of the Higher Council for the Affairs of Persons with Disabilities (HCAPD), in addition to the **results of the questionnaires that were filled out, under the supervision of the team, by (737) persons with disabilities and representatives of civil society institutions** working in this area, and the information, **amounting to (483) violations**, that was **monitored and recorded by (122) participants representing civil society institutions**. This is in addition to implementing four training workshops in cooperation with the National Center for Human Rights by the national team, which is responsible for the preparation of this report, on gathering information and monitoring mechanisms pertaining to the rights of this category of society according to international standards.

The NCHR in Jordan monitors the extent to which the International Convention on the Rights of Persons with Disabilities is activated and applied in the Jordanian society by all concerned public, private, voluntary and semi-governmental organizations.

This report covers all the information, figures, facts and data representing the findings of the national team, within the resources and time available, as well as the degree of response to the research tools used and the monitors.

Chapter One

First: The Methodology and Tools

As of 2/7/2009 the national team was formed to protect, promote and monitor the International Convention on the Rights of Persons with disabilities, pursuant to the provisions of Articles (2/33 - 3) of the Convention, headed by Dr. Muhammad Al-Squour and lawyer Christine Fdoul as rapporteur for the team, for the purpose of preparing the parallel report to the report of the government. The team consisted of experts in the field of disability, academicians, representatives of civil society institutions, and persons with disabilities, where the geographical distribution of the areas that the team members are located in was taken into account. The team agreed on the following methodology for work:

1. The report will cover all types of disabilities, regardless of gender, age and nationality, on the basis that the International Convention is of comprehensive and collective dimensions. Moreover, the report will include all services and activities, as well as the environment, without exception.
2. The need for the monitoring process to include recording the achievements, pros and cons, in terms of realizing the rights and sustainability.
3. That no attempt to justify or explain the violation should be made, except in the narrow confines. Instead, the relevant problems should be highlighted as they are.
4. A form to monitor violations of Articles of the Convention/ direct

- rights will be used.
5. A general and unified questionnaire will be used in the process of gathering information and statistics needed, one for institutions and centers that serve and deal with persons with disabilities, and the other for persons with disabilities themselves or their families.
 6. The information contained in the technical working papers, as well as the deliberations and outputs of the First National Conference on the Rights of Persons with Disabilities, which was held in Amman on November 2009, should be utilized.
 7. The outputs of four training workshops in the different regions of the Kingdom that targeted representatives of civil society institutions working in this area, for the purposes of gathering information and raising awareness of the importance of monitoring the International Convention on the Rights of Persons with Disabilities and enhancing their contribution to the monitoring process.
 8. The main task of the NCHR centered on coordinating and assisting the process of filling-out the questionnaires, monitoring and analyzing violations, and implementing workshops in different regions of the Kingdom.

Second: The Legislative Reality for Persons with Disabilities in Jordan

The Jordanian legislations addressed strengthening the rights of persons with disabilities within a human framework based on equal rights and duties. The Law on Rights of Persons with Disabilities No. 31 of 2007 came to embody these concepts in certain frames that are linked to human and religious values of our society. The said law is considered one of the oldest applicable

laws in the Arab States in the area of the rights of persons with disabilities, as their rights are protected since the founding of the Jordanian State through the Jordanian Constitution. Furthermore, the Jordanian National Charter came to affirm and promote these rights. Also, various Jordanian legislations addressed the rights of the persons with disability, such as the laws of customs, labor, traffic, etc. This is in addition to a range of specialized legislations for persons with disabilities, namely:

1. In 1993, the first inclusive and comprehensive law for persons with disabilities was adopted. It was called the Disability Welfare Law No. 12 of 1993 and came after the adoption of the first Arab convention relating to the habilitation and employment of persons with disability, which is the result of the meeting of the Arab Labor Organization at its twentieth session in the Jordanian capital, Amman. One of the most important developments in the new law, at that time, was the expansion of the scope of services and the provision of what is better, through wider legislative policies within the principles and rights adopted by the State, inspired by the teachings of Islam, the Jordanian Constitution, the National Charter and the Universal Declaration of Human Rights. Furthermore, three persons with disabilities were included as representatives of persons with disabilities in the National Council for the Welfare of Disabled Persons, chaired by the Minister of Social Development, in confirmation of the principle of participation of persons with disabilities and expression of themselves in national and international events.
2. In 2007, this law was replaced by a law called the Law on Rights of Persons with Disability No. (31) of 2007, in effect, to comply with the

- terms and provisions of the comprehensive International Convention on the Rights of Persons with Disability, which was in its final stage for approval and dissemination to the public.
3. In 2009, new instructions and regulations for licensing social centers and institutions in the voluntary and private sectors were developed.
 4. In 2010, the (HCAPD) completed developing accreditation and quality standards for special education institutions and programs in Jordan.
 5. The national fund for supporting persons with disabilities was drafted in its final version.
 6. The issuance of the Jordanian code for construction requirements for persons with disabilities a year ago is considered an achievement and enhancement to the rights of persons with disabilities to help meet their needs.

We refer to the main outputs and characteristics of the current Law No. 31 of 2007:

1. Establishing a Higher Council for the Affairs of Persons with Disabilities to be responsible for Laying down policies pertaining to persons with disabilities, revising them and following up their implementation, as well as achieving coordination and integration with the parties concerned.
2. Conferring the rights concept of disability rather than the care concept in order to move persons with disabilities from the shell of isolation, which is confined with the individual dimension and the provision of the special needs of each individual independently, to the collective

dimension, which is based on the integration of persons with disabilities and removal of environmental, social, and behavioral constraints to enable them to exercise their rights without discrimination.

3. Paying attention to improving the situation of women and children with disabilities.
4. Emphasizing on the principle of participation by persons with disabilities, especially in terms of making and taking decisions relating to them, as the clause on the composition of the Board of Trustees of the HCAPD includes representatives of different disabilities in the Kingdom. This right also includes emphasizing on the preparation of schools for the purposes of integration and providing children with disabilities with aids and tools that assist them to communicate and take advantage of this right.
5. The legislation asserts the need to provide the service of educational diagnosis to determine the susceptibility of children to learn and, thus, identify their needs in the light of their own situation.
6. The law addresses the right to work and vocational habilitation, where the employment of persons with disabilities in public and private sectors increased from 2% to 4%. Accordingly, the law demands that the employer provide reasonable working environment. As for vocational training, it is another source of decent work and the Law asserts the need for access by persons with disabilities to vocational training programs.
7. The law asserted the need for diagnosis and classification in this sector and the provision of a health diagnostic service to identify the

- degree and classification of disability. The Law focuses on the health of women with disabilities before and during pregnancy and after giving birth, in addition to the need for the inclusion of persons with disabilities in health insurance, where the law gave special privileges to persons with disabilities in the text of Article (4/ a/ 5), which refers to the provision of free health insurance for them, regardless of their living, social, and economic status and whether they are financially solvent or not.
8. Establishing a fund to support persons with disabilities of all ages and disabilities.
 9. Ensuring greater integration and empowerment of persons with disabilities of all ages.
 10. Continuing support for the Jordanian Union for Disabled Sport, where a lot of gold and silver medals were won in many of the global and regional Olympics.

However, **the following observations on the Law No. (31) of 2007 can be recorded:**

1. The definition of persons with disabilities in this Law may not be in line with the provisions and purposes of the International Convention, which stresses on the rights-based approach to remove the obstacles, rather than the care approach that had prevailed to some extent.
2. Instead of being satisfied with general principles only, the law should have dedicated a separate chapter or article on the general obligations of the State to ensure the realization of the rights contained in it, as this reflects the finest legal practices sought by the peoples.

3. Despite the claims of some that the Law does not touch on the issue of supporting civil society institutions concerned with disability in order to manifest their role properly, the interest by the Law in its articles to establish a fund to support institutions and programs of this sector constitutes the greatest proof of the degree of attention paid to civil society institutions and the provision of stable funding to them.

Chapter Two

Civil and Political Rights

First: The Right of Access to Justice and the Facilities Available:

Each person, with a disability or not and whether a Jordanian or residing on the territory of Jordan, has the right to litigation. However, many courts, if not most of them, are not ready for use by persons with disabilities, especially physical disabilities, due to the lack of special corridors or elevators in many courts to be used by them. As for the hearing disabilities, Article (81) of the Civil Procedural Law No. 24 of 1988 provides for testifying through sign language and accepting the swearing oath of such. The same thing can be said about the Civil Law No. (43) of 1976, which included in the text of Article (81) the same context, as it stipulates the presence of sign language interpreters in the courts whenever there is a person with a hearing disability.

The results of the questionnaires about the right of access to justice came as according to the following table:

Para. No.	Paragraph	Agree	Not sure	Disagree	Missing Value
1	Persons with disabilities are free to take decisions independently, including decisions relating to access to justice.	73.7%	9.3%	12.6%	4.4%
2	Persons with disabilities enjoy personal freedom without deprivation of or intervention by anyone.	64.4%	15.3%	15.3%	4.9%
3	Persons with disabilities may resort to legal entities just like others.	73.7%	12.0%	6.6%	7.7%
4	Persons with disabilities enjoy legal protection exactly just like others.	77.2%	10.4%	10.9%	5.5%

Table (1)

It is clear from the above table that the person with a disability enjoys a high degree of freedom on the right of access to justice, as it was found that the highest positive trend was for paragraph (1), which indicated that a person with a disability is able to take personal decisions independently, including decisions relating to access to justice. The reason behind the higher percentage of answers, amounting to 73.7%, to paragraph (3) is the awareness of persons with disabilities of their legal rights guaranteed to them by law and international standards, and that no discrimination between a person with a disability and others in terms of access to legal entities.

In this connection, the following observations were recorded:

1. Each person, with a disability or not and whether a Jordanian or residing on the territory of Jordan, has the right to litigation.
2. Pursuant to the provisions of the law, this right is preserved in Jordanian courts by using sign language interpreters with cases of hearing disabilities, when one of the litigants or witnesses suffers

from a hearing disability.

