



## Convention on the Rights of Persons with Disabilities

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### Committee on the Rights of Persons with Disabilities

## Concluding observations on the initial report of the United Arab Emirates\*

### I. Introduction

1. The Committee considered the initial report of the United Arab Emirates (CRPD/C/ARE/1) at its 275th and 276th meetings (see CRPD/C/SR.275 and 276), held on 18 and 19 August 2016. It adopted the present concluding observations at its 291st meeting, held on 30 August 2016.
2. The Committee welcomes the initial report of the State party, which was prepared in accordance with the Committee's reporting guidelines, and thanks the State party for the written replies (CRPD/C/ARE/Q/1/Add.1) to the list of issues prepared by the Committee (CRPD/C/ARE/Q/1).
3. The Committee appreciates the dialogue held with the State party's delegation and commends the State party for the strength of its delegation, which included many representatives of relevant government ministries.

### II. Positive aspects

4. The Committee commends the initial steps taken to put in place legislation, mechanisms and programmes to promote and protect the rights of persons with disabilities, including those improving physical accessibility, and welcomes the guarantee of free health-care services, the special hotline for victims of violence with disabilities, Federal Act No. 9 of 2011 providing for priority access to employment in federal government agencies for persons with disabilities and the "We are all children" initiative launched in 2011 to integrate children with disabilities in kindergartens. The Committee also welcomes the State party's accession in 2014 to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled.

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\* Adopted by the Committee at its sixteenth session (15 August-2 September 2016).



## A. General principles and obligations (arts. 1-4)

5. The Committee notes that the State party has not ratified the Optional Protocol to the Convention. It also notes that the State party has not ratified other international human rights treaties, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance.

6. **The Committee recommends that the State party ratify the Optional Protocol to the Convention as soon as possible and that it consider ratifying the international human rights treaties to which it is not yet a party, in particular the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance.**

7. The Committee is concerned that:

(a) Legislation on persons with disabilities dates from before the ratification of the Convention, has not been harmonized with the latter and does not reflect the human rights model of disability;

(b) The definition of disability in Federal Act No. 29 of 2006 as amended by Federal Act No. 14 of 2009 is not in accordance with the criteria and principles set out in articles 1 to 3 of the Convention;

(c) Derogatory terminology concerning persons with disabilities has not yet been eliminated from all laws, policies and government discourse;

(d) Insufficient measures have been taken to ensure implementation of the Convention at the local level throughout the State party;

(e) There is a heavy focus on creating specialized solutions that lead to the segregation of persons with disabilities.

8. **The Committee recommends that the State party, in consultation with persons with disabilities and their representative organizations, adopt all measures necessary to ensure that its legislation, policies and practices are in full compliance with the general principles and specific provisions of the Convention. In particular, the Committee recommends that the State party:**

(a) **Undertake a comprehensive legislative and policy review in order to adopt, ensure and enforce the prohibition of discrimination on the basis of disability and the full transition to a human rights-based model of disability;**

(b) **Ensure that the definition of disability in the national legislation is in full conformity with the criteria and principles set out in articles 1 to 3 of the Convention;**

(c) **Ensure that derogatory terminology is eliminated from all laws, policies and government discourse;**

(d) **Engage in mainstreaming the rights of persons with disabilities and their access to services for their full inclusion in the community.**

9. The Committee notes with concern:

(a) That it did not receive any alternative reports from civil society in the United Arab Emirates, including from organizations of persons with disabilities;

(b) The lack of consultations involving persons with disabilities and the difficulties faced by independent organizations of persons with disabilities and their families in engaging in human rights advocacy aimed at a better implementation of the Convention;

(c) That foundations and other civil society organizations providing services to persons with disabilities do not fully comply with the principles of the Convention in terms of service provision.

