



**General Assembly**

Distr.  
LIMITED

A/HRC/WG.6/3/L.7  
9 December 2008

Original: ENGLISH

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HUMAN RIGHTS COUNCIL  
Working Group on the Universal Periodic Review  
Third session  
Geneva, 1-15 December 2008

**Advance unedited version**

**DRAFT REPORT OF THE WORKING GROUP ON  
THE UNIVERSAL PERIODIC REVIEW \***

**United Arab Emirates**

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\* The final document will be issued under the symbol A/HRC/10/75. The annex to the present report has been circulated as received.

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## **Introduction**

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its third session from 1 to 15 December 2008. The review of the United Arab Emirates was held at the 7th meeting, on 4 December 2008. The delegation of the United Arab Emirates was headed by H.E. Dr. Anwar Mohammad Gargash, Minister of State for Foreign Affairs. At its meeting on 9 December 2008, the Working Group adopted the present report on the United Arab Emirates.
2. On 8 September 2008, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of the United Arab Emirates: Argentina, Cameroon and Indonesia.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of the United Arab Emirates:
  - (a) A national report submitted / written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/3/ARE/1);
  - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR), in accordance with paragraph 15 (b) (A/HRC/WG.6/3/ARE/2);
  - (c) A summary prepared by OHCHR, in accordance with paragraph 15 (c) (A/HRC/WG.6/3/ARE/3).
4. A list of questions prepared in advance by Denmark, Germany, Latvia, the Netherlands and the United Kingdom of Great Britain and Northern Ireland was transmitted to the United Arab Emirates through the troika. These questions are available on the extranet of the universal periodic review.

## **I. SUMMARY OF THE PROCEEDINGS OF THE REVIEW PROCESS**

### **A. Presentation by the State under review**

5. The head of the delegation of the United Arab Emirates, H.E. Dr. Anwar Mohammad Gargash, Minister of State for Foreign Affairs, stated that the process of compiling the universal periodic review report was a combined effort, conducted by a specifically formed committee that represented Government authorities and civil society organizations, including human rights and journalists associations. Several members of the delegation were involved in the compilation of the report.
6. The Minister said that amid a rapid modernization process, the United Arab Emirates, a federation of seven emirates, has had a challenging yet progressive track record on human rights issues. The Government intends to do better by sharing its experiences and learning from the best practices of the international community. This aspiration stems from its own cultural heritage and religious values which enshrine justice, equality and tolerance. As part of these efforts, the Government has already ratified a number of international conventions, as listed in the national report.
7. The State's commitment to equality and social justice for all citizens is ingrained in the Constitution, which also outlines the freedoms and rights of all citizens, prohibits torture,

arbitrary arrest and detention, respects freedom of speech and press, peaceful assembly and association, as well as religion. Moving forward, the Government is committed to studying the framework for accession to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. The United Arab Emirates has amply demonstrated its commitment to these principles through the enactment of several laws that have been effectively implemented.

8. The population has a high standard of living and is now reaping the benefits of investment in education, health and social services: more than 648,000 students were enrolled in 1,259 public and private schools in 2007/2008 and the Government's policy of guaranteeing free education up to university level has resulted in a 93 per cent literacy rate. Today, there are over 60 public and private universities in the country, and a commitment to raising the age for compulsory education to 18 years.

9. Rapid advancement in health-care facilities drastically reduced infant mortality to about 8 per 1,000 births in 2008 and raised the average life expectancy age to 77 years for men and 80 for women.

10. The Government's strategy focuses on ensuring country-wide sustainable development, which includes enacting legislation and special regulations for the assimilation of people with special needs and other vulnerable groups; increasing rehabilitation and training programmes in partnership with other local and private institutions; providing free or subsidized housing; training social welfare dependents for the job market; providing financial assistance to those in need; and enacting legislation to encourage local institutions, individuals and the private sector to provide social services.

11. The country's social security policy illustrates this effort: in 2008, the Government allocated over \$600 million in financial assistance to 16 vulnerable sections of society, numbering nearly 38,000 people, with the elderly, disabled, orphans, widows and divorced women topping the list of beneficiaries. The State is committed to acceding to the Convention on the Rights of Persons with Disabilities.

12. With regard to the protection of children, the United Arab Emirates has taken substantive measures concerning adequate childcare, enacting legislation that regulates children's rights to health care, education and a protected upbringing. The State is committed to accession to the protocols of the Convention on the Rights of the Child.

13. The State regards political participation, women and labour as critical in its pursuit of a positive human rights record. Major steps have been taken in recent years to modernize and institutionalize the Government structure to make it more responsive to the needs of its growing population and to widen avenues of participation. It has a tradition of direct political participation, popularly known as *majlis* or council, which has existed for centuries. The tradition of consultation and dialogue was reflected in the establishment of the United Arab Emirates federation in 1971, as well as the consultative body of the nation, the Federal National Council, soon after. At the local level, individual emirates have consultative mechanisms that hear complaints and suggestions from the people, and ensure they have a voice in the decision-making process.

