

**INTEGRATION OF PERSONS WITH DISABILITY IN PUBLIC AND  
PRIVATE SECTORS**

---

A Thesis  
presented to  
the Faculty of Law and Political Science  
at Notre Dame University-Louaize

---

In Partial Fulfillment  
of the Requirements for the Degree  
Master's in Public Administration

---

by  
JOHNNY BOULOS EL KHOURY GEBRAYEL

DECEMBER 2021

© COPYRIGHT

By

JOHNNY BOULOS EL KHOURY GEBRAYEL

2021

All Rights Reserved

Notre Dame University - Louaize  
Faculty of Law & political science  
Department of Government and International Relations

We hereby approve the thesis of

Johnny Boulos El Khoury Gebrayel

Candidate for the degree of Master's in Public Administration

---

Dr. Dany Ghsoub

Supervisor, Chair



---

Dr. Maria Njaim

Committee Member



---

## Contents

Introduction.....	1
Chapter 1: Review of Literature .....	5
Chapter 2: Persons with Disability in Lebanon .....	11
Conclusion .....	19
References.....	21

# Abstract

Persons with disabilities have the same rights and needs as others and face the same challenges. The following study is concerned with how persons with disabilities in different countries, especially in Lebanon, are being treated and the obstacles they face when they are integrated with the private and public sectors. The paper will highlight the discrimination in the field of work that involves disrupting equal opportunities to establish a working relationship and enjoy all rights in this field. The present study indicates the importance of education and the role of public and private schools in enhancing the social-economic situations regarding people with disabilities. Policies and programs to promote an inclusive environment for persons with disabilities are limited and need to be strengthened. Several reasons explain why the Lebanese State has still neither adopted a human rights-based approach to disability nor implemented and enforced its Law 220/2000 on persons with disabilities. That's why the paper argues that all relevant stakeholders must develop and use a unified and systematic method for classifying disability, which reflects the diversity of PWDs in Lebanon. In the end, this study addresses specific policies and recommendations that shall be taken into consideration in order to promote an inclusive environment for disabled people, and the need for health services and social security arrangements to reach all fractions of persons with disabilities

# Introduction

In English, the term ‘persons with disabilities’ is generally considered respectful and is used in the Convention on the Rights of Persons with Disabilities (CRPD). It is hard to imagine getting up in the morning with such severe pain which disables a person from even moving out of bed. One can imagine being fired from a job because he/she is unable to perform simple job requirements. Almost everyone will be temporarily or permanently impaired at some point in life. Those who survive to old age will also experience increasing difficulties in functions. A person’s environment has a huge impact on the experience and extent of disability. For example, the case of a deaf individual without a sign language interpreter and a wheelchair user in a building without any accessible bathroom or elevator.

“The International Classification of Functioning, Disability and Health”, (Geneva, World Health Organization, 2001) categorized problems with human functioning in three connected areas: impairments, activity limitations and participation restrictions, concerning involvement in any area of life, such as facing discrimination in employment or transportation. Persons with disabilities are diverse and heterogeneous. They face multiple and compounding forms of discrimination on the basis of disability and other intersecting diversity factors that may lead to situations of exclusion. They diverse personal factors with differences in gender, age, sexuality, ethnicity, or cultural heritage.

Several conventions on the rights of persons with disabilities are made to protect and ensure the full enjoyment of all human rights and fundamental freedoms of all persons with disabilities and to promote respect for their inherent dignity. “The principles of such conventions include non-discrimination, full participation and inclusion in society, respect for difference and acceptance of persons with disabilities as part of human diversity and humanity, equality of opportunity, accessibility, equality between men and women, etc.”, (UNHCR, 2019). That’s why it is important that policies of states should undertake to include people with special needs in the public and private sectors, to take all appropriate measures, including legislation, to modify existing laws that constitute discrimination against persons with disabilities, to take into account the protection and promotion of the human rights of such persons in all policies and to promote positive perceptions and greater social awareness towards them.

In the context of employment, the persons with disabilities are disfavored because of stereotypes, discomfort or misconceptions such as an unfounded increased costs and decreased

productivity. Much of society is designed without regard for the needs of the disabled individuals. The discriminatory effects of architectural, transportation and communication barriers largely contribute to the lack opportunities to the people with physical and mental illness. For example, a person using a wheelchair cannot have access to the workplace because it is possible only stairs. Nor can he/she travel by bus because buses are not equipped wheelchair lifters. He/she can neither go for shopping nor participate in recreational activities.

Disabilities generates disproportionately between the genders. A higher burden is put on women than on men, whether as persons with disabilities or as caretakers of persons with disabilities. The goal of universal primary education cannot be achieved without an inclusive education: children with disabilities will need equal access and opportunities to education as other children.

Disability, as a development theme, cuts across key mission and corporate goals of the World Bank, including poverty reduction, economic growth, and reaching the Millennium Development Goals by 2015. Poverty and disability are inextricably linked and form a vicious cycle. Poverty can contribute to increases in disabilities among individuals from birth to old age. After the onset of a disability, barriers to health and rehabilitation services, education, employment, and other aspects of economic and social life can trap individuals in a life-long cycle of poverty.

The Lebanese Welfare Association for the handicapped (LWAH) is non-governmental organization founded in 1984, and has special consultation status with the UN Economic and Social Council since the year 2000. (LWAH) has now over 39000 registered patients. It has started providing social services for those in need through its head offices in Beirut. The Lebanese center for Special education (CLES) is an NGO: a non-governmental and a non-profit organization, independent of all political and religious ties, established in 1999. Its mission is to help children who have specific learning disabilities free of charge. Combaz (2018) states that there is a systemic lack of provisions for rights, resources, and services for persons with disabilities in Lebanon, due foremost to inaction by the State. Work and basic services for them are scarce, not accessible, and of poor quality. She states that the legal framework on the rights of persons with disabilities is limited, and not enforced. Persons with disabilities face adverse political, social, cultural, and economic conditions which are reflected on their rights, capacities, experiences and quality of life.

