

Disability Report in Lebanon:

Where do we stand regarding the application of Law 220/2000, and admitting the rights of the disabled people in Lebanon?

■ Lebanese Council of Disabled People (LCDP)

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Introduction

After the United Nations decreed every 3rd December as International Day of Disabled Persons, this date has been transformed into a yearly occasion for organizing activities to benefit disabled persons. So as not to convert these activities into a folkloric tradition which would make the occasion lose its importance, The Lebanese Council of Disabled People (LCDP) decided to make it an occasion for presenting a yearly report evaluating the conditions of disabled persons in Lebanon with the aim of determining what has and has not been achieved regarding the implementation of Law 220/2000 concerning disabled persons and their integration in the main stream life of the Lebanese society. The report seeks to show all the contributions, policies and programs pertaining to disabled persons undertaken by both the public and private sectors.

The Number of Disabled Persons and their IDs in Lebanon

Estimating the number of disabled persons depends on the definition of disability and on how information is gathered. In developed countries where disability is broadly defined, the percentage of disabled people is high. It is around 15% in the United States and 19% in Australia. In the third world and the Arab world in particular, the percentage is around 1% according to the statistics of many of these countries due to the narrow definition and the way information is gathered. According to the United Nations, around 10% of the world population are disabled. This means that in Lebanon today there are about 400,000 disabled persons. To be cautious and depend on the definition according to the Law and the National Organization for the Disabled Persons, this report will consider that the percentage in Lebanon is around 5% of the total number of inhabitants in Lebanon. This is the percentage adopted in the Arab countries, including Jordan and Saudi Arabia. Based on this, nearly 200,000 persons suffer from one kind of disability or another in Lebanon. However, the statistics concerning the persons that have registered themselves as persons with disability and received the disability identification card until today is

51,000 persons. The numbers regarding the breakdown in terms of disability show that the greatest percentage is for the physically 54%, followed by the mentally impaired 27%, then by those with impaired hearing 10%, and blind persons 8%. The relatively high percentage of physically disabled is partly due to the Lebanese civil war, but also to car and swimming accidents and poliomyelitis, while the high percentage of mentally disabled is due to the lack of social awareness of its causes and the necessity of taking preventive measures.

The statistics for 2004 is 1000 more than the number of applications the Ministry of Social Affairs had received at the end of 2003. This increase is not only due to the increase in the number in 2004, but to the increase in the

number of those who applied for this card, which proves that the card has become more important to them because of the increase in what it offers, such as the aid offered by the Ministry of Social Affairs, exemption from paying customs on imported cars for physically disabled persons, a 50% discount on MEA airplane tickets, plus dispensations from paying the municipality taxes. The statistics gathered by the Ministry of Social Affairs for the year 2004 show that

around 7342 services were offered in the aid program, services from which more than 2000 physically disabled persons benefited, including 707 moveable wheelchairs. Also 465 exemptions from customs were given for means of communications, and 1844 for exempting cars from the mechanic tax, besides 15,000 exemptions from the municipality tax.

These limited numbers, compared to what is expected considering the number of disabled persons in Lebanon, are due to the fact that what the ID card has offered until now is much less than what is necessary to satisfy the needs of the majority of people with disability. The total sum of what has been spent on aiding them is almost LL. 1 billion compared to LL. 1500 billion the Ministry spent on contracts with 66 institutions (most of them in Beirut and the mountains, whereas the number of disabled people in both areas does not exceed 45% of all disabled people in Lebanon) and these 66 contracts cover approximately the provision of services for around 6000 disabled persons.

The relatively high percentage of physically disabled is partly due to the Lebanese civil war.

Health, Supportive, Habilitation and Rehabilitation Services

The Law stipulates that the Ministry of Health has to ensure full coverage (100%) of all health and supportive services, i.e. surgical operations, medical treatment, medications, X-rays, laboratory analyses, treatment, technical aid and instruments, even for those who have another insurance policy. It also stipulates that all the health covering organizations have to unify their services, tariff and administrative procedures. The Law also asks for a joint committee to be formed together with the National Council on Disability in order to ensure the implementation of regulations concerning health issues.

Reviewing what has been implemented regarding health since the Law was issued until today, we find that not much has been done. In spite of the fact that the joint committee was formed over two years ago, the health services are still very few compared to what is stated in the Law.

