

## RIGHTS OF DISABLED AND PERSONS WITH SPECIAL NEEDS

The international charter embodies what has come to be known as basic human rights and these have been re-emphasized in all subsequent international documents, declarations and agreements dealing with general human rights. International legislation on human rights was expansive in detailing certain rights in special declarations and conventions to extend particular care to specific groups with special needs. These are people in extraordinary situations for various reasons and deserve that special conventions, declarations and agreements be dedicated to them. Such documents list in detail the rights allotted to these groups by the international charter and fortify these rights with additional protection and emphasis<sup>1</sup>. Realizing that specialists and international organizations are not in agreement on a specific definition for the term "persons with special needs," we can say that these are people whose physical, mental, social or economic capacities were impeded from developing at a rate equal or close to that of their peers in the same community for subjective or objective reasons (psychological, physiological, cultural and social). This affects greatly their ability to obtain their rights and to benefit from existing legal and institutional mechanisms. They need, consequently, special attention and care; and additional legal and institutional mechanisms must be made available to ensure their rights and enable them to enjoy them. While the special declaration on the rights of the disabled which was adopted by the United Nations general Assembly on ( December 1975 defines the term "disabled" as "any person incapable of securing by himself, completely or partially, the essential requirements of his normal individual or social life because of a congenital or non-congenital deficiency in his corporal or mental capability".

According to the classification applied by development institutions, including the Yemeni Social Development Fund, many groups come under this definition:

(First) The disabled: the deaf-mute, the paraplegic, the blind and the mentally retarded.

(Second) Groups with special needs, such as children in difficult circumstances (street children, children of

imprisoned mothers, children in conflict with the law); women in difficult circumstances, such as inmates; the socially marginalized, especially those usually called "akhdam" and poverty stricken old people who returned to Yemen because of the Gulf war.

In this context we shall review the following:

- The legal frameworks regulating the rights of the disabled and persons with special needs.
- Institutional mechanisms and programmes concerned with securing their rights.
- Government efforts to protect persons with special needs.
- Efforts of NGO's.

<sup>1</sup> Mohammad Al Sayed Said, introduction to understanding the human rights system, the Cairo Center for Human Rights Studies, Cairo, series for teaching human rights (3), second edition, 1997, p.69.

## Rights of the Disabled

### 1– Legal Frameworks Regulating the Rights of the Disabled

The law on the rights of the child contains a special chapter under the title “Care and Rehabilitation of the Disabled Child” and nine articles (articles 115 to 123) dedicated to detailing the rights of the disabled child. The general orientation of law nr (61) for the year 1999 on the care and rehabilitation of disabled persons conforms to the spirit of the global declaration on the rights of the disabled which was issued by the United Nations General Assembly on 9 December 1975. This orientation was reflected in the reinforcement and elucidation of the rights of the disabled through decision number (284) of the Council of Ministers for the year 2002 concerning the executive chart of law nr (61). This law emphasized in article nr (3) that the disabled person is entitled to exercise all rights guaranteed by the constitution, his right to free rehabilitation and social care as specified in article nr (4), the right and priority of the disabled person to join government owned schools and academies as stated in article nr (9) and the right of the disabled to move and circulate. Article nr (13) stresses the responsibility of the Ministry of Health to make available compensatory appliances and artificial limbs. Article nr (27) deals with the right of disabled persons to form non-governmental organizations. Articles (15 to 24) deal with the right of disabled persons to work and the privileges accorded them when employed.

### 2– Institutional Mechanisms and Government Programmes Relevant to the Right of the Disabled

The law on care and rehabilitation of disabled persons contains topical provisions that guarantee respect for the rights of the disabled detailed in the international declaration. But the perception according to which the law was drafted is closer to the concept of social welfare than to that of human rights. To coordinate efforts aimed at strengthening the exercise of this group’s rights, the National Committee for the Care for Disabled Persons was established and its functions were specified by Presidential decisions nr (5) for the year 1991. Its duties and prerogatives include drafting general strategies and policies on the care and rehabilitation of the disabled and implementing policies of social integration and participation of society. The committee works also to encourage initiatives aiming at helping and caring for the disabled by supporting the specialized organizations working in this

field. It is noticeable that interest in the disabled has grown during the past five years and the Ministry of Education issued instructions to accept disabled persons in schools and to introduce technical changes in some school buildings to accommodate their needs. The government takes the necessary steps and measures to care for the disabled by providing them with social and educational services, in addition to rehabilitation and training. This is done in conformity with existing laws through institutions and centers specialized in the rehabilitation and care of the blind and weak-sighted, the paraplegic, deaf-mute children and children with impaired hearing and the mentally retarded.