10. **The Committee recommends that the State party:**

(a) **Adopt the measures necessary — including a review of existing laws and their current requirements, the provision of financial and other support, and the establishment of a formal mechanism recognized by law — to ensure that independent organizations of persons with disabilities can register as self-governing associations and can contribute effectively to the implementation of the Convention through law-making and policymaking and through systematic participation and consultation;**

(b) **Ensure that all foundations and civil society organizations engaged in service provision, including organizations of persons with disabilities, comply with the principles and provisions of the Convention by developing guidelines and standards for service provision in close consultation with representative organizations of persons with disabilities;**

(c) **Ensure that organizations of persons with disabilities have the freedom to engage independently with United Nations human rights mechanisms.**

## **B. Specific rights (arts. 5-30)**

### **Equality and non-discrimination (art. 5)**

11. The Committee is concerned:

(a) That the national legislation makes no reference to the denial of reasonable accommodation and discrimination by association as forms of disability-based discrimination;

(b) That training opportunities developed in consultation with organizations of persons with disabilities on the concept of reasonable accommodation and non-discrimination of persons with disabilities are not available to public and private actors and, in particular that such opportunities are not available to members of the legal profession and the judiciary, law enforcement officers, civil servants, employers, educational and health professionals, and persons with disabilities themselves;

(c) About the lack of specific legislation concerning protection against multiple and intersectional forms of discrimination.

12. **The Committee recommends that the State party:**

(a) **Explicitly define in national law that denial of reasonable accommodation and discrimination by association are forms of disability-based discrimination;**

(b) **Provide training opportunities developed in consultation with and with the involvement of organizations of persons with disabilities on the concept of reasonable accommodation and non-discrimination of persons with disabilities to public and private actors, in particular members of the legal profession and the judiciary, law enforcement officers, civil servants, employers, educational and health professionals, and persons with disabilities themselves;**

(c) **Incorporate into national law a provision explicitly guaranteeing protection against multiple and intersectional forms of discrimination, including discrimination on the basis of gender, age, disability and migrant status, and ensure that such a provision is accompanied by greater sanctions for perpetrators and higher levels of compensation and redress for victims;**

(d) **Be guided by article 5 of the Convention in the implementation of targets 10.2 and 10.3 of the Sustainable Development Goals.**

**Women with disabilities (art. 6)**

13. The Committee is concerned about:

(a) The multiple forms of discrimination that women and girls with disabilities experience in the State party, including as relates to loss of personal status and rights within the family as set out in the law on personal status and the Penal Code, and the lack of measures taken to address the issue;

(b) The overall lack of information on the social, economic and political situation of women and girls with disabilities and of measures to increase the participation of women with disabilities in the making of decisions affecting them.

14. **The Committee recommends that the State party:**

(a) **Repeal all legal provisions, including those in the law on personal status and the Penal Code (see CEDAW/C/ARE/CO/2-3, para. 14) in order to ensure that women and girls, including women and girls with disabilities, enjoy rights within the family on an equal basis with men and boys;**

(b) **Carry out awareness-raising campaigns and education programmes at all levels, in particular the family level, to foster respect for the rights and dignity of women and girls with disabilities and combat stereotypes, prejudices and misconceptions about women and girls with disabilities;**

(c) **Mainstream, in consultation with representative organizations, the full range of rights of women and girls with disabilities on the women's rights agenda with a view to developing policies to promote the autonomy and full participation in society of such women and girls;**

(d) **Be guided by article 6 of the Convention and the Committee's general comment No. 3 (2016) on women and girls with disabilities in the implementation of target 5 of the Sustainable Development Goals.**

**Children with disabilities (art. 7)**

15. The Committee is concerned at the absence of:

(a) A strategy to promote the exercise by girls and boys with disabilities of their freedoms and rights on an equal basis with other children;

(b) Data about girls and boys with disabilities and that information on the measures and support available to children with disabilities reaching adulthood for starting an independent life is not collected systematically;

(c) Means for girls and boys with disabilities to express their views on all matters that concern them.

