

**Law No. (4) for the year 1999
On the Rights of the Disabled**

**The Chairman of the Executive Committee of the Palestine Liberation Organization,
President of the Palestinian National Authority,**

After review of the draft law submitted by the Ministerial Cabinet,
And based on the presentation of the Minister of Social Affairs,
And after ratification by the Legislative Council,

We promulgated the following law:

**Chapter One
Definitions and General Provisions**

Article (1)

In implementing the provisions of this law, the following terms and expressions shall have the meanings specified hereunder unless is otherwise indicated:

- The Ministry:** Ministry of Social Affairs
The Minister: Minister of Social Affairs
The Disabled: Any person suffering from permanent total or partial disability whether at birth or otherwise affecting any of his senses, or physical, psychological or mental capacities to the extent of limiting his ability to respond to his living needs under the same circumstances as lived by the non-disabled.
- Disabled Card:** A card specifying the package of services that a disabled is entitled to within an organized program.
- Rehabilitation:** A number of services, activities, and social, psychological, medical, educational, pedagogical and professional support that enable the disabled to live their life with independence and dignity.
- Rehabilitation Reserves:** Centers for the rehabilitation, training and accommodation of disabled suffering from severe mental disabilities.
- Public area:** Any building, pathway, road or any other places providing public services to the public.
- Adaptability:** Making public areas and workplaces suitable for the use of the disabled.

Article (2)

Any disabled has the right to enjoy honorable and decent life and to benefit from the variant services like any other citizen; he shall enjoy the same rights and fulfill the same obligations within the limits of his abilities and capacities. Disability shall not be a cause to deny any disabled the right to enjoy these rights.

Article (3)

The state shall be responsible for the preservation of the rights of the disabled as well as facilitating access thereto; the Ministry shall coordinate with concerned bodies to prepare awareness programs for the disabled, his family and surrounding in all matters related to the rights set forth in this law.

Article (4)

In accordance with the provisions of this law, the disabled shall have the right to form their own organizations and associations.

Article (5)

- 1- The state must provide all forms of rehabilitation to the disabled based on the nature of the disability and the disabled shall contribute to no more than 25% of the cost.
- 2- Any disabled because of resistance of the occupation shall be exempted of this contribution.

Article (6)

In accordance with the provisions of this law, the following bodies shall be exempted from payment of fees, customs or taxes:

- 1- All teaching material, medical equipment, aids, and means of transportation necessary for licensed schools and organizations of the disabled.
- 2- Personal vehicles for use by disabled individuals.

Article (7)

Upon request from the Ministry, governmental organizations shall submit their plans and annual reports related to the services they provide to the disabled.

Article (8)

In compliance with the provisions of this law, and in coordination with the Ministry, the concerned ministry shall undertake issuance of necessary technical licenses for and supervision of the provision of services, programs and activities by the non-governmental sector to the disabled.

Article (9)

The state must devise regulations and rules that guarantee for the disabled protection against all kinds of violence, abuse and discrimination.

Chapter Two Special Rights

Article (10)

The Ministry, in coordination with concerned bodies, shall be in charge of care and rehabilitation of the disabled in the following areas:

- 1- In the social area:
 - A- The nature and degree of the disability as well as its impact on the family of the disabled shall be defined to provide proper assistance.
 - B- Provide special services to the disabled in the areas of care, relief, training and education while giving the disabled priority in family development programs.
 - C- Provide social care and accommodation services for persons with severe disability who have no guardian.
 - D- Provide support to the rehabilitation reserves programs
 - E- Issue the disabled card.

- 2- In the area of health:
 - A- Diagnose and classify the degree of disability.
 - B- Guarantee access to governmental health insurance that is free of charge for the disabled and his family.
 - C- Provide and develop services for early detection of disabilities.
 - D- Provide necessary medical instruments and equipment to help the disabled in compliance with Article (5) of this law.
 - E- Provide preventive and therapy services aiming to reduce the percentage of disabilities in the community.