When the law on the care and rehabilitation of disabled persons was issued in 1999, only (3.5) million riyals were allocated in support of the rights of the disabled. In subsequent years this subsidy increased remarkably, especially after the enactment of the law establishing the Fund for the Care and Rehabilitation of the Disabled in 2001, as it grew to (7) million riyals, then to (20) million riyals and (42.5) million riyals in the years 2000, 2001 and 2002, respectively.

The Fund for the Care and Rehabilitation of the Disabled, the National Union of Disabled Persons and the Ministry of Social Affairs implemented during the past few years the law on the care and rehabilitation in coordination with the concerned organizations and institutions. Arrangements were finalized with the customs authority to put in effect the provision that exempts from customs duties supplies imported especially for the care and rehabilitation of the disabled. The National Union of Organizations for the Disabled and the Ministry of Civil Service coordinated their efforts in 2002 to implement the provisions of the law on the care and rehabilitation of disabled persons and its executive chart, which mandates the allocation of (5%) of all posts in the public and private sectors and the government’s administrative apparatus to the disabled annually and requires private employers to allocate the same share of job opportunities to disabled persons.

The Fund for the Care and Rehabilitation of the Disabled plays the major role in activating the law on the care and rehabilitation of disabled persons, protecting their rights and enabling them to exercise these. The Fund carried out numerous activities and provided educational, vocational and health services to around (4,996) beneficiaries among the disabled during 2003 and the first quarter of 2004. The number of disabled who benefited from the fund’s social rehabilitation services through governmental and non-governmental organizations was (28,908) male and female beneficiaries during the same period.

Around (52) centers belonging to governmental and non-governmental organizations worked together with the Fund. The blind represent the group that benefits the most from the services of the Fund for

the Care and Rehabilitation of the Disabled. The number of beneficiaries from the services of the "Al Nour" centers in only three cities during the past four years was around (899) blind persons.

**Table nr (3) shows the number of beneficiaries from the services of the "Al Nour" centers for the blind in Sana'a, Aden and Al Mukalla in the period 2000-2003**

Governorates	2000	2001	2002	2003	Total
Sana'a	138	139	138	147	561
Al Mukalla	75	75	32	32	214
Aden	45	29	25	25	124
Total	258	242	195	204	899

Source: Ministry of Social Affairs

The state works with NGO's to implement programmes for the training and rehabilitation of the disabled. There are currently several centers for the rehabilitation and care of the disabled for various afflictions:

**– Institute for Mental Development in Sana'a:**

This institute is founded on professional pedagogic principles and teaches children according to the curricula of the Ministry of Education through sign language and lip reading. It organizes cultural and social programmes and activities such as sports festivals, excursions, reading in the school library and projecting children's video films. Special emphasis is given to various crafts such as carpentry, upholstery, weaving and tailoring for men and women, in addition to teaching computer skills.

**– Center for the Paraplegic in Aden:** It provides rehabilitation services to paraplegic persons in several skills like secretarial work, carpentry, manufacture of artificial limbs, tailoring in various styles, shoe making and production of leather bags. The center organizes exhibitions for these products from time to time and opens literacy classes for the disabled.

**– The Ta'az Center for the Disabled (Deaf-Mute):** This center has been put under the disposal of the association (From Child to Child), a non-governmental organization. It is specialized in testing hearing capacity and teaches children the sign language.

**– The Zubaid Center (Deaf-Mute):** It teaches children and adults in sign language.

**– Al Aman Institute for the Rehabilitation of Blind Female:** This institute is a model of the methods adopted by the Social Development Fund in dealing with the disabled. It rejects the concept of pity and charity and emphasizes the basic rights and capacities of the disabled to play their role in soci-

ety and participate in its development, if given the opportunity of rehabilitation and education.

