



# Convention on the Rights of Persons with Disabilities

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## Committee on the Rights of Persons with Disabilities

### List of issues prior to submission of the combined second and third periodic reports of the United Arab Emirates\*

#### A. Purpose and general obligations (arts. 1–4)

1. Please clarify whether the Convention has been incorporated into domestic law and whether it can be invoked before the courts.
2. Please:
  - (a) Indicate measures taken to fully harmonize laws and policies with the Convention, in particular to ensure that the concept of disability as stated in the federal law on the rights of persons with disabilities – the Rights of Persons with Disabilities Act, No. 29 of 2006 (the Disability Act) – is fully in line with the human rights model of disability;
  - (b) Provide information on the modalities and time frame for the implementation of the Disability Act at all levels of government, including local administration, and the resources allocated for its implementation, and confirm that the Disability Act addresses the rights of all persons with disabilities.
3. Please provide information on:
  - (a) Concrete mechanisms for consulting with and enabling the participation of persons with disabilities and their representative organizations in legislative and administrative processes and other matters that affect them;
  - (b) Measures taken to abolish in all laws and regulations the use of terms such as “persons of determination”, and “insanity” and “dementia” to refer to persons with psychosocial disabilities.
4. Please inform the Committee about the State party’s plans to ratify the Optional Protocol to the Convention, as well as 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.

#### B. Specific rights (arts. 5–30)

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

5. Please provide:
  - (a) Information about whether denial of reasonable accommodation is defined as a prohibited ground of discrimination in domestic law;

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\* Adopted by the pre-sessional working group at its sixteenth session (12–16 September 2022).



(b) Data on the number and types of claims of discrimination on the basis of disability reported, specifying the number of claims made by women and girls with disabilities, the nature and the outcome of the investigations conducted and the nature of the resulting sanctions, including remedies provided to victims;

(c) Information on the situation of persons with disabilities belonging to ethnic, religious or linguistic minorities, and of migrant workers, refugees and asylum-seekers with disabilities, and indicate measures taken to ensure that disability legislation and policies include and protect them;

(d) Information on steps taken to ensure that the Government's national identification cards for persons with disabilities are not used as vehicles of discrimination.

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

6. Please provide information on measures to mainstream the rights and positive images of women and girls with disabilities as rights holders into gender equality policies and strategies and to combat the discrimination experienced in all areas of life by women and girls with disabilities, in particular discrimination arising from traditional and cultural practices. Please provide information on collaboration with organizations representing women and girls with disabilities.

7. Please provide information on the practice of male guardianship and how the general principle enshrined in the Convention of equality between men and women is upheld.

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

8. Please:

(a) Indicate how the rights of children with disabilities are taken into consideration for them to systematically participate in decision-making and whether they are incorporated into national strategies for children, and whether the federal bill on the rights of the child has been adopted;

(b) Provide data, disaggregated by sex, age and type of impairment, on the number of children with disabilities in the children's parliament and the children's congress, created in 2020, and inform the Committee about steps taken to ensure that children with disabilities can express themselves, give their views and contribute to all discussions on their rights, including the right to make decisions regarding their health, and provide information on measures taken to ensure the equitable allocation of resources for programmes that are inclusive of children with disabilities and support their inclusion and participation in their communities on an equal basis with others.

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

9. Please provide information on:

(a) Regulated mechanisms for financial support to, consultation with and participation of persons with disabilities and their representative organizations in the Government's awareness-raising campaigns, including mass media campaigns aimed at eliminating discrimination faced by persons with disabilities;

(b) The steps being taken to promote an image of persons with disabilities that is compatible with the human rights model of disability, including through the use of the media, public awareness campaigns and other means;

(c) The measures being taken to inform persons with disabilities, including women and girls with disabilities, of their rights under the Convention and the services available to them.