3. As for the visual disability, no Braille language is available in the courts, but as all trials are public (except as otherwise provided for by law), all the proceedings are recited overtly for the public, including persons with visual disabilities. Thus, this right is realized for visual disability, but through hearing, rather than in writing.
4. A violation of this right was monitored, as persons with physical disabilities participated in the meetings of some courts in the kingdom in a manner that prejudiced their dignity, such as being carried to upper floors before the eyes of the public.
5. Some courts and Lockups are environmentally ill-prepared for persons with physical disability. However, for other types of disabilities, each disability is dealt with separately in accordance with the law.
6. Some judges lack sufficient knowledge about autism. Moreover, alimony for one of the separated parents is not disbursed due to the fact that judges are unacquainted with the rights of persons with disabilities.

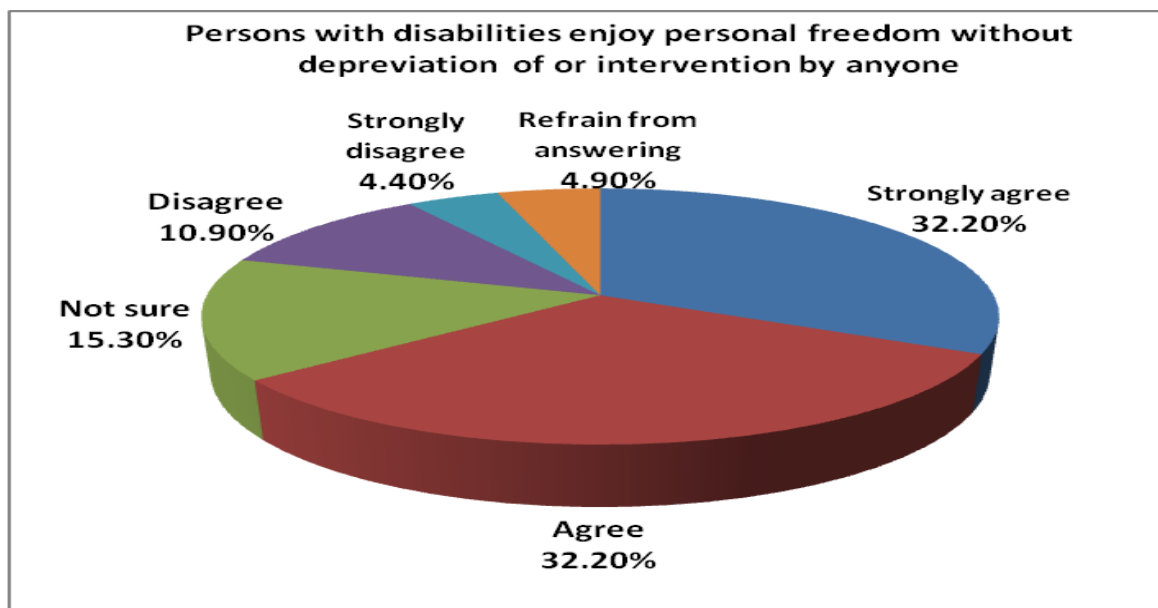
Second: The Freedom and Security of Person

Enjoyment of persons with disabilities of their personal freedom and, thus, preserving their personal security is considered one of the truisms, on which the basics of treatment of human beings in Jordan are generally based, especially after Jordan had committed itself to the relevant international conventions, including the International Covenant on Civil and Political Rights, as Article (9) stipulates that "Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention.

No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law."

The public security bodies are active and distinguished in the process of serving and caring for persons with disabilities. For example, the Traffic Department implements training programs for its staff on the mechanism of dealing with persons with disabilities and their legitimate right to integrate and communicate with their fellow citizens and avoid traffic accidents. In the same context, the administration of the reform and habilitation centers seeks to activate the positive engagement of its staff with detained and convicted persons with disabilities in Jordan's prisons.

The results of the questionnaires on the right to personal freedom came according to the following graph:



In this connection, the following observations were recorded:

1. Some violations were recorded and monitored, as one person with a mental disability was detained by the police in one of the Lockups for

a period of three consecutive days without a reason. However, he was released after being identified by his family.

2. Depriving the person with a disability from mixing with the outside world- i.e. outside the boundaries of the family- is considered one of the negative social phenomena prevailing in our society. Some families restrict the freedom of individuals with disabilities, as have been noticed through the process of monitoring (carried out by the NCHR, in cooperation with civil society institutions), where some persons with disabilities, especially those with mental disabilities, suffered from restrictions on personal freedom, movement and mobility by their families, leading to the deprivation of mixing with the outside world.

Third: The right to life

The International Convention on the Rights of the Child addressed the right to life as a fundamental right for him/ her and as a general principle that should be observed by the States Parties. The Convention did not prescribe the validity of this right, whether from the moment of being born alive or before that in his/ her mother's womb, as it defined the child as every human being less than eighteen years of age. The reason for that is the difference around the world in terms of accepting or refusing abortion of fetus in general, regardless of being with a disability or not.

Referring to the historical concepts that addressed the issue of children, the international community, represented by the United Nations, declared in 1923 after the First World War the need for paying attention to children and women, as they are the most vulnerable to abuse. The common concern was the relief of children and providing appropriate services to them. Hence, the

international community adopted the concept of care in dealing with children since that period of time.

Because of the inevitability of logical context and natural evolution in dealing with children as a category enjoying inherent dignity that is recognized by the international community, since this is clearly evident through what is stated in the Universal Declaration of Human Rights, this concept witnessed evolution in 1959 through the emergence of a special declaration for the child called the United Nations Declaration on the Rights of the Child. This evolution was illustrated by the introduction of the concept of protection of all kinds, such as physical, intellectual, and ethical protection, after the existence of only the concept of welfare and social services at that time. The international community expanded the protection cover to start from the moment the fetus is created in the womb of its mother, after the protection cover used to start from the moment it is born alive. In this sense, an international convention for the rights of the child was devoted and adopted in 1989 to include all the rights and categories of children. Article (23) of the Convention addressed the rights of the child with physical or mental disabilities, while Article (6) stipulates that each child has an inherent right to life, and that States Parties shall ensure to the maximum extent possible the survival and development of children, i.e. that the rights concept has become prevalent in this stage and children have become a category that have rights in the community and the States Parties are responsible for the implementation and application of such rights.

Care Concept
1923
Health Services- Social Services

Protection Concept
1956
Physical Protection- Intellectual Protection- Ethical Protection

Rights Concept
1989
Right to Life- Right to Survive and Grow-up- Right to Health Care

Despite that, this Convention has faced a lot of controversy when formulated on whether to include the coverage of the fetus under the provisions of its articles or not. However, it was decided finally to keep the definition open to align with the needs, concepts and mechanisms relating to the issue of permitting abortion or not in each individual country. This step was considered a gap in the Convention by some countries, while other countries considered it a way of flexibility that allows States Parties to decide the inclusion of the fetus in the merits of principles and rights of this Convention, the most important of which is the right to life and to grow-up. As for the International Convention on the Rights of Persons with Disabilities, which addressed the issue of disability on the basis of rights, Article (10) of it asserts that every human being has the inherent right to life (regardless of the existence of a disability or not), States Parties shall take all necessary measures to ensure this right. The Convention did not specify the nature of this human being, whether born alive or a fetus in the womb of its mother. This means that the ceiling of freedom, according to the provisions of the Convention, is left to the different world countries as to allow or

refuse abortion in cases of disability.

Article (5) of the same Convention provides for the prohibition of discrimination on the basis of disability and that the States Parties shall guarantee to persons with disabilities equal and effective legal protection against discrimination on all grounds, that is to say that all the rights enjoyed by others shall apply also to persons with disabilities. This brings us back to the acquired rights of persons with disabilities at the national level, since the Jordanian legislator, in terms of the right to life and the inclusion of the fetus, imposed punitive accountability that reaches the sentence to ten years of imprisonment for those who violate this right. The abortion shall be under certain conditions, such as the mother's consent, or the consent of her husband or the person responsible for her, in addition to the testimony of two licensed doctors stressing the need to undergo abortion in order to preserve the mother's life or health. Moreover, Article (322) of the Penal Code criminalizes abortion of women. However, we note that the Law did not address the health status of the fetus, but arranged other rights after being born in the form of financial benefits, such as inheritance and social security.

The Law on the Rights of Persons with Disabilities No. 31 of 2007 is considered the specialized legislative framework with regard to the rights of persons with disabilities. Article (2) of the said Law prohibits discrimination on the basis of disability for any of the rights and freedoms stipulated in this Law or any other law for this category of community, i.e. what applies to others with regard to various rights, freedoms, mechanisms and regulations applies also to persons with disabilities, regardless of age, sex, religion, or health status. However, what is different is the nature of the habilitation

required, in terms of services and facilities sought, to enable persons with disabilities to develop their physical, mental, health, professional, social or economic abilities so as to access a level that allows them to integrate into the community. This explains the scientific and medical intervention for children born with disabilities, such as the separation of Siamese children (for example), because they have the right to life and survive.

Despite this, we find the following arguments about this right:

1. The killing of fetuses with disabilities is a crime punishable by national law.
2. There is a disparity between the acceptance and refusal of abortion of fetuses with disabilities after the scientific and medical developments, which show the status of the fetus before being born, especially in the first months of pregnancy.

Fourth: Freedom from Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Being subjected to torture is considered one of the most serious violations that human beings are exposed to in general, especially persons with disabilities, as Jordan joined the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and published it in the Official Gazette on 15/6/2006 to become a national law that may be used for defense. Moreover, places of arrest and detention are viewed as the most places in which human beings may be exposed to this kind of violations. From this point, the administration of the reform and habilitation centers called in 2008 for a special initiative to take care of inmates with disabilities,

in cooperation and coordination with the relevant entities such as the Ministry of Health and Ministry of Social Development, to improve the conditions of the detainees and convicted from this category of society. To that end, a special ward in the Reform and Habilitation Center of Juwaida was assigned so as to include all the facilities relating to preparing the environment and services utilities and implementing a care program for them.