**– Current Projects for the Care and Rehabilitation of the Disabled:** The programme titled (In the Framework of Society) is a system designed to provide rehabilitation services at all levels, whether in local communities or nationally. It is regarded as a modern strategy to work with disabled persons. There is also the Community Broad Rehabilitation programme (CBR) in the governorates of Ta'az, Lahj, Abyan, Ibb and Aden.

**– Project for the Support of the Sana'a and Aden Centers:** The activity of this project is partially centered on communal rehabilitation in areas close to cities, like the area of "Thula", where the disabled are counted and classified and the local community is prepared to work together with the state on the problem. These centers are currently being equipped with essential supplies for their work.

**– Project to Integrate Deaf Children in the Age of Basic Education into Government Schools:** The past policy in educating and training disabled children was to isolate them in special schools. The Social Development Fund initiated a pilot project at the beginning of 2001 to integrate male and female deaf-mute children in public schools (in cooperation with the Al Irada Association for the Deaf-Mute in Thumar and the Ministry of Education).

**– Project for Social Rehabilitation of the Disabled:** This endeavor aims at enlarging and developing two major social rehabilitation center by establishing new workshops and improving existing ones. Other purposes are to train the staff and introduce the experiment of social rehabilitation into rural areas. The cost of the project is around one million dollars.

Despite the importance of these efforts to consolidate the rights of the disabled, there remain many difficulties on the road, beginning with the lack of accurate statistics on the number and distribution of the disabled by age, sex and kind of disability. The reason is the rarity of scientific surveys and field research through which the size of this group can be specified in Yemeni society. Some estimates indicate that the rate of disability in Yemen exceeds (10%) of the total number of inhabitants, which is the global average rate. We should take into consideration the many difficulties facing health services in Yemen and the high rate of illiteracy in society as these factors tend to increase the occurrence of disabilities. The absence of accurate figures on the disabled in Yemen makes it difficult to establish a comprehensive, effective policy to strengthen and protect the rights of the disabled. Among the obstacles impeding work in this area is the lack of technical and administrative expertise in the institutions working with the disabled, leaving negative effects on their programmes and activities. Another problem is the concentration of centers and institutions dealing with the disabled in a number of capital cities of governorates and the complete absence of services for the care and rehabilitation of the disabled in rural and remote areas. Educational services in most institutions dealing with the disabled are limited to basic education and do not reach higher levels of learning. The activities of some vocational rehabilitation sections in some of these institutions are limited to teaching one profession. Occasionally they teach a few professions, but these do not respond to the needs of the labor market. Sometimes they teach a few professions, but these do not respond to the needs of the labor market. Instructors in vocational training lack the necessary knowledge for proper tutoring and there are not specialized experts in the areas of speech correction. The same is true for specialists in diagnosis, correction and treatment needed in the specialized field of care and rehabilitation for the disabled.

Failure and laxity in implementing laws dealing with the disabled are among the major difficulties impeding efforts to strengthen and protect the rights of the disabled. This problem is clearly visible in the disappointments that await persons who seek to apply the right of the disabled to employment and access to job opportunities in accordance with law nr (61) for the year 1999 on the care and rehabilitation of the disabled. Article nr (18) requires that (5%) of all posts in all sectors operating within the framework of the state should be reserved for the disabled. There are several obstacles preventing the implementation of this law, such as the lack of willingness on the part

of some officials in the governmental and non-governmental sectors to honor this law. Another obstacle is the lack of a mechanism to verify whether disabled people are being employed and receiving the facilities they need. A third difficulty is poor rehabilitation of the disabled in accordance with the requirements of the job<sup>2</sup>. It is evident that the services provided by these institutions under the present circumstances are not proportionate to the ambitious goals the state is trying to reach to give the problem of disability the attention it needs and to meet the increasing demand for such services. This requires giving serious thought to the desirability of integrating the disabled into society by adapting educational policies and programmes within the public school system accordingly, as an ideal means to meet the mounting need for services benefiting the disabled. This will also help bridge the gap of accommodation capacities in existing centers and will help obtain the benefit of international expertise in this area.