“Even though Lebanon has not yet ratified the convention, the Lebanese government and Parliament has passed in the year 2000 the law 220/2000 concerning the rights of persons with disabilities in the country. This law clearly deals with disability as a right based issue and calls

upon government to adopt policies and programs based on the philosophy of integration.”, (UNESCO-Beirut Report, 2013, P.6). The report states that the national youth policy urges all stakeholders in Lebanon to take actions in reforming laws and policies to make Lebanese society more inclusive towards young men and women at all aspects of society, overcoming many different forms of social, economic and political exclusions, including disabilities.

“Fostering partnerships among national and local governments, disabled people organizations (DPOs) and NGOs, and the international community are the needed actors to develop a strategy for sustaining these efforts.”, (Bagenston, 2000). To that end, there is a need to look at disability in respect to prevalence and main causes of disability, the economic and social consequences of disabilities, prevention and risk mitigation mechanisms, and policies and strategies to create the enabling environment which permits persons with disabilities to participate fully in society, including having access to education and the labor force, and participation in decision making. Bagenston (2000) says that its purpose is to take stock of our current knowledge of disability issues in the region, and to open the door to new ideas and initiatives that will help mainstream disability as a theme across sectors.

It is very difficult to get any reliable data regarding the employment of persons with disabilities in the world. In the past years, the problem increased, especially that societies are facing nowadays more persons with disabilities with higher education and looking for jobs. Some authors mentioned that the main factors in relationship between employers and persons with disabilities were social-economic factors and unclear legal regulations. The problematic issue in the following study is that if such persons are deprived of the right to work, they will be not able to fulfil security, social interactions and social status.

Also, discrimination in the field of work is a particular problem that involves disrupting equal opportunities to establish a working relationship and enjoy all rights in the field of work. Results of past studies confirmed that employers in public sector had more positive attitudes towards employment of persons with disabilities compared with employers in private sector. It is important to note that the definition of disability and persons with disabilities vary among countries and within the country, depending on the contexts in which the definition is used.

Policies and service delivery systems that include the rules underlying service provision can also be obstacles. It is useful to describe disability including assessing individual functioning, goal setting and treatment. This study is concerned with how persons in different countries with disability are being treated, and especially, the obstacles they face when they are integrated within the private and public sectors. Moreover, it is also quite important to discuss Lebanon as a case study concerning the policies and strategies of the Lebanese government towards such



persons. In addition, this study includes some discussions about the fact that disability never stands as a drawback in the face of related persons, and the importance of the law 220/2000 in integrating disabled people in the Lebanese society. Also, this study indicates the importance of education and the role of public and private schools in enhancing the social and economic situations regarding people with disabilities. At the end, this study talks about certain policies and recommendations that shall be taken into consideration in order to promote an inclusive environment for disabled people, and the need of health services and social security arrangements to reach all fractions of persons with disabilities.

# Chapter 1: Review of Literature

Researchers have identified disability as complex, dynamic, multidimensional and contested. Disability should be viewed neither as purely medical nor as purely social because people with disabilities can often experience problems arising from their health condition. *The International Classification of functioning, Disability and Health (ICF)* (17) understands functioning and disability as a dynamic interaction between health conditions and contextual factors, both personal and environmental. Defining disability as an interaction means that it is not an attribute of a person. That's why to improve social participation, barriers that hinder persons with disabilities in their day to day lives should be addressed. Environmental factors include set of issues that are needed to be changed in order to improve health conditions and outcomes for persons with disabilities.

UNHCR's Age, (Gender and Diversity AGD Policy, 2018) states that all persons of concern, including those with disabilities, shall enjoy their rights on an equal footing with others, and are able to participate fully in the decisions that affect their lives and the lives of their family members and communities. Such persons have the same rights and needs as others and face the same challenges. They also face particular protection risks such as violence, exploitation and abuse. The real problem is that people with disabilities are viewed as objects rather than subjects in their own right. "Seeing people with disabilities as subjects rather than objects entails giving them access to the full benefits of basic freedoms that most people take for granted and doing so in a way that is respectful and accommodating of their difference. It means abandoning the tendency to perceive people with disabilities as problems and viewing them instead in terms of their rights", (Quinn & Degener, 2002, p.23). "People with disabilities, however, continue to receive less appropriate health care and education when compared to those without disabilities and are more pessimistic about their futures. Similarly, individuals with disabilities experience disparities in access to transportation and technology due to inaccessible designs, are less active politically, and are three times more likely to live in poverty than people without disabilities", (Minnesota Journal of Law and Inequality, vol.25, issue2, 2007, p.325).

In some social thoughts, disability is considered a divine punishment. It basically suggests that any form of disability is a punishment meted out for wrong doing. Also, disability has been concluded to have resulted from generational curses to a few sect of people. In the Mesopotamian records, the gods are believed to have power to command a disability as

punitive action on a person. “Ancient Mesopotamian curses certainly seem to equate the loss of vision with a devastating disability, and certain criminals and prisoners of war were punished with blindness and put to hand labor”, (Walls, 2007).

“In pre modern societies, the disabled people were eliminated through killing programs and sterilization and were considered non-persons. Systematic exclusion discrimination of people with disabilities has no rational basis, but solely on the prejudice and indifference of the able-bodied persons”, (Dixit, 1998). Disability causes social stigma, because the condition of disability is considered as "undesired differentness" from socially defined of "normality". The core aspect of stigma occurs when the prevailing social norms treat disability as universally discrediting. The society and its institutions are designed for the ‘normal’ and not for the people with stigmatized traits. The subordinate status of the disabled individual’s rests on animus and prejudice. “People with disability generally experience a "spread effect" in which assumed that there is a particular impairment in life functions; this indicates universal disability”, (Bagenston; 2000).