14. The political modernization plan outlined by the President Sheikh Khalifa bin Zayed Al Nahyan is a multi-stage process. With the intention of making the Federal National Council a

representative body and enhancing its role and authority, landmark elections in 2006 saw half its members elected to public office via an electoral college of nominated citizens. Moving forward, the country is considering how to increase the Council's scope of authority and responsibility leading to comprehensive and direct elections of half its members. On 2 December 2008, constitutional amendments were approved by the Supreme Council to fulfil a part of this plan.

15. Secondly, contrary to misconceptions that women are a restricted group in society, women are in fact at the forefront of the Government and private sectors. Currently, nearly half of students registered in 1,259 schools across the country are girls; about 75 per cent of all university students are women.

16. Women account for nearly 30 per cent of the national workforce and currently occupy posts ranging from civil servants to engineers and bankers, as well as traditional jobs in teaching and health care. In recent months, the judiciary has appointed women to a number of high-level positions, and more such efforts are expected. In politics, 63 of the 452 candidates who contested the election polls were women. One woman was directly elected and the Government also nominated eight others to the forty-member Council, which translates into a 22.5 per cent share of seats, compared to the world average of 17 per cent. Women form 60 per cent of Government sector employees, of whom 30 per cent occupy high-level posts. In February, a Cabinet reshuffle increased the number of women ministers to four.

17. The Government's holistic approach to women's issues has resulted in a number of social support initiatives; among these, the Dubai Shelter for Women and Children was established to provide support and psychological care to victims of human trafficking, domestic violence, family neglect or employer abuse. Other organizations offer similar social services. Further, the Government has ratified the Convention on the Elimination of All Forms of Discrimination against Women.

18. A large part of the country's population is made up of culturally-diverse foreign workers, with over 200 nationalities represented, attracted by positive employment opportunities. As a member of the International Labour Organization, the Arab Labour Organization and other labour-focused multilateral organizations, the United Arab Emirates seeks to work transparently with regard to its obligations. Over the past few years, federal and individual emirate governments have instituted sweeping reforms to improve working conditions and worker rights.

19. More than 3.1 million foreign workers are contractually employed and the Government is fully committed to creating the necessary mechanisms and safeguards to protect all who reside and work in the country. Ensuring fair, on-time payment of workers is a particular priority of labour policy enforcement. In 2007, 122,000 facilities were inspected by the labour ministry personnel, resulting in penalties for 8,588 violations relating to working conditions and workers' rights. More importantly, the Government is working on a new law to protect domestic workers, which will afford them far greater protection and assurances.

20. This takes forward the 2006 decision of enforcing mandatory employment contracts to protect the rights of domestic workers in relation to salary, accommodation, health care and working hours. The State is also in the process of finalizing a revised version of Federal Labour Law No. 8 of 1980, which has already been amended (in 1981, 1985 and 1986). The Ministry of Labour has introduced a complaints hotline for the general public. The State has improved dialogue with individual labour-exporting countries and established consultations at the multilateral level. This includes a pilot project aimed at studying the difficulties faced by

workers from the point of job recruitment in their countries until they return home after employment in the country. The unique challenge of demographics remains a key issue in terms not only of national identity but also of national security. National policies must always take this into account.

21. The Constitution affirms freedom to exercise religious worship in article 32. The Government has facilitated, in an effort to ensure social cohesion, the establishment of places of worship for various religions and sects, granting free land to build, houses of worship for many faiths. Today, there are 59 churches, two Hindu temples and one Sikh temple in the country.

22. In order to institutionalize the fight against human trafficking and protect its victims, especially women, the Government enacted Federal Law 51 in 2006. It calls for strong punitive measures, including maximum penalties of life imprisonment and covers all forms of human trafficking. While the country has ratified the Convention against Transnational Organized Crime, the Government is committed to ratifying the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.

23. A Cabinet order established the National Committee to Combat Human Trafficking in 2007 to give teeth to Federal Law 51 and create a coordinating body for anti-human trafficking efforts at all levels in the member emirates. The Government has also worked with UNICEF, source country embassies and NGOs to identify, rescue, rehabilitate and repatriate children who worked as camel jockeys in the past. In addition, as part of its effort to tackle this crime globally and take a lead in this fight, the country contributed \$15 million to support the United Nations Global Initiative to Fight Trafficking. This included sponsoring the Conference on Trafficking in Persons in Vienna in February 2008 and actively supporting the thematic debate of the United Nations on trafficking in New York in June 2008.

