

# Consolidated Disability Findings from the 2011 State Department Country Reports on Human Rights Practices

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## Near East and North Africa

### Introduction to the State Department Report on Disability Human Rights

The State Department's 2011 Country Reports on Human Rights Practices, released April 2011, represent the culmination of the U.S. State Department's review of the human rights records and situation in 194 countries around the world. The reports are supplied to Congress in accordance with law to assist in matters of foreign affairs.

USICD has consolidated the disability references from the 194 Country Reports into a comprehensive document. Each country summary within the document is organized into four possible subheadings:

1. **Constitution and Laws:** If and how a country's constitution or laws cover disability rights
2. **Persons with Disabilities:** Material drawn from the report's section on "Persons with Disabilities"
3. **Other Relevant References:** Disability highlighted elsewhere in a country's report (e.g. overlap with the section on children or the section on Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, etc.)
4. **The Convention on the Rights of Persons with Disabilities:** The status of a country's signature and ratification of the CRPD (Note: ratification dates are in date/month/year format)

**The following condensed reports are intended to be a resource only and do not necessarily reflect an endorsement of the quality of content or perspectives contained within the reports.** All content is pulled directly from the State Department reports with the exception of the CRPD status which was added by USICD staff.

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## **Algeria**

### **Persons with Disabilities**

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, or the provision of other state services, although in practice the government did not effectively enforce these provisions, and there was widespread social discrimination against persons with disabilities. Few government buildings were accessible to persons with disabilities. Public enterprises that downsized generally ignored a requirement that they reserve 1 percent of jobs for persons with disabilities. Social security provided payments for orthopedic equipment. The Ministry of National Solidarity provided some financial support to health-care-oriented NGOs, but for many NGOs such financial support represented approximately 2 percent of their budgets.

The ministry maintained that there were two million individuals with disabilities in the country, of whom the largest percentages were classified as “chronically ill” or “other” (38 and 30 percent, respectively). However, according to the Algerian Federation of Wheelchair Associations, there were three million persons with disabilities living in the country. The government estimated that approximately 44 percent of disabled citizens had some form of motor disability, 32 percent had communication difficulties, and 24 percent suffered from a visual disability. The government classified approximately 193,000 individuals as “fully disabled” and claimed during the year to have appropriated 9.54 billion dinars (approximately \$129 million) for their welfare.

### **The Convention on the Rights of Persons with Disabilities**

Algeria signed the Convention and Optional Protocol on 30/3/2007. Algeria ratified the Convention on 12/4/2009.

## **Bahrain**

### **Constitution and Laws**

The constitution provides for equality, equal opportunity, and the right to medical care, welfare, education, property, capital, and work for all citizens. These rights were protected unevenly, depending on an individual’s social status, sect, or gender. The law does not specifically prohibit discrimination based on race, gender, disability, language, religion, sect, or social status. The law deprives foreign workers, who make up approximately half the population, of many fundamental legal, social, and economic rights.

### **Persons with Disabilities**

The law protects the rights of persons with disabilities, and a variety of governmental, quasigovernmental and religious institutions are mandated to support and protect persons with disabilities. The government respected these rights in practice. New public buildings in the central municipality must include facilities for persons with disabilities. The law does not mandate access to other nonresidential buildings for persons with disabilities.

There were no official reports of discrimination against persons with disabilities in employment, education, or access to health care. According to anecdotal evidence, however, disabled persons routinely suffered lack of access to education and employment. The one government school for children with hearing disabilities did not operate past the 10th grade. Some public

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schools had specialized education programs for children with learning disabilities, physical handicaps, speech impediments, and Down syndrome, but the government did not fund private programs for children who could not find appropriate programs in public schools.

The law requires the government to provide vocational training for persons with disabilities who wish to work. The law also requires any employer of more than 100 persons to hire at least 2 percent of its employees from the government's list of workers with disabilities. However, the government did not monitor compliance. The government placed persons with disabilities in some public sector jobs.

### **The Convention on the Rights of Persons with Disabilities**

Bahrain signed the Convention on 25/6/2007 and ratified the Convention on 22/9/2011.

## **Egypt**

### **Constitution and Laws**

The provisional constitution prohibits discrimination against citizens on the basis of race, origin, language, religion, creed, disability, or social status. Equality of the sexes was included in the 1971 constitution but not in the provisional constitution. Many aspects of the law discriminate against women and religious minorities, and the government did not effectively enforce prohibitions against such discrimination. On October 16, the SCAF issued a decree making it a crime under the penal code to discriminate on the basis of gender, origin, religion, language, religion, or creed.

### **Persons with Disabilities**

The law provides that all businesses must designate 5 percent of their positions for persons with physical or mental disabilities, but activist groups reported that this provision was not enforced. There are no laws prohibiting discrimination against persons with disabilities in education, access to health care, or the provision of other state services, nor are there laws mandating access to buildings or transportation. Widespread societal discrimination continued against persons with disabilities, particularly mental disabilities, resulting in a lack of acceptance into mainstream society. Government-operated treatment centers for persons with disabilities, especially children, were poor.