16. **The Committee recommends that the State party:**

(a) **Take all the steps necessary to promote the realization of the rights of the child for girls and boys with disabilities on an equal basis with other children, and**

provide adequate support for girls and boys with disabilities to help them start an independent life when they reach adulthood;

(b) Ensure safeguards to protect the right of girls and boys with disabilities to be consulted in all matters that concern them and to ensure that they receive appropriate assistance in that regard.

#### **Awareness-raising (art. 8)**

17. The Committee is concerned:

(a) That the State party considers the primary prevention of impairment as a measure that promotes the rights of persons with disabilities, thereby contributing to perpetuating a negative image of persons with disabilities, which is contrary to the Convention;

(b) That persons with disabilities are perceived within the family and society in general as lacking the ability to live independently and to participate and be included in the community on an equal basis with others;

(c) About the lack of awareness of persons with disabilities about their rights under the Convention and about the services available to them.

18. **The Committee recommends that the State party take measures to promote an image of persons with disabilities compatible with the human rights model of disability, to ensure that any policy aiming at the rehabilitation, treatment or prevention of disability does not undermine the dignity of persons with disabilities and to establish, together with organizations of persons with disabilities, awareness-raising campaigns and training programmes that are in conformity with the principles of the Convention and based on the human rights model of disability in order to overcome entrenched gender and disability stereotypes in society.**

#### **Accessibility (art. 9)**

19. The Committee is concerned that almost all initiatives to ensure accessibility for persons with disabilities address physical disabilities, are not systematic, are often associated with charitable initiatives and are limited in scope. The Committee is also concerned about the absence of:

(a) Specific binding legal and policy frameworks to ensure accessibility for persons with disabilities, on an equal basis with others, to all facilities and services open or provided to the public throughout the State party, including access to information, means of communications and transport;

(b) Cases involving the handing down of legal sanctions for non-compliance with accessibility standards and guidelines.

20. **In the light of its general comment No. 2 (2014) on accessibility, the Committee recommends that the State party:**

(a) **Adopt legislation for barrier-free facilities and services open to the public and a comprehensive accessibility plan, paying particular attention to communication-related needs, the allocation of sufficient resources, enforceable and effective sanctions for non-compliance, obligatory accessibility criteria for public procurement, and a road map for removing existing barriers based on detailed data with a concrete time frame and a monitoring and enforcement mechanism;**

(b) **Promote a universal design for all buildings and public services, information and social media, transport and services open to the public, and incorporate accessibility standards into public procurement criteria;**

(c) **Be guided by article 9 of the Convention in the implementation of targets 11.2 and 11.7 of the Sustainable Development Goals.**

**Situations of risk and humanitarian emergencies (art. 11)**

21. The Committee notes that in 2009 the Ministry of Social Affairs issued technical guidelines for civil defence personnel on ways to plan the evacuation of persons with disabilities in emergency situations. The Committee is concerned, however:

(a) That, apart from those guidelines, there are no strategies, protocols or tools to prevent, protect, inform, assist and involve persons with disabilities in situations of risk and humanitarian emergencies;

(b) About the lack of detailed information regarding the training to be provided to all staff involved in the evacuation of persons with disabilities during emergencies.

22. **The Committee recommends that the State party:**

(a) **Adopt and implement a comprehensive emergency and disaster risk reduction strategy and protocols that are fully inclusive of and accessible to persons with disabilities;**

(b) **Regularly provide basic training to persons charged with evacuating persons with disabilities in the event of an emergency.**

**Equal recognition before the law (art. 12)**

23. The Committee is deeply concerned about legislative provisions that make it possible to restrict and even deny the legal capacity of persons with disabilities, for example the provisions in, among others, Federal Act No. 5 of 1985 (Civil Code), Federal Act No. 28 of 2005 and Federal Act No. 29 of 2006 as amended by Federal Act No. 14 of 2009 and the Criminal Code, including in relation to the right to marry. The Committee is also concerned that women in the State party, including women with disabilities, continue to be subjected to male guardianship.