24. The United Arab Emirates endeavours to improve training for law enforcement officers, especially in identifying and interviewing victims, and understanding the transnational nature of this crime. The Government is also committed to a national media campaign to enhance public awareness about the crime of human trafficking, deter criminals and highlight the existence of help lines and shelters for victims.

25. In conclusion, the Minister stated that educating people about human rights is a key part of his country's enforcement strategy. To this end, it is planning a human rights education syllabus for students of grades 1-12. Colleges of law and police are required to offer human rights courses, and a federal institute for judicial training and studies has been established. The United Arab Emirates is also committed to organizing workshops, in cooperation with specialized international organizations, focusing on spreading human rights principles in line with the international conventions ratified by the State.

26. The United Arab Emirates is currently studying the establishment of a national human rights commission in the country, in line with the Paris Principles. The Government is also looking forward to enhancing cooperation with the Human Rights Council and it committed to serving as a model for change in the region.

## **B. Interactive dialogue and responses by the State under review**

27. A number of delegations welcomed the high-level delegation from the United Arab Emirates and commended the consultative and inclusive approach adopted in preparing the national report. They were particularly impressed by innovative steps such as field visits and the

construction of a website for the universal periodic review, participation of civil society, empowerment of women, the quality of education and health systems and the fight against human trafficking.

28. Qatar noted the economic support provided to OHCHR and to the Global Initiative to Fight Trafficking. Citing references in the report to the country's laws on publication and on journalism, Qatar recommended that the 1980 law on publications and all other related laws take into account the evolution of freedom of expression and opinion. It invited the Council to commend and encourage the steps taken by the State to promote human rights and fundamental freedoms.

29. Venezuela (Bolivarian Republic of) referred to the right to education, observing the great efforts taken to implement programmes for the development of an education system, as in the case of the Morning School Programme. It offered its experiences in education and asked if the State had planned to introduce universal human rights principles in its school education programmes.

30. Egypt expressed appreciation for the efforts made in preparing the national report, saying it covered all legal aspects that guarantee human rights. It requested further clarification on what the Government intended to do to strengthen the position of women and enable them to pursue advancement. It recommended that the country continue efforts to strengthen and protect human rights in accordance with international standards that are in keeping with cultural values of the Emirati people, and continue to refuse to apply any standards or principles which are outside agreed upon international human rights principles and standards, including any attempt to impose foreign values and customs on the Emirati people.

31. Saudi Arabia commended the inclusion of human rights principles in the Constitution and national laws, the ratification of core international human rights instruments and the creation in 1998 of a ministerial commission in charge of civil liberties and human rights. It recommended that the State continue with its achievements in human rights and take them into account as an encouraging factor for the promotion and protection of human rights. Saudi Arabia asked about measures taken to protect the economic and social rights in the country from the fallout of the international economic crisis.

32. Singapore indicated that the United Arab Emirates hosted, in January 2008, a ministerial consultation on overseas employment and contractual labour for countries of origin and destination in Asia. It noted that the State has called on employers to provide adequate housing and access to basic health-care services for all migrant workers and created bank guarantees that earmark funds for worker compensation. It added that labour laws punish those who employ or harbour illegal workers. Singapore said the State is addressing the issue of human trafficking seriously, going beyond the enforcement of the law, to assist the victims.

33. Bahrain noted the State's efforts to combat human trafficking, including through adoption of a national law, creation of a national commission and accession to relevant international instruments. Bahrain recommended that the State be complimented for its pioneering and considerable experience in ending employment of children in camel racing. It also recommended that the State invite the Special Rapporteur on trafficking in persons, especially in women and children, to visit the country and asked for more information about the national strategy for combating human trafficking.

34. Pakistan indicated that the country's commitment to human rights is reflected in its detailed constitutional provisions. Pakistan noted that significant steps have been taken to ensure sustained progress in political and legislative reforms, gender equality and requested information about policies for the protection of workers' wages and about any mechanisms established for the settlement of labour disputes. Pakistan recommended that the State continue to strengthen its labour laws and improve the working/living conditions of workers.

35. Kuwait commended the State for the level of development of its educational system and recommended that it establish a workshop on education to exchange views and experiences with developed and developing countries.

36. Nepal stressed that the State remained a leading country in the Abu Dhabi Dialogue and noted that a pilot project was launched in 2008 to foster cooperation with countries in the region to tackle the complex issue of migrant workers. Nepal requested elaboration on progress made since the beginning of this project.

37. Sri Lanka congratulated the State for developing legislation on migrant workers. It cited advisory inter-ministerial meetings dealing with the problems of foreign labour, particularly those from Asian countries, such as the Abu Dhabi meeting on workers from countries of origin and recipient countries. It asked the State what policy is being followed in connection with this experience; if it had succeeded in developing social protection systems for these workers; and what measures had been taken to guarantee adequate housing to these workers.

