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Position Paper (5)

A War without Human Rights

Has the Ministry of Social Development Abandoned People with Disabilities?

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About War and Genocide:

The genocidal war committed by the “Israeli” Occupation against the Gaza Strip continues with Western and international cover and support. The United Nations Security Council has not yet succeeded in imposing a ceasefire in light of the veto by the USA. Furthermore, the resolutions of the United Nations General Assembly have not led to changing the practices of the Occupation’s army, which amount to war crimes and crimes against humanity, as these practices affected all civilian populations and civilian facilities protected under international humanitarian law.

As for the Palestinian Authority, it stands helpless in the face of what is happening, and apart from some timid statements, limited diplomatic participation, and meetings with some US and European officials, we did not see it playing an effective and influential role in addressing the crimes of the Occupation at the diplomatic and political level, as well as at the popular level, which was “neutralized” by neutralizing public institutions through strikes, work stoppages, and remote work, and we witnessed poor government performance that could almost be described as a complete “abandonment” of its responsibilities in light of the horror and enormity of what is happening in the Gaza Strip.

The total number of martyrs to date has reached 20,302, while the number of injured has reached 56,259, and the number of damaged units reached around 308 thousand¹. However, these numbers are initial, as there are large numbers of people who are missing under the rubble of houses, schools, hospitals, and public buildings that did not survive the brutal “Israeli” bombing. Official bodies are still unable to follow up and document the exact number of martyrs and wounded. Currently, the number of displaced citizens has reached 1.9 million citizens, most of them currently living in shelter centers managed by the UNRWA, as well as in public schools. This means that around 85% of the residents of the Gaza Strip have been displaced, and some of them were displaced more than once in attempts to flee the ongoing bombings and to find a less dangerous place.

¹ The official website of the Palestinian Central Bureau of Statistics, last update: 20/12/2023. Website: <https://n9.cl/OfIao>.

A new report shows that around 60% of the buildings and houses in the Gaza Strip have been fully or partially damaged², and have become uninhabitable. Over half the buildings in the Gaza Strip are inhabitable, public facilities and governmental headquarters were also bombed; including public schools and UNRWA schools, which are used as shelters during wars. This makes all the lands and buildings in the Gaza Strip unsafe.

This position paper aims to present, review, and analyze the performance of the Palestinian government, especially the performance of the Ministry of Social Development in practicing its responsibility of providing protection and services to marginalized groups, especially persons with disability, by analyzing the official statement issued by the Ministry, as well as any papers it has published during the war of ethnic cleansing waged on the Gaza Strip.

The positions of the Ministry must respond to emergencies that require immediate intervention by the Ministry for providing protection, support, guidance, and cash and in-kind assistance to persons with disabilities, in light of the destruction of all elements of their lives and resilience, through regular programs or through the development of emergency programs that are responsive and effective in addressing the emergency needs and requirements of persons with disabilities.

Any Role by the Ministry of Social Development!

The Ministry of Social Development is the official authority that is responsible for and assigned the role of implementing the Disabled Rights Law (Persons with Disabilities) No. 4 of 1999, and it is the authority that is responsible for coordinating with the different ministries to ensure that persons with disability can access all their rights without any discrimination, exclusion, or marginalization. The Law, according to Article (9), states that “the State must establish systems and controls that guarantee the disabled (persons with disabilities) protection from all forms of violence, exploitation and discrimination”³, this includes protection from the Occupation violence and procedures, or facilitating the requirements to survive the violence of the Occupation through a set of measures, interventions, programs and services that the Ministry is supposed to provide, including emergency and responsive measures during war situations.

² “13 Thousand Casualties in the Israeli Air Strikes on Gaza ... Destruction of 60% of Buildings”. *The Middle East*. (20/11/2023). Website: <https://n9.cl/p4yh5>.

³ “Law No. (4) of 1999 on the Rights of the Disabled” *Palestinian Official Gazette (AlWaqae AlFilastiniya)* Issue 30 (1999): 39. Website: <https://n9.cl/gfvka>.

The Social Development Sector Strategy of 2021-2023 states that the Ministry of Social Development is considered “the leader, coordinator, and organizer of the social development sector, including setting policies and directions, in addition to monitoring and supervising tasks and providing services to members of poor families, regardless of their gender and age, and marginalized groups, through 17 directorates and 15 branch offices for the care of children, persons with disabilities, the elderly, juveniles, women, youth and girls”⁴, this necessarily means providing protection, care and accommodation services for persons with disabilities in normal and war conditions.

