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Policy for the Protection of People With Disability

in the Emirate of Abu Dhabi

2024



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Terms and Definitions

UAE: United Arab Emirates.

Emirate: Emirate of Abu Dhabi.

Department: Department of Community Development.

Authority: Family Care Authority.

Strategic Partners: Organizations and institutions that contribute to supporting Persons with Disability by providing social services and protecting their rights in the Emirate.

Persons with Disability: Individuals with permanent or temporary physical, sensory, mental, communicational, educational, or psychological disabilities that hinder their ability to participate fully and equally in society.

Abuse: The act of causing harm to Persons with Disability through physical, sexual, verbal, or psychological violence, etc.

Neglect: The failure or refusal to provide necessary care and protection for Persons with Disability, resulting in physical or psychological harm.

Exploitation: Taking unlawful financial, physical, or emotional advantage of a Persons with Disability, or otherwise the use of his property without his consent or the consent of their caregiver.

Discrimination on the basis of Disability: Any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation.

Reasonable Accommodations: Necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to Persons with Disability the enjoyment or exercise on an

equal basis with others of all human rights and fundamental freedoms.

Protection of Persons with Disability: Mechanism aimed at ensuring Persons with Disability's' access to protection measures and services in line with their needs, including raising awareness, engaging in prevention-related and early detection measures, receiving reported and suspected cases of abuse, exploitation, neglect, discrimination on the basis of disability, or conducting assessments for these cases and providing necessary interventions.

Persons with Disability Protection Employee: A social care professional in the Authority assigned to manage, within the limits of their responsibilities, the cases of Persons with Disabilities who are at risk of or suspected of being subjected to abuse, neglect, exploitation, or discrimination on the basis of disability.

Case Management System: A structured and comprehensive process operated by the Family Care Authority. It involves assessing, planning, identifying, and coordinating necessary services to meet the needs of individuals and families, including prevention, support, care, and protection services. This system follows a sustainable and participatory approach to ensure equitable access to services by utilizing available resources and channels to ensure that the gaps are addressed and integrate roles to proactively and professionally respond to community challenges and support a decent standard of living.

Case: A request for services received by the Authority through various communication channels concerning Persons with Disability or individuals suspected of abuse, neglect, exploitation, or discrimination on the basis of disability. The Authority assesses the request to determine its scope to either follows up if the case is within the Authority mandate or refers it to relevant entities.

Risk Factors: Circumstances, factors, or attributes of individuals, families, communities, or environments surrounding Persons with Disability that make their situation more exposed to risks.

Barriers: Obstacles faced by Persons with Disability that hinder their full and

effective participation in exercising their rights on an equal basis with others. These may include attitudinal, institutional, communicational, or physical barriers.

Universal Design Design of products, environments, programs, and services that are usable by all people, to the greatest extent possible, without the need for specialized designs or adaptations. Inclusive design may also include specific devices for certain segments of Persons with Disability as needed.

Design of products, environments, programs and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. "Universal design" shall not exclude assistive devices for particular groups of persons with disabilities where this is needed.

Accessibility: Planning buildings, roads, public facilities, transportation, and technologies in line with relevant standards to enable Persons with Disability to live independently and participation fully in all aspects of life.

Accessible Formats: Conversion of information, data, images, and other materials into formats such as Braille, large print, electronic or audio formats, plain language, or other accessible methods, without altering the content. This enables Persons with Disability to access and understand the information and content.

Disabled People Organizations Legal entities that represent Persons with Disability, working to promote their rights and raise awareness about disability-related issues. These organizations, which may include families, associations, NGOs, and community organizations, focus on achieving equity and inclusion, of Persons with Disability in society.

Informed Consent: The consent of a person with a disability, or their legal representative, to any legal action, act, or procedure related to one of their rights or freedoms, after being informed in a manner they understand, of its content, results, and consequences.

Convention: The United Nations Convention on the Rights of Persons with Disabilities (CRPD), ratified by the UAE in 2010.

