

International Disability Alliance (IDA)

Member Organizations:

Disabled Peoples' International, Down Syndrome International,
Inclusion International, International Federation of Hard of Hearing People,
World Blind Union, World Federation of the Deaf,
World Federation of the DeafBlind,
World Network of Users and Survivors of Psychiatry,
Arab Organization of Disabled People, European Disability Forum,
Red Latinoamericana de Organizaciones no Gubernamentales de Personas con
Discapacidad y sus familias (RIADIS), Pacific Disability Forum

Suggestions for disability-relevant recommendations to be included in the Concluding Observations CEDAW Committee 51st session (13 February - 2 March 2012)

The International Disability Alliance (IDA) has prepared the following suggestions for the Concluding Observations based on references to persons with disabilities to be found in the State report, list of issues, and treaty body concluding observations (see annex).

JORDAN

Jordan ratified the Convention on the Rights of Persons with Disabilities on 31 March 2008.

State Report

81. ... Article 4 (1) (iv) of the 2007 Disabled Persons Rights Act contains provisions for the protection of pregnant women. Competent agencies are required to provide rights and services in their respective fields, including primary health care for disabled women during pregnancy and thereafter, as well as free health care insurance;

128. In an effort to make progress with the task of changing attitudes and convictions held over from a long heritage of social customs and traditions, a review of the Ministry's policies has been undertaken with a view to ensuring their consistency with contemporary thinking by incorporating a gender perspective into the main principles and objectives of the National Education Strategy, including gender concepts and issues in development plans, systems and guidelines, empowering the Ministry's women employees, developing a vocational education plan, encouraging the integration of women into the workforce, encouraging the use of information about job market opportunities as a guide to educational choices, reducing school wastage in general and wastage among girls in particular, providing school allowances, health programmes and school meals, reviewing and developing curricula and training teachers to use them efficiently, linking teaching methods and learning skills to life needs and job market demand, and providing support services and special programmes to meet the needs of disabled students.

140. Under the Disabled Persons Rights Act of 2007, every department and agency, each in its own area of competence, is required to provide disabled persons with opportunities for general, vocational and higher education, depending on the group and type of disability, and to treat women and men equally in respect of rights and duties. Statistics indicate that 566 disabled women and 4,725 disabled men had jobs in 2004. Disabled women have lower educational levels than their male counterparts: for the education system as a whole, from primary school to doctoral studies, a total of 6,747 disabled women and 15,323 disabled men were enrolled. At the university level, approximately 430 disabled students, both men and women, received assistance enabling them to pursue disputes over fees and financial assistance for outstanding university students following a decision by the Higher Education Council in 2007 to give disabled individuals the right to attend institutions of higher education

with a 90 per cent reduction in tuition fees for persons with a disability greater than 40 per cent.

141. In addition, the Council of Ministers decided that 4 per cent of all posts listed in Civil Service manning tables, i.e. approximately 400 posts, should be set aside for disabled persons. In 2009, 154 disabled persons were employed through the Civil Service Commission, of whom 64 were women and the remainder men. The Ministry of Social Development and the High Council on Disabled Persons Affairs provide financial assistance for charitable associations working for the benefit of disabled people. In accordance with the National Strategy for Disabled Persons, 2007-2015, and in cooperation with one of the State-run universities, intensive sign language courses were held beginning in mid-2009. At Tafila Technical University, the Centre for Social Participation has been established within the College of Educational Sciences for the purpose of investigating the needs of disabled persons and harnessing all available resources and scientific expertise for their. The College also prepares specialized teachers who are able to protect the rights of disabled persons, with no discrimination on the grounds of gender, in line with global trends.