38. The United Kingdom of Great Britain and Northern Ireland thanked the delegation for answers to their advance questions on freedom of religion, human rights and counter-terrorism, racial discrimination and the Committee on the Elimination of Racial Discrimination. It welcomed, inter alia, the commitment made to consider the establishment of a national human rights institution in accordance with Paris Principles. It remained concerned about the treatment of migrant workers and domestic staff, recommending that the State (a) take further steps to improve the situation of migrant labourers and domestic staff. It also noted concerns on racism in the country – expatriate communities form more than 17 per cent of the resident population – and recommended (b) further steps to eliminate racial discrimination and to promote freedom of religion and belief. While welcoming civil society involvement in the preparation for this review, it asked what plans existed to involve them in the follow-up to the review, recommending that the State (c) continue dialogue with civil society in the follow-up and implementation of this review and establish a standing forum to facilitate such dialogue and enable greater mutual understanding.

39. Djibouti noted with satisfaction the establishment in April 2006 of the National Committee to Combat Human Trafficking. It noted that the State had signed a child protection agreement with UNICEF in 2005 as part of efforts to provide for the social and psychological rehabilitation, repatriation and local integration of child camel jockeys, asking what concrete measures had been taken to implement this rehabilitation programme. Djibouti recommended that the State vigorously pursue efforts to promulgate a national law that guarantees better protection for children, and that the general principle of the best interest for the child, as contained in article 3 of the Convention on the Rights of the Child, be duly reflected in that law.

40. India commended the State, inter alia, had made strides towards the empowerment of women. India mentioned that it follows with interest measures taken to improve the working

conditions of workers and that it is actively engaged with the State at the bilateral and regional levels in this regard. It complimented the State for its comprehensive development strategy.

41. Oman noted that the State included the fundamental principals of human rights, as enunciated in the Charter of the United Nations and the Universal Declaration of Human Rights, in its Constitution and legislation and ratified core international instruments. It requested information regarding health-care systems for the aged. It hoped that the State would will continue efforts to promote human rights, taking into account the customs and traditions of Emirati society.

42. Yemen commended the State's efforts to protect human rights. It asked for information on specific policies for the protection of children and recommended the enactment of national legislation to protect their rights.

43. Bhutan congratulated the State for, inter alia, its success in the eradication of illiteracy, provision of extensive health-care and social welfare services for its peoples. Bhutan also commended measures adopted to exclude all under-age children from camel racing and asked whether the Government intends to enact national legislation to prevent such practices.

44. Indonesia commended the adoption of the Federal Anti-Human Trafficking Act in 2006 and requested information on the progress and challenges faced following its inception. Indonesia also noted the interest in improving the status of women through national legislation and the ratification of the Convention on the Elimination of All Forms of Discrimination against Women. It recommended continuing efforts to strengthen the rights of women and to further the advancement and development of women's rights in the international arena.

45. Cuba highlighted the State's economic achievements and the progress in the improvement of living conditions of migrant workers. It requested detailed information about mechanisms used for conflict resolution and how efficient they are in protecting migrant workers' rights. It recommended studying the possibility of a law that specifically addresses the situation of domestic workers, to preserve their fundamental rights and protect them from abuse by their employers.

46. Palestine commended the State's accomplishments in education, health and social care, and measures taken to ensure the participation of women in politics. It noted that more than 150,000 Palestinians reside in the country and stressed that they enjoyed all rights. Palestine enquired about the model for the contractual labour cycle management, one of the outcomes of the Dialogue of Abu Dhabi held in 2008 between labour-exporting and labour-importing countries.

47. Lebanon said many countries have been making efforts to integrate human rights culture into their educational systems through ad hoc national plans of action. Lebanon sought information on the inclusion of human rights culture into educational curricula.

48. The Democratic People's Republic of Korea noted that the principles of major human rights instruments such the Universal Declaration of Human Rights were well incorporated into domestic legal documents, and noted also the State's accession to a number of human rights treaties. The State has steadily been making contributions to the projects of international agencies, such as to UNICEF in the field of social and psychological rehabilitation of children and the United Nations GIFT Campaign and with United Nations Office on Drugs and Crimes in

combating human trafficking. The delegation sought additional information on concrete measures to be taken to ensure the rights of the elderly and the disabled.

49. The Syrian Arab Republic stated that the national report shows the State's steps towards the promotion and protection of all human rights and the implementation of its international obligations. It asked about the measures taken to develop remote regions and future plans and programmes in this regard and recommended that the State pay attention to the development of infrastructure in remote regions.

50. Algeria recognized the qualitative evolution of the human rights situation with regard to women and children, noting also the Government's efforts to protect the rights of foreign workers and combat human trafficking. Algeria said the country has enacted legislation to fight terrorism and protect human rights. Algeria requested further information on those laws and recommended providing human rights training to law enforcement authorities in charge of combating terrorism.