The World Program of Action concerning Disabled Persons adopted by the General Assembly in its 37th session demands participation of the disabled persons in decision making. A major event was the appointment of a special rapporteur on human rights and disability by the Sub-Commission on Prevention of Discrimination and Protection of Disability in 1984, which was presented in August 1991. It was endorsed by the Commission on Human Rights and the General Assembly at their subsequent sessions. The report shows that the human rights of the disabled persons are seriously violated all over the world in both civil and political sphere as well as in the area of economic, social and cultural rights. The Standard Rules on the Equalization of Opportunities for Persons with Disabilities (UNSR) were adopted by the General Assembly (1993) with the purpose of achieving positive and full inclusion of persons with disabilities in all aspects of society under the leading role of the United Nations.

“A person with hearing impairment needs a telephone system” (UNRWA, 2017). Bagenston (2000) states that a visually impaired person cannot walk pavements because the pavements are not structured at the edges. The integration and accommodation of persons with disabilities into the labor market are important ways to reduce both public expenditures and costs by families, as well as to ensure the participation of disabled persons in productive work. In all the above examples, the society has failed to create alterations to the existing facilities.

Baynton (2017) argues that disability has been one of the prevalent justifications for inequality in history, and yet it has been rarely studied by historians. Negative attitudes have an adverse effect on children and adults with disabilities. These attitudes lead to negative

consequences such as low self-esteem and reduced participation. According to International Labor Organization ILO (Geneva, 2015), women with disabilities are particularly disadvantaged in the labor market due to the fact that they experience multiple discrimination based on their gender and their disability status. The Inter-American Convention on the Elimination of all Forms of Discrimination against Persons with Disabilities was adopted in June 1999. The Convention does not include rights. It is the first regional treaty to define discrimination against persons with disabilities. “The term “Discrimination against persons with disabilities” in this Convention means any distinction, exclusion, or restriction based on a disability, record of disability, whether present or past, which has the effect or objective of impairing or nullifying the recognition, enjoyment, or exercise by a person with a disability of his or her human rights and fundamental freedoms”, (O’Reilly, 2003).

Around 61 million people in the United States are living with some sort of disability. Darling (2013) states that people with disabilities constitute a significant portion of the population. She says that although so many people are affected, until recently, most of the literature on this population viewed disability as a form of deviance from ability and appearance norms of Western Society. Deviation from normal human stature has been the source of stigma for decades. The society hinges on certain ideals and any deviation from such ideals encourages exclusion. Goffman (2017) states that a stigma is an attribute that makes a person different from others in a social category, and it reduces a person to a discounted status. David and Sharm (2017) argue that every culture views disability as a problem that needs to be solved. This belief establishes one of the major modes of historical address directed toward people with disability. Dreger in Tom Shakespeare (2017) highlighted that in many countries of the world, disabled people and their allies have organized over the last three decades to challenge the historical oppressions and exclusion of disabled people.

According to European Commission (2010), one in six people in the European Union (EU) has a disability that ranges from mild to severe making around 80 million who are often prevented from taking part fully in society and the economy because of environmental and attitudinal barriers. It states that for people with disabilities, the rate of poverty is 70 % higher than the average, and this is due to limited access to employment. Over a third of people aged over 75 have disabilities that restrict them to some extent, and over 20 % are considerably restricted. Furthermore, these numbers are set to rise as the EU's population ages. The EU and its Member States have a strong mandate to improve the social and economic situation of people with disabilities. O’Reilly (2003) states that each Member shall practice, formulate, implement and periodically review a national policy on vocational rehabilitation and

employment of disabled persons. Thus, ensuring appropriate vocational rehabilitation measures are made available to all categories of disabled persons and at promoting employment opportunities for disabled persons in the open labor market.

United Nations fastens the right for everyone to work, including persons with disabilities. Article 23 of the Universal Declaration of Human Rights could be more explicit to the fact that everyone has the right to work and has free choice of employment. O'Reilly (2003) states that everyone, without discrimination, has the right to have equal pay for equal work ensuring for himself and his family an existence worthy of human dignity and supplemented by other means of social protection. The International Covenant on Economic, Social and Cultural Rights (1966) has been drafted giving the right for people with disabilities to be integrated in society. It recognizes the right of everyone to work and the right to the opportunity to gain one's living by work freely chosen or accepted. Thus, in order to achieve the full realization of that right, steps have to be taken including vocational guidance, training and productive employment.

“About one in eight Canadians, or 13% of the population, have a disability that affects their mobility, agility, hearing, vision, or learning”, (Deloitte's dialogue, 2010). According to Deloitte's paper (2010), integration of people with disabilities is a two-way process. The first part is on the employer to remove any barriers that would hinder them. On the other hand, people from the disabled community also have to work to find solutions to break down those barriers. According to United Disabilities Service Foundation (2021), around 61 million people in the United States are living with some sort of disability. It states that helping people with disabilities enjoy full lives within their communities involves a number of important components. They must have equal access to citizenship, education, employment, healthcare, housing, and valued social roles, such as having the right of marriage and parenting. The Asian and Pacific region has by far the largest number of persons with disabilities in the world. Most of them are poor and their rights are overlooked.

