

بسم الله الرحمن الرحيم

THE PERMANENT MISSION OF
THE HASHEMITE KINGDOM
OF JORDAN
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The Permanent Mission of the Hashemite Kingdom of Jordan to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, and has the honour to enclose herewith the responses of the Hashemite Kingdom of Jordan to the questionnaire on disability-inclusive policies.

The Permanent Mission of the Hashemite Kingdom of Jordan to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights, the assurances of its highest consideration.



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**Response of the Hashemite Kingdom of Jordan via the Higher Council for the Affairs of Persons with Disabilities (HCD) to the Office of the United Nations High Commissioner for Human Rights (OHCHR) Questionnaire on Disability-Inclusive Policies from the Special Rapporteur on the Rights of Persons with Disabilities, Catalina Devandas-Aguilar
May 2016**

1. Jordan is considering the rights of persons with disabilities in its policies aimed at implementing the Sustainable Development Goals (SDGs) as follows:
 - 1.1. At the legislative and implementation levels, and specifically in line with Article 33 of the United Nations Convention on the Rights of Persons with Disabilities (CRPD), to ensure the effective implementation of the Hashemite Kingdom of Jordan's commitments to the CRPD, which is the basis of and for inclusive development as stipulated in the SDGs, the Higher Council for the Affairs of Persons with Disabilities (HCD) was established. Since its inception in 2007 by virtue of the Law on the Rights of Persons with Disabilities No 31/2007, as an independent public entity, which work towards "a society in which persons with disabilities enjoy a sustainable dignified life based on effective participation, fairness and equality", while serving as a:
 - 1.1.1. Policy think-tank: to follow-up on Jordan's commitments to the CRPD, via the National Strategy for Persons with Disabilities (NSPD), 2007-2015ⁱ, and Law No 31/2007. At the end of 2015, as per the NSPD evaluation process, which culminated in a final report, stating the need for both a national sectoral disability strategy, HCD also developed a three-year organisational strategy, which would also enable HCD to strengthen its overall performance, including that of its staffing body.
 - 1.1.2. Co-ordinating/Networking body: Not a direct service-provider, we strive to link the needs and issues of the people with disabilities themselves with the relevant ministry/NGO/civil society organisation or any other relevant entity. But in areas lacking capacities and services, and as need be, it provides 'compensative services' to build and enhance the national infrastructure so that services are inclusive of the rights and needs of persons with disabilities and not just policies or strategiesⁱⁱ.
 - 1.1.2.1. Hence, awareness-raising and national capacity building/training programmes, amongst others, are developed to feed into this infrastructure. Paragraphs (C), (E), (F) and (H) of Article 7ⁱⁱⁱ of Law No 31/2007 outline the nature of the collaboration between HCD and the service-providers. To ensure outreach to a maximum number of Jordanians with disabilities, and to better represent the issues of all sectors of the community, HCD has, in addition to its Amman headquarters, established liaison offices, in the central (one in the east, the other in West Amman), northern and southern regions of the Kingdom.
 - 1.1.3. Advocacy body: to advocate a rights-based approach to disability issues, thereby helping to ensure that these issues are properly represented as an integral part of Jordan's national development policies and plans of action.

- 1.2. In accordance with the CRPD's general obligations, HCD issued a decision in February 2013 to form a legal committee to review the current national legislation and draft a new comprehensive law through which persons with disabilities can enjoy their basic rights and fundamental freedoms on an equal basis with others. The participatory, anti-discrimination and mainstream approach/methodology^{iv}, which was adopted by the committee during the last three years motivated the latter and HCD to utilise the legislative reform process that Jordan witnesses since 2011 subsequent to the constitutional amendments in which persons with disabilities are mentioned as one of the unique, and indeed historical initiatives in the region, as follows: Article 6(5) of the Jordanian Constitution stipulates "The law shall protect motherhood, childhood and the old-aged; and shall avail care for the youngsters and those with disabilities and protect them against abuse and exploitation".^v The draft new law on the rights of persons with disabilities was submitted to the Prime Minister in January 2016, and is currently being legislated in parliament.
- 1.3. To ensure that Jordan's commitments are properly represented in national policies, strategies and action plans,
- 1.3.1. HCD took/ takes part in the development of numerous strategies and action plans, including:
- 1.3.1.1. The National, Regional and International Consultations on the Post-2015 Development Agenda, contributing significantly to the UN's Jordanian report on these consultations^{vi} (<http://un.org.jo/post-2015-development-agenda>)
- 1.3.1.2. The UN General Assembly High-Level Meeting on Disability and Development, providing commentary and feedback on the Outcome Document (www.un.org/disabilities/documents/hlmdd/hlmdd_escwa.doc)
- 1.3.1.3. The Jordan Executive Development Programme (2016-2018)
- 1.3.1.4. The National Plan on Human Rights and its ensuing prime-ministerial committee
- 1.3.1.5. The 'Jordan 2025 Vision' development blue-print^{vii}
- 1.3.1.6. The National Council for Family Affairs' National Strategy for the Elderly^{viii}
- 1.3.1.7. The National Strategy on Employment
- 1.3.1.8. The Higher Committee on the Strategy for Human Resource Development, established by virtue of a Royal Decree.
- 1.3.2. To ensure budget allocations for the implementation of these plans and strategies, and as a result of a wide-range of advocacy work undertaken by HCD and its leadership, which culminated in the visit of His Excellency the Prime Minister in March 2015 to HCD's headquarters, along with 9 of the line ministries, the Prime Minister further articulated the need for such allocations in his notification of 29 September 2015, to all relevant ministries (of education, labour, health, municipalities, public works and housing, transport and the Greater Amman Municipality) urging them to act on the request made by HCD