152. ..Providing all students with opportunities to participate in all activities, including sports, scouting, culture, and competitions for boys and girls on a footing of equality. Women with disabilities have participated to a significant extent, thanks to the well-equipped facilities of the Jordanian Sports Federation for the Handicapped;

167. A significant proportion of the inspectors employed at the Workers Affairs and Inspection Directorate are now women, including women with disabilities, thanks to the fact that working conditions there are safe and healthy and conform to national and international standards for workers. The Directorate has thus followed the example of some other sectors in which women are heavily represented, such as private schools, beauty salons and weaving. A cooperation agreement is to be signed shortly between the Directorate and the Private Education Directorate within the Ministry of Education in order to reduce disparities and create a mechanism aimed at making sure the standards are observed and preventing violations, even if that should mean that some non-conforming facilities could no longer be used. In 2006, the Directorate had 14 women inspectors and 65 men, while by 2009 it had 46 women inspectors and 98 men. All these inspectors have taken training courses on matters relating to the distinctive aspects of the employment of women. The Ministry, with the support of the International Labour Organization, has established a centre dedicated to labour inspector training. It has conducted inspection campaigns targeting the private education sector and the service sector, and has observed cases of non-compliance and violations. As yet few nursery schools established for the children of working women meet the conditions set forth by law, as most institutions covered by the Labour Code do not fulfil the requirements of article 72 of the Code.

170. Jordan's National Strategy for Women devotes particular attention to women with disabilities, deeming it essential to adopt the programmes of organizations focusing on the issues of women in that group. The Disabled Persons Rights Act of 2007 provides that appropriate vocational training shall be made available to persons with disabilities, that their capacities shall be developed in accordance with job market needs, and that they shall have equal opportunity in the area of employment to the extent that their educational qualifications and intellectual capacities permit. Under Jordanian law, every public or private sector institution and every commercial firm having not fewer than 25 and not more than 50 employees is required to hire one person with a disability. Institutions and firms with more than 50 employees are required to hire a number of persons with disabilities corresponding to 4 per cent of their total workforce, in so far as the nature of the work permits. The Civil Service Regulations, for their part, provide that persons with disabilities shall be appointed where the disability is not such as to prevent the person concerned from discharging the duties of his or her post. The Civil Service Regulations and guidelines specify that 6 per cent of the persons selected and appointed to fill vacancies in governmental departments and agencies shall be humanitarian cases, of which there are four categories, one of them

persons with disabilities. In all, 295 men and 678 women have applied for such posts, and 91 of the men and 90 of the women have been appointed.

192. deceased participant is payable to his mother, widow, daughters, unmarried sisters, or widows or divorced wives at the time of his death, but ceases to be paid upon the marriage of the woman in question; however, it reverts to her in the event of her divorce or the death of her husband. This reinforces the concept of the dependent woman, and consequently the Act is in need of amendment such that marriage has no effect on a woman's entitlement. Another necessary amendment is abrogation of the provision under which the husband of an insured woman is entitled to his pension rights only on condition that he is wholly disabled and has no income from employment or an equivalent retirement benefit from another source.

228. Article 4 of the Public Health Act provides that programmes relating to health care activities for elderly persons shall be duly implemented and that the institutions delivering them shall be appropriately supervised. The Ministry of Health has a role to play in the delivery of preventive, curative and rehabilitational health care services for elderly people and providing suitable devices for those with auditory, visual or motor disabilities, with 75 per cent of the cost of such devices being borne by the State where the user does not have the means to pay for them, and 100 per cent of the cost of all diagnostic and therapeutic interventions, including operations, for Palestinian green card holders, with the possibility of referral to other hospitals. Since 2007, all persons 60 years of age or older have been covered under the health insurance plan, and the 2009 general State budget includes allocations expressly designated for senior citizens. Under issue 4 of the Financial Assistance Guidelines of 2007, financial assistance in the amount of JD 40 monthly is payable to invalid elderly persons.

233. The National Strategy for Disabled Persons, 2007-2015, has been launched. It Health insurance free of charge, primary health care for disabled women during pregnancy and the perinatal period;
Medical and psychological rehabilitation services, treatment at all levels, and training through rehabilitation and physiotherapy units;
Early detection of disabilities, with a compulsory screening programme for newborns to detect phenylketonuria, establishment of a specialized clinic, provision of a special diet, free medical monitoring and treatment for hypothyroidism at full- spectrum maternal and child care centres, of which there are 61 covering all parts of the country. At six of those centres, an experimental early detection programme will be conducted early in 2010.