24. **Recalling its general comment No. 1 (2014) on equal recognition before the law, the Committee recommends that the State party repeal regimes of substituted decision-making (among others, provisions of Federal Act No. 5 of 1985 (Civil Code), Federal Act No. 28 of 2005 and Federal Act No. 29 of 2006 as amended by Federal Act No. 14 of 2009 and the Criminal Code) and replace them by supported decision-making regimes that uphold the autonomy, will and preferences of persons with disabilities. The Committee also recommends that the State party abolish altogether the system of male guardianship of women, including women with disabilities.**

**Access to justice (art. 13)**

25. The Committee is concerned:

(a) That judicial officials are unaware of the rights of persons with disabilities and that the justice sector has no programmes specifically designed to provide assistance to persons with disabilities;

(b) At the lack of accessibility within the justice system, including in respect of legal aid and assistance, sign language interpreters in court rooms and procedural accommodations, despite the issuance of Ministerial Decree No. 619 of 2015;

(c) At the lack of information about court cases initiated by persons with disabilities;

(d) That no measures have been taken to address the challenges faced by women, especially women who are not citizens of the State party, in accessing justice when they report having experienced violence.

26. **The Committee recommends that the State party:**

(a) **Train court staff, judges, police officers and prison staff to uphold the rights of persons with disabilities, including the right to a fair trial, and the obligation to provide procedural accommodation;**

(b) **Take measures to ensure in practice the physical and information- and communication-related accessibility to all judicial facilities, for example through the provision of professional sign language interpreters and the use of Braille, among other procedural accommodations;**

(c) **Take measures to collect quantitative and qualitative data about court cases initiated by persons with disabilities;**

(d) **Take measures to address the challenges faced by women, especially women who are not citizens of the State party, in accessing justice when they report having experienced violence;**

(e) **Be guided by article 13 of the Convention in the implementation of target 16.3 of the Sustainable Development Goals.**

**Liberty and security of the person (art. 14)**

27. The Committee is concerned:

(a) That persons are detained involuntarily in specialized institutions on the basis of their impairment and are deprived of their liberty because of a disability, including an intellectual or psychosocial disability;

(b) That persons with intellectual and psychosocial disabilities accused of an offence are declared unfit to stand trial and not given due process.

28. **The Committee recommends that the State party:**

(a) **Repeal all legislation that authorizes institutionalization without the free and informed consent of the person, including in cases where consent is substituted by a third party, and repeal all laws that allow for deprivation of liberty on the basis of disability;**

(b) **Ensure that persons with disabilities accused of an offence are entitled to a fair trial and due process of law guarantees, including the presumption of innocence, on an equal basis with others;**

(c) **Be guided by the Committee's guidelines on article 14 of the Convention on the right to liberty and security of persons with disabilities in the implementation of the present recommendations.**

**Freedom from torture and cruel, inhuman or degrading treatment or punishment (art. 15)**

29. The Committee is concerned that:

(a) Federal Act No. 10 of 2008 on medical liability and other laws allow guardians or legal representatives to consent to medical research or experiments on behalf of persons with disabilities;

(b) Corporal punishment remains lawful in alternative care settings, at home, in day care establishments and as a sentence for committing a crime and that it is not explicitly prohibited in private schools;

(c) Parents have the right to “chastise” their children, including children with disabilities;

(d) There is a lack of information on how corporal punishment affects persons with disabilities in all settings, including migrant workers, especially domestic migrant workers.

**30. The Committee recommends that the State party:**

(a) **Repeal all laws, including Federal Act No. 10 of 2008, allowing guardians or legal representatives to consent to medical research or experiments on behalf of persons with disabilities;**

(b) **Prohibit all forms of corporal punishment in all settings;**

(c) **Provide information in its next periodic report on measures taken to protect persons with disabilities, including migrant workers with disabilities, from corporal punishment.**

**Freedom from exploitation, violence and abuse (art. 16)**

31. The Committee is concerned that marital rape is not criminalized and that husbands have the right to “chastise” their wives, including those with disabilities. The Committee is also concerned about the lack of:

(a) A specific law criminalizing domestic violence, including sexual violence and incest, which often goes unreported;

(b) A disability perspective in policies for protection from violence, abuse and exploitation;

(c) Data on the protection of persons with disabilities, especially women, girls and migrant workers, from exploitation, violence and abuse;

(d) Accessible complaints mechanisms and victim support services;

(e) Training activities on preventing and addressing violence against persons with disabilities.