The following represent information that we have reached about violations:

1. The number of inmates with disabilities as of 12/11/2010 reached (26) detainees and (34) convicted, that is a total of (60) inmates with physical, hearing, visual and mental disabilities, distributed by type of disability in the various prisons of the Kingdom, as per the following table:

Table (2)

Type of disability	No. of convicted inmates	No. of detained inmates
Physical disability	20	15
Mental disability	3	3
Hearing disability	6	4
Visual disability	5	4
Total	34	26

In this connection, the following observations were recorded:

1. Reform and habilitation centers are taking into account the preparation of prisons for the benefit of persons with disabilities, where the Reform and Habilitation Center of Juwaida was prepared in such a way as we have mentioned earlier. Furthermore, the national construction code for persons with disabilities is being applied now in

a center under construction in the area of Marka/ Amman Governorate.

2. Health and psychological services for persons with disabilities are available in various reform and habilitation centers in the Kingdom.
3. Medical hearing aids for inmates with hearing disabilities are available, in cooperation with the Ministry of Health, in addition to the provision of wheelchairs for persons with physical disabilities, in cooperation and coordination with the Public Security Directorate.

Fifth: Equal Recognition of persons with disabilities before the law:

The provisions of civil law apply to the issues addressed by the texts. However, if the court does not find a text in the provisions of this law, it will rely on the Islamic jurisprudence and principles of Islamic Sharia'. As for the meaning of legal capacity, according to national legislation in force, it is the character estimated by the legislator for the human being to be qualified for rights granted and duties imposed, as well as the validation of his/ her behaviors. It is of two types:-

1. Obligation Capacity: the validity of human beings to be qualified for rights granted and duties imposed. This validity is proved to be in place as soon as life exists. Hence, whenever life exists, obligation capacity exists, no matter young or old or of sound mind or insane a human being is.
2. Performance Capacity: the validity of human beings to behave in a manner legally acceptable to claim and be claimed for the implications of the contract agreed upon. This capacity is dependent on discretion and sound mind. It is either a complete, incomplete or

non-existing capacity.

Accordingly, complete performance capacity is the validity of human beings to behave in a manner that does not depend on the opinion of others, while the incomplete performance capacity is the validity of human beings to behave in a manner for certain acts without the other ones and thus the capacity to perform is incomplete. In other words, we are concerned here with the performance capacity and not the obligation capacity. Article (47) of the Civil Law No. (43) of 1976 stipulates that no one may waive his/ her personal freedom or capacity or amend its provisions. Moreover, the text of Article (116) stipulates that every person is eligible for concluding contracts, unless deprived or restricted of capacity by virtue of law.

Mental disability (the "insanity" in legal terms of the law) is considered one of the aspects of legal capacity and it is clear that mental disabilities are classified into three categories or classes: First, the class with severe disability, where there is a risk of making wrong decisions detrimental to their interests. Second, the class with medium disability, which can make decisions that take place between benefit and damage. Third, the class with simple disability, which can make the right decisions, but this does not always mean right decisions as is the case with others.

The legislator determines the custodian or guardian for persons with disabilities, as the custody is on the soul and funds and is granted to the father, mother, grandfather or the court. The custody includes the ability to conclude contracts, marriage, and disposition of funds and benefits. In other words, it gives the custodian the right of disposition of the funds of the person under custody. However, in the case of marriage, the Personal Status

Law No. (61) of 1976, as amended, stipulates in Article (8) that the judge may authorize the marriage of persons with insanity if it is proven by medical report that the marriage is for his interest. The legislator stipulates legal age, sound mind and discretion as conditions for the custodian to be accepted. Furthermore, the custodian should be honest, impartial and keen on the interests of the person under custody due to the fact that the interest of the person under custody is given precedence over all other considerations.

The Civil Law referred to above stipulates that "the court may authorize the insane in case the custodian refrains from doing so. That is the insane may refer to the court by himself or through any person in his favor."

A summary of the above mentioned, in comparison with the text of Article (12) of the International Convention, indicates that persons with disabilities in general, including those with mental disabilities, can exercise their rights on their own or through support and aid by the custodian or guardian depending on the severity of disability.

In this connection, the following observations were recorded:

1. Despite the interest of the legislator in the persons with disabilities, especially those with mental disabilities, the decision issued by the judge in any matter concerning the persons with mental disabilities is considered a drawback because it is taken without consulting them and asking their opinion, as the decision is taken through the custodian or guardian.
2. Absence of persons with disabilities from the process of discussing matters concerning them, such as making the right decision by a judge.

3. The lack of legal safeguards for persons with disabilities to exercise their civil rights. For example, the blind cannot open an account in the bank without a sponsor, noting that the civil law accepted testimony of the deaf, which means that any person with a disability has complete legal capacity.

Sixth: Freedom from Exploitation, Violence and Abuse

The NCHR commenced its work on June 1st, 2003 as a national independent institution enjoying legal capacity with financial and administrative autonomy, under the Law No. (51) of 2006. Among the objectives of the NCHR is the protection and promotion of human rights and public freedoms in the kingdom, as it receives complaints and notifications, appeals, and opinion and condemnation statements on any violation of human rights or any attack on public freedoms within the Kingdom, including the aggressions on the rights of persons with disabilities. The NCHR receives complaints and requests for assistance directly from them or through those representing them and provides those affected with guidance and assistance. In addition the NCHR offers a helping hand to them and removes the obstacles that hinder them, in cooperation with the relevant authorities such as the Greater Amman Municipality, HCAPD, Ministry of Labor, Ministry of Social Development and others.

The Family Protection Department/ Public Security Directorate is one of the most important policing institutions in the State, as it seeks to protect citizens and the family, including persons with disabilities. The Department enjoys an important and essential mechanism in dealing with violence and abuse against people in general and can refer the cases of severe violence to

the administrative governors and the national courts to take deterrent legal action against violators of the law.

The HCAPD formed the Women's Committee, which is a committee composed of women with different disabilities with the aim of promoting and protecting the rights of women with disabilities and empowering and developing them, in line with the provisions of the International Convention, which calls for the need for participation of women in various spheres of public life, as well as educating and acquainting women and those around them with how to avoid the situations of exploitation, violence and abuse.

Based on the above, the following observations were recorded:

Efforts should be concerted to address violence against persons with disabilities. Therefore, the NCHR, in cooperation with civil society institutions, organized awareness and educational programs for the purposes of changing stereotypes about this category of society; not only to educate the community, but also to involve persons with disabilities themselves in these communities and exercises aimed at making them aware of their rights, so as not to be exposed to exploitation, violence or abuse.

Seventh: Protecting the Integrity of the Person

The Public Health Law No. (47) of 2008 provides for the need to encourage and enhance patterns and behaviors of healthy lifestyles, including physical activities. No medical treatments and surgeries may be implemented in any form whatsoever without the consent of patient or his/ her legal representatives. No cases contrary to these binding rules, in which legal action may be incumbent upon any violation, have been recorded in Jordan.

As stated in Article (14) of the Law referred to above, no psychological

patient shall be referred or forced to enter the psychiatric hospital, except by the decision of the Minister, accompanied by a recommendation from the medical competent committee. The patient is not admitted to the hospital, unless his/her condition necessitates that through treatments available only in the hospital.

In this connection, the following observations were recorded:

1. Personal integrity is followed-up and various medical treatments are prescribed, provided that the relevant diagnosis is accepted, whether by the persons with disabilities or others.
2. Persons with psychological illness are optionally admitted to hospitals based on personal desire, except in the event that the patient may cause harm to himself/ herself and to others under certain conditions.

Eighth: Participation in Public and Political Life

The practical reality of the election and nomination process indicates low level of participation of persons with disabilities, whether as voters or candidates, for a number of reasons. The most prominent of such reasons is the lack of interest of persons with disabilities themselves to participate in these elections, particularly parliamentary elections. The number of persons with disabilities who nominated themselves for the parliamentary elections in the previous elections was one candidate, who obtained four votes. However, in the recent parliamentary elections, five persons with disabilities ran for elections, three of which with visual disabilities and two with physical disabilities, but none of them was lucky to win.

The participation in elections is a participatory approach to decision-making process and must be expressed and participated by various segments of

society, whether by personal initiative for participation or through the creation of conditions to enable persons with disabilities to participate. It was clear from the monitoring process carried out by the NCHR that:

(48%) of the polling stations were not equipped to receive and allow the participation of this category of society with various disabilities. The creation of suitable conditions in these centers was the responsibility of the Government, in cooperation with the civil society institutions. It was also incumbent on the media to promote the need for the active participation of persons with disabilities as citizens with rights and duties. However, more than (200) polling stations were equipped for the participation of persons with disabilities in the last parliamentary election process, which was held on 9/11/2010.

In this connection, the following observations were recorded:

1. During the monitoring process carried out by the NCHR, it was found out that the polling and sorting committees provided, with a percentage of (89%), necessary assistance to voters with disabilities.
2. A number of persons with disabilities complained about not allowing their companions to enter with them to the polling stations and help them to cast their ballots.