245. In 2009-2010, UNRWA began to implement a pre-conception care programme at all its centres with a view to minimizing maternal mortality by identifying and treating risk factors and also in an effort to eliminate disabilities among children. Accordingly, it screens women for hereditary disorders such as hypothyroidism and phenylketonuria in order to avoid cases of mental retardation arising from these disorders, working in cooperation with the Jordanian Ministry of Health.

List of Issues

7. Please provide further information on measures taken to ensure that women and girls who are victims of violence, including disabled women and girls, have access to effective remedies and protection. Please also provide information on victim assistance and on the number, capacity and geographic distribution of, as well as on the conditions in shelters. What measures have been taken to address cultural attitudes preventing women from reporting cases of violence (see report, para. 44)? What steps have been taken to systematically collect data on violence against women and girls in the State party?

Recommendations from IDA:

Articles 2, 3, 4, 5

- Collect adequate data on women and girls with disabilities and use disaggregated data and results of studies to develop policies and programmes to promote equal opportunities for them in society
- Adopt measures to ensure that women with disabilities are consulted and participate in leadership roles in policy development.
- Raise awareness and provide more information about women and girls with disabilities, who are often subjected to multiple forms of discrimination, especially with regard to access to education, employment, access to health care and protection from violence, including training for professionals working with women and girls with disabilities.
- Address the heightened risk for girls and women with disabilities of becoming victims of domestic violence and abuse, and adopt urgent measures to ensure that both services and information for victims are made accessible to women and girls with disabilities.
- Provide women and girls with disabilities with access to adequate social and health services in the community and raise awareness about all services available.
- Take steps to ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (CRPD)

Article 7

- Repeal provisions in the Constitution which exclude persons with disabilities from the right to be elected on an equal basis with others¹ in accordance with Article 29 of the Convention on the Rights of Persons with Disabilities (CRPD), which comprises the latest international standards with respect to participation in political and public life. (This is confirmed in OHCHR thematic study on participation in political and public life by persons with disabilities which explicitly states that there is no reasonable restriction nor exclusion permitted regarding the right to political participation of persons with disabilities, [A/HRC/19/36](#), 21 December 2011).

Article 10

- Adopt measures in the law to ensure the implementation of inclusive education of children with disabilities, such as the obligatory training of all teachers (beyond special education teachers), to require individual education plans for all students, ensure the availability of assistive devices and support in classrooms, educational materials and curricula, ensure the accessibility of physical school environments, encourage the teaching of sign language and disability culture, allocate budget for all of the above. Include inclusive education as an integral part of core teacher training curricula in universities to ensure that the values and principles of inclusive education are infused at the outset of teacher training and teaching careers.

Article 11

- Ensure the provision of reasonable accommodation in employment and vocational training for women with disabilities, including accommodations for different types of disabilities.
- Ensure the provision of support services, including psychosocial support services, to assist families, including both mothers with disabilities, and mothers or women in the family who are

¹ Article 75 section (1) of the Constitution states, "No person shall become a Senator or Deputy...(g) who is insane or an imbecile."

the lead caregivers in their care for children with disabilities. In particular, ensure that services and assistance are rendered to permit women in families with children with disabilities, as well as mothers with disabilities, to continue their careers with an appropriate work/life balance.

Articles 12 & 16

- Adopt measures to ensure that all health care and services, provided to persons with disabilities, including all mental health care and services, is based on the free and informed consent of the person concerned, and that involuntary treatment and confinement are not permitted by law in accordance with the latest international standards.
- Adopt measures to ensure that all information, healthcare and services relating to sexual and reproductive health, both including physical treatment and psychological counselling, are made accessible to women and girls with disabilities, and that they are respectful of the dignity and integrity of persons with disabilities based on the free and informed consent of the individual concerned, and that consensual treatment such as the administration of contraception, or fertility treatments are not denied, while all non-consensual treatment, including that for which consent is given by a third party, is not permitted by law (including *inter alia* forced abortions, forced contraception, and forced sterilisation).
- Adopt measures to ensure that all education, information, healthcare and services relating to sexual and reproductive health, HIV and STIs, are made accessible women and girls with disabilities in age-appropriate formats.