**32. The Committee recommends that the State party:**

(a) **Adopt a law explicitly criminalizing domestic violence, including marital rape, and establish a comprehensive domestic violence protection system, mainstreaming the rights and needs of women and girls with disabilities therein, including by consulting with their representative organizations;**

(b) **Repeal article 53 of the Penal Code and other laws giving husbands the right to “chastise” their wives;**

(c) **Develop policies aimed at providing protection from violence, abuse and exploitation, mainstream the disability perspective and step up measures to protect persons with disabilities, especially women and girls and migrant workers, from exploitation, violence and abuse;**



(d) **Collect disaggregated data on violence against persons with disabilities, especially women, children and migrant workers, and conduct research on the issue;**

(e) **Establish accessible and inclusive complaints mechanisms and guarantee the provision of accessible information and inclusive victim support services that are sufficient in number and location, in particular for women and girls with disabilities;**

(f) **Institute regular training on preventing and addressing violence against persons with disabilities for all relevant authorities and other stakeholders, including police officers, prosecutors, judges, social workers and health professionals.**

#### **Protecting the integrity of the person (art. 17)**

33. The Committee is concerned that the national legislation, including article 13 of Federal Act No. 10 of 2008, permits the involuntary or forced sterilization of persons with disabilities, and allows sterilization when consent is given by a third party.

34. **The Committee recommends that the State party repeal article 13 of Federal Act No. 10 of 2008 and review its legislation to explicitly prohibit involuntary or forced sterilization of persons with disabilities, including sterilization when consent is given by a third party.**

#### **Liberty of movement and nationality (art. 18)**

35. The Committee is concerned about the lack of information on:

(a) The conditions in deportation and detention centres, including on accessibility and reasonable accommodation in those centres for migrant workers with disabilities;

(b) Applications made by persons with disabilities for naturalization and whether the naturalization procedure is accessible to them on an equal basis with others and without restrictions;

(c) The nationality status of Bidouns with disabilities and birth registration of Bidoun children with disabilities and the extent to which they are able to enjoy their rights and gain access to services.

36. **The Committee recommends that the State party ensure that:**

(a) **Detention and deportation centres are accessible to migrant workers with disabilities and that migrant workers with disabilities are provided with reasonable accommodation;**

(b) **Naturalization procedures are fully accessible to persons with disabilities and that any person with a disability can choose to apply for nationality of the United Arab Emirates on an equal basis with others;**

(c) **All Bidouns with disabilities enjoy the right to a nationality and have access to services and that all Bidoun children with disabilities have a birth certificate and are able to exercise all the rights enshrined in the Convention.**

#### **Living independently and being included in the community (art. 19)**

37. The Committee is concerned that a number of cultural, social and environmental challenges prevent persons with disabilities from enjoying their rights to live independently and be included in the community, including the absence of a strategy to develop inclusive community-based services and provide personal assistance.

38. **The Committee recommends that the State party adopt a strategy to promote the rights of persons with disabilities, including Bidouns, to live independently and be included in the community, which includes developing community-based services, providing personal assistance and rendering existing services inclusive, regardless of place of residence, and to systematically provide information to persons with disabilities and their families on how to claim the kind of support services and assistance that would enable them to live independently in accordance with their own choices and as part of the community.**

**Freedom of expression and opinion, and access to information (art. 21)**

39. The Committee is concerned that the sign languages of the United Arab Emirates are not officially recognized and that efforts to train qualified sign language interpreters have been insufficient.