to allot specific budgets toward disability inclusive programming in their ministerial plans and strategies.

1.3.3. Given its structural make-up, staffing composition, and mandated roles and responsibilities, HCD works to ensure that all disability-related issues, including those pertaining to girls, women and the elderly, are mainstreamed in all its policies and strategies. The NSPD, for example, provides an insight into the status of Jordanian women with disabilities, highlighting the fact that women with disabilities are discriminated against on the grounds of disability and poverty, and not just by being women per se, as well as tackling the issue of disability from a gender perspective.

1.3.3.1. To ensure that issues of gender and disability are inclusive of all of HCD's work, HCD has formed a women with disabilities committee, which, since its establishment in 2008 (per Article 7(K) of Law No 31/2007) has served as an advisory/implementing arm in all issues relating to women with disabilities.

1.3.3.1.1. Consisting mostly of women with various disabilities, as well as women and men without disabilities, the Committee also included members of HCD's staff – all of whom have disabilities. Previous members have included representatives from active women-led organisations.

1.3.3.1.2. The Committee works to promote the socio-economic participation of Jordanian women with disabilities through capacity building and awareness-raising programmes geared towards empowering them to serve as functional citizens in society. Since 2011, for example, the Committee was instrumental in highlighting the violations committed against girls and women with intellectual disabilities subjected to sterilisation. Targeting parents, doctors, gynaecologists, legal experts and judges, as well as religious leaders, the Committee conducted awareness/dialogue sessions to address this misconceived and shameful practice. And in 2014, as a result of this continuous advocacy campaign, a legal order ('fatwa') was issued criminalising this abhorring practice.

1.3.4. The participation of persons with disabilities and their representative organisations is ensured via HCD's modus operandi which entails that with each programme, or set of projects, whether in terms of inclusive education, employment or rehabilitation, etc., said initiatives are tailored as a comprehensive package that includes the following priorities: awareness and advocacy; accessibility; monitoring and evaluation; data and research and training and capacity building, within either funded programmes with civil society organisations; joint programmes with ministries; progress of which is tracked via liaison officers within these organisations or internal committees made up of

people with and without disabilities who themselves are part of DPOs or have the technical expertise required.

2. According to Article N.6/5 from the Jordanian Constitution, the constitution guarantees the right of persons with disability to be protected from any act of discrimination. In addition, the current Law on the Rights of Persons with Disabilities No 31/2007 emphasises equality and non-discrimination based on disability and this was reflected in all articles of the Law. Furthermore, the new draft Law which is drafted by the legal committee at HCD is considered as anti-discrimination Law. The new draft Law in one of its article talked about forming a committee called the "Equal Opportunity Committee" which will play a vital role in assuring equality and non-discrimination in employment of persons with disability. In 2013, a new bylaw N. 14 was issued in the official gazette N. 5205 that gives the persons with disabilities the right to have tax exemption on:
 - a) Vehicle that is allocated for the use of the person with disabilities only.
 - b) Reasonable accommodation for persons with disabilities, including educational, medical, and sports materials assistive devices, tools and machines as well as their spare parts.
 - c) Paying work permit fees for one non-Jordanian worker to provide persons with severe disabilities with domestic support.
3. In addition to what is mentioned above, in 2014. The emergency line for persons with hearing impairment 114 was opened. The line enables persons with hearing impairment to do video calls in emergency situation with the Jordan Command and Control Centre (JCCC) which is part of the Public Security Directorate (PSD) using sign language. In addition, the National Building Code for persons with disabilities is being implemented in the new buildings in the public and private sectors. The said Code is in the process of being developed according to the international standards by a committee formed for this reason and includes in its members persons with disabilities. Moreover, regular training on accessibility issues is conducted in regular basis for State Officials and other stakeholders in different parts of Jordan.
4. In no gap policy, HCD empowers persons with disabilities to participate and be included in the community through providing support services, reasonable accommodations, assisting them in living within their communities, through assistive devices and equipment, such as wheelchairs and electronic devices, hearing aids, and providing sign language interpreter and supporting educational fees for students with disabilities in schools and special education centers. The draft new law on the right of people with disabilities includes specific article on de-institutionalisation. A ten-year action plan corresponding to the text and the commitments therein will also be drawn. This will include alternative living arrangements, day-habilitation services and facilities and a national scheme for capacity building working with all constituents concerned with de-institutionalisation. The National Aid Fund currently in effect providing persons with disabilities who are incapable of working, with monthly financial aid.
5. The results of the new Census for population and housing in Jordan conducted in 2015 can be found in the link below:
http://census.dos.gov.jo/wp-content/uploads/sites/2/2016/02/Census_results_2016.pdf