Article 15

- Reform the law in accordance with Article 15, CEDAW and Article 12 of the Convention on the Rights of Persons with Disabilities (CRPD) to guarantee the equal recognition before the law of persons with disabilities, including the adoption of measures to ensure that having a disability does not directly or indirectly disqualify a person from exercising her legal capacity autonomously, and to ensure that persons with disabilities have access to support that they may need to exercise legal capacity on an equal basis with others, respecting the will and preferences of the person concerned.²

ANNEX- Disability references in treaty body Concluding Observations with respect to Jordan

CRC Committee Concluding Observations, 2006, [CRC/C/JOR/CO/3](#)

8. The Committee notes with satisfaction the State party's efforts to address various concerns and recommendations (CRC/C/15/Add.125) made upon the consideration of the State party's second periodic report (CRC/C/70/Add.4) through legislative measures and policies. However, some of the concerns it expressed and recommendations it had made regarding, *inter alia*, legislation, the age of criminal responsibility, non-discrimination, the right to life, ill-treatment in the family, children with disabilities and sexual exploitation, have not been sufficiently addressed.

9. The Committee urges the State party to make every effort to address the recommendations issued in the concluding observations on the second periodic report that have not yet been implemented, and to address the list of concerns contained in the present concluding observations on the third periodic report.

21. The Committee commends the State party's strong commitment to universal education and, in particular, the proportion of the budget devoted to education. The Committee takes note of the State party's efforts to increase national expenditure on support

² See also report of Special Rapporteur on Torture, 28 July 2008, A/63/175, paras 73 and 44.

programmes for families and child protection, but it is concerned that the allocated resources, for example regarding health care, remain inadequate, in particular for children with disabilities and other children belonging to vulnerable groups living outside the capital.

22. The Committee recommends that the State party strengthen its efforts to significantly increase the proportion of the budget allocated for the realization of children's rights to the "maximum extent ... of available resources", giving special attention to children with disabilities and other children belonging to vulnerable groups.

23. The Committee welcomes the various efforts made by the State party to improve data collection but it notes that in some areas covered by the Convention, for example violence against children, children with disabilities, sexual exploitation of children, trafficking in children, migrant, refugee and asylum-seeking children and children in conflict with the law, data are lacking or insufficient.

24. The Committee recommends that the State party strengthen its mechanisms for data collection by establishing a central database on children. The Committee also recommends that the State party ensure that data are collected on all areas of the Convention and disaggregated, inter alia, by age for all persons under 18 years, sex, urban and rural areas and by those groups of children who are in need of special protection. The Committee further recommends that the State party develop indicators consistent with the Convention and use these indicators as well as collected data to formulate policies and programmes for the effective implementation of the Convention.

33. The Committee remains concerned about the de facto discrimination faced by children with disabilities. It also notes with concern the inadequate implementation of the Law on the Care of the Disabled (Law No. 12 of 1993) and its amendments, particularly at the local level.

58. The Committee acknowledges that the Jordanian National Plan of Action for Children 2004-2013 covers children with disabilities and welcomes the community-based rehabilitation projects, although their number is still limited. However, the Committee notes with concern that due to the fact that children with disabilities and their families are not aware of all available services, only a small percentage of children with disabilities actually benefit from these services. The Committee also notes that the focus of these services is more on prevention, cure and recovery than on psychological support and counselling and that the services provided to children with learning difficulties or behavioural disorders are insufficient. Despite the establishment of mobile units to provide services for children with disabilities living in the most remote and disadvantaged regions, the Committee is concerned that many children with disabilities live in poverty and have limited access to social and health services and education.

59. The Committee further recommends that the State party:

(a) Ensure that in the implementation of the Jordanian National Plan of Action for Children 2004-2013 attention is paid and adequate resources are allocated to the special needs of children with disabilities and that the various aspects of disability are taken into account in all relevant policymaking and national planning;

(b) Provide children with disabilities with access to adequate social and health services, including psychological and counseling services, and tailored services for children with learning difficulties and behavioural disorders, and raise awareness about all services available;

(c) Ensure that professionals working with and for children with disabilities, such as medical, paramedical and related personnel, teachers and social workers are adequately trained; and

(d) Continue its collaboration with, among others, UNICEF and WHO.