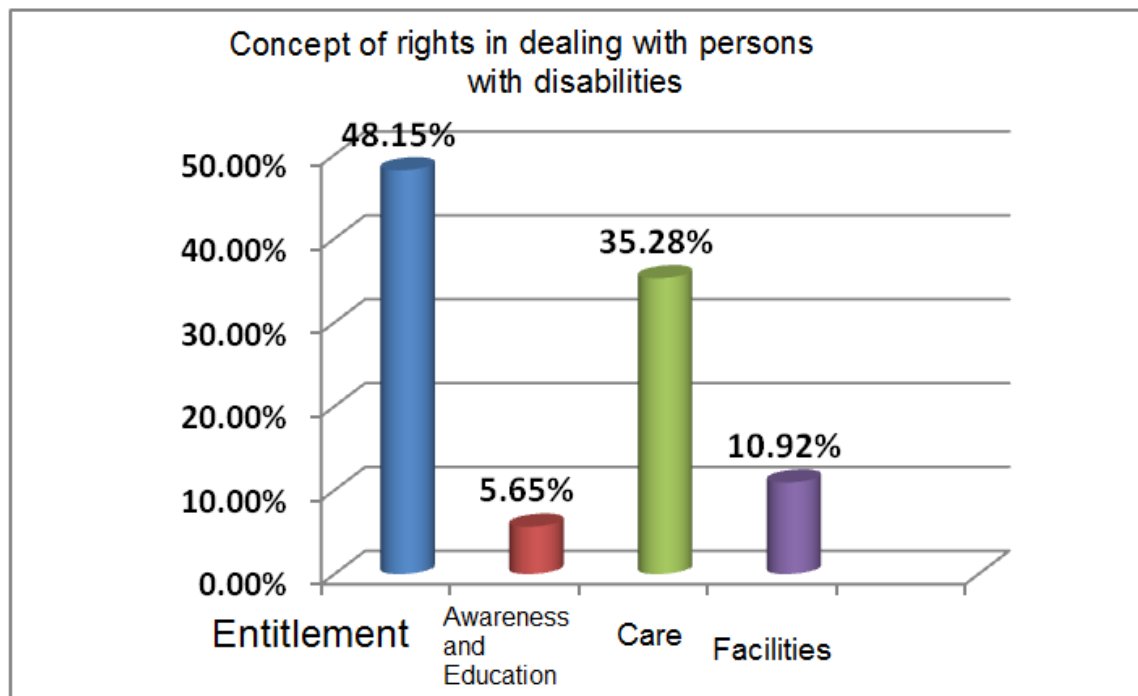
Ninth: The Freedom of Opinion and Expression

The degree of interest of the Jordanian daily newspapers in the rights of persons with disabilities reached a percentage of (0.64%), according to a study prepared by the NCHR under the title "Analysis of the Contents of the Jordanian Dailies Regarding the Disabled Persons":

1. This indicated weak interest in this issue and the marginal position

occupied by this category of society in the priorities ladder of the press, in addition to the absence of specialized press in this area. Therefore the HCADP sought to establish a committee on the affairs of the press specialized with disability, where members were trained, in cooperation and coordination with the NCHR, on the rights concept of disability, which is adopted by the International Convention on the Rights of Persons with Disabilities

The chart below highlights the ways in which the press addressed the issue of disability in general, as follows:



The efforts exerted by audio-visual media are limited to parts and programs that do not exceed the period of ten minutes and the issues of disability are not considered issues of priority for decision-makers in the media, in addition to the fact that arts of all kinds are not employed for the sake of disability issues. Access to information is viewed as the most important data

in the process of social integration of this category of society through the use of speaking computers or those equipped with the Braille method. However, this is not accessible to all due to the high financial cost. For the same reason, persons with disabilities rarely find the different means, methods and forms of communication in their dealings with others. For example, the six o'clock news bulletin is limited to a sign language interpreter for local news broadcasted on the Jordanian Television at that time only.

In this connection, the following observations were recorded:

1. As the first mediator between the thought and will of the people, the press is responsible for making a positive change in the method and pattern of dealing with persons with disabilities in the community.
2. It is essential to develop the capacities of people working in the media, journalists, and artists and train them on how to address the issue of disability in its advanced concepts.

Tenth: The Right to Nationality

According to the provisions of Article (3) of the Jordanian Nationality Law No. (6) of 1954, as amended, a Jordanian citizen is the child of a father holding the Jordanian nationality or who was born in the Hashemite Kingdom of Jordan under certain conditions. Persons with disabilities are granted the Jordanian nationality under this law, not on the basis of being with a disability or not.

However, no violations relating to the right to nationality for persons with disabilities were monitored or recorded.

Eleventh: The Right to Personal Mobility

Freedom of mobility for persons with disabilities is considered one of the priorities of rights for this category of society, as the promotion of this right means their ability to communicate and participate actively and positively with their fellow citizens. **However, the reality indicates non-observance of this right, except in the narrowest limits:**

The results of the questionnaires came according to the following table:

Table (9)

No.	Paragraph	Agree	Not sure	Disagree	No answer
1	Public roads are free from obstacles	26.3%	10.9%	58.5%	4.4%
3	Wheelchair can be used in public utilities and government departments frequented by persons with disabilities	31.7%	20.2%	31.7%	16.4%
4	Special buses for public transportation are available and prepared for persons with Disabilities to use.	28.4%	12.0%	53.6%	6.0%
5	Qualified individuals are available in government departments and public utilities to provide assistance to persons with disabilities	26.8%	16.4%	35.3%	11.5%
6	ATMs are at a convenient height for wheelchair user	28.4%	21.9%	31.1%	18.6%
7	The issue of mobility and participation in public life is easy.	42.1%	31.1%	36.6%	8.2%
8	There are special places for car parking in frequented public places	29%	21.3%	37.1%	12.6%

The above table shows that the potentials of personal mobility facilities for persons with disabilities are too low, compared to others.

In this connection, the following observations were recorded:

1. The freedom of personal mobility of persons with disabilities is associated with a developed ideological concept that takes into account the priorities of this category of society. Thus, the efforts and good offices exerted in this context start from the belief in the importance of this right in order to be provided in the proper and required form.
2. Inaccessibility by persons with disabilities to devices that assist in their mobility and ease of movement, whether by the Ministry of Social Development or the HCAPD, or contribute to the provision of technological equipment that facilitate their mobility.

Twelfth: The Right to Privacy (Respect for Privacy)

The Respect for privacy of Human beings is one of the important principles relating to human rights in general, and this applies also to the persons with disabilities. However, the NCHR did not record any violation to this right.

In this connection, the following observations were recorded:

Hospitals do not allow looking into medical records relating to the health and personal affairs of citizens, except by the person concerned. However, this right includes the persons with disabilities to ensure their privacy.

Chapter Three

Economic, social and cultural Rights

First: The Right to Education:

The Education Law No. (3) of (1994), as amended, divides the levels of education into three stages: the first stage is called the kindergarten, which is not compulsory and includes children up to (6) years of age. The second stage is the basic education from (6-16) years of age and its compulsory and free. The third stage is the secondary education, which lasts for two years and is free and not compulsory. Vocational education is another stream of non-formal education which provides the opportunity to learn and practice a future profession. Students enrolled should have completed (16) years of age, in line with international labor conventions that prohibit child labor and employment below this age.

The Ministry of Social Development used to be the legal cover for the education of children with disabilities, but after the amendment of 2002 on the abolished Disabled Care Law, the education of children with disabilities moved to become under the cover of the Ministry of Education, in belief of the principle of integration in education, with the exception of those with mental disabilities.

The Ministry of Education made significant progress in the field of education for children with disabilities, such as the adoption of the integration program for children who suffer from learning difficulties

through the development of (550) resource rooms until 2009, distributed among the various directorates of education in the Kingdom.

As for the education of blind students, there are two specialized schools for the education of blind students in the capital Amman, where they include primary and secondary education stages.

With regard to the students with hearing disabilities, there are (10) schools serving more than (800) students, as of 2009. These schools provide specialized academic education for this category of society.

Good offices are exerted to integrate students with physical mobility in public schools, as the Ministry of Education is gradually preparing schools in environmental terms. In the same context, the Government signed an agreement with the Al-Hussein Society for Physical Disability to transfer students who finish their primary education stage offered by the Society to the schools of the Ministry in order to realize the integration in education, which contributes to the environmental harmonization of schools to which children are transferred, and, at the same time, train teachers in those schools on how to deal positively with children with disabilities.

As for students with medium and severe mental disabilities, which are under the aegis of the Ministry of Social Development, the number of special schools reached (14) schools distributed in various regions of the Kingdom.

Believing in the importance of higher education for students with disabilities, it has been agreed between the HCAPD and the Ministry of Higher Education to admit the students with disabilities, who have passed the General Secondary Education Certificate Exam (Tawjihi) within acceptable scores, to universities, in addition to granting them a reasonable exemption amounting to (90%) of the financial costs required for education,

provided that the degree of disability is not less than (40%). The same applies to the case of students of the Master's degree, where the value of the exemption amount to (60%) of the costs required.

The results of the questionnaires on the right to formal education came according to the following table:

Table (3)

A. Formal education:

No.	Paragraph/ Information Item	Agree	Not sure	Disagree	Missing Value
1	I joined regular school readily and easily	60.6%	9.8%	18.6%	10.9%
2	I Learn in my school how to exercise life skills appropriately	63.4%	9.8%	18.2%	8.7%
3	I have training on special education equipments and tools	57.9%	13.1%	18.6%	10.4%
4	I can get individual training when needed	75.8%	11.5%	18.6%	41.2%
5	I participate in school activities and sports lessons	65.0%	7.1%	15.3%	12.6%
6	I feel integrated with my peers at school	68.3%	10.9%	8.2%	12.6%
8	Teachers deal with my disability with understanding and skill	68.3%	10.4%	8.2%	13.1%
9	School counselor is acquainted with the status and needs of individuals with disabilities	57.4%	15.8%	14.7%	12.0%

It is shown from the table above that the opinions of the sample towards the field of education was positive, at varying degrees, where the highest was

75.8% and the lowest was 57.4%.

Table (4)

B. Education in Training and habilitation Centers:

No.	Implemented Activities	Yes		No		Missing Value
		No.	%	No.	%	
1	Does your institution have preparation programs and facilities for the purposes of integration?	76	64.4%	22	18.6%	16.9%
2	Does your institution have habilitation, training and awareness programs for its personnel on integration?	67	56.8%	32	27.1%	16.1%
3	Does your organization have educational diagnostic services?	51	43.2	40	33.9%	22.9%
4	Does your institution have psychological and social counseling services	59	50	23	19.5%	29.7%
	- for Students	65	55	20	16.9%	28%
	- for parents	72	61	18	15.3%	23.7%
	- for other bodies	46	39	32	27.1%	33.9%
	- for integrating schools					
5	Does your institution have supervision and follow-up programs?	70	59.3	22	18.6%	22%
6	Does your organization work on adapting the curriculum?	56	47.5	26.3	31%	26.3%

7	Do you apply the integration program in public education?	52	44.1	40	33.9%	22.0%
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It is shown from the table above the availability of educational services for persons with disabilities in institutions. The results showed a positive attitude towards the availability of educational services in these institutions, at varying degrees, where the highest percentage was for paragraph (1), which indicated the availability of preparation programs and facilities for the purposes of integration amounting to (64.4%), followed by paragraph (2), which indicated the availability of habilitation, training and awareness programs for their personnel on integration with a positive trend amounting to 56.8%.