The Minister of Health, Mr. Suleiman Franjeh, in the 2003 government issued a circular calling on all hospitals to recognize their ID as a basis for accepting disabled persons for hospitalization at the expense of the Ministry. However, the circular was not implemented for two reasons: First of all it did not include the steps for implementing it so as to lessen the complications a disabled person faces in order to obtain the Ministry of Health's approval to cover the expenses of hospitalization. Secondly, most of the hospitals refused to implement it due to the financial problems between the Ministry and these hospitals. There are some instruments and appliances that are necessary, even vital for the surgery of disabled people such as the technical aids, replacement tools and implants used in surgery, which the hospitals refuse to cover on behalf of the Ministry, claiming that they cause them great material loss because of their high cost, the Ministry's delay in payment and the difference in monetary exchange. Finally, many hospitals do not accept the sick on behalf of the Ministry through most of the months of the year because in the first months of the year they exhaust the budget allotted to them by the Ministry.

Disabled persons are still deprived of their legal right to medications and the other outpatient medical services that are charged to the Ministry of Health. Also, training sessions have not been organized, as decreed by the Law, nor has medical awareness of the health issues pertaining to disability increased.

Administratively, the Minister of Health in the 2003 government decreed the establishment of a unit within the Ministry specialized in disability issues, but it has still not

been established. The only effective service of the Ministry is the provision of artificial limbs at the expense of the Ministry, and we can consider this to be the only direct service it offers disabled persons. The whole sum paid by this sector for artificial limbs in the year 2004 amounted to approximately LL 1 billion, which is the cost of a thousand artificial limbs, according to the Ministry and the Syndicate of Artificial Limb Producers. But what should be mentioned here is that this budget is the limit of what this sector can pay to cover artificial limbs, whereas the Syndicate argues that the need is for a much higher budget. Then, too, the Ministry does not yet cover the expense of sophisticated limbs such as electronic hands which are needed by those who have lost a hand and its fingers.

The other medical services from which disabled persons might have profited are those offered by the Ministry of Health to all citizens without paying attention to the care and specialization a disabled person needs, although everyone knows that health problems are the main obstacle preventing disabled people from integrating in society and being socially and economically productive.

The Accessible Environment, Including Transport and Housing

The Law stipulates that all public buildings, installations, facilities and means of transportation should implement the technical regulations that facilitate disabled people's access to them.

The National Association for the rights of disabled people in Lebanon inspected 612 public and governmental institutions in Beirut, including universities, hotels, restaurants, theatres, etc. and found that most of these buildings were not adapted to the needs of physically disabled persons who use wheelchairs, contrary to what the law had stated, making it mandatory to have these buildings adapted within five years of issuing it. The main reason for this is the absence of official building regulations adopted by the government and not including those regulations in the construction laws, which would enable interested parties to make their inclusion a precondition to issuing a permit for a public building. The Department of Civil Organization together with the Ministry of Interior and the municipalities, the Ministry of Social Affairs, the Libnur Institution, the Syndicates of Engineers, the Educational Center for Research, and the National Organization for the Disabled have written a preliminary project stating the technical norms that have to be applied, and introduced the necessary changes in the construction laws. However, these changes are still being discussed in parliament and have not been approved, which means a delay in being able to oblige the construction sector to apply the essential regulations required to meet the needs of disabled persons.

Besides this, the Law states that disabled people and their families should not be charged on public transport and that at least 15% of public busses should be adapted to the use of disabled people, especially those with wheelchairs. The state is now in the process of formulating the specifications for a tender to buy 250 busses for public transport without taking into account the need for busses for disabled persons. Naturally, neither the means of public transport nor those busses already in use have been converted, and until now the committee responsible for the transport of disabled persons has not started to function. Then, too, the special parking spaces pertaining to disabled people have not been changed, nor have the sessions to train the police and civil servants in handling disabled drivers started. As a result, the problem of transport for disabled persons has not been solved. Nor has anything been done about the rehabilitation of the required percentage of homes in the public and private housing complexes, or about the housing or rehabilitation loans and specifications. This shows that none of the main articles enabling a disabled person to be independent and integrate has been applied. Besides, the Directorate-General of Customs insists on the narrowest interpretation of the Law dispensing with the payment of customs duties on cars for disabled persons,

which leads to having a big section of them deprived of these exemptions, with the result of also depriving disabled people from acquiring a means of transportation which will facilitate both their life and social integration.

Education and Sports

According to the Law it is the duty of the Ministry of Education and Higher Learning to name the members of the specialized committee which comprises all the administrations and institutions involved in education, teaching and disability related issues, so as to state all the requirements and procedures that would lead to educational integration, and, in any case, guarantee a suitable education for all: young and old. It is also the duty of the Ministry of Youth and Sports to form a committee specialized in sports whose duty it is to assert the regulations and conditions of the games, how to perform them, organize competitions and private sports unions.