40. **The Committee recommends that the State party take measures to officially recognize the sign languages of the United Arab Emirates and to intensify its efforts to train qualified sign language interpreters.**

**Respect for the home and the family (art. 23)**

41. The Committee is concerned that:

(a) The national legislation restricts marriage on the basis of disability and requires a prenuptial medical examination for persons with disabilities to receive a financial assistance grant;

(b) Discriminatory laws and policies prevent persons with disabilities, in particular women, from enjoying their rights on an equal basis with others in all matters relating to marriage, the family, parenthood and relationships;

(c) The State party has not adopted any measures to ensure adequate support to families of children with disabilities or adults who require a high degree of support.

42. **The Committee recommends that the State party:**

(a) **Repeal legislation restricting marriage on the basis of disability and requiring a prenuptial medical examination for persons with disabilities;**

(b) **Repeal the discriminatory provisions in family and other law to ensure that all women and men with disabilities are able to enjoy, on an equal basis with others, their rights in matters related to marriage, family, parenthood and relationships;**

(c) **Ensure support to parents with disabilities and to families of children with disabilities, including adults who require a high degree of support.**

**Education (art. 24)**

43. The Committee is concerned:

(a) That priority is still given to the provision of special education, including in mainstream schools, over the development of a fully inclusive educational system and that a comprehensive strategy for quality inclusive education is missing;

(b) That the State party has not taken sufficient steps to provide reasonable accommodation to all students with disabilities in mainstream schools, including children with intellectual and psychosocial disabilities;

(c) That training on inclusive education and teaching children with disabilities is not yet an integral part of core teacher training curricula in universities;

(d) About the emphasis on vocational and crafts skills as opposed to academic training for persons with disabilities;

(e) About the lack of information about illiteracy among older adults with disabilities and about opportunities to access vocational training and tertiary education;

(f) About the lack of disaggregated statistical data on children with disabilities in inclusive education and of teachers trained on inclusive education and teaching children with disabilities;

(g) That the quality of the education available to children with disabilities is not assessed.

**44. The Committee recommends that the State party:**

**(a) Adopt all the legal and other measures necessary, including a comprehensive strategy, to ensure the right of all children with disabilities, including children with intellectual or psychosocial disabilities, to compulsory and free primary inclusive and quality education in public and private settings, including by ensuring the provision of reasonable accommodation, assistive devices, support and accessible curricula, materials and environments;**

**(b) Reorient resources from segregated educational settings towards quality inclusive education with the provision of reasonable accommodation and individual support, accessible environments and curricula, for all students with disabilities in mainstream schools, at all levels, and mandatory in-service training of all teachers and all staff in education facilities on quality inclusive education;**

**(c) Ensure that training on inclusive education and teaching children with disabilities is compulsory and an integral part of core teacher training curricula in universities;**

**(d) Be guided by article 24 of the Convention and the Committee's general comment No. 4 (2016) on the right to an inclusive education in the implementation of targets 4.5 and 4 (a) of the Sustainable Development Goals;**

**(e) Provide, in its next periodic report, information about illiteracy among older adults with disabilities and about opportunities to access vocational and tertiary education and statistical data on the percentage of children with disabilities in inclusive education and of teachers trained in inclusive education and in teaching children with disabilities;**

**(f) Takes measures to assess the quality of education of children with disabilities.**

**Health (art. 25)**

**45. The Committee is concerned:**

(a) That national legislation is inconsistent with the right of persons with disabilities to free and informed consent in relation to medical treatment and about the absence of legislation that explicitly recognizes that right for persons with disabilities, including persons with intellectual and psychosocial disabilities;

(b) About the lack of information on how the mandatory HIV/AIDS testing policies for pregnant women and migrant workers affect the right to health of persons with disabilities;

(c) About the lack of accessible health-care services, including sexual and reproductive health services, and information;

(d) About the lack of training for all health professionals on the human rights of persons with disabilities.