51. Finland asked whether the Government is engaged in active preparations to accede to the International Covenant on Civil and Political Rights, and, pending this accession, how civil and political rights are protected. It recommended that the State ratify all of the most significant international human rights instruments, particularly the Covenant. Finland remained concerned about how these rights, including economic, social and cultural rights, are respected and asked how the Government intends to improve access to adequate housing of the migrant community.

52. Libya noted that the national strategy for the advancement of women was an indication of the important role of women in the society. It asked about the system pursued in the development of health care for migrant workers, and appreciated the measures taken by the State to accede to the Convention against Torture and to examine the possibility of acceding to the two optional protocols to the Convention on the Rights of the Child.

53. France noted that migrant workers are often victims of precarious and abusive living and working conditions and asked what measures were taken to help victims, particularly female migrant workers. France also asked what efforts will be made to continue promoting gender equality in law and in practice. It recommended (a) signing and ratifying the additional Protocol to the United Nations Convention against Transnational Organized Crime to effectively fight against human trafficking; (b) taking concrete measures to limit the number and extent of restrictions on the right to freedom of expression and freedom of the press; (c) continuing efforts to advance the right to assembly, especially by adopting measures that allow for the creation of associations, trade unions and envisage the creation of political parties; (d) establishing a moratorium on executions and seriously considering its complete abolition; and (e) signing the International Convention for the Protection of All Persons from Enforced Disappearance.

54. Germany commended the State for organizing the GCC Conference on Contractual Labour, held in Abu Dhabi in January 2008, while taking note of the concern expressed by the Special Rapporteur on migrant workers, according to which the sponsorship system renders migrant workers vulnerable because their permits are linked to one employer. Germany asked how the Government assesses the impact of the sponsorship system and what measures are taken to protect the workers from resulting dependence. Germany welcomed all steps to improve the rights of migrant workers and recommended considering the possibility of introducing amendments to national laws on citizenship, so that female citizens married to non-citizens can

pass on their nationality to their children in the same way that male citizens married to non-citizens can.

55. Italy noted with satisfaction the de facto moratorium of the use of the death penalty since 2002, and that the State had not voted against recent resolutions of the United Nations on the establishment of a moratorium. However, it expressed concern at the broad scope of national legislation on death penalty, which goes beyond the most serious crimes as liable to capital punishment. Italy recommended that the State (a) consider, as a first step, amending its legislation on the death penalty to restrict its scope and adjust it to international standards, and (b) consolidate the de facto moratorium on the use of capital punishment with a view to adopting a legal moratorium. Italy welcomed that freedom of religion is legally protected, but noted that there appeared to be restrictions on the ability of non-Muslim religious communities to practice their faith, and that apostasy is considered an offence. It (c) recommended that the State consider aligning its legislation with the provisions of article 18 of the ICCPR. It also recommended that (d) the State pursue and reinforce current efforts to address allegations and reports of discriminatory treatment of migrant workers, especially those related to ill-treatment of female domestic workers.

56. The Russian Federation said it found that the State attached great importance to cooperation with other countries, and it showed readiness in cooperating in the universal periodic review. It sought detailed information concerning the policy regarding protection of persons with disabilities, and what practical steps had been taken in this connection. It also asked how the State ensures that rights and the fundamental freedoms are protected by its anti-terrorist legislation.

57. Mexico noted with satisfaction the progress made with regard to women's rights and sought detailed information on measures taken to promote de facto and de jure gender equality. It recommended that the State (a) study the possibility of withdrawing its reservations to the CEDAW with regard to equality, particularly those based on nationality, and the celebration of civil acts and marriages. Mexico applauded efforts to protect migrant workers' rights, asking what measures had been taken to end abusive practices in the workplace and improve the living conditions of foreign workers, particularly those who are undocumented or without a valid visa. It recommended that the State (b) take the necessary measures to guarantee access to civil, penal and labour justice, and assistance and consular protection for all migrants, regardless of their migratory status, to ascertain their rights in cases of abuse. It also sought information on measures taken to ensure that those deprived of their liberty enjoy the rights recognized by international law, in particular the revision of their case and, if they are taken to court, the procedural guarantees.

58. Regarding the situation of migrant workers, the delegation said that the State has launched a pilot project on contractual labour with the Governments of India and the Philippines. Its implementation will start at the beginning of 2009, in four stages: preparation in the country of origin, transfer and the work in the country of destination, preparation for the return, and the return to the country of origin. Best practices during the full cycle will be established to protect workers and prepare a multilateral memorandum to be presented to the sending and receiving States in the Abu Dhabi dialogue group.