On March 3, approximately 200 persons with disabilities protested in Cairo, calling for better protection of their rights. On October 31, 12 persons with disabilities threatened to set themselves on fire near the cabinet building in order to draw attention to the lack of employment opportunities available to them.

The Ministries of Education and Social Solidarity shared responsibility for protecting the rights of persons with disabilities. There was a Supreme Council for Disabilities within the Ministry of Social Solidarity, but activists reported it was inactive. Persons with disabilities rode government-owned mass transit buses free of charge and received special subsidies to purchase household products, wheelchairs, and prosthetic devices. Persons with disabilities also received expeditious approval for the installation of new telephone lines and received reductions on customs duties for specially equipped private vehicles. The government also worked closely with UN agencies and other international aid donors to design job-training programs for persons with disabilities.

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## **Other Relevant References**

One media report indicated an effort by the government to intentionally commit a sane person to an institution for the mentally ill. On October 23, media reports confirmed by family members alleged that a military court referred detained blogger Maikel Nabil Sanad to an institution for the mentally ill in Cairo. The facility reportedly refused to admit him and released a statement suggesting the referral was made for political purposes.

## **The Convention on the Rights of Persons with Disabilities**

Egypt signed the Convention on 4/4/2007. Egypt ratified the Convention on 14/4/2008.

## **Iran**

### **Constitution and Laws**

Although the constitution formally prohibits discrimination based on race, gender, disability, language, and social status “in conformity with Islamic criteria,” the government did not effectively enforce these prohibitions. The government increased gender segregation and discrimination against women throughout the year.

### **Persons with Disabilities**

The law generally prohibits discrimination against persons with disabilities by government actors, with some notable exceptions. For example, the laws did not apply to private actors, and the electoral laws prohibit blind and deaf individuals from running for parliament. While the law provides for state-funded vocational education for persons with disabilities, according to domestic news reports, vocational centers were confined to urban areas and unable to meet the needs of the entire population. There are laws ensuring public accessibility concerning government-funded buildings, and new structures appeared to have high-level access for physically disabled individuals. There also were efforts to increase accessibility of historical sites. However, government buildings themselves remained largely inaccessible, and general building accessibility for persons with disabilities remained a widespread problem. There was limited access to information, education, and community activities by persons with disabilities in the country.

With respect to the prohibition of blind and deaf individuals running for the Majlis, the Shahrzad News reported on November 14 that 67 Majlis members requested permission to bring a floor debate on the issue, but their motion was denied.

The Welfare Organization of Iran is the principle governmental agency charged with protecting the rights of persons with disabilities.

### **Other Relevant References**

Hundreds of domestic NGOs focused on issues such as health and population, women’s rights, development, disability, youth, environmental protection, human rights, minority rights, and sustainable development, despite the restrictive environment, including pressure not to accept foreign grants. Professional groups representing writers, journalists, photographers, and others attempted to monitor government restrictions in their respective fields, as well as harassment and intimidation against individual members of their professions. Under the law NGOs must register with the Interior Ministry and apply for permission to receive foreign grants. According to various sources, independent human rights groups and other NGOs faced intensifying

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harassment and threat of closure from government officials as a result of prolonged and often arbitrary delays in obtaining official registration.

In mid-October human rights organizations reported that security forces had arrested disabled war veteran and Mousavi campaign member Hossein Fayezi at his home and confiscated his personal belongings. At year's end he remained incommunicado.

The law defines transgender persons as mentally ill, encouraging them to seek medical help in the form of gender-reassignment surgery. The government provided grants of as much as 4.5 million toman (\$4,500) and loans of as much as 5.5 million toman (\$5,500) for transgender persons willing to undergo gender reassignment surgery. Human rights activists and NGOs reported that some members of the gay and bisexual community were pressured to undergo gender reassignment surgery to avoid legal and social consequences in the country.

### **The Convention on the Rights of Persons with Disabilities**

Iran ratified the Convention on 23/10/2009.

## **Iraq**

### **Constitution and Laws**

The constitution provides that all citizens are equal before the law without regard to gender, sect, opinion, belief, nationality, religion, or origin. The law prohibits discrimination on the basis of race, disability, or social status. The government was ineffective in enforcing these provisions in practice.

### **Persons with Disabilities**

The constitution states that the government, through laws and regulations, should care for and rehabilitate persons with disabilities and special needs in order to reintegrate them into society. There are no laws, however, prohibiting discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services. Access for persons with disabilities to buildings and in educational and work settings remained inconsistent.

