



Mission permanente d'Israël
auprès de l'Office des Nations Unies
et des Organisations Internationales à Genève

משלחת ישראל
ליד משרד האומות המאוחדות
והארגונים הבינלאומיים בג'נבה

The Permanent Mission of Israel to the United Nations and Other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honor to forthwith submit its responses to OHCHR's note verbale requesting States' views with regard to Human Rights Council resolution 16/15.

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

Geneva, 25 October 2011



OHCHR REGISTRY

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Recipients: S. Walker.....

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Office of the High Commissioner for Human Rights
Palais Wilson
52 rue des Pâquis
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**Subject: Human Rights of Persons with Disabilities- Human Rights Council resolution
16/15**

1. Are there any restrictions on the right of persons with disabilities to vote and be elected? If so, what are those restrictions?

All citizens who are of 18 years of age or older are entitled to vote, without distinction on the grounds of gender, race, color, ethnicity, wealth, property, or any other ground (*Basic Law: The Knesset*, Section 5). A person may be denied the right to vote only by the judgment of a competent court of law, which judgment is handed down pursuant the law (*Basic Law: The Knesset*, Section 5).

The Supreme Court ruled that since such legislation has never been legislated there is no possibility of denying the right to vote for any reason (*H.C.J Elraee v. The Minister of Interior PD 50(2), p. 18*).

In addition, any citizen who is 21 years of age or over may run for a seat in the Knesset, subject to certain exceptions.

Thus, persons with disabilities are entitled to vote and to be elected in Israel exactly like every other person, and in fact, there are currently at least two Israeli Knesset members who are disabled: one is a wheelchair user and one has a mobility disability. Both of them are greatly involved in promoting disabled people's rights.

2. What are the steps taken by your Government to ensure that persons with disabilities participate in political and public life?

The State of Israel carries out several important active steps in order to ensure the right of people with disabilities to vote, both those living in institutions and those living in the community.

According to the law, there must be at least one ballot-box accessible to people with mobility disability in each city, village or locality. In addition, while the general population must vote near their registered address, people with mobility disabilities are allowed to vote wherever they choose.

The law mandates the presence of at least one ballot box in each hospital, for the use of all people hospitalized there.

People with disabilities residing in institutions recognized by the Minister of Social affairs and Social Services in accordance with *Knesset Elections Law 5729-1969*, are entitled to vote at a ballot box located at the institution.

As a rule, one must vote alone, however a person who is unable to vote independently for reason of disability or illness may be assisted by another person. The assisting person may not be a manager or an employee of the institution where the person is residing, nor may any person assist more than two people in voting.

3. What steps has your Government taken and what mechanisms exist

- a. to ensure close and active consultation with persons with disabilities and their representative organizations in decision-making processes, including those related to the development of legislation and policy?**

The *Equal Rights for Persons with Disabilities Law 5758-1998* includes several sections which require the authorities to consult with NGOs and organizations of people with disabilities in the process of drafting the Accessibility Regulations, and such consultations were carried out in full both in the frame of Knesset committees deliberations on the matter and in deliberations and consultations that were held out of the Knesset. These NGOs and organizations are very active in the legislation process both of the Law and its Regulations. In addition, there is a permanent presence of persons with disabilities and these NGOs in the relevant Knesset committees' deliberations that relate to rights of persons with disabilities.

The Commission for Equal Rights of People with Disabilities has an Advisory Committee that accompanies the work of the Commission and composed mostly of people with various disabilities, who represent the central NGOs operating in this field in Israel.

- b. to promote participation in non-governmental organizations and associations concerned with public and political life?**

As mentioned in the reply to Article (a) above, the activities taken by the Commission for involvement of persons with disabilities, generate and contributes to empowerment and visibility of NGOs and other organizations operating for promotion of rights of persons with disabilities. The Commission is regularly consulting with such NGOs and organizations in all of the legislation procedures.

- c. to promote organizations of persons with disabilities at international, national, regional and locals levels?**

Israel supports and finances four national representative organizations of persons with disabilities:

- Israel Organization of Work Accidents – Disabled Persons and Widows,
- IDF Disabled persons' organization,
- The Terrorism Victims Association,
- The organization for disabled persons due to the Nazis persecutions.

Other organizations are entitled to submit applications for financial support according to Section 3A of the *National Budget Law*, and many such organizations do receive such support.

4. How are persons with disabilities and their representative organizations involved in monitoring the Convention

NGOs operation for promoting right of persons with disabilities were involved in the process of drafting the Convention. In addition, in the process of ratification of the convention which is currently in its final stages, the Commission requested comments from all of the relevant NGOs and organizations. In July 2011, a seminar of international experts was held on the issue of implementation of the Convention in Israel. In addition, in March 2012 an international conference is scheduled to be held regarding the implementation of the Convention in Israel. Also, a work plan regarding cooperation with such NGOs regarding the monitoring of the implementation of the Convention is currently being prepared

5. Are statistics collected in relation to the participation of persons with disabilities in political and public life? Please provide relevant statistics and data if possible.

No such data is currently available