46. **The Committee recommends that the State party:**

(a) **Repeal legislation that violates the right of persons with disabilities to free and informed consent in relation to medical treatment and enact legislation that explicitly recognizes that right for persons with disabilities, including persons with intellectual and psychosocial disabilities;**

(b) **Revise the policy of mandatory HIV/AIDS testing, which goes against free and informed consent;**

(c) **Develop a wide range of community-based health services and ensure their accessibility, including health services and information for women with disabilities on their rights enshrined in article 25 of the Convention;**

(d) **Raise awareness of the human rights model of disability among all health professionals, including training on the right to free and informed consent;**

(e) **Be guided by article 25 of the Convention in the implementation of target 3 of the Sustainable Development Goals.**

#### **Habilitation and rehabilitation (art. 26)**

47. The Committee is concerned that policies on habilitation and rehabilitation overemphasize health-related issues and that non-citizens do not have access to habilitation and rehabilitation services and devices.

48. **The Committee recommends that the State party develop comprehensive cross-sectorial habilitation and rehabilitation services and programmes that are based on the principles of participation and inclusion, in particular in the areas of health, employment, education and social services, and that are available to persons with disabilities, including non-citizens, in or as close as possible to their own communities.**

#### **Work and employment (art. 27)**

49. The Committee is concerned about:

(a) The lack of inclusive employment policies and the low employment rate of persons with disabilities in spite of a quota system, in particular regarding women, whose participation in employment may, in practice, be conditional on the consent of a male guardian;

(b) The insufficient placement services and continuing training opportunities for persons with disabilities;

(c) The lack of protection and compensation under the labour law for migrant workers, especially domestic workers, subjected to the *kafalah* system, who have acquired an impairment as a result of their work in the State party.

50. **The Committee recommends that the State party:**

(a) **Take measures to eliminate discriminatory practices on the basis of impairment and gender and adopt the policies and measures necessary, including affirmative action, to significantly increase the employment rate of persons with disabilities, especially women, in the open labour market, in both the public and private sectors;**

(b) **Intensify its efforts to develop placement services and continuing training, as well as self-employment and entrepreneurship opportunities;**

(c) **Ensure that migrant workers, especially domestic workers and including those with disabilities, are not subjected to the *kafalah* system and are fully and equally protected by the labour law;**

(d) **Ensure that all migrant workers, including domestic workers, who have acquired impairment as a result of their work in the State party receive appropriate compensation;**

(e) **Be guided by article 27 of the Convention in the implementation of target 8.5 of the Sustainable Development Goals.**

#### **Adequate standard of living and social protection (art. 28)**

51. The Committee is concerned that the amount of pensions, social welfare, grants and other subsidies provided to persons with disabilities is insufficient to ensure an adequate standard of living and that there is a lack of awareness among persons with disabilities, including persons with disabilities who are not citizens of the State party, of the availability of social protection programmes and housing in the State party.

52. **The Committee recommends that the State party:**

(a) **Increase social welfare benefits, including those covering the cost of disability-related expenses, to ensure an adequate standard of living for persons with disabilities and their families and take measures to increase awareness among persons with disabilities, including persons with disabilities who are not citizens of the State party, of the availability of social protection programmes and housing in the State party;**

(b) **Be guided by article 28 of the Convention in the implementation of target 10.2 of the Sustainable Development Goals.**

#### **Participation in political and public life (art. 29)**

53. The Committee is concerned:

(a) That article 70 (3) of the Constitution and articles 85 and 86 of the Civil Code deny the right to exercise civil and political rights, including the right to vote and stand for election, to persons deemed incompetent by reason of “imbecility or insanity” or restricted in the exercise of their legal capacity;

(b) That legislation on voter assistance provisions for persons with disabilities violates the secrecy of voting;

(c) About the lack of information on measures taken to promote the participation of persons with disabilities in civic and political processes.

54. **The Committee recommends that the State party:**

(a) **Repeal article 70 (3) of the Constitution and provisions of the Civil Code and other laws that deny the right to exercise civil and political rights on the basis of disability or restriction of legal capacity;**

(b) **Ensure, through legislative and other measures, accessibility to ballots, election materials and polling stations and also ensure that, when voting, persons with disabilities are allowed assistance from a person of their own choice;**

(c) **Take measures to promote the participation of persons with disabilities in civic and political processes.**

**Participation in cultural life (art. 30)**

55. The Committee is concerned about the lack of measures taken to include persons with disabilities, especially children, in recreational, sport and cultural activities, which remain mostly segregated.