The government has programs to help persons with disabilities. However, numerous media reports documented the challenges these programs faced, including large special needs populations and the lack of qualified, trained personnel. Amputees, persons with other major physical injuries, and persons with mental/psychological trauma were the focus of most media reports. The Ministry of Health provided medical care, benefits, and rehabilitation, when available, and persons with disabilities could qualify for benefits from other agencies, including the Prime Minister's Office. The Ministry of Labor and Social Affairs operated several institutions for children and young adults with disabilities, although the quality of care was unknown. The Ministry of Health's most recent estimate of the number of persons with physical and mental disabilities was two to three million, approximately 10 percent of the population.

### **Other Relevant References**

In the IKR both public and private shelters for women existed, but space was limited and service delivery was poor, with private shelters providing a slightly higher level of service. In areas outside the IKR, NGOs ran shelters without official approval. Some NGOs provided assistance to

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victims through community mental health workers. Other NGOs provided legal assistance to victims. NGOs played a key role in providing services to victims of domestic violence who received no assistance from the central government. Authorities frequently attempted to mediate between women and their families--instead of utilizing legal remedies--so that the women could return to their homes. Other than marrying or returning to their families (which often resulted in the family or community victimizing the shelter resident again), there were few options for women who were housed at shelters.

### **The Convention on the Rights of Persons with Disabilities**

Iraq has not signed the Convention.

## **Israel and the occupied territories**

### **Constitution and Laws**

The law prohibits discrimination on the basis of race, gender, disability, language, or social status, and the government was generally effective in enforcing these prohibitions.

### **Persons with Disabilities**

The law provides a framework to prohibit discrimination against persons with disabilities in access to employment, education, health care, and selected other state services. The legislation mandates access to buildings, transportation, and physical accommodations and services in the workplace. According to NGOs the government made limited progress in enforcing these laws.

Societal discrimination and lack of accessibility persisted in employment, transportation, housing, and education. The unemployment rate for hard-of-hearing persons was 14 percent, compared to 7 percent of the broader population, although NGOs said the figure was underreported. The average monthly income of people with disabilities was 64 percent lower than monthly income for other workers, according to NGOs. Most train stations maintained access for persons with disabilities, but interurban buses did not. As of September 2010 approximately 70 percent of buses did not have such access. In housing, few community-based independent living options were available for persons with mental or intellectual disabilities. The government and NGOs cooperated and built infrastructure and materials for students with disabilities during the year. NGOs noted that hard-of-hearing students sometimes were channeled into inappropriate tracks such as schools for mentally disabled persons. Such problems were generally more acute in the Israeli Arab population.

The Commission for Equal Rights of People with Disabilities within the Ministry of Justice is responsible for protecting the rights of persons with disabilities but relies on government ministries to enact regulations. The commission took legal action in the areas of accessibility and employment and issued regulations to provide access to services and public sites. According to three NGOs (Bekol, Bizchut, and Al Manarah), however, implementation of these regulations was slow overall, especially for Israeli Arab communities. The Division for Integrating Persons with Disabilities in the Labor Market within the Ministry of Industry examines and promotes employment for persons with disabilities. The Ministry of Social Affairs and Social Services provides out-of-home placement and sheltered employment for persons with cognitive, physical, and communication disabilities. It also handles criminal investigations involving persons with certain disabilities, either victims or offenders, when police request assistance. The National Insurance Agency provides financial benefits and stipends, the Ministry

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of Health provides mental health and rehabilitation services, and the Ministry of Education provides special education services. A report during the year by the Commission for Equal Rights of Persons with Disabilities found that the socioeconomic status of people with disabilities was worse than that of the general population.

### **Other Relevant References**

According to the Ministry of Welfare, there were many cases of children with disabilities who were sexually assaulted that awaited investigation during the year.

The national minimum wage was 21 NIS (\$5.50) per hour; many foreign workers received less. The official poverty line was 2,413 NIS (\$632) for one person per month and 5,116 NIS (\$1,340) for a family of three. Persons with disabilities whose working capacity was reduced due to their disability earned between 19 and 50 percent of minimum wage. Youth below the age of 18 earned between 60 and 83 percent of the minimum wage. The law allows a maximum 43-hour workweek at regular pay and paid annual holidays. Premium pay for overtime was 125 percent for the first two hours and 150 percent for any additional hours, with a limit of 15 hours of overtime per week. Some workers, such as migrant workers in the homecare sector, were not covered by the law.

### **The Convention on the Rights of Persons with Disabilities**

Israel signed the Convention on 30/3/2007.

## **Jordan**

### **Constitution and Laws**

The constitution states that all citizens are equal under the law and prohibits discrimination based on race, language, and religion; however, discrimination on the basis of gender, disability, and social status is not specifically prohibited. The penal code does not address discrimination, thereby severely limiting judicial remedies.