59. The delegation noted that workers with temporary contracts get a health-care card allowing them free health care. There is also, in some emirates, health insurance covering all workers and paid for by the employers and its generalization to the whole country is being

examined. The Labour Ministry is studying the possibility of setting up a new comprehensive work insurance. The law on Labour relations and decisions and directives by the Labour Ministry aims at the protection of workers' salaries. The Labour Ministry also set up an office dedicated to the protection of salaries. The Labour Ministry requires that companies asking for collective work permits or electronic quota provide adequate housing to their workers, respectful of specific criteria. The delegation mentioned that access to dispute-settlement mechanisms is a right guaranteed to all workers. If the Labour Ministry, which receives workers complaints, is unable to solve the dispute amicably between the parties, the issue is then submitted to the courts and worker bears no costs in this regard. Free on-line and telephone line services were set up by the Labour Ministry to communicate with workers and employers and to provide them with different services.

60. The delegation indicated that the State has developed a strategy to combat human trafficking, covering legislation, implementation, protection and international cooperation. Efforts are now focused on implementation and increased awareness. The Government attaches considerable importance to the protection of children through the adoption of laws and the implementation of a number of plans. The Government put in place a number of kindergartens in cities and villages and in different ministries and public institutions, which also supports women's work. The delegation said that the Government supports disabled children and children with special needs and that during the current year, 750 juvenile delinquents, including 82 girls, were received in special centres. With regard to fighting terrorism, the State adopted a law in 2004 and aims to strike a balance between its capacity to deal with this crime and the guarantee of human rights and fundamental freedoms.

61. Switzerland acknowledged that the death penalty is rarely executed. It recommended (a) the declaration of a moratorium on death penalty as a first step towards its abolition, in compliance with General Assembly resolution 62/149; (b) ratifying the main international human rights instruments, especially the ICCPR, the ICESCR and the CAT. Switzerland noted the creation of a Global Compact network in Dubai in April 2008, and sought information on measures taken to urge relevant enterprises to respect the 10 principles of the Global Compact.

62. Noting that consensual sexual activity of persons of the same sex is forbidden by law in the country, Sweden recommended (a) that the Government consider additional policy measures to promote tolerance and non-discrimination on the grounds of sexual orientation. Sweden noted that the practice of corporal punishment of adults exists in the country and recommended (b) that it consider legislative changes to repeal corporal punishment and bring legislation in line with international human rights obligations. Finally, Sweden recommended that it step up efforts to ensure that economic, social and cultural rights of migrant workers are fully respected.

63. Maldives welcomed the political modernization process announced in 2005, which lays down a clear vision for a democracy founded upon the promotion and protection of human rights. In terms of recommendations, Maldives suggested that, building on the decision to accede to the CAT, the State might also consider ratifying the Optional Protocol thereto.

64. Jordan commended the State's efforts and initiatives to promote human rights, in particular empowerment of women, freedom of expression and opinion, right to education and the right to health. It asked about practical measures for the realization of the right to health and the protection of patient's rights. It also commended the State for the importance accorded to humanitarian activities and its cooperation with international humanitarian organizations.

65. Morocco noted the involvement of civil society in preparation of the national report, and echoed the delegation's statement on the dissemination of human rights values, through the education system and awareness-raising exercises. It noted that the national report mentioned human rights education and training, and asked what additional measures were being taken to disseminate human rights values. Morocco recommended that the State put in place a concrete national strategy to disseminate a culture of human rights, in order to ensure long-term protection of these rights.

66. Norway recommended that (a) the intention of the decree that no journalist should receive prison sentences for his/her publications is secured through the enactment of a modernized press and publications law; (b) a new law should ensure the right to freedom of expression, assembly and association, in accordance with international human rights law; (c) the State continue its recent move of opening up websites with a view to bringing the regulation of internet use in accordance with international law, (d) the State protect and respect the freedom of expression and association of human rights defenders in accordance with the Declaration on Human Rights Defenders. Norway recognized the State's efforts to improve the situation of migrant workers and recommended (e) including the right to organize, bargain collectively and strike in the law; extending the labour law to cover all groups, including domestic employees and farm labourers; and making this law known to the public through awareness campaigns.

67. Chile congratulated the State for its generous grant, which made it possible to launch the United Nations Global Initiative to Fight Human Trafficking in 2007. Chile recommended (a) the establishment of a moratorium on the application of the death penalty with a view to abolish it; (b) ratifying the fundamental Labour Conventions, in particular ILO Conventions 87 and 98, as well as the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; (c) ensuring that men and women enjoy the same rights with respect to marriage, including the selection of the spouse, the dissolution of the marriage, the custody of the children, and inheritance.