**Accessibility (art. 9)**

10. Please provide the Committee with information on:

(a) Plans for the universal design of all buildings and public services, of Internet content, of transportation and of all services available to the public, and on the resources allocated to and the timeline for the completion of such plans;

(b) Steps taken to monitor and enforce compliance with laws and regulations relating to accessibility, including through the use of punitive sanctions, in accordance with the Disability Act;

(c) How the Public Policy for the Promotion of the Rights of Persons with Disabilities ensures that various means of information and communications and related technologies and services provided to the public are fully accessible for persons with disabilities.

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

11. Please provide details on:

(a) Measures taken during the coronavirus disease (COVID-19) pandemic to ensure the accessibility of available humanitarian and emergency services to migrant workers, refugees and asylum-seekers with disabilities, in particular with respect to assistive devices, shelters, relief and other services and facilities, including social support and health services;

(b) How organizations of persons with disabilities are involved in the national strategy for the management of emergencies, disaster-related risks and climate change;

(c) Measures to ensure the inclusiveness and accessibility of preparedness and disaster risk reduction management strategies and climate change mitigation strategies for all persons with disabilities, in particular persons who are deaf or hard of hearing or deafblind, and persons with visual impairments, and resources allocated to ensure access to assistive devices during emergencies;

(d) The training being provided to persons charged with evacuating persons with disabilities in the case of emergencies to protect against abuse and neglect and ensure respect for their bodily autonomy.

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

12. Please provide information on measures taken to harmonize the Family Code with the provisions of the Convention in order to sustain the legal capacity of persons with disabilities and repeal and replace substituted decision-making with supported decision-making regimes in the exercise of legal capacity, in particular for women and girls with disabilities.

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

13. Please inform the Committee about:

(a) Measures taken to ensure that persons with disabilities, in particular women and girls with disabilities and persons with psychosocial disabilities and/or intellectual disabilities, have effective access to justice, on an equal basis with others and, specifically, are not restricted in filing complaints directly before the judiciary;

(b) Steps taken to make accessible the physical environment of judicial premises, such as courts, police stations and prisons, as well as to provide procedural accommodations;

(c) Any programmes that provide training to court staff, lawyers, 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 accommodations;

14. The measures in place to address the challenges faced by women with disabilities who are not citizens of the State party in accessing justice when they report having experienced violence.

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

15. Please provide information on:

(a) The number of persons deprived of their liberty on the grounds of psychosocial disability or perceived danger to themselves and/or society, and the measures taken to repeal provisions allowing for the deprivation of liberty on the basis of impairment, as well as the criteria and protocols that are applied in those cases to ensure judicial oversight to safeguard the liberty and security of persons with disabilities;

(b) The number of citizens and non-citizens with disabilities in prison, and measures taken to ensure that people with disabilities in prison have access to essential health and disability supports.

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

16. Please inform the Committee about:

(a) The current status of the bill designed to protect persons from subjection to medical experimentation and explain how it will benefit persons with disabilities;

(b) Measures taken to adopt legislation to protect women and girls with disabilities from forced contraception, sterilization and abortion, with particular reference to women and girls with psychosocial disabilities and/or intellectual disabilities;

(c) Measures taken to ensure that the National Human Rights Council, created in 2002 as the national monitoring mechanism for the prevention of torture, monitors all settings in which persons with disabilities may be deprived of their liberty;

(d) The measures to implement a mechanism that receives complaints about cases of torture of persons with disabilities and follows up on them, applying appropriate sanctions to perpetrators.

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

17. Please provide:

(a) Information on measures taken to prevent persons with disabilities, including non-citizens with disabilities and, in particular, women and girls with disabilities, from facing forced labour or trafficking in persons and to enable them to file complaints and seek and obtain redress;

(b) Information on the State party's measures to end corporal punishment of persons with disabilities, in particular children with disabilities and women with disabilities;

(c) Disaggregated data on violence against persons with disabilities, in particular women with disabilities, children with disabilities and migrant workers with disabilities, and information on steps taken to conduct research on the issue;

(d) Information on the prevalence of and trends in different forms of violence against persons with disabilities, including data, disaggregated by sex and age, on cases of violence and abuse committed in hospitals, in particular psychiatric hospitals, and places of detention;

(e) Information on the services and programmes in place to ensure the effective recovery, rehabilitation and social reintegration of victims of violence, in particular women and girls with disabilities;

(f) Information on any training provided to family members and caregivers of persons with disabilities, as well as to staff within the health-care and law enforcement systems, to recognize all forms of exploitation, violence and abuse, in particular in the case of orphans.