### **Persons with Disabilities**

The law generally provides equal rights to persons with disabilities, but such legal protections were not upheld in practice. Activists noted that the 2007 law on the rights of persons with disabilities still lacked implementing regulations. The Higher Council for the Affairs of People with Disabilities (HCAPD), a government body, works with ministries, the private sector, and NGOs to formulate and implement strategies to assist persons with disabilities. During the parliamentary elections in 2010, the Ministry of Interior issued procedures for elections to include provisions to guarantee the accessibility of certain polling stations and allow people with visual impairment to bring a personal assistant with them when they vote. Citizens and NGOs universally reported that persons with disabilities faced problems accessing education, transportation, and other services, particularly in rural areas.

The HCAPD reported that educational accommodations were more readily available at the university level than in elementary and secondary schools. At all levels of education, children with certain types of disabilities were excluded from studying certain subjects and often could not access critical educational support services, such as sign language interpretation. General education teachers were not trained to work with students with various disabilities; families of children with disabilities reported that teachers and principals often refused to include children

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with disabilities in mainstream classrooms. The Ministry of Education provided accessible transportation to specialized centers for children with disabilities but not to mainstream schools. Students with intellectual disabilities fell under the authority of the Ministry of Social Development rather than the Ministry of Education.

The Special Buildings Code Department is tasked with enforcing accessibility provisions and oversees retrofitting of existing buildings to comply with building codes. The vast majority of private and public office buildings continued to have limited or no access for persons with disabilities; municipal infrastructure such as streets, sidewalks, and intersections were not accessible.

The law mandates that public and private sector establishments with between 25 and 50 workers employ at least one person with disabilities, and establishments with more than 50 workers must reserve 4 percent of their positions for persons with disabilities. However, the law lacked implementing regulations and was rarely enforced; in addition, employers who state that the nature of the work is not suitable for people with disabilities are exempt from the quota. A variety of activities, including opening and using bank accounts and applying for a job, require a medical letter certifying that the bearer is competent to perform the task in question. Human rights activists considered the letter a large barrier to participation in public life; some medical professionals were not aware of the full range of accommodations available and thus certified individuals as not able to perform certain tasks. During the year several individuals with visual impairment reported that they sought employment as teachers but were rejected on the basis of their disability and were directed instead to teaching assistant and other supporting positions for which they were overqualified.

The forced sterilization of women and girls with intellectual disabilities was a common practice during the year (see Women).

Human rights activists and the media reported that children and adults with disabilities were vulnerable to physical and sexual abuse while in institutions, rehabilitation centers, or other care settings, including their family homes (see section 1.c.).

### **Other Relevant References**

Rape and Domestic Violence: The law stipulates a sentence of at least 10 years' imprisonment with hard labor for rape of a girl or woman age 15 years or older. Spousal rape is not illegal. The law does not explicitly ban domestic violence. The government did not enforce these laws effectively, and violence and abuse against women was widespread. Violence against women was reported more frequently in rural areas than in major cities, but women's rights activists speculated that many incidents in cities went unreported as violence against women remained a taboo issue, due to societal and familial pressures. There were no statistics available regarding the number of abusers prosecuted, convicted, or punished. Human rights activists stated that girls and women with disabilities were particularly at risk from gender-based violence.

Reproductive Rights: Couples have the basic right to decide freely and responsibly the number, spacing, and timing of their children, and individuals were able to make such decisions free from discrimination and coercion. Contraceptives were generally accessible to all men and women, both married and single, and provided free of charge in public clinics. Comprehensive essential obstetric, prenatal, and postnatal care is provided throughout the country in the

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public and private sectors. The Higher Council for the Affairs of Persons with Disabilities and civil society activists reported that forced sterilization of women and girls with intellectual disabilities was a common practice. The Higher Council reported that annually approximately 64 hysterectomies were performed on women with intellectual disabilities. A hospital official confirmed that three to four such operations were conducted annually, often at the behest of the victims' families.

**Education:** Education is compulsory from ages six through 16 and free until age 18. However, no legislation exists to enforce the law or to punish guardians for violating it. Children without legal residency do not have the right to attend public school. Children of female citizens and noncitizen fathers, for example, must apply for and pay 30 dinars (\$42) for residency permits every year, and permission is not guaranteed. Children with disabilities experienced extreme difficulty in accessing constitutionally guaranteed early and primary education (see section 6; Persons with Disabilities).

Human rights activists reported that some persons with disabilities were subjected to cruel and inhumane treatment at institutions and rehabilitation centers. In September the Family Protection Department (FPD) investigated a case in which a management official abused a 12-year-old child with cerebral palsy at a private rehabilitation center accredited by the Ministry of Social Development.

The law bans those between the ages of 16 and 18 from working in potentially hazardous jobs, limits working hours for such children to six hours per day, mandates one-hour breaks for every four consecutive working hours, and prohibits these children from working after 8 p.m. on national or religious holidays and on weekends. On July 23, the Ministry of Labor expanded the list of potentially hazardous jobs to include work involving explosive or flammable materials; mining; work that requires special protective gear; work involving sharp machines, screws, or electric belts; and work involving exposure to traffic or other moving vehicles, carpentry, mechanical work, welding, and blacksmithing. Also included are service jobs involving work with the elderly, addicts, or people with mental illnesses.