In April 1992, the UN Economic and Social Commission for Asia and the Pacific (ESCAP) recognizes that more needed to be done for people with disabilities. In April 1993, the Commission adopted the proclamation and Agenda for Action. The Vienna Declaration and Program of Action, adopted by the World Conference on Human Rights (1993) reinforced the fact that all human rights are universal, indivisible, interdependent and interrelated. The Declaration noted that special attention needs to be paid to ensuring non-discrimination, and the equal enjoyment of all human rights and fundamental freedoms by disabled persons, including their active participation in all aspects of society. “The Declaration emphasized that persons with disabilities should be guaranteed equal opportunity through the elimination of all

socially determined barriers, be they physical, financial, social or psychological, which exclude or restrict full participation in society”, (UN General Assembly 1993).

The Copenhagen Declaration and Program of Action (1995) acknowledged that people with disabilities, who form one of the world’s largest minorities, are too often forced into poverty, unemployment and social isolation. In relation to employment, “the Heads of State and Government at the Summit committed themselves to put the creation of employment, the reduction of unemployment and the promotion of appropriately and adequately remunerated employment at the Centre of strategies and policies of Governments, in full respect for workers’ rights, and giving special attention to disadvantaged groups and individuals including persons with disabilities”. “The elimination of all forms of discrimination is emphasized throughout the Declaration, and the program of Action includes ‘taking effective measures to bring to an end all de jure and de facto discrimination against persons with disabilities”, (O’Reilly, 2003).

Concerning France, O’Reilly (2003) states that the unemployment rate for disabled workers in 1996 was three times higher than that for the overall active population. Disabled workers who are unemployed tend to remain unemployed twice as long. He also adds that in the year 1997, the labor market participation rate for severely disabled persons in Germany is 37%, compared with that for non-disabled persons of 80% for men and 63% for women. He says that the gap between the unemployment rate for persons with disabilities and the overall unemployment rate widened between 1994 and 1997. “The duration of unemployment tends to be almost twice as long as for workers without unemployment rates were 9 per cent (disabled workers) and 5 per cent (non-disabled workers)”, (O’Reilly, 2003).

As for United Kingdom, he notes that disabled people are over six times as likely to be out of work and claiming benefits as persons without disabilities. “In Sweden of the population between 16 and 64 years of age with a disability in 1998, 60 per cent was employed, compared with 72 per cent in the general population. The unemployment rates were 9 per cent (disabled workers) and 5 per cent (non-disabled workers)”, (O’Reilly, 2003). “In the U.K. it is estimated that 75 per cent of those of working age with mental illness are unemployed disability”, (Robertson, Weiss, & Doocy, 2017).

The African Decade of Disabled Persons (1999-2009) was declared in July 2000 by Organization of African Unity (OAU) Heads of State and Government. A Continental Action Plan was adopted unanimously by participants at the Pan African Conference on the African Decade in February 2002. “The Action Plan is intended to provide guidance to member States and Governments of the OAU in achieving the goal of the Decade – the full participation, equality and empowerment of persons with disabilities in Africa”, (O’Reilly, 2003). He says

that the Action Plan includes a range of measures to be undertaken by member States in order to meet the objectives of promoting the participation of persons with disabilities in the process of economic and social development and to ensure and improve access to training and employment.

Whereas the participation rate for males in Australia with a disability was “about 60 per cent in 1998, compared with 90 per cent for persons without a disability. The corresponding figures for females were 46 per cent and 71 per cent, respectively. The unemployment rate among males with a disability was 14 per cent compared with 8 per cent for males with no disability. Corresponding rates for females were 9 per cent and 8 per cent respectively”, (O’Reilly, 2003).

“In Canada, the general labor market availability of persons with disabilities was 6.5 per cent in 2001, but they made up only 2.4 per cent of the federally regulated workforce. Disabled persons were under-represented in every industrial sector, ranging from a low of 1.8 per cent in transportation to 2.3 per cent in banking, 2.4 per cent in communications and 2.9 per cent in other sectors”, (O’Reilly, 2003). Thus, persons with disabilities in the labor market tend to have a lower level of education than others and they are also more likely to be in part-time jobs.

## **Chapter 2: Persons with Disability in Lebanon**

Several studies were conducted in partnership with informal group of persons with disabilities (PWDs) and injuries living in Lebanon. Some of these studies have been conducted by the Arab NGO Network for Development, in collaboration with the Issam Fares Institute. The number of PWDs in Lebanon has increased with the influx of refugees as a result of the nearby war in Syria. PWDs are among the most vulnerable groups in Lebanon, and their rights and needs are seldom met. All Lebanese citizens with disability can register for a disability card via the Ministry of Social Affairs. Though a number of Lebanese ministries and humanitarian agencies provide healthcare services for PWDs in Lebanon, they still face several barriers to accessing healthcare. The most commonly cited barrier to accessing healthcare is financial ability. Those who do not have the disability card face significant difficulties in covering healthcare costs. Also, limited availability of specialized services is a structural barrier to accessing healthcare for such persons. In addition, the lack of documentation is an important issue both for Lebanese and refugees.

Employment is one of the most important issues for persons with disability in Lebanon. Most working PWDs are employed in the public sectors, few others are employed in the private one, and the struggle of PWDs in jobs search is constant in both public and private sectors in a society which is neither cooperative nor inclusive. Lebanese legislative power stipulates through the law 220/2000 that both public and private sectors have to reserve 3% of jobs for people with disability in companies where the number of employees exceeds 60. This law stipulates that the National Institution for Employment (NIE), together with the concerned ministries, must ensure suitable technical trainings for PWDs in the labor market. Moreover, the Convention on the rights of Persons with Disabilities (CRPD) is first to elaborate the right of PWDs to participate in political and public life. Lebanon has signed the CRPD but not yet ratified it although its existing international commitments require it to make information accessible to persons with disabilities.