18. Please indicate measures taken to protect children with disabilities from all forms of violence in all settings, including in all educational institutions, as well as steps to protect abandoned children with disabilities and prevent abandonment.

19. In line with the recommendations made by the Committee on the Elimination of All Forms of Discrimination against Women in 2022<sup>1</sup> and target 5.2 of the Sustainable Development Goals, please:

(a) Provide data and information on gender-based violence and any programmes designed to protect and support women and girls with disabilities from violence;

(b) Indicate steps envisaged to enact laws or policies on combating violence against women that include a disability perspective and also address specific barriers faced by women and girls with disabilities in accessing justice.

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

20. Please provide information on:

(a) Measures being taken to prevent persons with disabilities still living in institutions from being subjected to coercion and other similar measures;

(b) Measures being taken to prevent the forced institutionalization of persons with psychosocial disabilities and/or intellectual disabilities.

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

21. Please provide information on the steps being taken to ensure that 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.

22. Please describe how detention and deportation centres are accessible to migrant workers with disabilities and how migrant workers with disabilities in such centres are provided with reasonable accommodation.

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

23. Please:

(a) Explain the State party's policy and road map to abolish "segregated arrangements" and step up independent living arrangements, including personal assistants, in the community for persons with disabilities, including any measures to ensure that persons with disabilities, regardless of their place of residence, have access to a range of independent-living support services;

(b) Explain the actions being taken to implement a deinstitutionalization process and to provide community-based support for people with disabilities leaving institutions;

24. Please provide data on how many persons with psychosocial disabilities and/or intellectual disabilities are living in residential institutions, disaggregated by sex, age, gender, disability and how long they have remained in the institutions.

**Personal mobility (art. 20)**

25. Please indicate:

(a) Mechanisms in place to support persons with disabilities to obtain mobility aids, devices and other assistive technologies and forms of life assistance and intermediaries, in order to enhance their personal mobility;

(b) Measures taken to address the challenges faced by persons with disabilities, with particular reference to persons with visual impairment and persons with motor disabilities.

<sup>1</sup> See CEDAW/C/ARE/CO/4.

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

26. Please inform the Committee about:

- (a) Measures to adopt sign language and recognize it as an official language;
- (b) The adoption of legislation to ensure that private and public entities that provide services to the general public and mass media outlets that provide information do so in accessible forms and formats for all persons with disabilities;
- (c) Measures taken to ensure that persons with disabilities and their representative organizations have freedom of expression without reprisals.

**Respect for privacy (art. 22)**

27. Please provide information on the progress made in changing attitudes in the community towards respect for the privacy of persons with disabilities.

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

28. Please provide information:

- (a) On the measures being taken to repeal legislation restricting marriage for persons with disabilities and the adoption of children on the basis of disability and requiring a prenuptial medical examination for persons with disabilities;
- (b) Concerning the conditions of marriage for persons with psychosocial disabilities and/or intellectual disabilities, in particular the requirement to obtain prior judicial authorization for such marriages;
- (c) On what support services are available to families of children with disabilities;
- (d) On the measures taken to support the right of persons with disabilities to parenthood and to nurture their families.

**Education (art. 24)**

29. Please provide:

- (a) Updated data on the rates of completion of each level of education (early childhood, primary, lower secondary, upper secondary and post-secondary) for learners with disabilities, and the number of children with disabilities, disaggregated by age, sex, type of impairment and area of residence (rural or urban), who are deprived of education, and the measures taken to remedy that situation;
- (b) Information on the measures taken to overcome the obstacles for achieving inclusive education for persons with disabilities, including the risk of school violence and bullying against learners with disabilities and the proportion of the State budget allocated to increasing the enrolment and retention of children with disabilities in mainstream schools;
- (c) Information on inclusive schools, including on their management, the training of teachers, the programmes taught and their inspection by the Ministry of Education, and on measures to include children with disabilities in ordinary classes after graduating.