The results show that the percentage of persons with disabilities in Jordan is 11%. In addition there is a number of studies that has been conducted in relation to the implementation of existing disabilities inclusive policies and action plans in Jordan such as:

- The Guide to Internet Accessibility for Persons with Disabilities.
- Analytical Report: Field Testing: Functional Difficulties in Jordan 2014 (attached).

¹ The NSPD is a 12-axes disability inclusive policy document covering the areas of legislation, education, health and rehabilitation and support services, awareness, accessibility, economic empowerment, social protection and protection from violence and abuse, among others.

² This participatory approach stems from HCD's Board of Directors, which includes representatives from governmental and civil society sectors (i.e. secretaries general of the ministries of education, social development, health, labour, finance, and 7 people with disabilities, as well as experts in the field. In addition, HCD's staff includes more than 12 members with disabilities, some of whom assume leadership positions.

³ Article 7(C): Following-up on and supporting the execution of the National Strategy for Persons with Disabilities, and the activities, plans and programmes therein ensued.

(E): Setting quality standards for programmes and services offered to persons with disabilities in co-ordination with concerned parties.

(F): Joining efforts seeking to realise the objectives of international agreements and conventions on (or relating to) persons with disabilities ratified by the Kingdom.

(H): Co-operating with national, regional and international institutions and bodies in areas relating to the Council's objectives.

⁴ The development process, during the course of three years, included working with stakeholders and partners in government and civil society in the development of the articles and provisions of said draft, as well as in the feedback and commentaries accumulated once the draft was finalised and open to public opinion. Government officials and employees; civil society representatives and individuals working in the field of disability, including children, youth and adults themselves, were an integral part of this consultations – culminating in three regional dialogue sessions, in the central, northern and southern areas of the Kingdom.

⁵ THE CONSTITUTION OF JORDAN with all the amendments thereto. Publications of The House of Representatives 2011, p. 8. Accessible at: http://www.representatives.jo/pdf/constitution_en.pdf

⁶ A senior member of staff was appointed to represent HCD in all meetings and consultations. Also, HCD, via then-President, HRH Prince Raad Bin Zein, and its Communication and International Relations Director, also took part in the online media campaign by giving interviews and appearing in the relevant promotional material.

⁷ HCD provided feedback on the supplement of said blue-print.

⁸ A senior member of staff was appointed to represent HCD on the national taskforce formulated to oversee the development and implementation of said strategy.

Executive Summary

Analytical Report: Field Testing: Functional Difficulties in Jordan 2014

In November 2014, the Department of Statistics (DoS) conducted a field testing survey on functional difficulties in Jordan, with the support of the Higher Council for Affairs of Persons with Disabilities (HCD). Below are the main findings of the survey:

***The Sample:**

- The survey sample consisted of 408 families in two governorates, Amman and Zarqa. The response rate was 94.6%.
- Approximately 52% of respondents were male, while 48% were female.
- Approximately 36% of respondents were employed, while 8% were unemployed and 56% economically inactive.
- The majority of respondents were Jordanian, amounting up to 89.7%, while the rest were of Syrian nationality, with 4.0%.

***The Prevalence of Functional Difficulties:**

- The results revealed that the percentage of people with disabilities stood at approximately 13%.
- Approximately 43% of people with disabilities were male, while 57% were female.
- Approximately 15% of people with disabilities were 15 years or older.
- Approximately 39% of people with disabilities aged 15 years or older were the educationally literate, at a less than secondary level education, while 33% were illiterate.
- Approximately 24% of people with disabilities aged 15 years or older are economically active, while 76% are not.
- The percentage of employed male respondents with disabilities was approximately 79%, while their female counterparts stood at approximately 21%.
- The percentage of unemployed male respondents with disabilities was approximately 71%, while their female counterparts stood at approximately 29%.
- The percentage of economically inactive male respondents with disabilities was approximately 20%, while their female counterparts stood at approximately 80%.
- Functional difficulties relating to the ability to walk or climb up stairs, as well as the ability to see were the most prevalent difficulties with a percentage of 34.4% and 27.1%, respectively, while those relating to self-care and the ability to communicate with others were less so, with 6.3% and 5.4% respectively.