Second – Policy Purpose :

Persons with Disability often face abuse, exploitation, neglect, and discrimination based on disability. These challenges, compounded by barriers to accessing protection, prevent them from leading safe, secure lives on an equal basis with others, and include the following factors:

- The inadequacy of the existing protection mechanism for Persons with Disability against abuse, exploitation, neglect, and discrimination based on disability, lacking comprehensiveness and coordination with entities within and outside the social sector.
- Insufficient expertise among current workforce in the field of protection, to meet the various needs of Persons with disability.
- Lack of information provision in accessible formats regarding rights and available protection services for Persons with Disability.
- Lack of accessible tools and platforms to facilitate access for Persons with Disability to complaints' reporting channels or protection measures and services.
- Limited disaggregation of data on abuse, exploitation, neglect, and disability-based discrimination according to type of disability, which results in limited detection of maltreatment cases limited community awareness on how to address the needs of Persons with Disability from a social and human-rights model of disability.

To address these issues and ensure equal access to protection, the Department of Community Development has developed the Policy for the Protection of Persons with Disability (People of Determination) in Abu Dhabi. This Policy aims to establish and activate a comprehensive and systematic protection mechanism to ensure that Persons with Disability have access to protection measures and services tailored to their needs. This includes raising awareness, prevention, early detection of cases of abuse, exploitation, neglect, and discrimination, conducting assessment, provision of necessary interventions, and building the capacity of specialized workforce and organizations, within the Emirate.

Third – Policy Scope:

This Policy shall apply to all Persons with Disability in Abu Dhabi, including nationals, residents, and visitors, of all ages and nationalities.

Fourth – Policy Position Statement and Objectives:

This Policy seeks to ensure Persons with Disability have access to protection from abuse, exploitation, neglect, and disability-based discrimination by:

- Clarifying, unifying, and activating a structured, and comprehensive mechanism for prevention, early detection, and reporting of abuse, exploitation, neglect, and discrimination on the basis of disability, while ensuring coordination of necessary services with strategic partners to meet the needs of Persons with Disability in the area of protection.
- Ensuring protection services meet the highest quality standards and enhancing the competency of the workforce in the field of protection according to international best practices and adopted policies and standards.
- Raising awareness among Persons with Disability about their right to protection and empowering them to have access to this right.
- Raising community awareness and shifting societal perspectives to social and human-rights based model of disability making protection a collective community responsibility.

Fifth – Policy Significance and Legal Status:

The United Arab Emirates (UAE) has placed significant emphasis on safeguarding the rights of Persons with Disability Through a series of laws, policies, and initiatives, the UAE has worked to ensure their equal participation in society. Federal Law No. (29) of 2006 and its subsequent amendments address various aspects of social, economic, health, educational, professional, cultural, and leisure-related rights for Persons with Disability. Article (3) of the law ensures equality for Persons with Disability, aligning all legislation, policies, and programs with the goal of preventing discrimination based on disability. In support of these efforts, the UAE has been keen on establishing a social justice-based society that acknowledges the rights of Persons with Disability through the ratification of the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in 2010. The UAE's obligations were further reflected by the promulgation of legislations, policies, and resolutions in line with the Convention, such as the National Policy for Empowering People of Determination, issued in 2017, which aimed to create an inclusive community, free from barriers empowering People of Determination and guaranteeing their right to a dignified life.

The Convention's Articles (5) and (16) obligate member states to ensure that individuals with disabilities have full access to their rights without discrimination. The Convention also called for State Parties to take all appropriate measures to prohibit all forms of discrimination on the basis of disability, and prevent all forms of exploitation, violence, and abuse, ensuring that they are gender-sensitive. In this respect, the UAE has observed its commitment of guaranteeing these rights upon launching its Policy for Protecting People of Determination from Abuse in 2019. This Policy aims to prevent all forms of abuse, including physical, sexual, emotional, and financial, abuse against People of Determination, and take appropriate measures to early detection, prevention, intervention, and rehabilitation. The UAE has also enacted Federal Laws aimed at protecting all community segments, including People of Determination, against violations. The Child Rights Law (Wadeema's Law), prohibits all forms of discrimination and neglect against children, regardless of ethnicity, gender, religion, social status, or disability. Similarly, Federal Law No. (9) of 2019 on the Rights of Senior Citizens that stipulated provisions mandating the protection of Senior Citizens who are not able to fully or partially take care of themselves, whether due to their age or poor financial, physical, mental, or psychological abilities. In the interest of preserving the integrity of the family and maintaining its security and stability, The Federal Law No. (10) of 2019 on the Protection against Domestic Violence was issued. This law ensures protection from any verbal abuse, harm, or threat committed by one family member against another, exceeding the limits of guardianship, custody, dependency, authority, or responsibility.