A table showing the availability of environmental facilities within educational institutions

Table (5)

No.	Paragraphs	Yes		No		Missing Value
		No.	%	No.	%	
	Ways and corridors in your institution are free from obstacles	70	59.3%	28	23.7%	96.6%
2	Equipped buses are available for use by users of wheelchairs and those with other disabilities	33	28.0%	59	50%	22%
3	Elevators in your institution are equipped with audio system and Braille method on the keys	7	5.9%	75	63.9%	30.5%
4	Instruction manuals and others at your institution are available in Braille language	17	14.4%	68	57.6%	28%
5	Sign language interpreters are available in your institution	24	20.3%	63	53.4%	26.3%
6	Signs in Braille method and in forms and drawings easy to understand are available in your institution.	12	10.2%	71	60.2%	29.7%
7	Your institution provides and facilitates the use of equipments and tools for persons with disability so as to allow them the opportunity to get information and knowledge	60	50.8%	32	27.1	22%

The above table shows the lack of environmental facilities suitable to serve persons with disabilities in the institutions concerned, both in the private and public sectors. Paragraph (3) indicates the lack of elevators that are equipped with audio system and Braille method on the keys in the institutions with a percentage of 5.9%, followed by paragraph number (6) which indicates the lack of signs in Braille method and in forms and drawings easy to understand in the institution, both in the public and private sectors, with a percentage of 10.2%. Moreover, the table shows that the lowest percentage was for paragraph (1) about the absence of obstacles in the ways and corridors that serve persons with disabilities in institutions. This indicates a high degree of violation for this right of the rights of persons with disabilities, with a large percentage of 59.3%.

These negative results are an outcome of not abiding by the law on Jordanian constructions code and the absence of follow-up by the official entities concerned because of the lack of periodic inspections on the constructions, in addition to the misunderstanding of the relevant authorities of the process of adapting the environment in terms of time and place, which does not require expensive and high financial costs, if no costs at all in some cases.

In this connection, some observations were recorded, as follows:

1. Some cases of violation were monitored, in which students with disabilities were denied the right to study and/ or complete their studies due to the presence of environmental obstacles.
2. Educational diagnostic services in the Kingdom are weak and do not

meet the needs of this category of the society.

3. Knowledge and acquaintance of the teaching staff in terms of the rights of children with disabilities and the positive mechanism to deal with them are weak and do not meet the level required in the process of proper integration.
4. Learning resource rooms are not properly activated to achieve good performance and results, as a result of the high operational costs and the overcrowding in schools, which hinders the establishment of such rooms within their premises.
5. Despite the availability of acceptable education for blind students, the only two special schools, as referred to previously, are located in the capital. Thus, insolvent students outside the boundaries of the Capital are incapable of joining those schools.
6. Most of the special schools for the deaf lack classes to complete basic or secondary education. Therefore, students are forced in many cases to stop learning because of the lack and/ or improper preparation of public schools to receive this type of disabilities.
7. Students with physical disabilities suffer from not being admitted or accepted to study at public schools under false pretenses by different administrations of some schools.
8. Some students with disabilities suffer in some cases from the difficulty of mobility and access to public schools and/ or private education schools.
9. Undergraduate education lacks appropriate educational environment for the education of students with various disabilities in most universities, in addition to the lack of awareness of their rights by

faculty members and students in general.

10. Discriminatory treatment of students who have completed the secondary stage of education was noted, as they were not educated about their chances to university education through the orientation programs prepared for this purpose.

Second: The Right to Work

According to the report of the NCHR in 2009, the right to work is considered one of the most and frequently violated rights, largely due to inherent social and economic backgrounds, such as the small number of persons with disabilities who are qualified to work, and the fear of employers to employ them under the pretext of ensuring the best investment of their funds, noting that the labor law allows for a trial work period of three months, where the employer is not liable to any commitment with the worker, except paying his salary. However, to ensure the employment of persons with disabilities in public and private institutions, the Law on the Rights for Persons with Disabilities No. (31) of 2007 obligates these institutions employing not less than 25 workers and not more than 50 to employ one person with disability. If the number of workers in any of these institutions exceeds 50, workers with disabilities should account for not less than (4%) of the work force provided that the employer provides reasonable accommodation necessary. However, this Law is criticized for stating that the nature of the work should allow employing persons with disabilities,

where that is considered a getaway for employers to escape the implementation of the provisions of the said law, under the pretext that the nature of the work does not allow this. On the other hand, in a legal precedent the legislator imposed penal accountability on those who do not adhere to the implementation of these provisions and texts and compelled employers to provide reasonable accommodation to enable persons with disabilities to exercise their work. As a result of tireless efforts by the HCADP, the Cabinet announced the allocation of (4%) of the public positions listed on the employment (manning list) agenda of 2008 for persons with disabilities, which is equivalent to (400) positions. In spite of that, some local studies showed that the percentage of employment of persons with disabilities in the public sector does not exceed (1%) and that accepting the employment of persons with disabilities by employers remains one of the most difficult obstacles that they face. The HCAPD received (1234) job applications in 2008, (856) of which were for males, while (378) were for females. Accordingly, (94) of which, amounting to about (8%), were employed. According to the National Disability Strategy, the rate of their unemployment reached 40%, which is a high rate for unemployment in Jordan, even among persons who are not disabled.

As for vocational training programs, there are two institutions in the Kingdom belonging to the Ministry of Social Development, one in Irbid and the other in Alrsaifah. These institutions are habilitation and vocational training centers, in which persons with disabilities are trained on different careers and crafts and many of the institutions, voluntary bodies, charities and civil society institutions offer specialized training programs. Also, there are (46) vocational training centers in the Kingdom equipped to train all

types of disabilities.

The results of the questionnaires on the right to vocational training came according to the following table:

Table (6)

No.	Programs and Activities	Yes		No		Missing Value
		No.	%	No.	%	
	Vocational preparation and habilitation	41	34.7%	39	33.1%	32.2%
	Specialized training programs for persons with disabilities	38	32.2%	41	34.7%	23.1%
	Specialized cadres	38	32.2%	39	33.1%	34.7%
	Vocational visits	40	33.9%	38	32.2%	33.9%
	Database of employing institutions	21	17.8%	51	43.2%	39%
	Training staff of employment places on how to deal with persons with disabilities	27	22.9%	47	39.8%	37.3%

The previous table shows neutral results on the availability of training and employing programs for the purposes of employing persons with disabilities in the institutions of public and private sector alike.

In this connection, the following observations were recorded:

1. The employer bears the greatest burden to facilitate or complicate the task of admitting persons with disabilities to the labor market, and depriving them of the opportunity to obtain gain lawfully and integrate with the community constitute the most important problems they face, as the excuse always is that they lack the ability to perform the tasks required from them in work.

2. Some persons with disabilities fear the negative attitude and dealing they face from their colleagues at work, which creates a negative tension by workers with disabilities and fear of facing the community, rather than being encouraged to produce, innovate and integrate.
3. Many of the workers with disabilities suffer from unequal opportunities with respect to wages calculated for them, compared to their colleagues, and not being promoted in such a way that is commensurate with the effort exerted and the duly performance of the work required from them.
4. The absence of specialized inspection teams is considered one of the most prominent challenges faced by persons with disabilities; especially that the evasion of providing employment opportunities for them is a negative factor, in terms of ensuring lawful gain and integrating with the community.
5. The absence of preparation of the physical environment of work and the lack of the minimum requirements of public safety in many institutions, which hampers job opportunities for workers with disabilities.
6. The lack of transportation prepared for persons with disabilities is considered one of the most important problems and challenges they face in their daily lives.
7. Persons with disabilities are deprived of the opportunity to get a job, on the basis that they are unable to do any work and, thus, no one accepts to hire them (example: a person with a disability applied for a particular job and after meeting the requirements to obtain this job, as he possesses the scientific qualifications and experience needed, the

- official asked him after noticing the presence of physical disability if that was a disability or injury. However, when that person told the official that it's a disability, he was told to forget about the job and never come to work).
8. The lack of a suitable working environment and assistance tools or aids at many institutions to help persons with disabilities to perform their work.
 9. Persons with disabilities are not allowed or encouraged by their colleagues or their families to work because of their disabilities.
 10. It has been monitored that persons with disabilities were not paid additional allowance for their work.
 11. Qualified persons with disabilities, especially those with mental disabilities, are not granted job opportunities.

Third: The Right to Habilitation and Habilitation

The State is responsible for supporting the habilitation and habilitation of persons with disabilities to enable them to exercise their life in the best way possible, through the attainment of maximum personal autonomy which ensures their active participation in the community. National habilitation centers are available in the Kingdom at governmental and non-governmental levels. The HCAPD works on supporting these programs through launching the national standards for the accreditation of special education programs implemented by the centers and institutions involved in special education, in addition to diagnostic and habilitation centers, for the purposes of developing the environment of educational institutions and related services and raising the efficiency of workers in these programs, as well as improving

the level of programs designed for the beneficiaries and their families. The said standards also aim at achieving the integration of persons with disabilities in social life in general and ensuring the quality of services provided to them. Furthermore, there are specialized training programs on these standards to maintain quality and raise the level of staff working on them, in addition to providing modern technologies.