## The Rights of Persons with Special Needs

### First: Legal Frameworks Regulating the Rights of Persons with Special Needs

A review of Yemeni legal and legislative records reveals that the past five years have witnessed a remarkable development in the area of enacting laws on the rights of persons with special needs as listed below:

#### 1- Legal Frameworks Regulating the Rights of Children with Special Needs

The enactment of law nr (45) for the year 2002 on the rights of the child was a qualitative leap in the area of legislation concerning the rights of the child in general and children with special needs in particular. The law contains (171) articles and (101) of these were dedicated to the rights of the child, namely articles (14 to 114). These articles deal with a child's rights to family lineage and name, breastfeeding, nurturing, support, subsistence, guardianship, nationality, registration in official records, health care, nutrition, education, culture and information, social care and fostering. While these rights belong to all children, the law has accorded children with special needs some special rights to meet their health,

<sup>2</sup> Dr. Mohammad Nasser Hamid. Paper presented to the first regional conference (total integration and better life for the disabled). October 2003.

social, economic and cultural needs; as well as their particular requirements.

**A– Adolescents:** The law singled out a chapter on care and rehabilitation for juvenile offenders (fourth chapter of the seventh section) composed of (4) articles that prohibit the detention of an adolescent less than 12 years of age in any police station. An adolescent older than twelve years may, in an extreme situation, be detained in police stations for no longer than twenty four hours, but in a separate location to prevent putting him together with others older than himself. The provisions of the law of penalties do not apply to juveniles ten years or younger. These are sentenced in accordance with article nr (36) of the law of penalties that exempts from responsibility a person who has committed an act under duress to protect himself, other persons, his property or the property of others from a great imminent danger that he did not provoke intentionally and could not avoid by any other means; provided that the act is proportionate to the danger that had to be avoided. A person required by law to ward off such danger is considered as acting under duress. The law stressed the need to establish social care institutions that conform to the environment of local communities, to supervise and pursue actively the education and rehabilitation of juvenile delinquents and try to find suitable employment opportunities for the qualified among them<sup>3</sup>. Chapter five of the seventh section (articles 128-132) titled “Juvenile Justice” is dedicated to the rights of delinquent children to a fair trial before specialized courts that take into consideration their age and socio-economic conditions.

**B– Working Children:** Although all children in the age of basic and secondary education (16-18 years) ought to be in educational institutions and consecrating themselves totally to learning and building their capacities, the growing phenomenon of poverty in Yemen has forced many families not to enroll their male and female children in schools or to pull them out of school and send them to the market of child labor. Children from poor families have also been obliged to combine simultaneously learning and employment. As a result of the conditions surrounding these children and their families, many employers use them to perform hard work and exploit them. This is why law number (45) for the year 2002 dedicated a special chapter on the welfare of working children and prohibited the employment of children who have not reached the age of fourteen. The law requires people who employ children to sign written employment contracts according to the special model contract drafted by the Ministry of Labor. They are also required to send children for medical

examination to ascertain their physical aptitude and health fitness for the work they are going to perform. Daily work may not exceed six hours, punctuated by one or more breaks of at least one hour each. The law prohibits making children work overtime or extra days and guarantees working children the right to a weekly rest for twenty four hours and an annual leave of thirty days with full pay. Working children are entitled to paid medical treatment and compensation for work injuries.

**C– Children living in difficult circumstances:** Law nr (45) for the year 2002 defined children living in difficult circumstances as belonging to the following groups: street children, homeless children, victims of natural and human made disasters, victims of mistreatment, deprived and exploited children and child beggars. The law requires the state to protect, care for and rehabilitate these children in social care institutions to reintegrate them in society. The state is also required to allocate the necessary funds for the establishment and operation of social care institutions and the implementation of their projects and programmes.

## 2– Legal Frameworks Regulating the Rights of Adults with Special Needs

The expression “marginalized” has come to be used in recent years in Yemen to describe a group labeled “Al Akhdam”. The reality is that the implication of marginalization and the marginalized is much wider because marginalization means the non-participation of a certain group of citizens in the management of resources and depriving them of taking part in the decision making process concerning public life of the local community or society in general<sup>4</sup>. Yemeni society has known throughout its history a number of marginalized groups that fit this definition. Land has always represented the most important natural resource in traditional Yemeni society and groups that owned arable land participated in making major decisions for society. Consequently, they were considered principal groups or classes. Groups who did not own agricultural land were barred from working in the main productive activity in the countryside (agriculture), so their members specialized in occupations and services that society did not regard as equal to other professions.