Today, the majority of the disabled in Lebanon are in a disadvantaged socio-economic situation. Most of them do not have access to proper schooling and therefore cannot be part of mainstream employment. In terms of policy, most organizations are lobbying before the government towards changing the educational structure and implementing the law 220/2000. It is also important to note that the disabled who are living in the peripheral areas of Lebanon



are not receiving the same care and services as those living in the center-Beirut. The limited sources of organizations makes it impossible to meet all the disabled in Lebanon. That's why they rely heavily on the international assistance where it is needed the most.

The following study looks at some of the ways that how access to information can help persons with disabilities achieve their rights and ways in which barriers to information can totally undermine their rights. Lebanon is an important case study for several reasons. The most important between them is that it adopted the Law on the Rights of Disabled Persons in 2000, which establishes a wide range of social and economic rights. However, progress in implementing the law has been very limited because persons with disabilities and the organizations representing them are not able to obtain the information they need to participate in or challenge implementation of the policy. Also, although Lebanon is a relatively open society, politically sensitive information generally flows within inaccessible patrimonial networks, from which powerless people are generally excluded. "A law on access to information has been drafted, not yet adopted", (Harfouche, Chambres, & Tardif, 2014).

Without access to information, persons with disabilities have to work harder to address their exclusion from education, employment, transport systems and healthcare. A large number of adults and children with disabilities live in residential institutions which isolate them from daily life. The lack of access to information perpetuates a system that works against the principles of inclusion and participation that lie at the heart of international law on disability. "While Lebanon has not yet ratified the CRPD, Lebanon has made certain commitments in international law, under the International Covenant on Civil and Political Rights (ICCPR) and the UN Convention against Corruption, that require it to provide access to information to all its citizens, including people with disabilities.", (Harfouche, Chambres & Tardif, 2014).

In 2000, Lebanon adopted Law 220 on the Rights of Disabled Persons (Law 220/2000), several years before the adoption of the CRPD. The law is mainly built around a set of rights integrating citizens with disabilities into social and economic life, through employment, transport and housing quotas, and guarantees of health and educational services. The law does not mention access to information. Actually the major contribution to political participation by persons with disabilities is its recognition of the National Council for Disability Affairs (the NCDA) with members elected by and from disabled person's organizations and persons with disabilities. Unfortunately, the NCDA frequently struggles to access information from other ministries. "While Law 220/2000 makes important commitments to the rights of persons with disabilities, many of these commitments have not been fulfilled, because individuals with disabilities and Disabled Persons.", (Combaz, 2018).

“A draft law on access to information was submitted to the Lebanese parliament in April 2009, which has not yet been adopted, because of a political crisis in Lebanon - one of the main obstacles to achieving progress on access to information and disability rights in Lebanon.” (Robertson, Weiss, & Doocy, 2017). Persons with disabilities continue to face attitudinal and environmental barriers to participation in many areas of life. They are more likely to be excluded from education or employment. They are poorer than others, and this affects their access to health and other services. Sometimes, they live in residential institutions, which reinforce their exclusion from society. In order to challenge these barriers, persons with disabilities need to take political action. “They need to make strong arguments for change – and these arguments for change need to be based on information about their situation.” (Harfouche, Chambres & Tardif, 2014).

Lebanon has made commitments in international law that require it to provide access to information to all its citizens, including people with disabilities. “It has ratified the ICCPR and the UN Convention against Corruption, two treaties which require states to ensure that people have access to information held by the government, with very narrow exceptions. The CRPD also requires Lebanon to provide access to information”, (Harfouche, Chambres & Tardif, 2014).

Lebanon has signed the CRPD, but it has not yet ratified it, because of a political crisis that is facing it today. But Lebanon has been closely involved in the development of international law on the rights of persons with disabilities. Lebanon’s Law on disabled Persons Rights (Law 220/2000) recognizes the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (the Standard Rules). Combaz (2018) states that the Standard Rules were adopted by the UN General Assembly in 1993 and they are an authoritative interpretation of international law on disability. “The Standard Rules were also part of the process that led to the adoption of the CRPD. The Standard Rules recognize the importance of access to information for persons with disabilities. Standard Rule 5 requires states to undertake measures to provide access to information and communication”, (Combaz, 2018). The CRPD and the Standard Rules both recognize public authorities’ responsibility to provide information in accessible formats and technologies. Although Law 220/2000 invokes the Standard Rules in its preamble, it does not make systematic provision for accessible formats for information. According to the Ministry of Social Welfare, school examinations are indeed provided in braille. However, the government has taken few other steps to provide official information in accessible formats. “Lebanese law requires public buildings to be accessible for persons with

disabilities, but a 2006 study of 612 buildings found that 95 percent were not accessible. Much of the transport infrastructure is also in accessible”, (Combaz, 2018).

Lebanese law requires educational institutions to be accessible to persons with disabilities. “But there has been little progress on implementation: only five government schools in Lebanon have been made accessible to people with motor disabilities. Universities and technical training institutions are also inaccessible”, (Harfouche, Chambres & Tardif, 2014). “This lack of access leads to low the educational attainment in 2002, the government reported that 85 percent of children with disability did not complete primary education”, (Combaz, 2018). Combaz (2018) states that an estimated 10-15% of the Lebanese population has physical, sensory, intellectual, or mental disabilities, according to the more reliable data available. The rate of prevalence is estimated at about 10% among refugees who have fled from Palestine to Lebanon from 1947, at about 8% among Palestinian refugees from Syria, and at 10-22.8% among refugees who have fled Syria since 2011.