- 3- In the area of education
 - A- Insure that the disabled benefit from equal opportunities for enrollment in pedagogic and education institutions and in the universities within the framework of the curricula applicable in these institutions.
 - B- Provide necessary pedagogic diagnosis to define the nature and degree of the disability.
 - C- Provide adequate curricula, educational and pedagogic means and proper facilities.
 - D- Provide education of all types and levels to the disabled according to their needs.

- E- Train professionals in rehabilitation of the disabled based on the nature of disability.

- 4- In the area of rehabilitation and empowerment:
 - A- Prepare qualified technical staff to work with the different disabled groups.
 - B- Guarantee access to rehabilitation facilities and vocational training centers in compliance with the laws and regulations in effect and the basis of equal opportunities and provide suitable vocational training programs to the disabled.
 - C- Oblige governmental and non-governmental organizations to absorb a number that is not less than 5% of its staff among the disabled in a manner that is conform to the nature of activity in these organizations while making workplaces suitable for the use of the disabled.
 - D- Encourage recruitment of the disabled in private institutions by deducting part of their salaries from the income tax paid by these institutions.

- 5- In the area of entertainment and sports:
 - A- Provide the disabled with opportunities for sports and entertainment by adapting playgrounds, halls, camps and clubs and the facilities thereof for the use of the disabled, and by providing these establishments with the necessary equipment and instruments.
 - B- Support participation of the disabled in national and international sports events.
 - C- Reducing entry fees for the disabled into governmental cultural, entertainment, antiquity places by 50%.

- 6- In the area of public awareness:
 - A- Conduct public awareness campaigns about disabilities covering the different aspects thereof including the causes, outcome and needs.
 - B- Disseminate information and data related to prevention with the objective of reducing the percentage of disabilities in the society.
 - C- Use the sign language on TV.

Article (11)

The State shall endeavor to introduce the sign language in governmental establishments.

Chapter Three Adaptation of public areas for the disabled

Article (12)

Adaptation aims to creating an adequate environment for the disabled that guarantees them easy and independent movement and mobility as well as safe use of public areas.

Article (13)

- 1- Adaptation shall be obligatory for concerned bodies unless:
 - A- It endangers the historic attributes of the public area.
 - B- It causes danger to the safety and security of the public area.
 - C- It costs more than 15% of the value of the public area.
- 2- In the cases above-mentioned in paragraphs (A-B), the concerned bodies must provide for suitable substitutes that guarantee utilization of the public area by the disabled.

Article (14)

The Ministries of Education and Higher Education must provide an environment that is adequate for the needs of the disabled in schools, colleges and universities.

Article (15)

The Ministry of Local Governance, in coordination with concerned bodies, shall be responsible for obliging governmental and private bodies to comply with the technical, engineering and constructional standards and terms that must be applied in buildings, and old and new public facilities for use by the disabled.

Article (16)

The Ministry of Transportation shall endeavor to provide adequate environment to facilitate movement of the disabled in addition to granting special reductions in using public transport to the disabled and the accompanying persons thereof.

Article (17)

The Ministry of Telecommunication shall endeavor to provide the facilities necessary to enable the disabled use telecommunication equipment, apparatuses and facilities.

Chapter Four Final Provisions

Article (18)

Any provision contradicting with the provisions of this law shall be abolished.

Article (19)

The Ministerial Cabinet shall issue the necessary regulations for the enforcement of the provisions of this law.

Article (20)

All other concerned bodies, each within its own capacities, shall implement the provisions of this law, which shall come into effect as from the date of its publication in the official gazette.

Promulgated in the City of Gaza: 9th August 1999 AD, that is 27th Rabi' Al-akhar 1420 Hegira.

**Yasser Arafat
Chairman of the Executive
Committee of the Palestine
Liberation Organization,
President of the Palestinian
National Authority**