

Legal Protection for Handicapped Women in the Light of Local Palestinian and International Legislations

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ABSTRACT

The aim of this study is to recognize the local and international protection mechanisms for the rights of handicapped women in Palestine. The study was carried out post the State of Palestine has signed a number of agreements that cares about women's rights in general and the agreement of handicapped people's rights in particular, and recognizing to what extent local Palestinian legislations suit the international agreement for handicapped people's rights. The importance of this study stems from the fact that handicapped women suffer from bi-maltreatment by other women, on one hand and because they are handicapped, on the other hand. For that, it's necessary to take care about them by clarifying the level of legal protection that local legislations provide, and whether those legislations go with the international agreements that care about handicapped people's rights. Post signing those agreements the State of Palestine has to check its legislations in order to suit the agreements. The study stirred many questions about the legal protection level that the local legislations provide to handicapped women and recognizing the international protection mechanisms and if they provide handicapped women with the required legal protection or not?

The descriptive method was applied, showing handicapped women's rights by reviewing the international agreements that care about their rights and the rights of women in general, and reviewing the protection mechanisms of the agreements. Following the analytical method for the local regulation's articles applied in Palestine that care about handicapped women and compare them with the international agreement for the rights of handicapped people.

The study was divided into an introduction and two chapters. The first chapter included the concept of handicap and its sorts, reviewing a number of handicapped women's rights according to the international agreements, the local legislations and to what extent they suit each

other's, and to what extent the governmental and non-governmental institutions support handicapped women.

In the second chapter, however we studied the concept of international agreements, the competent authority of signing the international agreements in Palestine, the attitude of the constitutional court from the status of the international agreements in the Palestinian legal system, and the consequences of Palestine joining the international agreement for handicapped people. After that, we reviewed the most important international agreements that care about women's rights in general, handicapped women in particular, and its own protection mechanisms.

The most remarkable results of the study through our reviewing the national Legislations, particularly law of rights of Palestinian handicapped people, we found articles talk generally about rights of the handicapped of both sexes, without specifying any article for handicapped women, this contradicts texts of the international agreement of rights of handicapped people that Palestine has joined, recently.

The most considerable recommendations that the study concluded is that by joining those agreements, Palestinian is committed to including texts and regulations of those agreements in its national legislations. Besides, validating their rules and removing any contradictions between those agreements and the local laws, and to specify articles for handicapped women in the local or internal laws.