In this connection, the following observations can be mentioned:

1. Despite what is said about the quality of specialized habilitation and training centers, they are criticized, whether governmental or non-governmental, for not being distributed equally on the territories of the Kingdom.
2. It is also shown that there is a need to raise awareness in order to increase attention to this right and the different habilitation services and habilitation programs. This right is guaranteed to persons with disabilities by international standards and national legislation and available in some centers involved in the provision of services to persons with disabilities. However, the low quality of those services and the weak capacity of qualified persons who are trained on habilitation and habilitation programs for persons with disabilities prevent such services from reaching all beneficiaries, at high rates.
3. The lack of physical therapy centers for the treatment of persons with disabilities, especially in areas outside the governorates, which increases the problem of disability for persons living with accidents and diseases and reduces the rate of satisfaction of this right.
4. Delayed intervention initiatives for treatment and habilitation, and this

- may be due to the lack of awareness of the persons with disabilities, their families, or institutions taking care of persons with disabilities, of the importance of habilitation. This is also due in some cases to economic reasons, represented by poverty and social reasons, such as the culture of shame and reasons relating to the absence of centers specialized in physiotherapy and habilitation of persons with disabilities in some remote regions of the Kingdom.
5. Non-availability of habilitation services in some areas for persons with autism was monitored.
 6. The low wages of workers in this field is considered one of the reasons motivating the emigration of specialized staff to outside the country, which calls for reviewing rules and regulations relating to the welfare of workers in this sector.
 7. The good level of providing habilitation and habilitation services is dependent on the capabilities and experience of workers in these programs and the focus on building their capacity.

Fourth: The Right to an Adequate Standard of Living

The family is the basic unit of society, from which stem the wills and determination to build and establish a society of all shades and categories, including persons with disabilities. The Convention on the Rights of the Child, to which Jordan is committed, signifies the importance of secure family life for children, regardless of their biological, functional or psychological status. Moreover, in the case of the absence of a genuine family, the child is provided alternative family care. However, if no alternative family care is available, the child is referred to a special

institution involved in the protection and care of this category of society. The parents of children with disabilities in Jordan are appreciated generally for their commitment to create, care for, educate and raise their children, making them able to cope with the burdens of life and break through the barriers that prevent their effective participation in society. Despite that, some violations committed by some parents against their children with disabilities were recorded, mostly due to social ends such as hiding them in order to avoid social stigmatization or failure of society, outside the walls of the household, to accept the idea of dealing with persons with disabilities or those who have a direct relationship with them, like sisters who are not proposed to by males for marriage because of the fear of having children with disabilities in the future. As for economic reasons, the HCAPD and the Ministry of Social Development exerted tremendous and continuous efforts to support the cost of assistive devices and audio-visual and physical aids to make them affordable for poor families with persons with disabilities, in view of facilitating the ways of communication, integration and harmony between members of the community.

In this connection, the following observations can be mentioned:

1. The problem of the persons with disabilities, especially with severe disabilities, becomes aggravated after the death of their parents, as free care and accommodation services are provided to the needy of this category of the community through both the public and voluntary sectors. Regarding the governmental sector, there are three centers; namely, Jerash Center for Welfare and Habilitation, Kerak Center for Welfare and Habilitation, and Al-Amal Al-Jadeed Center. On the

other hand, there are two centers owned by the voluntary sector, the first is the Al-Amal Center for Special education in Amman, and the other is the Dar Al-Mahaba in Al-Ruseifah.

2. Family members with disabilities suffer from the lack of courage and/or desire on the part of family to exercise their right to marry and start a family.
3. The Ministry of Social Development provides financial support for poor families through the National Aid Fund, based on family income and number of its members. The Government provides, through the Ministry, free housing to those proven to be in need.
4. In the case of severe and multiple disabilities, the requirements of their daily life are expensive, which leads to an additional financial burden on the family and makes it poor.
5. The inadequacy of the salary received by families from the Ministry of Social Development and the National Aid Fund, especially if there is more than one person with a disability within the family.

Fifth: Awareness-raising

The NCHR commenced raising awareness of the rights of persons with disabilities since its establishment, which coincided with the work on drafting the International Convention relating to their rights. The work commenced with associations and institutions working in the field of disability, such as the Nazik Hariri Center and the Landmine Survivors Network, for the dissemination of the new concepts of the Convention, where the local press addressed this work with great interest. In 2006, the NCHR participated in national campaigns in all parts of the Kingdom to promote the employment of persons with disabilities. More than (1000)

people representing governmental and non-governmental institutions and agencies, as well as representatives of various media, were trained to embrace the concepts and provisions of the Convention. For the first time in Jordan, the NCHR involved trainers with different disabilities and translated the training materials into Braille method, in addition to bringing sign language interpreters in all the workshops that have been implemented.

In this connection, the following observations were recorded:

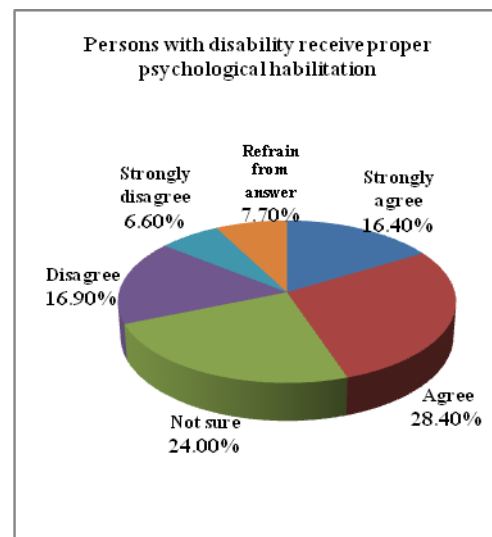
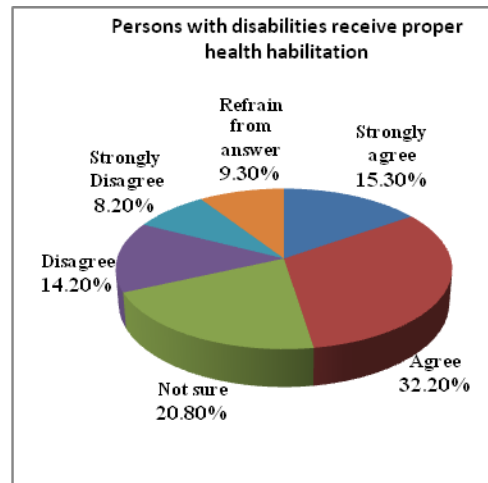
1. Awareness-raising programs prompt dealing positively with persons with disabilities under the title of "integration". Then, these programs address the importance of participation of persons with disabilities in all walks of life, through the exercise of fundamental rights and freedoms that came in the international conventions, most notably the Convention on the Rights of Persons with Disabilities.
2. The media is considered the authentic and leading interface in the process of adopting national attitudes and issues. It had active participation in the specialized training programs, which helped to make a quantum leap in dealing with disability issues.
3. Persons with disabilities suffer from society's perception towards them, as they are normally dealt with in an inferior way or with pity and sorrow. Families of some persons with disabilities explained this problem, noting that disability does not represent a defect that detracts from the standing of the family in society. The most important areas where such violation occurs are the governorates of Irbid and Ajloun, where increasing complaint about the lack of awareness appears.

Sixth: The Right to Health Care

Health services in Jordan are provided through (38) government hospitals and (61) comprehensive health centers, in addition to over (600) sub-centers distributed among the local communities, providing comprehensive and integrated health services in return for inconsiderable costs that are affordable by all members of

society, without discrimination on the basis of disability. The Law on the Rights for Persons with Disabilities asserted in Article (4/A) the need for suitable health and psychological habilitation, preventive programs, and health education, represented through programs that contribute to the reduction of disabilities, such as reproductive health programs, mandatory medical examination before marriage, the mandatory national program of vaccination, especially with regard to the

trivalent poliovirus vaccine. As for the early medical diagnosis, there are three centers in the Kingdom for the diagnosis of disability, where the first is in the capital Amman under the Ministry of Health. The second is in the South of the kingdom and affiliated to the projects of HRH Prince Raad Bin Zaid. The last one is affiliated to the Ministry of Social Development and managed by medical cadres, in coordination with the Ministry of Health.



The importance of these centers comes through the reduction of disability complications in the present and future. However, the number of served persons with disabilities is small, compared to their total number, due to the limited number of specialized medical centers, which makes citizens living in distant places find it difficult to access these services and benefit from them, as some violations against persons suffering from the lack of adequate health care were monitored, and the same thing said about the research programs to reach children where they are developmentally retarded weak, delaying the process of early intervention. And health diagnostic centers referred to above suffer from the weakness of some diagnostic services. The health insurance is important to follow up the habilitation of persons with disabilities in health terms, as the Ministry of Health provides health insurance service for this category of society.

In This connection, the following observations were recorded:

1. The private sector refrains from accepting the insurance of persons with disability, which constitutes discrimination against them in accessing the appropriate health care similar to their peers of beneficiaries.
2. One of the most important obstacles in this area is the lack of specialized medical staff, as failure of health habilitation was monitored due to the lack of physical therapists.
3. There is ignorance of the rights of persons with disabilities by the medical staff in general.
4. Lack or inadequate early diagnostic centers and the possibility of early follow-up from the outset, which leads to the occurrence of incurable

- health problems, whether visual, physical, mental or audio in most regions of the Kingdom.
5. Failure of habilitation of persons with disabilities because of the small number of physiotherapists for various disabilities in most regions was monitored, especially in remote and far regions from the capital or governorate centers.
 6. Health insurance for persons with disabilities is not accepted in the private sector.

Seventh: The Right to Environmental Facilities

The Law on the Rights of Persons with Disabilities provides for the need to apply national construction codes for persons with disabilities in all buildings of public and private sectors available to the public, that is to get a construction permit, official approval should be obtained before starting the process of building, because the basic principle is to remove architectural barriers and others in the environment that persons with disabilities live in, such as buildings, sidewalks and streets and in the same time facilitating the means to communicate with the community, such as the provision of special transportation and Braille method in public libraries, in addition to sign language in various educational and recreational programs, particularly in TV programs.