In the Emirate of Abu Dhabi, His Highness Sheikh Mohammed bin Zayed Al Nahyan, President of the UAE, launched the Abu Dhabi Strategy for People of Determination (2020–2024). This strategy positions Abu Dhabi as an inclusive environment for People of Determination by focusing on six strategic pillars: health and rehabilitation, education, employment, social care, universal access, and enablers. Through the "enablers" pillar, programs and initiatives are designed to empower and ensure People of Determination have full access to their rights on an equal basis with others, including protection against abuse, exploitation, neglect, and discrimination. In continuation of the previous efforts and based on Law No. (12) of 2018 concerning the Establishment of the Department of Community Development and Resolution No. (59) of 2018 of the Chairman of the Executive Council concerning the additional responsibilities of the Department of Community Development, and in line with the Department's objective to establish an integrated social work ecosystem within the Emirate, ultimately enhancing the quality of services offered within the social sector and enabling the achievement of the Department's vision seeking to offer a dignified life for all, this Policy has been devised to meet the needs and requirement of Persons with Disability in the area of protection and requirements.

Sixth – Policy Guiding Principles:

The guiding principles in this policy, which align with the principles set forth in the Convention, constitute the approved framework for implementing mechanisms and measures to protect Persons with Disability in a way that meets their various needs, taking into account age, gender, and type of disability.

- Adopting a disability perspective aligned with the social and human rights approach, which emphasizes the necessity of ensuring the rights of Persons with Disability, including the right to protection. Under this perspective, the responsibility for protecting persons with disabilities becomes a shared responsibility for everyone. Therefore, all sectors and institutions should be involved in protection measures and mechanisms, in addition to the process of changing discriminatory behaviors and practices based on disability and promoting a culture of inclusion and empowerment.
- Mainstreaming disability in all protection measures and mechanisms that are offered to the public by removing barriers and promoting universal design principles, and accessibility so they become more accommodating and responsive to the needs of Persons with Disability. Additionally, providing targeted and specialized measures and interventions to address the additional needs and challenges faced by Persons with Disability.
- Engaging Persons with Disability and the institutions that represent them and ensuring their voices are heard in the process of development, review, and evaluation of related programs and services.
- Take into account the needs of women and girls with disabilities in all protection measures and mechanisms, following the directives of the Convention confirming that Women and Girls of Determination are often at greater risk, both within and outside the home, of violence, injury or abuse, neglect or negligent treatment, maltreatment, or exploitation.

Seventh – Entities' Roles and Responsibilities:

1. Department of Community Development

The Department was established according to Law No. (12) of 2018 in the Emirate of Abu Dhabi to oversee the social sector in the Emirate through developing policies, standards, and regulations. In accordance with this Policy, the Department shall have the following responsibilities:

- Enhance the rights of Persons with Disability within the community in line with the social and human rights-based approach to disability, and empowering Persons with Disability to enjoy a dignified and safe life, free from abuse, exploitation, neglect, and discrimination on the basis of disability by activating its oversight and regulatory role over entities operating in the social sector.
- Develop and establish the necessary mechanisms to measure the impact of this policy in Abu Dhabi and reviewing periodically to ensure the effectiveness of measures and practices related to the protection of Persons with Disability, in consultation with strategic partners, Persons with Disability, and institutions reporting them.
- Ensure the Authority develops and implements the required mechanisms for protecting Persons with Disability.
- Monitor and evaluate all stages of the establishment and implementation of necessary mechanisms for protection of Persons with Disability in the Authority.
- Provide the necessary support to enable the Authority to establish mechanisms for the protection of Persons with Disability in accordance with the Department's mandate and responsibilities.