### **The Convention on the Rights of Persons with Disabilities**

Jordan signed the Convention and Optional Protocol on 30/3/2007. Jordan ratified the Convention on 31/3/2008.

## **Kuwait**

### **Constitution and Laws**

The law prohibits discrimination based on race, origin, disability, or language; discrimination based on social status is not addressed. In practice the government did not uniformly or consistently enforce laws against discrimination, and a number of laws and regulations discriminated against women, Bidoon, noncitizens, and domestic and expatriate workers.

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, and mental disabilities and imposes penalties on employers who refrain without reasonable cause from hiring persons with disabilities. The law also mandates access to buildings for persons with disabilities. The government generally enforced these provisions. There were no specific reports of

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discrimination against persons with disabilities; however, noncitizens with disabilities did not have access to government-operated facilities or receive stipends paid to citizens with disabilities that covered transportation, housing, job training, and social welfare.

In June 2010 the government approved a new disability law that had not been implemented at year's end, reportedly because of conflicts with existing law. The law provides larger disability grants, reduced working hours, and improved housing loans for citizens and Bidoon with mental or physical disabilities. It requires government employers with workforces of 50 persons or more to recruit at least 4 percent of their workforce from vocationally trained persons with special needs. The law also allows citizens with disabilities, or those with children with disabilities, to receive larger than normal housing grants and earlier pensions. Although Bidoons are not normally entitled to receive housing grants, the new provisions include Bidoon with disabilities.

Representatives from ministries, other governmental bodies, Kuwait University, and several NGOs constitute the government's Higher Council for Handicapped Affairs, which makes policy recommendations, provides direct financial aid to persons with disabilities, and facilitates their integration into schools, jobs, and other social institutions. The government supervised and contributed to schools and job and training programs oriented to persons with special needs. The National Assembly has a Committee for Disabled Affairs.

### **Other Relevant References**

The government restricted the operations of domestic and international human rights groups and limited cooperation with them. The law permits the existence of NGOs; however, the government continued to deny licenses to some NGOs. NGOs may not engage in political activity and are prohibited from encouraging sectarianism. They must also demonstrate that their existence is in the public interest. The only local independent NGOs dedicated specifically to human rights were the KHRS and the Kuwaiti Society for Fundamental Human Rights. Local licensed NGOs devoted to the rights or welfare of specific groups, such as women, children, foreign workers, prisoners, and persons with disabilities, were permitted to operate without government interference. A few dozen local unlicensed human rights groups operated without government restriction during the year. The government and various National Assembly committees met regularly with local NGOs and responded to their inquiries.

### **The Convention on the Rights of Persons with Disabilities**

Kuwait has not signed the Convention.

## **Lebanon**

### **Constitution and Laws**

The law, providing for equality among all citizens, prohibits discrimination based on race, gender, disability, language, or social status. The government generally respected these provisions; however, in practice, enforcement was not consistent, and some aspects of the law and traditional beliefs discriminated against women.

### **Persons with Disabilities**

Although prohibited by law, discrimination against persons with disabilities continued. The law defines a "disability" as a physical, sight, hearing, or mental impairment. The law stipulates at

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least 3 percent of all government and private sector positions be filled by persons with disabilities, provided such persons fulfill the qualifications for the position; however, there was no evidence the law was enforced in practice. The law mandates access to buildings by persons with disabilities, but the government failed to amend building codes. Many persons with mental disabilities were cared for in private institutions, several of which the government subsidized.

The Ministry of Social Affairs and the National Council of Disabled are responsible for protecting the rights of persons with disabilities. According to the president of the Arab Organization of Disabled People, little progress has been made since the law on disabilities was passed in 2000. Approximately 100 relatively active but poorly funded private organizations made most of the efforts to assist persons with disabilities.

In 2009 the Ministry of Interior issued a decree to provide accessibility to polling stations for persons with special needs during the parliamentary elections; however, a Lebanese Physically Handicapped Union study showed that only six polling stations out of 1,741 satisfied all six criteria for accessibility.

### **The Convention on the Rights of Persons with Disabilities**

Lebanon signed the Convention and Optional Protocol on 14/6/2007.

## **Libya**

### **Constitution and Laws**

Qadhafi-era law prohibits discrimination based on race, sex, religion, disability, or social status. The Qadhafi government did not enforce these prohibitions effectively, particularly with regard to women and minorities. The Constitutional Declaration contains clear references to equal rights, stating that all citizens are equal before the law in enjoying civil and political rights, equal opportunities, and the duties of citizenship without discrimination on the basis of religion, sect, language, wealth, sex, descent, political views, social status, or regional, family, or tribal affiliations.