The financial cost of modifying public and private buildings available to the public is high, and the same is true for equipping means of transportation. This requires concerted efforts to prepare and make them usable by this category of society through appropriate and gradual time periods, as (21) buses were prepared in addition to the provision of incentives for the

processing of transportation, such as exemption of customs general tax for buses that are processed and prepared for this purpose.

The results of questionnaires on the right to environmental facilities came according to the following table:

Table (7)

No.	Paragraph/ Information Item	Agree	Not sure	Disagree	Missing Value
1	Sidewalks are free from obstacles	34.6%	11.5%	60.7%	3.3%
2	Wheelchairs can be used easily in public utilities and government departments frequented by persons with disabilities	31.7%	20.2%	31.7%	16.4%
3	Buses for public transportation are available and prepared for persons with Disabilities to use.	28.4	12.0%	53.6%	6.0%
4	Sign language interpreters are available in government departments and public utilities	18.6%	24.6%	24.1%	14.8%
9	Audio systems are available in traffic signals to determine place and destination	16.9%	21.3%	51.4%	10.4%
6	Persons with disabilities can use the modified computer wherever and whenever they want.	37.2%	20.2%	36.1%	6.6%
7	Modified computers are available at internet centers and public libraries in order to align with the needs of persons with disabilities.	23.0%	23.5%	42.1%	11.5%
8	I feel that the issue of my mobility and participation in public life is easy.	42.1%	13.1%	36.6%	8.2%

It is clear from the table above the negative situation around the availability of access and communication for persons with disabilities within the community and the high degree of violation of this right, as there is no clear

account of the needs of persons with disabilities in various government and private institutions in terms of spatial and environmental facilities to provide services to them. It is shown that there is a great violation of their rights in paragraph (2), which refers to the use of the wheelchair by persons with disabilities in public places and paths, where the percentage drops to (31%), followed by the violation of the possibility of mobility and participation in public life is easy/ paragraph (8), where the percentage reached (42.1%). Such violations are due to the lack of commitment to the terms of the Law on the Rights of Persons with Disabilities and the application of regulations and instructions issued to these rights, as well as the articles of the International Convention.

In this connection, the following observations were recorded:

1. The need to adopt solid barriers at the excavation sites to facilitate the passage of persons with disabilities, especially those who mobilize on a wheelchair.
2. Many violations relating to non-compliance of contractors of buildings and public institutions, such as the Civil Status Department and the Ministry of Education, with the National construction codes were monitored.
3. The violation of this right was monitored also through the failure of family members to help their children with disabilities or accompany them to places difficult to access, as shown in the figure below: K

Eighth: The Right of Women with Disabilities

Women with disabilities suffer from double discrimination, for being

women, in the first place, and with disabilities, in the second place. Their problem starts within the family, where they suffer from marginalization, whether deliberate due to shame or inadvertent due to social pressures resulting from the fear and embarrassment of facing people. The community plays a key role in this view towards persons with disabilities, who are viewed most often as genderless human beings. Moreover, women with disabilities represent the largest share suffering from this view. Thus, the State is responsible for raising awareness of family and community of the rights of women with disabilities. In this sense, the Law on the Rights of Persons with Disabilities No. (31) of 2007, which is inspired in its provisions by the International Convention on the Rights of Persons with Disabilities, affirmed the participation of women with disabilities in the rights and duties on the basis of equality between men and women. There is a great reliance on raising public awareness of the status of women with disabilities and working to correct the negative trends relating to their capabilities. This should be realized through the activation of women's role to involve in women's bodies, institutions and associations to be educated, sensitized and empowered to identify their legislative and civil rights, in addition to raising the awareness of society on the necessity for their participation in the decision-making process.

The results of questionnaires on women's rights came according to the following table:

Table (8)

No.	Paragraph/ Information Item	Agree	Not sure	Disagree	Missing Value
1	Opportunities are available to women with	43.2%	18.6%	14.2%	24.0%

	disabilities to participate in the rights and duties similar to their peers of female citizens.				
2	Women with disabilities are harassed more than other women	43.2%	16.9%	12.0%	22.4%
3	Women with disabilities enjoy legal protection similar to that for men with disabilities	59.5%	9.3%	3.3%	24.0%
4	Doors for labor and employment are open to women with disabilities, similar to others.	29.5%	24.6%	12.0%	25.1%
6	Women with disabilities have the same salary and privileges granted to others of the same qualification and rank.	48.6%	15.3%	12.0%	24.0%
7	girls with disabilities receive the same daily allowance received by their brothers in the family	56.9%	11.5%	10.4%	21.3%
9	girls with disabilities receive the same share of inheritance received by their non-disabled brothers/ sisters	50.1%	12.0%	6.0%	21.9%

In this connection, the following observations were recorded:

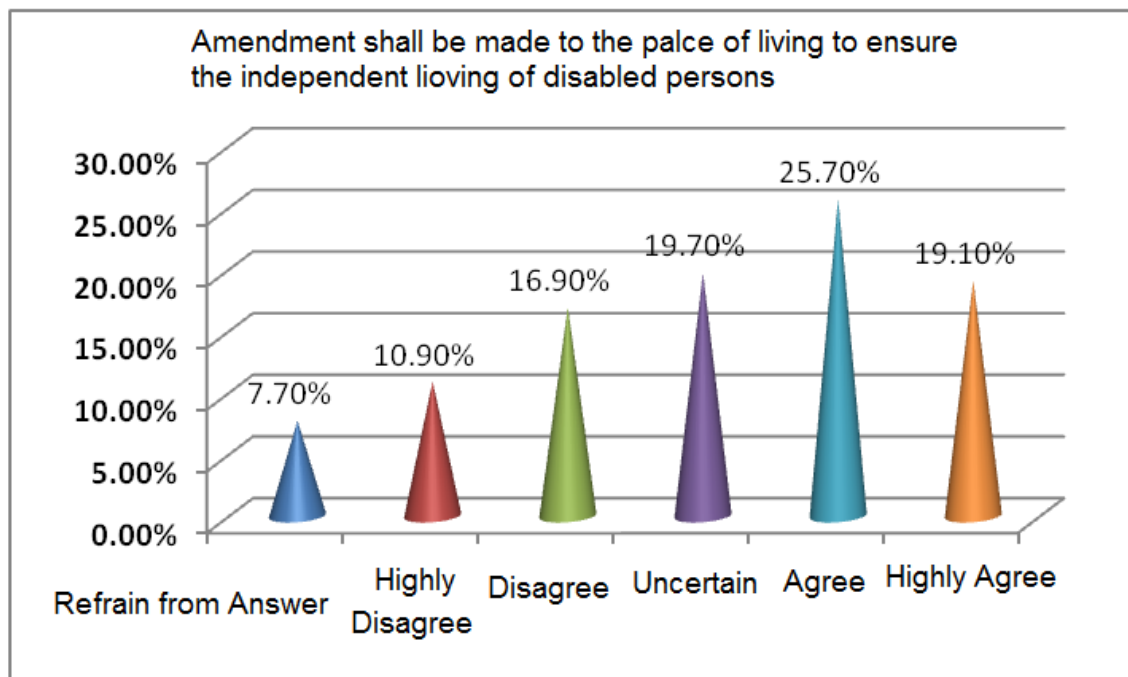
1. Girls and women with disabilities suffer from low literacy rate, compared to males. According to the Department of Statistics, the total number of enrollment from the primary stage till the PhD degree in 2004 was 15323 males, compared to 6747 females, i.e. (30%). This is largely due to the preference of male over females in the field of education, which excludes the category of girls with disabilities in particular and impede their supposed right to break into various walks

- of life from the perspective of culture and education.
2. The rate of employment of persons with disabilities of both sexes is relatively low in Jordan. According to the Department of Statistics for the general census of population for the year 2004, the total number of female workers with disabilities was 566, compared to 4725 male workers, with a percentage of (10.5%).
 3. If we examine the status of women with disabilities in the labor market, we will find that they face many challenges, including the challenge to prove their Presence and rights as women. The Arab Decade for Person with Disabilities 2004-2013, issued by the League of Arab States, devoted a special axis for women with disabilities, where it indicated the activation of their role by participating in women's unions and organizations to enable them to claim their rights as stipulated by national and Arab laws and legislations, and stressed the need for habilitation to achieve the highest level of independence and performance.
 4. According to numerical indicators mentioned above, we find that for the marital status in the Kingdom in respect of persons with disabilities the number of married males is 11771, compared to 3452 married female, i.e. (23%). This is largely due to the culture of shame, or reluctance by males to marry females with disabilities because of fear of their inability to bear the burden of marriage or have children with disabilities.

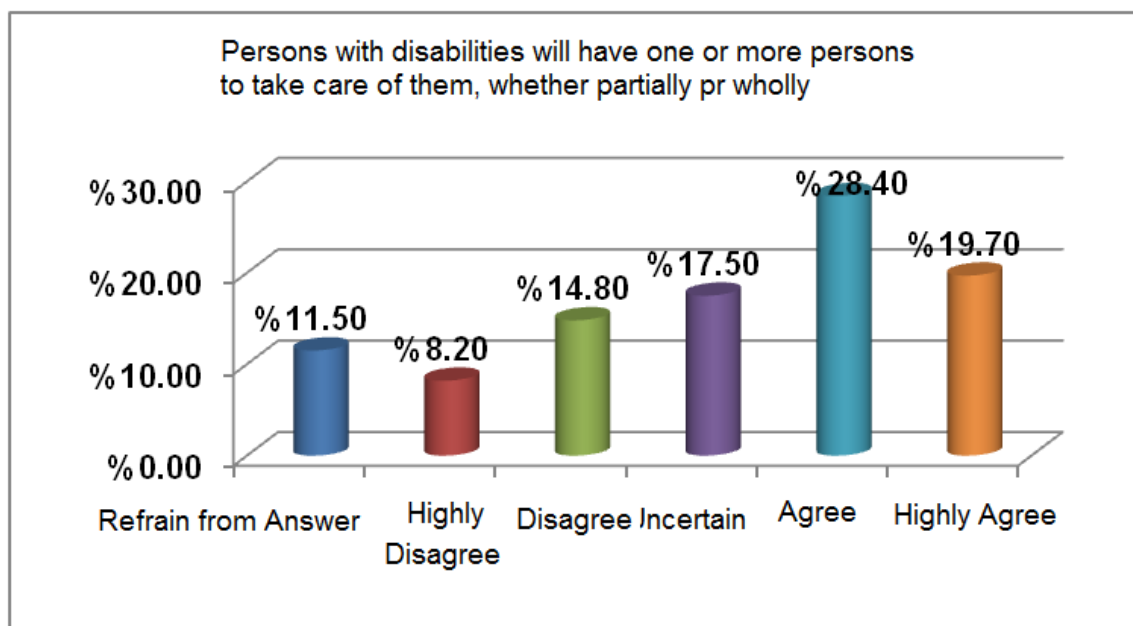
Ninth: The Right to Living Independently

The opportunity for persons with disabilities to live independently is

available with options equal to the options of others, with a percentage not exceeding a total of (44.80%) from a sample of persons with disabilities who were asked for their points of view in questionnaires designed specifically for this purpose, according to the following graph:



Persons with disabilities receive support and encouragement by their families at home or colleagues who live with them with regard to social services, including personal assistance necessary to support their living and integration in society, according to percentages shown in the following graph:



In this connection, the following observations were recorded:

Awareness-raising of the importance of supporting and assisting persons with disabilities in various positions, whether in the family or at school, university or work, or even in the street, is considered an important issue to facilitate the empowerment of this category in society.