According to Solidar (2015), there is a systemic lack of provisions for rights, resources, and services for persons with disabilities in Lebanon, due foremost to inaction by the State. “As a result, persons with disabilities experience widespread discrimination, exclusion, and violence, at the hands of a range of State and non-State institutions and individuals, in the home and outside. This applies to all areas of their lives. In particular, work and basic services for them are scarce, not accessible, and of poor quality”, (Solidar, 2015, p. 7). Solidar (2015, p.7) says that the legal framework on the rights of persons with disabilities is limited, and not enforced. Legislation and policies have not embraced a rights-based approach, and tend to exclude disabilities that are not physical from consideration. Solidar (2015) strengthens the fact that the legal framework on the rights of persons with disabilities is limited, and not enforced. “Internationally, Lebanon has signed but not ratified the UN Convention on the Rights of Persons with Disabilities, and is also not a party to major treaties such as the 1951 Convention on refugees and its 1967 Protocol, and to the UN Convention on the rights of migrant workers”, (Solidar, 2015, p. 7).

Domestically, following pressure from civil society, Lebanon adopted Law 220/2000 on the rights of persons with disabilities in 2000. “However, this law, and subsequent legislation and policies, have not embraced a rights-based approach to disability, instead adopting an outdated medical model of disability”, (Lakkis, El-Sibai, & Thomas, 2015, pp. 10- 12). Law 220/2000 has a narrow definition of disability which, in practice, has excluded disabilities that are not strictly physical. “It also sets out no enforcement mechanisms on a number of issues”, (Solidar, 2015, p. 7).

In principle, under Law 220/2000 and other legislation and policies, Lebanese holders of the disability card issued by the Ministry of Social Affairs “are entitled to a wide range of healthcare services, including primary, secondary and rehabilitation services, to be covered in full by the relevant ministries”, (Baroud, 2017, p. 2). “The Lebanese State fails to provide “financial assistance and other support services to families of children with disability”, family allowances and assistance for persons with disabilities, as well as funding for health care and benefits in education and retirement, are unavailable to a large proportion of the population in Lebanon”, (Solidar, 2015, p. 7). Solidar (2015) states that this is a systemic problem that affects much of the population, not just persons with disabilities and their families, coverage by Lebanese social security has “serious shortcomings”. With the prevalence of the informal economy, a significant part of the Lebanese population is left outside of formal social protection. “About 40% of the Lebanese population are outside any health insurance system, and 40% to 50% are not enrolled in the National Social Security Fund, while 8% have private insurance”, (Solidar, 2015, p. 7).

“The general failings of social protection in the country, combined with the lack of implementation of Law 220/2000, leaves the most vulnerable members of the population outside the coverage of the formal social protection systems. Those excluded from that framework are, among others, persons with disabilities, older persons, the unemployed, foreign workers, women, and farmers”, (Solidar, 2015, pp. 7–8).

Children and youth with disabilities have very little access to education and learning opportunities, whether public or private, mainstream or specialized, formal or non-formal. “Persons with disabilities are thus widely denied their right to education and do not have equal access to education compared to persons without disabilities”, (UNRWA, 2017). “The public educational system is not inclusive. Only 1% of school-age children with disabilities are enrolled in mainstream public schools”, (JS15, p. 3). “Access to inclusive education thus “remains very limited”, (CESCR, 2016, p. 4, §21). “Mainstream public schools routinely refuse to accept children with disabilities from their local communities, they also apply “discriminatory fees and expenses that further marginalize children with disabilities from poor families”, (HRW, 2018, p. 1).

Lebanon has not implemented any significant measures to improve the integration of children with disabilities in mainstream education. “The Ministry of Education has only taken up a minimal role, and barely carried out actions, in facilitating the enrolment of school-age children with disabilities into mainstream public schools”, (UNRWA, 2017). For example, “the only step it took between 2011 and 2015 was to develop a strategic plan for the educational

integration of children with disabilities, and this plan was not even submitted to the governmental Cabinet for work and adoption”, (JS15, p. 3). “In April 2016, the Ministry of Education announced that it would open 60 schools over two years for children with learning disabilities. However, Human Rights Watch has expressed concerns “as to whether these schools will be inclusive”, (HRW, 2018, p. 5).

In addition, public schools “do not provide a welcoming environment for students with special needs” (UNICEF et al., 2017, p. 40). “The mainstream school environment is not adapted to the basic needs of persons with disabilities, both adults and children<sup>18</sup>. Schools and care facilities are usually not accessible to persons with disabilities, including children”, (CRC, 2017, p. 9, §29 (b); UNICEF et al., 2017, p. 40). The quality of public education is especially low in rural areas. The policy of the Lebanese state is still to isolate school-age children with disabilities by placing them into separate social care institutions that perform poorly. These institutions work as boarding schools and are supposed to provide teaching to children with disabilities. “The terms of enrolment into these institutions dictate that children stay there separated from their families, and isolated in the institutions”, (JS15, pp. 2–3). “These institutions are not deemed to belong to the educational system, and are thus not subject to any monitoring by the Ministry of Education, Instead, the Ministry of Social Affairs subsidizes “a number of residential institutions where Lebanese children with disabilities live”, (HRW, 2018, p. 6). The responsibility of the Ministry of Education for the education of persons with disabilities is limited to organizing official exams for persons with disabilities enrolled in those social institutions that have education programs. “Even in that capacity, the Ministry has failed to perform its role”, (HRW, 2018, p. 4; JS15, pp. 2–3).

HRW (2018) says that children with disabilities are regularly denied admission to private schools. “In the few cases where children are allowed to attend, their families are “required to pay discriminatorily higher fees” for tuition and other services than other students”, (HRW, 2018, p. 44). In addition, HRW (2018) states that at some private schools, families have to pay themselves for the accommodations called for by their child’s impairment.