68. The Philippines recommended that the Government (a) continue to build on and strengthen efforts to protect migrant workers' rights, particularly the rights of women migrant domestic workers; (b) continue to pursue active cooperation and dialogue with the countries of origin of the migrant workers. Furthermore, the Philippines stressed that the Federal Anti-Human Trafficking Act and National Committee to Combat Human Trafficking can serve as a model for other countries. The Philippines recommended (c) sharing its experiences and best practices with other countries on establishing national legislation and mechanisms and pursuing international cooperation, to curb human trafficking. It also recommended that the State (d) continue to provide assistance to developing countries as a means of helping improve the enjoyment of human rights in other parts of the world.

69. Albania noted that despite the fact that the State maintains the death penalty, it has recently shown readiness to make important progress in this area. Albania recommended that the State (a) consider all the possibilities and initiate a public debate with a view to adopt, as a first step, a de facto moratorium on the enforcement of the death penalty; and (b) accede to the CAT.

70. Malaysia fully agreed with the State on the institutionalization of economic, social and cultural rights through policies and programmes, such as the housing programme. Malaysia recommended (a) continuing to give importance to ensure economic development, including infrastructure, in remote rural areas; and (b) continuing its leadership role at the regional level,

particularly with regard to facilitating dialogue and enhancing cooperation with the receiving and sending States of contractual laborers.

71. Canada recommended that the State (a) implement article 2 of the CEDAW by prohibiting discrimination between men and women in its Constitution and other appropriate legislation so as to ensure gender equality. Noting the concerns of the Special Rapporteur on migrant workers on working and living conditions of migrants resulting from inappropriate labour laws and policies, Canada recommended (b) bolstering capacity to oversee working and living conditions of migrant workers by employing more inspectors to oversee implementation of labour laws, and (c) upholding the right of workers to freedom of association and collective bargaining by recognizing this right in domestic law and by signing ILO Conventions n° 87 and 98. Canada also recommended (d) upholding freedom of expression of NGOs by amending the laws limiting it and repealing punitive administrative or judicial sanctions in that regard, and (e) revising the recently proposed amendment to the Press and Publication Law to reflect article 19 of the ICCPR.

72. The Netherlands commended the United Arab Emirates for its commitment to human rights, citing an exchange of experiences in the UPR preparation process. It recommended that the United Arab Emirates (a) consider establishing an independent NHRI, which could advise the Government and receive and investigate complaints by the public. Regarding migrant workers, the Netherlands also recommended (b) improving the freedom of association and freedom to bargain collectively, also asking why domestic workers had been excluded from existing labour legislation.

73. Brazil congratulated the State for implementing one of the first AIDS control programmes in the region, and the human rights training for police officers. It asked if the State is considering raising the minimum age of criminal responsibility, taking into account the provisions of the CRC. It also asked if presently there are conditions for the establishment of an independent national human rights institution guided by the Paris Principles and the Vienna Declaration and Programme of Action. Brazil proposed that the State (a) consider the possibility of acceding to the ICESCR and the ICCPR. It said (b) a moratorium on executions with a view to abolishing the death penalty, as provided by General Assembly resolution 62/149 would be welcome; and encouraged the Government (c) to accomplish progressively human rights goals as set up by the Council resolution 9/12.

74. Slovenia welcomed the process of ratification of the CAT, saying it hoped the State would also consider ratifying other human rights instruments and the Rome Statute. It also commended the preparation of a National Strategy on Women with UNIFEM. It recommended that the United Arab Emirates (a) withdraw its reservations to the CEDAW, particularly to articles 2(f), 9 and 15(2), indicating concern about laws that discriminate against women in the areas of marriage, inheritance, custody, guardianship, and the right to work. In relation to domestic violence, Slovenia recommended (b) putting in place effective institutional support for victims and (c) the legislative sanctioning of marital rape. It recommended that (d) a gender perspective be fully included into the follow-up process to the UPR, including by conducting regular consultation with civil society and women's groups on the implementation of the various related recommendations.

75. Japan congratulated the United Arab Emirates for realizing the first Federal National Council elections in 2006 and the attempt to expand the role of FNC. It also commended the establishment of human rights groups such as the Emirates Human Rights Association. It noted

the United Arab Emirates' submission of reports to the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination of Women this year, recommending they consider ratifying the ICCPR and the ICESCR as well as the CAT in a timely manner. In order to ensure cooperation and dialogue with the international community, it recommended that the United Arab Emirates submit responses to the communications made by the various special rapporteurs. Japan requested information on measures taken to advance women's participation in society. On human trafficking, Japan welcomed the promulgation of Federal Law 51, the establishment of a national committee on the issue, and the financial contribution to the United Nations Global Initiative to Fight Human Trafficking.