Tenth: Sport, Cultural Life and Recreation

Jordan attaches special attention to the participation of persons with disabilities in sports activities. Thus the Jordanian Union for Disabled Sport was established in 1981 to enable such persons to exercise different sports activities and participate in sporting events inside and outside the Kingdom. Persons with disabilities were honored at the highest levels in this area and there is a set of clubs that were established for the same purpose, but they are not equally distributed in all governorates of the Kingdom.

In the field of culture, persons with visual disabilities suffer from the lack of cultural books printed in the Braille method, and the lack of computers

allocated for their use at an appropriate financial cost, leading to their inability to buy. In the same context, persons with physical disabilities suffer from the lack of environmental facilities in public places of entertainment and culture available to the public. Furthermore, persons with hearing impairments suffer from the lack of sign language in television cultural and entertainment programs, where it is limited to the six p.m. local news bulletin.

In this connection, the following observations were recorded:

1. Lack of places for spending leisure time, such as public gardens, theaters and cinemas, especially outside the capital Amman, in addition to the exclusion of persons with disabilities from entertainment on the shores of the sea and walking nearby.
2. This right may be partially satisfied, which requires the government and private entities to provide or assist in providing various means to enable persons with disabilities to exercise their rights stipulated by the international convention, including their right to cultural life and recreation.
3. The opportunity to develop the talents of this category of society should be availed, not only for their own benefit, but also for the enrichment of society.

Eleventh: The Rights of the Child with a Disability

According to the text of Article (23), The Convention on the Rights of the Child included the need for States Parties to pay great attention to children with physical and mental disabilities and to seek their integration, so as to

ensure their rights. In the same context, the Law on the Rights of Persons with Disabilities, as stated in Article (3/e), provides for the rights of children with disabilities, as it refers to the need to build-up their abilities, develop their skills and enhance their integration within the community. This shows the desire and insistence of the legislator to improve conditions for persons with disabilities since their earliest youth, support them in the different stages of development, and consider these rights obligations guaranteed by the State for the welfare of its children with disabilities.

The right to education is deemed to be one of the most important methods to integrate children with disabilities in society and support their participation in it. In this regard, we refer the reader to what came in the right to education; in order to avoid repetition of ideas already mentioned.

In this connection, the following observations were recorded:

The need to take all necessary measures to ensure the enjoyment of children with disabilities of all their rights on an equal footing with other children; taking into account the child's best interest in all measures taken by States Parties.

Twelfth: Respect for Home and the Family

The family is considered the core of the structure of the fabric of society. Hence, in its axis on the empowerment of the family and social protection for persons with disabilities, the National Strategy demanded the need for persons with disabilities to access their rights in terms of creating a family, in addition to supporting and meeting the needs of families that have some members with disabilities through the National Aid Fund. The parents of

children with disabilities are appreciated for their commitment to protect and care for their children. At the local level, there are many private and voluntary societies supporting the circumstances of these families. They also support the marriage of persons with disabilities through official reports, while others with disabilities are reluctant to marry under the pretext of inability to bear the burdens of family. The Provisional Personal Status Law of 2010 stipulates in Article (12) that the judge may authorize the marriage of persons with insanity or mental disabilities if it is proven by an official medical report that the marriage is for his interest. With regard to reproductive health and family planning, although there are many childhood and family centers in the Kingdom, it is noted that women in remote areas refrain from visiting these centers, either because of ignorance or because of the economic factor, although these centers are affiliated to the governmental sector.

After the preservation of the fertility of girls with mental disabilities became a controversial issue in Jordan, the HCAPD implemented awareness and training workshops in different regions of the Kingdom, in partnership with civil society institutions, to raise awareness of the importance of respecting the privacy and dignity of girls with mental disabilities.

In this connection, the following observations were recorded:

1. Some persons with disabilities live within their families, but in isolation from society due to fear of social stigma.
2. Some violations relating to physical and sexual abuse and denial of inheritance by some families to children with disabilities were recorded.

3. Some persons with disabilities suffer from neglect after the death of their parents.
4. More than 70% of families make adjustments to the home environment to facilitate the mobility of a family member with a disability, according to results of the questionnaires.

Chapter Four

Findings and recommendations

Neither the rights of persons with disabilities can be enhanced, nor can the phenomenon of violation of such rights be reduced, unless a set of efficient practical measures and procedures are taken, at several levels:

First, at the level of society as a whole:

1. Promoting programs and initiatives that reduce the phenomenon of violence and exploitation. Examples of such programs and initiatives are:
 - The integration of persons with disabilities in the programs of protection from violence and exploitation, which are provided to all members of society.
 - The involvement of persons with disabilities in specialized treatment programs for victims of violence and exploitation.
2. The family, with the support of the local community, is the cornerstone in the protection of its children with disabilities from exposure to violations of their rights. At the same time, it is the first institution that may exercise the abuse and violence before any other party does. So, the attention paid to awareness-raising, educating and

training the family was the first step on this road.

3. Increasing awareness and focusing on awareness campaigns on issues of violence and exploitation of persons with disabilities, in addition to acquainting with the organizations and institutions concerned with these issues and their role in the protection of persons with disabilities.
4. Emphasizing on the necessity for government institutions and community organizations to do all that is necessary to follow up the issues of violence and exploitation of persons with disabilities, so as to reduce the spread of this phenomenon. This can be done through the issuance of legislation and laws and the provision of necessary financial support to institutions and entities concerned with issues of violence and exploitation of persons with disabilities.
5. Both school and university are essential elements of society. Thus, educational institutions must conduct studies and workshops, as well as awareness campaigns to publicize the issues of violence and exploitation of persons with disabilities and how to provide access to protection and security for them.

Second, at the level of the workers with persons with disabilities:

- Workers with persons with disabilities must be aware of the risk of any serious work leading to violence and exploitation.
- The need to train those working with persons with disabilities on how to detect and document cases of violence and exploitation, and on the initial tests that can be made to detect such practices.
- Violence against persons with disabilities in care and permanent residence institutions must be a motive for government entities to

follow up these institutions in order to prevent violence and encourage the institutions that are concerned with addressing these issues.

Third, the HCAPD and government departments:

Pursuant to the Royal Decree to form the Royal Committee in charge of developing the National Disability Strategy, under which the HCAPD, which is considered the basic reference for this category of people of our dear homeland, was established, it could be possible to focus on a set of directions.

- Creating a hotline to receive complaints of persons with disabilities or their families and guide them on the way and the mechanism to deal with this violation.
- The need to provide environmental and human facilities in the different courts of the Kingdom in order for persons with disabilities to benefit from them.
- Providing and supporting habilitation and rehabilitation programs, especially in remote areas, to ensure good distribution in all regions of the Kingdom.
- The need to take the necessary measures to coordinate between the authorities concerned with granting and following-up construction permits, such as the Greater Amman Municipality, the Engineers Association, and the decision-makers in large enterprises, such as airports, borders, universities and hospitals, to provide basic guarantees for the enforcement of the law on construction codes
- Amending the Civil Law by introducing a text that adopts legal safeguards to enhance the exercise of legal capacity of persons with disabilities in general, with a focus on persons with mental disabilities

because of the seriousness of their situation.

- Expanding the use of sign language.
- The need to create an environment in schools and universities that suits the needs of students with disabilities in the Kingdom to enable them to complete their academic study to create an inclusive society.

Fourth, at the level of families (the families of persons with disabilities):

- Subjecting the families of persons with disabilities to education and awareness programs that address how to deal with a person with a disability.
- Encouraging family members to deal positively with the person with a disability in the family as a member deserving respect.

Fifth: at the level of persons with disabilities themselves:

- That the persons with disabilities report violations against them.
- Finding associations that involve persons with disabilities to combat the phenomenon of violation, violence and exploitation relating to them.

Sixth: at the level of the care institutions and habilitation centers in charge of serving persons with disabilities:

Although these institutions exist to provide social care, guidance, support and protection for persons with disabilities, the people living in them may be exposed to a high degree of violation of their rights and violence, compared to persons with disabilities who are provided with care and protection at home by their families or school by their teachers. There are indications that children at care institutions are often subjected to violence at the hands of employees or occupants of public office, who are supposed to be responsible

for their well-being. Moreover, violations of their rights occur silently while no one can help these persons with disabilities, especially as there is no connection between them and their parents. Thus, they remain in these institutions all their lives. In this regard, the staff of these institutions should be educated on the rights of persons with disabilities and such rights should be followed-up by the concerned authorities, such as the HCAPD, the Ministry of Social Development, and the NCHR.

-- The End --