### **Persons with Disabilities**

The Qadhafi-era law provided for the rights of persons with physical, sensory, intellectual, and mental disabilities and provided for monetary and other types of social assistance. In addition a number of organizations provided services to persons with disabilities. Few public facilities had adequate access for persons with physical disabilities, resulting in restricted access to employment, education, and health care. There was limited access to information or communications.

The conflict caused injuries and disabilities among fighters and civilians, including children maimed by mortar or gunfire or injured due to remaining unexploded ordnance. The interim government made efforts to set up mechanisms to address issues among the war-wounded, including the evacuation of large numbers of injured to hospitals in other countries. Several international aid organizations operated in the country clearing land mines and the explosive remnants of war.

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### **Other Relevant References**

There were additional reports that numerous deaths in custody occurred due to mistreatment. For example, HRW reported that in late August guards at the Zarouq School detention facility in Misrata beat to death Ashraf Salah Muhammad, a mentally ill man from Tawargha, in an attempt to learn a password for a radio.

### **The Convention on the Rights of Persons with Disabilities**

Libya signed the Convention on 1/5/2008.

## **Morocco**

### **Constitution and Laws**

The constitution prohibits discrimination based on race, gender, disability, language, social status, faith, culture, regional origin, or any other personal circumstance. In practice the government generally enforced the law, although societal discrimination against women was a problem, particularly in rural areas.

### **Persons with Disabilities**

The new constitution codifies the government's role in protecting the rights of persons with disabilities. The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, and access to health care; however, the government generally did not effectively enforce these provisions. The law also provides for regulations and building codes that assure access for persons with disabilities, although the government did not effectively implement these laws and regulations. While building codes have required accessibility for all persons since 2003, the codes exempt most preexisting structures and were rarely enforced upon new structures. Government policy provided that persons with disabilities should have equal access to information and communications, but special communication devices for the blind and deaf were generally not widely available.

The Ministry of Social Development, Family, and Solidarity has responsibility for protecting the rights of persons with disabilities and attempted to integrate persons with disabilities into society by implementing a quota of 7 percent for persons with disabilities in vocational training in the public sector and 5 percent in the private sector. Both sectors were far from achieving such quotas. Since 2008 the government has opened some 400 integrated classes for children with learning disabilities, but in practice integration was largely left to private charities. Typically, families supported persons with disabilities, although some survived by begging.

### **Other Relevant References**

The law does not specifically prohibit domestic violence against women, but the general prohibitions of the criminal code address such violence. High-level misdemeanors occur when the victim suffers injuries that result in 20 days of disability from work. Low-level misdemeanors occur for victims who suffer disability for less than 20 days. NGOs reported that the courts rarely prosecuted perpetrators of low-level misdemeanors.

### **The Convention on the Rights of Persons with Disabilities**

Morocco signed the Convention on 30/3/2007. Morocco ratified the Convention and the Optional Protocol on 8/4/2009.

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## **Oman**

### **Persons with Disabilities**

The law provides persons with disabilities, including physical, sensory, intellectual, and mental disabilities, the same rights as other citizens in employment, education, access to health care, or the provision of other state services. However, persons with disabilities continued to face some discrimination. The law mandates access to buildings for persons with disabilities, but many older buildings, including government buildings and schools, were not retrofitted to conform to the law. The law also requires private enterprises employing more than 50 persons to reserve at least 2 percent of positions for persons with disabilities. In practice this regulation was not widely enforced.

There is no protective legislation to provide for equal educational opportunities for persons with disabilities.

The Ministry of Social Development is responsible for protecting the rights of persons with disabilities. During the year the government partnered with NGOs and the private sector to address the needs of persons with disabilities and combat cultural and societal discrimination against such persons through special seminars and vocational training. The government provided alternative education opportunities for more than 500 children with disabilities, including overseas schooling when appropriate; this was largely due to lack of capacity within the country. In addition, the Ministry of Education in the past partnered with the International Council for Educational Reform and Development to create a curriculum for students with mental disabilities within the standard school system, which was in place throughout the year.

### **Other Relevant References**

No registered or fully autonomous domestic human rights groups existed. There were civil society groups that advocated for persons protected under human rights conventions, particularly women and the disabled. These groups were required to register with the Ministry of Social Development.

**Recent Elections:** On October 15, approximately 60 percent of 518,000 registered voters participated in elections for the Consultative Council. Electoral commissions reviewed potential candidates against a set of objective educational and character criteria (high school education, no criminal history or mental illness) before allowing candidates' names on the ballot. The Ministry of Interior closely monitored campaign materials and events. There were no notable or widespread allegations of fraud or improper government interference in the voting process. The government did not allow independent monitoring of the elections.

### **The Convention on the Rights of Persons with Disabilities**

Oman signed the Convention on 17/3/2008. Oman ratified the Convention on 6/1/2009.