A lot of criticism and analysis were given regarding the responsibilities of the Ministry of Social Development towards persons with disabilities. This criticism focused on not implementing all provisions specified in the Disabled Rights Law, and delaying the issuance of the new law despite the passage of more than 24 years since the first law. Furthermore, the strategies of the Ministry of Development are often modest and do not rise to the level of addressing the living conditions of people with disabilities. They often remain ink on paper, as no independent review has been provided on the extent to which the objectives and indicators of the Ministry’s strategies have been achieved so that they are available to Palestinian institutions in a way that allows for the correction of shortcomings in the Ministry’s work.

The criticism is not limited to the legal and official documents, it also goes beyond that to include programs and services for not covering all the requirements and needs of persons with disabilities, and not covering all services, but rather only providing some of them, as well as not allocating a social protection program that includes cash assistance, protection, and economic empowerment for persons with disabilities⁵, even though decades have passed since the establishment of the Ministry and that it has a large number of employees distributed among the directorates and branch offices, as the Ministry calls them.

The catastrophic humanitarian crisis is escalating as a result of the criminal practices carried out by the “Israeli” Occupation against civilians, including persons with disabilities. We have reviewed the official statements issued by the Palestinian Council of Ministers, specifically in its session held on December 4, 2023, in which the Council of Ministers decided to “approve the establishment of a main center for the Ministry of Social Development in Rafah, which will be specialized on distributing relief aid to our people in

⁴ *The Updated Social Development Sector Strategy of 2021-2023* (Ramallah: Ministry of Social Development, 2020). Website: <https://n9.cl/1ajwv>.

⁵ Firas Jaber and Saja Altarman, *Unpublished Study: Protecting Women with Disability from Violence: Exclusion and Marginalization, A Study About Services Provided to Abused Women with Disability* (Ramallah: Stars of Hope Society for the Empowerment of Women with Disabilities and the Social and Economic Policies Monitor (Al Marsad), 2020).

the Gaza Strip, in collaboration and coordination with the Palestinian Red Crescent Society.”⁶ There is no confirmation on whether this center was established or if it has started to carry out its duties. Furthermore, the decision does not include any reference to the specific needs of persons with disabilities. AlMajdalani, the Minister of Social Development, visited Rafah Border Crossing on 11/12/2023 without making any statement about the center or the Ministry’s role, according to the news published on the Ministry’s official website⁷.

In a previous interview with the Minister of Social Development conducted on 20/11/2023, after 43 days of the genocidal war, AlMajdalani stated that the European Union has officially informed the Ministry of its refusal to transfer funds allocated to “poor families” to the Gaza Strip, and that the remainder of the cash aid program budget for the current year 2023 is about 25 million Euros, and the Union officially refuses to transfer these amounts or part of them to the benefit of the poor, needy, and displaced people in Gaza. Additionally, he stated that the Italian, Austrian, Swedish, and German governments stopped their bilateral aid with the Ministry, which means the European Union’s complicity with the Occupation by punishing poor families, some of which include persons with disabilities.

In his previous interview, AlMajdalani said that the Ministry of Social Development funds 52% of the cash aid programs targeting poor families, while the European Union funds 48% of these aids⁸. However, the Minister did not reveal whether the Ministry had replaced the European Union’s transfer to the Strip with a transfer from the Ministry’s funds that come from the general budget and are funded by Palestinian taxes. That is, blaming the Europeans, while it is justified, does not absolve the Ministry of its responsibilities towards the groups it works to serve, especially people with disabilities.

In the interview, AlMajdalani confirmed that during the first period, around 33 million Shakles were spent in aid, as the Ministry distributed cash aid in the amount of 200 US Dollars for 7500 families in cooperation with the Catholic Relief, 4000 families in cooperation with the Norwegian Refugee Council, and about 3000 families in cooperation with the International Humanitarian Relief, in addition to 500 food parcels distributed in cooperation with AlWifaq Society which is affiliated with the Children’s Relief Society, and 850 thousand hot meals. Currently, they have around 10 thousand food packages containing basic food supplies, in

⁶ Decisions of the Palestinian Ministers’ Council in its Session held on 4/12/2023. Website: <https://n9.cl/v9y9sr>.

⁷ “With the Participation of Majdalani: A Delegation from the UN Security Council arrives at Al-Arish Airport to Inspect Humanitarian Aid to Gaza” *Ministry of Social Development* (12/12/2023). Website: <https://n9.cl/xco5l>.