<sup>3</sup> See: The Republic of Yemen, Ministry of Legal Affairs, law nr (45) for the year 2002 on the rights of the child, issued on 19 November 2002, articles 124-127.

<sup>4</sup> See: Adel Mujahid Al Sharji, Educational Circumstances of Children of Marginalized Groups, an unpublished study presented to UNICEF Sana’a, December 1999, p.5.

This is why the Yemeni state looks at the marginalization of the Al Akhdam from a socio-economic angle and considers them as one of the poorest social groups (in the standards of human poverty) and classifies them among the least fortunate in society<sup>5</sup>. Since the legislative framework in Yemen does not distinguish between citizens, the government did not issue special laws on the rights of the socially marginalized. The reason is that the principle of equality among citizens, which is the base of the legislative body in Yemen, is apt to change the conditions of this group with the passage of time. They are citizens who enjoy the same rights and carry the same responsibilities as all other citizens. Article nr (41) of the constitution says: "all citizens are equal in public rights and duties" and article nr (42) says that "every citizen has the right to participate in the political, economic, social and cultural life; and the state guarantees the freedom of thought and expression of opinion in speech, writing and image in the bounds of law". There has been a relative improvement in the conditions of some members of marginalized groups, with the exception of Al Akhdam whose great majority lives in extremely bad conditions. There is no doubt that the future will witness a similar change in the living conditions of this group. The speed and intensity of these changes will depend on the size of projects and programmes implemented by governmental and non-governmental institutions to empower the marginalized and build their capacities.

## Second: Institutional Mechanisms and Programmes Dealing with the Rights of Persons with Special Needs

In accordance with the provisions of the constitution and the laws dealing with all groups with special needs, the last three years have witnessed a great expansion in governmental and non-governmental institutions and programmes to protect the rights of persons with special needs and empower them to exercise these rights. A directorate of comprehensive learning was established within the Ministry of Education and two centers for comprehensive social services were founded in 2002 in Sana'a and Aden to educate, train and rehabilitate children of poor families in general and children of marginalized families in particular. In December 2001 the center for safe childhood was established in the district of Sana'a, a similar center was opened in Aden in 2003. These two centers provide social, psychological, educational services and health care for street children and rebuild gradually their social and cultural personality. There are seven centers for social orientation located in

the district of Sana'a (two centers), Al Hudaida, Aden, Ibb, Ta'az and Al Mulalla. The year 1999 witnessed the establishment of the Higher Council for Motherhood and Childhood by Presidential decision nr (321) for the year 1999. The Council was reconstituted by Prime Ministerial decision nr (206) for the year 2000, which finalized its organizational chart.

Government institutions dealing with the protection of the rights of persons with special needs and their empowerment to exercise these rights carry out their activities in line with the objectives defined by general and sectorial development plans and strategies, primarily the strategy for reduction of poverty (2003-2005), the national population strategy, the second five year plan for health development (2001-2005), the project to reform the health sector, the project to enlarge basic education, the comprehensive national strategy for continuous human development and the project for child development. Although most of these strategies, programmes and projects have specified quantitative targets in areas dealing with the rights of some groups of persons with special needs like street children, they did not include a direct reference to specific objectives concerning the rights of marginalized groups. These objectives were hinted at indirectly during the review of principles and orientations surrounding the subject and were regarded as a part of policies targeting the poorest social groups in society. In the review of the second component of the national population policy in the Republic of Yemen (2001-2005) the following text is found: "There are indications revealing an expansion of the area of poverty and the spread of shanty towns and marginal housing, especially in the periphery of cities. These and other indicators require serious action to define a national population policy and invigorate the implementation of mechanisms thereof<sup>6</sup>.

<sup>5</sup> See: The Republic of Yemen, Ministry of Planning and Development, strategy for the Reduction of Poverty (2003-2005), Frame nr 5-16.