56. **The Committee recommends that the State party set up a comprehensive strategy for the inclusion of persons with disabilities in recreational, sport and cultural activities and in society at large.**

**C. Specific obligations (arts. 31-33)**

**Statistics and data collection (art. 31)**

57. The Committee is concerned:

(a) That the State party does not systematically collect disaggregated statistical data on persons with disabilities in all areas, including in respect of violence and access to justice;

(b) About the lack of data collected on migrant workers with disabilities and on migrant workers who have acquired a disability.

58. **The Committee recommends that the State party systematically facilitate the collection, analysis and dissemination of disaggregated statistical data in all areas of the demographics of persons with disabilities, including migrant workers with disabilities, in order to enable it to formulate and implement policies to give effect to the Convention. It also recommends that the State party be guided by article 31 of the Convention in the implementation of target 17.18 of the Sustainable Development Goals.**

**International cooperation (art. 32)**

59. The Committee is concerned that the rights of persons with disabilities are not systematically considered in international development and assistance efforts made by the State party.

60. **The Committee recommends that the State party ensure that all international cooperation efforts are fully inclusive of persons with disabilities, from the design of programmes and policies to monitoring and evaluation, and that, together with international development actors, it systematically consults organizations of persons with disabilities.**

**National implementation and monitoring (art. 33)**

61. The Committee is concerned:

(a) About the absence of high-level mechanisms to coordinate policy on the rights of persons with disabilities;

(b) That, in spite of the voluntary commitment made by the State party in the context of the universal periodic review in 2008 (see A/HRC/WG.6/15/ARE/1 and Corr.1, para. 10), the State party has not yet established a national human rights institution.

62. **The Committee recommends that the State party:**

(a) **Consider establishing a high-level focal point authority at the ministerial level to coordinate matters relating to the implementation of the Convention across all sectors and between different levels of government;**

(b) Establish without further delay a monitoring mechanism compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and ensure that organizations of persons with disabilities participate in its work.

#### Technical cooperation (art. 37)

63. The Committee recommends that the State party avail itself of technical cooperation from the member organizations of the Inter-Agency Support Group on the Convention on the Rights of Persons with Disabilities for the purpose of obtaining guidance and assistance on implementing the Convention and the present concluding observations.

## IV. Follow-up

#### Dissemination of information

64. The Committee requests that the State party provide information, within 12 months of the adoption of the present concluding observations and in accordance with article 35 (2) of the Convention, on the measures taken to implement the Committee's recommendations contained in paragraphs 30 (freedom from torture and cruel, inhuman or degrading treatment or punishment) and 62 (national implementation and monitoring).

65. The Committee requests the State party to implement the recommendations contained in the present concluding observations. It recommends that the State party transmit the concluding observations for consideration and action to members of the Government and parliament, officials in relevant ministries, local authorities and members of relevant professional groups, such as education, medical and legal professionals, as well as to the media, using modern social communication strategies.

66. The Committee strongly encourages the State party to involve civil society organizations, in particular organizations of persons with disabilities, in the preparation of its periodic report.

67. The Committee requests the State party to disseminate the present concluding observations widely, including to non-governmental organizations and organizations of persons with disabilities, and to persons with disabilities themselves and members of their families, in national and minority languages, including sign language, and in accessible formats, and to make them available on the government website on human rights.

#### Next periodic report

68. The Committee requests the State party to submit its combined second and third periodic reports by 19 April 2020 and to include in them information on the implementation of the recommendations made in the present concluding observations. The Committee also requests the State party to consider submitting the above-mentioned reports under the Committee's simplified reporting procedure, according to which the Committee prepares a list of issues at least one year prior to the due date set for the report of a State party. The replies of a State party to such a list of issues constitute its report.