⁸ Watan Questions the Minister of Social Development Dr. Ahmad Majdalani”, *Wattan News Agency* (20/11/2023). Website: <https://n9.cl/0vemt>.

addition to 450 thousand meals in cooperation with Qatar Charity⁹. The total amount of cash aid provided to around 14500 families for one month, in addition to food packages and hot meals with a total value of 33 million Shakles as a contribution from the Ministry in covering some needs indicates weakness and scarcity in what it provides compared to the actual needs, in addition to the absence of a clear and systematic emergency plan. Rather, the Ministry was contented with providing irregular aid, adopting a relief approach like other organizations, instead of the comprehensive development approach that elevates to its role as a Ministry, not to mention that the Minister did not mention persons with disabilities and their financial, nutritional, health needs, and other requirements. That means that the Ministry's approach remains unable to capture the requirements of persons with disabilities, who are among the groups most affected by the tragedies of the genocidal war.

On the 7th of December 2023, the Ministry of Social Development issued a position paper in which it provided monitoring of the Occupation's violations and crimes against civilians and persons with disabilities and analyzed the types of these violations, including violations of the right to life, the right to health, the right to access to food and water, and many other violations. The position paper also presented a set of demands related to the protection of persons with disabilities to international organizations¹⁰, but it failed to provide any visions for the Ministry's emergency interventions to provide protection, food, medicine, and safe shelter. That is, the Ministry has seen its role solely confined to presenting demands instead of managing needs!

The lack of communication by official bodies with persons with disability, especially by the Ministry of Social Development, is considered an indicator of the lack of official interest in persons with disabilities and other marginalized segments of society. This absence of communication was repeated during the state of emergency in 2020 following the spread of the COVID-19 pandemic. A survey conducted by the Social and Economic Policies Monitor (Al Marsad) and the Stars of Hope Society for the Empowerment of Women with Disabilities (SHS) with about 350 women with disabilities in the West Bank and Gaza Strip showed that there was no communication of any type from official bodies with them¹¹. Another study conducted by the aforementioned partners during the Occupation's aggression against the Gaza Strip in 2021 with 116 women

⁹ The Previous Resource.

¹⁰ A *Position Paper issued by the Ministry of Social Development on the need for providing the necessary protection for persons with disability during wars* (Ramallah: Ministry of Social Development, 2023).

¹¹ *Position Paper: The Official Response to The Economic and Social Conditions of Women with Disabilities* (Ramallah: Stars of Hope Society for the Empowerment of Women and the Social and Economic Policies Monitor (Al Marsad), 2020). Website: <https://n9.cl/2i800>.

with disabilities, the vast majority of them confirmed that none of the official bodies working in the field of protection communicated with them, including the Ministry of Social Development¹². This matter was also repeated during the aggression launched by the Occupation against the Gaza Strip in August of last year, as a quick survey conducted by the two partners revealed that none of the government agencies communicated with the overwhelming majority of persons with disabilities for any reason during the aggression, at a rate of 99.2%.¹³ The preliminary results of a special monitoring that the two partners are currently working on revealed that none of the official authorities, including the Ministry of Social Development, communicated with any of the 40 respondents targeted in the monitoring.

The Conditions of Persons with Disabilities: A Recurring Crisis!

The Social and Economic Policies Monitor (Al Marsad) and the Stars of Hope Society for the Empowerment of Women with Disabilities have worked on implementing special monitoring regarding the conditions of persons with disabilities in the Gaza Strip in light of the genocide war committed in the Strip. The monitoring is still facing enormous difficulties in reaching persons with disabilities and women with disabilities in light of the interruption of communications and internet and in light of the extremely difficult living conditions in which they live. The preliminary results of this monitoring showed that:

- 100% of the needs of persons with disabilities revolve around food, medicine, and clothing.
- 75% of the surveyed persons with disabilities were displaced from their homes, with some experiencing multiple displacements. For some, the number of displacement instances has reached up to six times.
- 22.5% lost their homes completely due to total demolition of homes.
- 30% had their homes partially damaged due to “Israeli” bombing.

¹² Iyad AlKrunz, an Unpublished Study: *Forgotten Women: A Study about the Reality of Women and Girls with Disability During the Recent Aggression on the Gaza Strip*. (Ramallah: Stars of Hope Society for the Empowerment of Women with Disabilities and the Social and Economic Policies Monitor (Al Marsad), 2021).