2. Family Care Authority:

The Authority was established under Law No. (4) of 2021 in Abu Dhabi to assume responsibility for providing specialized care and protection services, psychological support, and social support to all family members, including Persons with Disability. In accordance with this Policy, the Authority ensures that Persons with Disability have access to all protection services tailored to their needs through the following:

- Establish the necessary mechanisms and operational procedures for protecting Persons with Disability.
- Develop annual plans to implement the necessary mechanism for the protection of Persons with Disability in coordination with all strategic partners.
- Appointing specialized employees for the protection of Persons with Disability and any other specializations supporting the mechanism of protecting Persons with Disability.
- Coordinate with the Abu Dhabi Judicial Department in the emirate to obtain judicial authority and the associated procedures to enable staff responsible for the protection of Persons with Disability to perform their duties

- Design, approve, and implement training programs to qualify the Persons with Disability Protection Employees and any other responsibilities supporting the mechanisms for the protection of Persons with Disability.
- Raise awareness of Authority's employees about protection concepts, procedures, and mechanisms, for protection of Persons with Disability.
- Disseminate procedures and measures for the protection of Persons with Disability, including raising awareness about social responsibility and the legal protection guaranteed to whistleblowers, to strategic partners and institutions concerned with the affairs of Persons with Disability, ensuring integration and inclusiveness in activating partnerships to provide the required service.
- Organizing training programs for those interacting with Persons with Disability across various sectors, introducing them to the fundamentals of dealing with persons with disabilities, the challenges they may face, and how to address them. Additionally, the programs will cover early detection of abuse, exploitation, neglect, and discrimination based on disability, as well as the available channels for filing complaints or reports.
- Taking proactive and preventive measures, along with early detection, in cooperation with strategic partners to protect Persons with Disability who are at higher risk for abuse, exploitation, neglect, and discrimination based on disability due to risk factors. This includes, but is not limited to, girls and women with disabilities, those lacking family care, individuals residing temporarily or permanently in care centers, cases with a history of abuse, persons with psychological and emotional disabilities, intellectual disabilities, communication disorders, and autism spectrum disorders.
- Provide all information, resources, and awareness campaigns on protection mechanisms, available measures, and services in accessible formats to enable all Persons with Disability to review and understand them, ensuring their awareness of their rights under the applicable laws in the country and the emirate. This includes informing them about potential risks, indicators of abuse, exploitation, neglect, and discrimination, as well as how to access protection in collaboration with strategic partners and institutions concerned with the affairs of Persons with Disability.
- Allocate accessible tools, platforms, and channels to enable Persons with Disability to access protection measures, including, but not limited to, launching a helpline tailored to meet the diverse needs of persons with disabilities.
- Prepare all stages of the case management system to meet the needs of Persons

with Disability, taking into account gender, age, and type of disability, and enabling them to access all services by providing reasonable accommodation and accessible formats.

- Establish a database specifically for cases of abuse, exploitation, neglect, and discrimination against Persons with Disability, linked to the 'Database of Persons with Disabilities in the Emirate of Abu Dhabi,' managed by the Zayed Higher Organization for People of Determination, in coordination with strategic partners to contribute to the enablement of the database.
- Analyze data related to cases of abuse, exploitation, neglect, and discrimination, utilizing the analysis outcomes to identify challenges, propose solutions, and submit them to the Department.
- Continuous improvement of the mechanisms for the protection of Persons with Disability in consultation and engagement with Persons with Disability and institutions concerned with their affairs.
- Submit regular reports to the Department on the progress and performance of the mechanisms of the protection of Persons with Disability.

3. Strategic Partners:

Strategic partners, including but not limited to Abu Dhabi Police General Headquarters, Abu Dhabi Judicial Department, the Department of Health – Abu Dhabi, the Department of Government Enablement, Abu Dhabi Department of Education and Knowledge, Zayed Higher Organization for People of Determination, and Abu Dhabi Early Childhood Authority, play an important role in supporting the protection of Persons with Disability through the following:

- Provide training for their employees on the optimal ways to interact with Persons with Disability and implementing reasonable accommodations in accordance with the nature and specifics of their respective sectors.
- Prepare complaint and reporting channels, facilities, measures, and protection services to meet the needs of Persons with Disability, taking into account gender, age, and type of disability, by ensuring accessibility, reasonable accommodations, and accessible formats.
- Disaggregate the incoming complaints data by the type of disability, in coordination with the Authority.
- Coordinate with the Authority to refer cases of Persons with Disability who

are at risk or suspected of experiencing abuse, exploitation, neglect, and discrimination, each according to their jurisdiction.

- Provide the Authority and the Department with detailed information regarding cases of abuse, exploitation, neglect, or discrimination based on disability against Persons with Disability on a regular basis.

Eighth – Effective Date of the Policy:

This Policy shall be effective from the date of its publication in the Official Gazette.

United Arab Emirates - Emirate of Abu Dhabi
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