As a result, “there is an absence of rights-based control and enforcement over these institutions, in several regards”, (CRC, 2017, p. 9, §29 (e); HRW, 2018, p. 4). First, the placement of children with disabilities in alternative care settings is not subjected to periodic review. Second, the quality of care in these settings is not monitored. “This poses major risks, especially for to address some of the gaps, Lebanese NGOs have provided support to children with physical, sensory, and learning disabilities”, (HRW, 2018, p. 23). Lebanese NGOs have provided support to children with physical, sensory, and learning disabilities.

“Private schools do not provide inclusive education for children with disabilities either”, (CRC, 2017, p. 9, §29 (b)). Their facilities are usually not accessible to persons with disabilities, including children with disabilities, and their teaching is also not adapted. Different surveys look at the assessment practices for students with learning disabilities in the 57 private schools that offered special education to students with learning disabilities at the time of research. They conclude that there are significant ethical problems in these practices. Almost half of the teachers and administrators said they were ill-prepared to assess student performance following their teacher education. Administrators turn out to be significantly more involved in assessments than teachers. “Even though special education teachers saw alternative assessments as important, some of their practices still bore the imprint of traditional methods”, (Elhage & Sawilowsky, 2016).

In contrast, some private schools have “made significant efforts to include children with disabilities in classrooms, including by providing them with a shadow teacher and additional supportive material” (HRW, 2018, p. 5). However, the cost has usually been borne by the child’s family. “Programs of non-formal education “have very limited coverage of children with special needs”, because of a lack of resources and a lack of capacity to provide inclusive education”, (UNICEF et al., 2017, p. 40).

Obstacles keep preventing many persons with disabilities from exercising their right to participate in public and political life. “This impedes their right to vote in all types of public elections, from elections of representatives at national level, to elections of local representatives in municipal councils or union councils”, (JS15, p. 7). “One cause of this situation is that no laws explicitly recognize these human rights for persons with disabilities, neither the special laws on the rights of persons with disabilities, such as Law 220/2000, nor other legislation, do so”, (JS15, p. 7). Further, the Lebanese State has not implemented and enforced the legal provisions on elections for persons with disabilities set out in the 220/2000 law. “No procedures have been put in place to enable persons with disabilities to access special information about elections”, (Roberton, Weiss, & Doocy, 2017).

Policies and programs to promote an inclusive environment for persons with disabilities are limited and need to be strengthened. Persons with disabilities face a major barrier to their integration in society from discrimination in a variety of forms, including social stigma, physical barriers to access to buildings and transport, and lack of access to health services, education, and employment. Formulating policies and programs to integrate individuals with disabilities into all aspects of social and economic life, including access to health services, education, employment, and participation in civil society and decision-making process, is

economically beneficial not only for the individuals concerned but to society in general. Public policies and programs on prevention of disabilities or mitigation of their long-term impact on affected individuals are not well developed or systematically implemented in the region. Karam (2016) says that a comprehensive approach to prevention of work-related injuries, diseases, and road traffic accidents is lacking in nearly all the MENA countries. Education systems in the MENA region continue to exclude the majority of the disabled school-aged population at the primary level and almost the entirety of this population at the university level. “Different types of inclusive education policies and programs are starting to emerge in some of the countries in the region, mainly as part of national quality enhancement agendas or educational strategic plans. However, these efforts remain limited in scope”, (Karam, 2016).

Coverage of health services and social security arrangements reach only a fraction of persons with disabilities. Physical rehabilitation services by government-sponsored programs vary significantly among countries in the region and tend to be concentrated in urban areas. Some countries provide medical services only for certain type of disabilities, leaving other disability groups without access to care, review of existing labor legislation in the region shows that provisions for job-related accidents and injuries are included, but since large numbers of workers operate in the informal economy, they are not covered by such legislation. Thus, significant segments of the labor force are not protected against social and economic risks in the event of work-related injuries or disease, which lead to a temporary or permanent disability. Karam (2016) also talks about legislation that must exist in most MENA countries to provide some form of social protection for persons with disabilities. “There are few organizations and associations of disabled that advocate for the rights of persons with disability, and which can hold governments accountable for the enforcement of legislation”, (Karam, 2016).

At present, policies and programs on disability in MENA countries appear to be random and marginal. Mainstreaming disability as an important aspect of development will require a multi-sectoral approach grounded on solid empirical evidence and involving dialogue among a broad spectrum of stakeholders. This dialogue should then lead to policies, programs and investment strategies that are based on priorities identified in well-informed national strategies. “Disability strategies in MENA countries should include a balanced approach among interventions that focus on prevention, mitigation, rehabilitation, and inclusion”, (karam, 2016).

# Conclusion

In conclusion, successive Lebanese governments in the past two decades failed to work towards a national plan to implement Law 220/2000. Moreover, Parliament has failed to ratify the CRPD, which was passed by the government in 2007. “Projects with limited impact, duration, and funding provided by the ministries from time to time are localized in time and place and provide partial remedies to the symptoms, neglecting the root causes and lacking any real effect.”, (Combaz, 2018). He states that in light of the lack of specific lines in the public budget to implement a clearly defined national plan, with a specified timeline, and the scattered initiatives by ministries, PWDs in Lebanon are excluded from the development agenda and remain hostages to chronic marginalization and exclusion from their natural role in economic and social life.

The practice of Disability Management has developed in recent years as a means of facilitating the recruitment, advancement, job retention and return to work of persons with disabilities. In the workplace, disability management is a proactive process, often integrated into human resource development practices, that promotes the entry and promotion of persons with disabilities, as well as strategies that include a range of prevention, rehabilitation and safe return to work interventions to address workplace injury and disability. “These strategies are undertaken in a coordinated effort by workers’ representatives and management, who assume joint responsibility for addressing disability-related issues in the workplace”, (Baroud, 2017, p. 4).