¹³ *Position Paper: The Rights of Persons with Disabilities during the Occupation Aggression on Gaza Strip* (Ramallah: Stars of Hope Society for the Empowerment of Women with Disabilities and the Social and Economic Policies Monitor (Al Marsad), 2022). Website: <https://n9.cl/4la3y>.

These percentages and numbers represent only a small part of the complex reality and the double suffering of persons with disabilities in light of the genocidal war carried out by the Occupation against the Gaza Strip. We listened to a woman with disability talking about her situation, where she said *“I have three children with disabilities, a girl with a hearing and speech disability, a young man with a splint from the 2021 war, he has to take a specific medicine and I looked for it everywhere in Dair AlBalah but could not find it, and I did not even have any money, and my second son has hemiplegia, and he needs people to help him to sit or get up, he cannot sleep on the floor. At home, he used to sleep in his bed, but our house was bombed, I don’t even know where I will go after this war is over”*.¹⁴

We found that the Ministry was unable to reach this family which has three persons with disabilities, especially to provide cash assistance, medicine, and even a safe and accessible place in which they can stay. Mohamed AlArabi, the Coordinator of the Disabilities Representative Persons Network in the Gaza Strip confirmed: *“It must be mentioned that persons with disabilities have not received their allowances from Social Affairs (Ministry of Social development) for two months. They did not even receive any allowances two months before the war. Thus, even if, for example, these needs are available in the market, persons with disabilities cannot buy them, and no one addresses the needs and requirements of persons with disabilities. We were marginalized before and during the war, and we will remain marginalized after it”*.¹⁵

During the 2021 aggression on the Gaza Strip, which was accompanied by the COVID-19 crisis, the Ministry of Social Development also delayed the disbursement of cash benefits. Although these benefits were planned to be paid once every three months, they were only paid once in nine months, and 79,629 families in the Gaza Strip benefited from these allocations¹⁶. Persons with disabilities suffer from unemployment, limited income, discrimination, poverty, and food insecurity, and all of these conditions are multiplied to exceptionally high extents during the genocidal war. This is also accompanied by the absence of the entity responsible for protecting persons with disabilities from direct communication with them and providing their necessary and urgent needs and requirements, this is in addition to helping them in moving and evacuating to places that may be safer. This void left by the Ministry is noticeable and clear, and as we mentioned earlier,

¹⁴ An Interview with a Women with Disability, date: 27 October 2023.

¹⁵ An interview with Mohamed AlArabi, the Coordinator of the Disabilities Representative Persons Network, conducted on 7 December 2023.

¹⁶ A Press Release: Al Mezan Center Calls for Accelerating the Disbursement of Cash Aid to Poor Families” *Al Mezan Center for Human Rights* (24 August 2021). Website: <https://n9.cl/ntd6f>.

we did not find any program or initiative launched by the Ministry that concerns persons with disabilities in this war.

Palestinians in the Gaza Strip are subjected to genocide, in which all tools of systematic killing and destruction are used, which led to the destruction of all the foundations of livelihood and steadfastness within the Strip, which made it accurate to describe the Strip as an “unviable” place. This does not mean in any way that the Gaza Strip was previously in a better condition, but rather it was managing with the scraps that were allowed to pass as a result of a siege imposed by two sides. These inhumane conditions have contributed to making the lives of persons with disabilities extremely difficult and exhausting in trying to manage their affairs, especially in light of the official authorities’ abandonment of their responsibility towards them. The genocidal war came to place persons with disabilities at the heart of its goals, especially with the weak availability of the requirements for their resilience, evacuation, and displacement, which meant putting their lives on the line, whether by remaining in their homes or escaping from the devastating and deadly bombing.

The Ministry of Social Development should have issued a clear and express position on the EU’s freezing and refusal to transfer the funds for the cash aid to poor families in the Gaza Strip, as any party who stands with the Occupation and contributes to the killing of Palestinians must be dealt with differently and clearly. However, this does not justify or explain the Ministry’s inability, negligence, and neglect of its legal responsibilities towards persons with disabilities and other segments, by coming up with an emergency and response plan that contributes to alleviating the tragedies of war for them and supporting them directly with cash and in-kind assistance, and through psychosocial interventions, and direct contributions in providing safe and appropriate shelters.

The partners call on the Ministry of Social Development to assume its responsibilities towards all marginalized groups, including persons with disabilities, to launch an emergency response plan without delay, and to raise funds to protect and care for persons with disabilities in the Gaza Strip. We also stress the need to end dealing with the European Union, which has revealed its deep colonial behavior.