## **Qatar**

### **Constitution and Laws**

The constitution prohibits discrimination based on nationality, race, language, religion, and disability but not gender or social status. In practice, Qatari custom outweighed government enforcement of nondiscrimination laws, and legal, cultural, and institutional discrimination existed against women, noncitizens, and foreign workers.

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## **Persons with Disabilities**

The law prohibits discrimination against and requires the allocation of resources for, persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, and other state services or other areas. There was no underlying pattern of abuse at education facilities, mental health facilities, or prisons. The government is charged with acting on complaints from individuals and the NHRC and enforcing compliance. The law requires that 2 percent of jobs in government agencies and public institutions be reserved for persons with disabilities. Private sector businesses employing a minimum of 25 persons are required to hire persons with disabilities. Employers who violate these employment provisions are subject to fines. There were no reports of violations during the year.

Private and independent schools in general provided most of the required services for students with disabilities, but government schools did not. Few public buildings met the required standards of accessibility for persons with disabilities, and new buildings generally did not comply with standards. The SCFA is charged with ensuring compliance with the rights and provisions mandated under the law, but compliance was not effectively enforced.

### **The Convention on the Rights of Persons with Disabilities**

Qatar signed the Convention and Optional Protocol on 9/7/2007. Qatar ratified the Convention on 13/5/2008

## **Saudi Arabia**

### **Constitution and Laws**

The law prohibits discrimination based on race but not gender, disability, language, or social status. The law and tradition discriminated on the basis of gender. The government generally reinforced Sharia-based traditional prohibitions on discrimination on the basis of disability, language, or social status but did not effectively enforce laws prohibiting discrimination based on race.

### **Persons with Disabilities**

The law does not prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services or other areas. There is no legislation mandating public accessibility to buildings, information, and communications. Newer commercial buildings often included such access, as did some newer government buildings. Persons with disabilities had equal access to information and communications.

Information about patterns of abuse of persons with disabilities in prisons and educational and mental health institutions was not available. The Ministry of Social Affairs is responsible for protecting the rights of persons with disabilities. Vocational rehabilitation projects and social care programs increasingly brought persons with disabilities into the mainstream.

### **The Convention on the Rights of Persons with Disabilities**

Saudi Arabia ratified the Convention and the Optional Protocol on 24/6/2008.

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## **Syria**

### **Constitution and Laws**

The constitution provides for equal rights and equal opportunity for all citizens and prohibits discrimination based on race, gender, disability, language, or social status. The government did not enforce the law effectively or make any serious attempt to do so.

### **Persons with Disabilities**

The law prohibits discrimination against persons with disabilities and seeks to integrate them into the public sector workforce, but the government did not effectively enforce these provisions. The law protects persons with disabilities from discrimination in education, access to health, or provision of other state services, and it reserves 4 percent of government jobs and 2 percent of private jobs for persons with disabilities. Private businesses are eligible for tax exemptions after hiring persons with disabilities.

The government did not effectively implement access for persons with disabilities to buildings, communication, or information.

The Ministry of Social Affairs and Labor is responsible for assisting persons with disabilities and worked through dedicated charities and organizations to provide assistance, often to promote self-sufficiency through vocational training.

### **The Convention on the Rights of Persons with Disabilities**

Syria signed the Convention on 30/3/2007 and ratified the Convention and Optional Protocol on 10/7/2009.

## **Tunisia**

### **Constitution and Laws**

The constitution prohibits discrimination based on race, gender, disability, language, or social status, and the government generally respected this provision in practice; however, women face significant barriers to their economic participation, and certain laws adversely affected women.

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical or mental disabilities and mandates that at least 1 percent of public and private sector jobs be reserved for persons who have disabilities; however, NGOs reported that this law was not widely enforced, and many employers were apparently unaware of its existence.

There was some discrimination against persons with disabilities in employment, education, access to health care, and the provision of other state services.

A 1991 law, which remained in effect after the revolution, requires all new public buildings to be accessible to persons with physical disabilities, and the government enforced the law. Persons with disabilities did not have access to most buildings built before 1991. The government issues cards to persons with disabilities for benefits such as unrestricted parking, priority medical services, preferential seating on public transportation, and consumer discounts. The government provides tax incentives to companies to encourage the hiring of

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persons with physical disabilities. The Ministry of Social Affairs is charged with protecting the rights of persons with disabilities.

The Independent Elections Commission (IEC) took steps to accommodate voters with disabilities. The IEC's publicity campaign for voter registration, which ran from July 11 to August 14, targeted such voters; for example, television advertisements showed a woman using sign language to encourage deaf voters to register. Another advertisement featured a presentation in sign language by a young man discussing why voting is important for the country's future. Billboards promoting voter registration displayed a young man in a wheelchair extolling citizens to vote. During the October 23 Constituent Assembly elections, election observers noted infrastructure such as ramps at polling stations and polling staff accommodating disabled voters in accordance with electoral procedures.