<sup>6</sup> The National Population Council, national population policy in the Republic of Yemen (2002-2025): motives, principles and objectives (second document), Sana'a, second edition, 2002, p.6.

## Box nr (1): Objectives of the Strategy for Poverty Reduction (2003-2005) in the area of Social Protection

- Strengthening social care and increasing number of cases benefiting from the social welfare fund to around (600,000) in 2005.
- Training (5,430) disabled persons in vocational centers for the disabled and integrating (5,430) disabled persons in regular educational institutions. Providing (4,190) rehabilitation opportunities for the disabled.
- Accommodating (6,750) orphans in social care centers and sheltering (2,500) homeless and beggar children.

Source: Ministry of Planning and Development, strategy for poverty reduction (2003-2005) Sana'a, page 8.

In addition to general and sectorial strategies and plans, some government institutions dealing with the protection of persons with special needs have relied in their work on targets set by non-governmental projects. This is the case of the two safe childhood centers in Sana'a and Aden that were established to achieve the objectives set by the project of street children.

The Ministry of Social Affairs prepared the project with the UNICEF office in Sana'a and the centers for comprehensive social services in Sana'a and Aden in 2000. These latter two centers were established, in their turn, to achieve the objectives of the project for comprehensive social services, which was prepared by the Ministry of Social Affairs in 2001 in cooperation with UNICEF Sana'a and the directorate of comprehensive learning in the Ministry of Education. This directorate was established in the year 2000 to achieve the objectives of the pilot project for comprehensive learning<sup>7</sup>.

### Third: Government Efforts in the Area of the Rights of Persons with Special Needs

It is clear from the previously reviewed legal frameworks on persons with special needs that the law on the rights of the child was prepared in form and content along the lines of the International Convention on the Rights of the Child. Yemeni laws use contemporary human rights concepts and terminology, like the law on juveniles. The body of Yemeni legislation does not contain any hint to the rights of marginalized social groups and ignores them completely. Further to this discrepancy in the trends of Yemeni legislation dealing with the rights of persons with special needs, government programmes, projects and efforts designed

to protect their rights are all closer to the concept of social welfare than to that of human rights.

### 1– On the Rights of Marginalized Groups

It has already been mentioned that the year 2002 witnessed the establishment of two comprehensive social services centers (in Sana'a and Aden) to provide educational, vocational and welfare services to poor families in general and marginalized groups in particular. The two centers implemented in 2003 a number of activities in the areas of education, health, training, rehabilitation and social welfare. The number of persons benefiting from their services was around (4,123) male and female beneficiaries in 2003 (see table nr 1). Children topped the list of benefiting groups with (2,602) beneficiaries, followed by women with a total of around (1,457), then came disabled males (17) and finally aged males (4). Health services and projects benefiting children and women ranked first among the centers' activities.

The Center for Social Studies and Labor Research has conducted a major study on the problems of street children in 2000. The results were submitted to the Ministry of Social Affairs and UNICEF which had financed the study. In the light of these results the project for the rehabilitation and protection of street children was prepared. The concept of the project is based on establishing a center in the capital's district to receive street children and provide them with protection, social care and necessary services. UNICEF and the social development fund are providing technical support and assistance for launching the project. The ministry of Social Affairs is paying employees' salaries and wages and the operating cost of the center which is administered by a non-governmental organization. The establishment process was completed in December 2001 and it was named the Center for Safe Childhood. In 2003 a similar center was founded in Aden.

<sup>7</sup> See: Fatima Kassem Al Shu'aibi, contribution of the Ministry of Education in activating the law on persons with special needs and a working paper presented to the first panel discussion on activating the law on the disabled, organized by the Arab Institute for Human Rights in cooperation with OXFAM, Sana'a, 28-30 October 2002

**Table nr (1) showing the number of people benefiting from services of the centers for comprehensive social services (Sana'a- Aden) in 2003**