30. Please provide:

- (a) Information on steps taken to develop curricular materials for all levels of education that incorporate a positive image of persons with disabilities and their contributions to the community;
- (b) Information on the programmes that facilitate adult education and lifelong learning for persons with disabilities.

**Health (art. 25)**

31. Please inform the Committee about:

- (a) The critical care services provided to persons with disabilities during the COVID-19 pandemic, including access to mechanical ventilators;

(b) Measures to guarantee the right of persons with disabilities, in particular persons with psychosocial disabilities and/or intellectual disabilities, women and girls with disabilities, and migrant workers and refugees with disabilities, to have access to quality health-care services on an equal basis with others, and the measures taken to make health centres and equipment accessible to persons with disabilities;

(c) Measures to ensure that persons with disabilities, in particular women and girls with disabilities, have access, on an equal basis with others, to comprehensive health services, including those related to sexual and reproductive health rights and HIV/AIDS prevention;

(d) The steps being taken to ensure that no health services or medical treatment are provided without the free and informed consent of persons with disabilities.

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

32. Please inform the Committee about the steps taken to ensure access to habilitation, rehabilitation and reintegration programmes for all persons with disabilities, including non-citizens with disabilities, persons with disabilities who are incarcerated or detained and women and girls with disabilities, in or as close as possible to their own communities.

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

33. Please provide:

(a) Updated data on the number of unemployed persons with disabilities in comparison with persons without impairments, and information on measures taken to overcome the lack of access to employment for persons with disabilities;

(b) Information on the budget allocated by the federal Government and the emirates to promote the employment of persons with disabilities;

(c) Information on mechanisms and procedures in place for persons with disabilities to address discrimination in all matters related to employment and conditions of work, including the provision of reasonable accommodation and equal pay for work of equal value;

(d) Statistical data on the number of complaints and the remedies provided therefor;

(e) Information on all measures taken to ensure that women with disabilities are protected from all forms of discrimination in the workplace, including sexual harassment and other forms of gender-based violence;

(f) Information on measures taken to ensure that migrant workers with disabilities are protected from discrimination, including multiple and intersectional discrimination, in their access to decent work on the open labour market.

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

34. Please provide:

(a) Data on migrant workers with disabilities who access social protection and remedies, including accessible repatriation and rehabilitation to return to their home countries;

(b) Information on non-citizens with disabilities and whether they are allowed to benefit from the standard national system of social protection.

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

35. Please inform the Committee about measures taken to secure and improve the participation of all persons with disabilities in political processes, including by repealing all laws that prevent or restrict the right of persons with disabilities to participate on an equal basis with others and by providing information in appropriate formats.

**C. Specific obligations (arts. 31–33)****Statistics and data collection (art. 31)**

36. Please report on the measures taken to update the data-collection system in accordance with the Convention and with the involvement of organizations of persons with disabilities. Please provide data, disaggregated by sex, age and type of disability, on the number of persons with disabilities that have received the “card of people of determination” and inform the Committee about any measures taken to support access to the card for non-citizens and persons with disabilities living in poverty.

**International cooperation (art. 32)**

37. Please provide information on the level of consultation with and participation of persons with disabilities and their representative organizations in international cooperation agreements, projects and programmes, in particular those that affect them.

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

38. Please provide information on:

- (a) The mandate of the interministerial commission and the regional focal points;
- (b) The role of organizations of persons with disabilities in the implementation and monitoring of the Convention;
- (c) The time frame for the adoption of the draft law on the composition, organization, competences and operating rules of the National Human Rights Council, in which the Council is designated as the national monitoring mechanism for the Convention, as well as measures envisaged to ensure the independence of the Council, in accordance with the Committee’s guidelines on independent monitoring frameworks and their participation in the work of the Committee.<sup>2</sup>

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<sup>2</sup> CRPD/C/1/Rev.1, annex.