Several reasons explain why the Lebanese State has still neither adopted a human rights-based approach to disability nor implemented and enforced its Law 220/2000 on persons with disabilities. “A major reason for inaction has been the crisis and deadlock in the formal political system. This has blocked progress on disability rights in Lebanon”, (Lakkis, 2015, p. 4). Another reason is that “the government and ministries concerned lack a vision, national policy, or general strategy on how to implement the law and achieve equal opportunities in society”, (JS15, p. 1). The ministries concerned also fail to coordinate among themselves when considering how to implement the law, that’s why opportunities for implementation have been decreased.

The general budget also fails to address the basic needs of persons with disabilities. “Consequently, it does not make provisions to implement the law in the sectors of labor, education, health, rights to an inclusive environment, and civil and political rights”, (JS15, p.



2). Further, funding mechanisms for the Fund for persons with disabilities is not set out in detail in the laws passed by Parliament. Marot (2015) says that this is part of a larger, recurrent pattern in recent years where the Parliament has set up Funds without specifying funding sources, instead merely naming State endowments and private donations as potential sources of income. “This was also done with the Fund for the Environment, and with the Fund to help the poorest households be able to pay their rent”, (Marot, 2015, p. 106). Similarly, “disability issues are absent from agendas in local development”, (JS15, p. 2).

A third reason for the lack of action in formal politics lies with the absence of criteria on the inclusion of persons with disabilities in the structures of the ministries, departments, boards, and decisions. An additional reason for the lack of action in formal politics is that the “public sector lacks awareness and knowledge on the issues of disability, and on the rights and needs of persons with disabilities”, (JS15, p. 2).

As a result, refugee women, children, and youth with disabilities, as well as their caregivers, face a range of risks that include a steady economic situation, good access to services and appropriate assistive devices that remove certain disabling barriers. That’s why all relevant stakeholders must develop and use a unified and systematic method for classifying disability, which reflects the diversity of PWDs in Lebanon. Financing should focus on the provision of health services in a systematic manner and should be based on a comprehensive study of the healthcare needs of PWDs in accordance with internationally acceptable standards. Moreover, healthcare centers and institutions must be held responsible by ministries and donors for helping disabled persons to have an equal role in societies.

# References

- Bagenston, S.R. (2000). Palestine refugees living in Lebanon.
- Baroud, M. (2017). Improving Health Access for Persons with Disabilities in Lebanon: Together for Justice in Service Provision (Policy brief No. 7/2017). Beirut: Issam Fares Institute for Public Policy and International Affairs.
- Blank, P. & Adya, M. & Myhill, W. & Samant, D. (2007). Minnesota Journal of Law and Enequality: Employment of People with Disabilities: Twenty-Five Years Back and Ahead: University of Minnesota Libraries. Vol. 25 (2).
- Combaz, E. (2018). Situation of persons with disabilities in Lebanon: K4D Helpdesk Report, Brighton, UK.
- Convention on the Rights of Persons with Disabilities. Geneva, United Nations, 2015
- Committee on Economic, Social and Cultural Rights (CESCR). (2016). Concluding observation on the second periodic report of Lebanon.
- Committee on the Rights of the Child (CRC). (2017). Concluding observations on the combined fourth and fifth periodic report of Lebanon.
- Dixit, V.K. (1998). "Historical Foundation of Disability Discrimination in Hindu Law: xx DLR (65-70).
- Human Rights Watch (HRW). (2018). "I Would Like to Go to School". Barriers to Education for Children with Disabilities in Lebanon.
- Karam,, G. Itani, L., Fayyad, J., Karam, A., & Karam, E. (2016). Prevalence Correlates, and Treatment of Mental Disorders among Lebanese Older Adults: A National Study. The American Journal of Geriatric Psychiatry. Vol 24 (4).
- Lakis, S., Nash, G., El-Sibai, N. & Thomas, E. (2015). Lebanon: Disability and Access to Information (Country report). London. UK. Article 19.
- O'Reilly, A. (2003). The Right to Decent Work of Persons with Disabilities. IFP/ Skills Working Paper NO. 14. International Labor Organisation.
- Quinn, G. & Degener, T. (2002). The current use and future potential of United Nations human rights instruments in the context of disability: United Nations: New York and Geneva.

- Robertson, T., Wiess, W., & Doocy, S. (2017). Challenges in Estimating Vaccine Coverage in Refugee and Displaced Populations. Results from Household Surveys in Jordan and Lebanon.
- Solidar, R. (2015). Lebanon. Social Protection Monitoring (Country study).
- Summary of Deloitte's Dialogue a diversity roundtables, (2010). The road to inclusion. Integrating people with disabilities into the work place. White paper.
- The Arab NGO Network for Development (2010). Human Rights Conditions in Lebanon.
- The international Classification of Functioning. Disability and Health. Geneva, World Health Organization, 2001.
- Tyan, M., Harfouche, J., Chambres, P., & Tardif, C. (2014). Impact des facteurs géopolitiques, culturels et religieux sur le parcours des familles ayant un enfant autiste au Liban. Bulletin Scientifique de l'arapi, (33), 76–80.
- UNHCR. (2019). The UN Refugee Agency, Global Trends Forced Displacement.
- UNHCR. (2019). Working with Persons with Disabilities in Forced Displacement.
- UN secretary General report on violence against children. Thematic group on violence against disabled children. Convened by UNICEF at the United Nations, New York, 2017.
- UNRWA. (2017). Palestian refugees living in Lebanon (Protection brief). UNRWA.
- UNESCO (2013). Assessment Workshop of the level of Inclusiveness of Lebanese Public Policies towards Young Women and Men Living with Disabilities.
- Women's Refugee Commission (WRC). (2017). Vulnerability and resilience –based approaches in response to the Syrian crisis: Implications for women, children and youth with disabilities.