Beneficiaries from the centers' services	Category of Beneficiaries	Number of Beneficiaries			Kind of Benefit
		Sana'a	Aden	Total	
A- Children	Orphans	30	15	45	Obtain guardianship & monthly aid from orphan care organizations
	Disabled	20	15	35	Training coordination in rehabilitation centers
	School enrollment	2	4	6	Help with school supplies and fees
	Special classes	75	39	114	
	Working children		5	5	School enrollment & time between school and work
	Children of Yemeni mothers & foreign fathers	4		4	Development of hobbies and drawing
	Nursery-daycare	20	5	25	Children of working Mothers
	Healthcare for Children	221	2008	2320	Medical exams & help with medicines
	Issuing health & Teething certificates		48	48	
<b>Total number of children</b>		<b>463</b>	<b>2139</b>	<b>2602</b>	
B- Women	Literacy	32	12	44	
	Vocational training (sewing and crafts)	50	56	106	
	Disabled	1	12	13	Health services and Family visits
	Health education	18	75	93	
	Mothers' health	198	1003	1201	
<b>Total number of Women</b>		<b>299</b>	<b>1158</b>	<b>1457</b>	
C- Other activities	Follow up on social Security support for aged persons	-	4	4	Follow up with the social welfare fund to benefit from monthly aid for groups eligible according to the law of social welfare. There are also around (1000) families in Sana'a (123) and in Aden who benefit from seasonal food aid distributed by the two centers when available from Ministries & other donors
	Disabled	2	15	17	
	Other groups	-	43	43	
<b>Total beneficiaries</b>		<b>2</b>	<b>62</b>	<b>64</b>	
Total beneficiaries from both centers (A, B, C)		764	3359	4123	

## 2– On the Rights of Children

The center carries out a number of activities and programmes and every child is involved in them according to recommendations submitted by a team of social workers who conduct interviews with the children and their families. Some of the most important programmes and activities provided by the center are: the psychological and social rehabilitation programme which is conducted in group and individual sessions, the health and nutrition programme, the cultural programme which includes several activities, namely culture, sports and fine arts; the skills development programme, the entertainment programme and the educational programme. Around (100) children benefit from the services of the Sana'a center every six months. In the period from 1 January to 30 June 2003 the number was (52), then it rose to around (100) children during the first six months of 2004.

**Table nr (2) showing the number of children benefiting from activities of the safe childhood center in the first six months of 2004**

	Cases that benefited	Number
1	Children returned to their families	22
2	Children accommodated in the center and enrolled in school	41
3	Children received recently and their cases under study	7
4	Drop out children	24
5	Female children referred to "Dar Al Rahma"	6
Total		100

Source: Center for Safe Childhood, accomplishment report, first half of 2004.

Every case is treated in accordance with recommendations submitted by a team of social workers in the center, based on a study of the individual and family situation of the child. There are cases in which the center decides to take in the children and those who undergo a programme of psychological and social rehabilitation to be returned to their homes. Other children are placed with foster families and some working children are contacted by the center on the street. Certain children are sent to governmental and non-governmental institutions and this is the procedure followed with all female children. The reason is that the center's building has a limited capacity and cannot be divided into two sections for boys and

girls, so it caters only to boys (they form the majority of street children). Girls are sent to other institutions.

**3– On the Rights of Adolescents:** After the enactment of the law on adolescents and the law on the rights of the child, there was an expansion in efforts to establish juvenile courts and reception centers in a number of governorates. There are now five juvenile courts in Sana'a, Ibb, Ta'az, Aden and Al Houdaida and seven centers for social guidance in Sana'a (two centers), Al Houdaida, Aden, Ibb, Ta'az and Al Mukalla.

## Fourth: Efforts of Non-Governmental Organizations to Protect the Rights of Persons with Special Needs

Alongside government measures that have taken the form of welfare work, organizations of civic society have paid special attention to advocacy efforts, studies, seminars and workshops to change cultural attitudes and discriminatory social values; to consolidate the culture of human rights that are based on the principles and ideals of justice, equality, freedom and dignity. NGO's have organized advocacy campaigns among marginalized groups living in urban shanty towns and arbitrary housing during the local elections of 2001. They did the same during the legislative elections of 2003. The Institute for Support of the Civic Democratic Trend played a leading role in this endeavor and the Association for the Development of Women and Child (SOUL) conducted a study on the conditions of people living in marginalized areas in the capital's district and the governorates of Aden and Hadramaut in 2003. Many activities were implemented by NGO's and institutions of civic society to protect the rights of persons with special needs and to empower them to exercise these rights. It is not easy to detail all these activities in this report, so we shall present two examples thereof:

**1– Programme for Social Integration of Marginalized Groups in the City of Ta'az:** It is one of the programmes being implemented by the Center of Rehabilitation and Training for human rights in Ta'az. In the wake of floods that inundated the city of Ta'az, the World Bank financed the construction of (46) housing units for marginalized families who were affected by the flooding disaster. The bank took the decision on financing after negotiating the matter with the governorate's authorities. This housing project was given the name Al Amal (Hope) City. The Center for Rehabilitation and Training for Human Rights prepared a programme of social integration

for the marginalized in general and the inhabitants of Al Amal City in particular and supervised its implementation. Several activities were implemented in Al Amal City in the fields of health, education, eradication of illiteracy, reproductive health and empowerment for capacity building.

## **2- The Street Children Programme Implemented by the Women's Forum for Studies and Training in Ta'az:**

The Forum began implementing this programme in 2002 when it conducted a number of surveys and studies in the areas where street children congregated. The results were presented to the Second International Conference on Sexual trade with Children in December 2002. In January 2003 the Forum organized a seminar on street children in Sana'a and hosted in June 2003 the envoy of the Economic and Social Council for Asia and the Pacific. Agreement was reached to implement a joint programme to study the phenomenon of smuggling children and training in them.

Finally, it can be said that poverty at the personal or social level represents the most important obstacle toward guaranteeing the rights of persons with special needs and empowering them to exercise these rights. The non-completion of the process of institutionalizing government services plays an additional and equally important role in this context. Institutional structures concerned with the implementation of laws, programmes and strategies are inadequate and lack the necessary capacities, creating a huge gap between legal texts, strategy papers and programmes on the one hand, and actual execution on the other. While the constitution and project documents on the development of education stress the equality of opportunities, children of marginalized groups in some areas face difficulties in going to government schools. They are treated by some teachers, students and school administrations in ways that insult their humanness and implant in them feelings of inferiority and self-contempt. At the same time, this attitude fosters among other students instincts of discrimination against others. These practices have been spreading as a result of influential traditional cultural values that are based on discrimination, class distinctions and inequality. In the light of above, we can list briefly four major factors helping to impede the empowerment of persons with special needs to obtain their rights, namely:

- The socio-economic factor: it is embodied in the spread of poverty and this prevents persons with special needs from changing their circumstances, especially the inherited situations of marginalized groups.

- The planning factor: this is embodied in the absence of a comprehensive strategy based on serious and credible reports that analyze and monitor the causes and attitudes that lead to the isolation of marginalized groups in country and city.

- The administrative and institutional factor: the existing institutional structure has contributed to nullify any benefit for marginalized groups from programmes and projects that were implemented in the area of combating poverty and developing local communities. This was compounded by the inadequacy of the general and sectorial development strategies and their failure to understand how social and cultural factors generate the poverty of marginalized groups. The results of implemented projects and programmes were more favorable to certain groups than to others.

- The cultural factor: despite modern appearances seen in the economic, political and institutional components of the country, prevailing cultural attitudes govern the practices and behavior of individuals. Social attitudes are still influenced by traditional values and these are founded on a discriminatory and class and class conscious basis.

Consequently, guaranteeing the rights of persons with special needs and empowering them to obtain and exercise these rights require the following:

- Drafting and implementing a comprehensive national strategy with the participation of marginalized individuals and taking special measures, particularly providing them with the possibility of benefiting from existing educational opportunities.

- Taking the special needs of disabled persons into consideration when drafting national plans and policies.

- Establishing appropriate and effective coordination mechanisms between governmental and non-governmental institutions in their efforts to consolidate and protect the rights of this group.

- Reforming the institutional structures concerned with the human rights of persons with special needs in particular and governmental structures in general.

- Devising and implementing advocacy programmes for officials dealing with the human rights of special groups, foremost programmes to educate employees of the health and education sectors and members of the police working in health, educational and security services in marginalized areas and surroundings.

- Devising and implementing general advocacy programmes on human rights that implant the values of freedom, equality and justice.