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In spite of the fact that more than a year has elapsed since issuing the decree pertaining to the educational committee stipulated in Law 220, the members of this committee have not yet been assigned, and thus the real work of that committee has not yet started. It can be said that most of the schools in Lebanon are not adapted, and, as a result, cannot be attended by pupils with disability. The statistics of the Ministry of Social Affairs clearly state that almost half of those with a disability card are not educated. For, in spite of Law 220 and many other circulars before it pertaining to accepting disabled people in government schools, a great number of those schools still refuse to accept students with disability in their classes, particularly the blind. As a result, the vast majority of disabled people are still deprived of being integrated in normal schools. The only choice left to them is to stay at home without any education, or to enter one of the pastoral specialized

schools, and this clearly contradicts the Law which insists on the necessity of integration wherever possible.

In conclusion, not enough money was assigned, nor were schools made accessible or the special needs met, and no contracts were signed with institutions of special education or specialized technical rehabilitation, although something positive has been acquired with regard to the official exams. While the "committee specialized in teaching disabled

persons and those with special needs" and the "committee specialized in sports for disabled people" have not been formed, the material and moral contributions that have been made towards specialized sports are not enough and cannot be considered suitable "programs." The Ministry of Education is still neglecting the need to establish a united sign language in Lebanon and to establish within the cadre of the Ministry a unit specialized in disability.

Work and Employment

The Law stipulates that both the public and private sectors have to reserve 3% of their jobs for disabled people in companies where the number of their employees exceeds 60. The Law also stipulates that the National Institution for Employment, together with concerned ministries, must ensure suitable technical training and direct disabled people to the work market or the protected workshops. The

Law also stipulates the formation of a joint committee with representatives from the Ministry of Labor, the economic sectors and the National Council on Disability, in order to formulate the means of implementing the articles of the law pertaining to employment and work.

The joint committee was formed and during 30 months 24 meetings were held with full quorum, but the representatives of the economic sectors – except for the banks and insurance companies – and some of those representing the official administrations were absent. This shows how limited the interest in the problem is. After the Law was passed by the parliament, the Social Security Directorate decided to give clearances only to companies in the private sector who have implemented the article that imposes a quota for employing disabled persons. Then a decree was issued by the Ministry of Labor granting unemployment indemnity. However, this decree was not enforced because the Ministry of Finance refused to establish a special account into which the penalties for breaking the Law would be deposited and then transferred to finance the unemployment indemnity. This caused the Social Security Directorate to give up linking the provision of clearance to the employment of people with disability.

In reality disabled people's right to employment has not been realized yet, nor are the penalties for not applying the Law being collected, nor has the machinery for collecting them been set up. And the indemnity for unemployment is not being paid. All that is offered are modest attempts "to train disabled people in a trade" instead of implementing the Law. The reason is simply the concoction of a legal problem by the Ministries of Labor and of Finance.

Conclusion

A realistic reading of the results four years after the Law was issued clearly shows that we are still very far from implementing it. Apart from some serious effort on the part of the Ministry of Social Affairs, the National Institution for Employment and the Committee for Artificial Limbs in the Ministry of Health, no serious effort is being made to implement the Law. The whole sum paid by the government in aid of disabled people is not more than \$15 million, while the main load is carried by the parents and non-governmental societies.

Disabled people are still the victims of peace just as they were the victims of war, and they are still suffering from the negative effects of the policies that are being pursued. Everyone had believed that ratifying the law was only the beginning of acknowledging the rights in preparation to implementing them, while the essential rights of disabled people are still being neglected, such

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as the right to a home, transport, education, work and unemployment indemnity, and the right to go wherever other people go. In a nutshell, they still suffer from being deprived of their right to development and being obliged to need help, instead of being independent and participating in society. Laws are not sufficient in themselves unless they are implemented, supervised and critically revised.

Disabled people still face an official policy of carelessness and noncommittal in spite of their rights having been approved humanely, legally and developmentally by all international conventions and declarations. In the absence of social incentives to give them their rights according to

political and administrative programs, people with disability are the first victims of economic changes, and are marginalized and excluded even more. The Lebanese disabled people are at the bottom rung of poverty in Lebanon: a shameful and very disturbing situation.

We are clearly aware of the impossibility of implementing the Law in one year. This is why, after the ratification of the Arab Decade of the Disabled 2004-2013, Lebanon has been obliged to announce a Lebanese Decade for the Disabled guaranteeing a real plan for implementing the Law during those ten years. Integrating disabled people is the means of transforming them from a load on the state into productive and active citizens in society.