### **The Convention on the Rights of Persons with Disabilities**

Tunisia signed the Convention and Optional Protocol on 30/3/2007. Tunisia ratified the Convention and the Optional Protocol on 2/4/2008.

## **United Arab Emirates**

### **Constitution and Laws**

The constitution provides for equality for citizens without regard to race or social status, and the law prohibits discrimination based on disability; however, legal and cultural discrimination existed and went unpunished. The constitution does not prohibit discrimination based on gender or language, nor does it provide for equality for noncitizens.

### **Persons with Disabilities**

The law prohibits discrimination against persons who have physical and mental disabilities; however, the government was slow to implement and enforce the law.

Most public buildings provided some form of access for persons with disabilities in accordance with the law.

Health care provided in the Ministry of Social Affairs' five federal rehabilitation centers, as well as those in private centers, reportedly was inadequate; the rehabilitation centers lacked qualified individuals who specialized in physical and other medical therapies. Rehabilitation centers focused almost exclusively on medical rehabilitation for people with disabilities and failed to address the need for vocational rehabilitation. Rehabilitation centers considered individuals with disabilities as subjects of medical care and medical "cures," which impeded social and economic integration and the recognition of the individuals' human rights and human dignity.

Various departments within the Ministries of Labor, Education, and Social Affairs were responsible for protecting the rights of persons with disabilities, and the government effectively enforced these rights in areas related to employment, housing and other entitlement programs. The emirate of Abu Dhabi reserved 2 percent of government jobs for citizens with disabilities, and other emirates and the federal government included statements in their human resources regulations emphasizing that priority should be given to hire citizens with disabilities in the

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public sector. The employment of persons with disabilities in the private sector remained a significant challenge due to a lack of training and opportunities, a lack of public awareness, and prevalent societal discrimination.

The Community Development Authority of Dubai, among other government agencies, carried out some public awareness campaigns during the year to improve understanding of sexual and psychological harassment faced by children with physical and mental disabilities.

Officials overseeing the September 24 FNC election assisted voters with disabilities, and polling stations had wheelchair ramps at both the men and women's entrances. Moreover, a blind candidate from Sharjah ran in the FNC election.

### **Other Relevant References**

**Rape and Domestic Violence:** The law criminalizes rape and it is punishable by death under the penal code. The penal code does not address spousal rape. The penal code allows men to use physical means, including violence, at their discretion against female and minor family members. Domestic abuse cases may be filed as assault without intent to kill, punishable by 10 years in prison if death results, seven years for permanent disability, and one year for temporary injury.

### **The Convention on the Rights of Persons with Disabilities**

United Arab Emirates signed the Convention on 8/2/2008 and Optional Protocol on 12/2/2008. United Arab Emirates ratified the Convention on 19/3/2010.

### **Western Sahara**

*No disability references found.*

### **The Convention on the Rights of Persons with Disabilities**

Western Sahara has not signed the Convention.

### **Yemen**

#### **Constitution and Laws**

The law provides for equal rights and equal opportunity for all citizens; however, the government did not consistently enforce the law. Discrimination based on race, gender, and disability remained serious problems. One group, the marginalized Akhdam community, faced societal discrimination based on social status. Societal discrimination severely limited women's ability to exercise equal rights.

#### **Persons with Disabilities**

Several laws mandate the rights and care of persons with disabilities, but there was discrimination against such persons. No law mandates accessibility of buildings, information, and communications for persons with disabilities.

Information about patterns of abuse of persons with disabilities in educational and mental health institutions was not available.

Authorities imprisoned persons with mental disabilities without providing adequate medical care. According to the Ministry of Human Rights, nurses and doctors watched the inmates. In

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some instances authorities detained without charge persons with mental disabilities and placed them in prisons with criminals. The MOI reported that at times family members brought relatives with mental disabilities to MOI-run prisons, asking officers to imprison the individuals. At year's end MOI-run prisons in Sana'a, Aden, and Ta'iz operated in conjunction with the Red Crescent semiautonomous units for prisoners with mental disabilities; conditions in these units reportedly were deficient. At year's end neither the MOI nor Ministry of Health had acted on a 2005 MOI initiative to establish centers for persons with mental illness.

The MSAL is responsible for protecting the rights of persons with disabilities. The government's Social Fund for Development and the Fund for the Care and Rehabilitation of the Disabled, administered by the MSAL, provided limited basic services and supported more than 60 NGOs to assist persons with disabilities.

By law, 5 percent of government jobs should be reserved for persons with disabilities, and the law mandates the acceptance of persons with disabilities in universities, exempts them from paying tuition, and requires that schools be made more accessible to persons with disabilities. It was unclear to what extent these laws were implemented.

**The Convention on the Rights of Persons with Disabilities**

Yemen signed the Convention on 30/3/2007 and Optional Protocol on 11/4/2007. Yemen ratified the Convention and the Optional Protocol on 26/3/2009.