76. Turkey commended the United Arab Emirates for establishment of a follow-up mechanism to implement the recommendations of the Human Rights Council, and for the National Strategy for the Advancement of Women. Turkey welcomed the Government's plans to conduct a comprehensive review of labour regulations and procedures in cooperation with the International Labour Organization. It encouraged the United Arab Emirates to continue to set a good example in the promotion and protection of women's rights, and to increase its efforts to provide an effective protection to migrant workers, particularly the most vulnerable groups such as women domestic workers.

77. China appreciated the improvement of the human rights situation, the enhancement of women's situation and the universality of education in recent years in the United Arab Emirates. It asked about the measures taken by the Government to protect migrant workers in the areas of medical insurance, housing and wages.

78. Spain noted that the death penalty continues to exist even though it is rarely applied, and asked whether the Government planned to abolish it. Spain also asked what further steps were envisaged to develop democratic institutions in the country, and if the Government had the intention to extend the legislative powers of the Federal National Council and provide for the election of all its members by universal suffrage.

79. South Africa stated that the national report highlights an initiative that would address the development of infrastructure in remote rural areas. It recommended: (a) fast-tracking its development, with a view to ensuring the enjoyment of economic and social rights of people living in remote rural areas; (b) accelerating the process of elaborating a national plan of action with a view of instilling a culture of human rights; and (c) guaranteeing adequate protection of workers through the effective implementation of legislative and administrative labour laws. South Africa also asked for additional information concerning programmes to ensure skills transfer to ordinary citizens.

80. Azerbaijan noted that the United Arab Emirates is in the process of joining international instruments such as the CAT, and encouraged it to strengthen its efforts to combat human trafficking. With regard to migrant workers, Azerbaijan asked about measures taken for the training in human rights of the various authorities dealing with migrant workers, especially the police.

81. Afghanistan expressed thanks for the quick realization of labour-related rights and for the establishment of various mechanisms for the settlement of labour conflicts. Afghanistan requested the delegation to explain how these mechanisms operate and in what way they can contribute to the settlement of disputes in labour conflicts.

82. Sudan congratulated the United Arab Emirates for having prepared the report with the participation of all stakeholders. It said the United Arab Emirates was paying attention to providing decent housing for its citizens through the various housing programs and housing loans, and various humanitarian initiatives were in place to assist other countries that also need to provide its citizens with the adequate housing. It asked what the plans and projects are in the future for providing all its citizens with decent housing.

83. Senegal highlighted the important progress made with the provisions adopted to tackle trafficking in persons, in particular the setting up of a national committee to address this matter and also the financial support provided to the United Nations Global initiative to Fight Human Trafficking. It welcomed the methodology followed in preparing the national report, encouraging the country to step up efforts made to ensure the rights of migrant workers are fully addressed.

84. The Republic of Korea noted the remarkable programme to abolish illiteracy for all citizens and the reforms of the administration of juvenile justice. It echoed concerns over the numerous reports overdue by the United Arab Emirates to treaty bodies and recommended strengthening cooperation with human rights mechanisms, which will be helpful to achieve further improvements in various areas.

85. Uzbekistan indicated that positive results have been achieved in the United Arab Emirates, inter alia, in the gradual development of the system of human rights education, health, education, social welfare, the media and women's rights. It requested information on measures and actions taken by the country to protect the interests of persons with disabilities.

86. Australia sought further information on the implementation of the counter trafficking strategy by the United Arab Emirates National Committee to Combat Human Trafficking. It also asked what further steps the United Arab Emirates might consider to ensure that foreign workers are provided appropriate protections. Australia welcomed the United Arab Emirates' efforts to eliminate gender-based discrimination and encouraged it to continue to prevent and eliminate discrimination. Australia also welcomed the decision by the United Arab Emirates Vice-President to prohibit the imprisonment of journalists for press-related offenses and enquired whether this prohibition is enshrined in United Arab Emirates law, and whether the United Arab Emirates is considering enacting a new press and publications law.

87. With reference to the 2008 United Nations Office on Drugs and Crime report, Latvia welcomed the generous grant from the United Arab Emirates which made it possible to launch the United Nations Global Initiative to Fight Human Trafficking in March 2007. Latvia recommended that the United Arab Emirates consider extending a standing invitation to all Special Procedures of the Human Rights Council.

88. The delegation of the United Arab Emirates said that human rights are taught to police personnel and in police academies. Development patterns adopted by the United Arab Emirates have raised greatly the standard of living in remote areas, and yet, now and again, the needs of these areas are redefined. The delegation mentioned that rehabilitation of 1070 of child jockeys took place between 2005 and 2007 and was carried out through a cooperation programme with UNICEF. The delegation indicated that Constitutional amendments were introduced two days ago as part of a series of steps aiming at developing the political programme.

89. The delegation also indicated that some comments showed a misunderstanding and a stereotyping regarding the role of women in the United Arab Emirates. Legislation has given

women all the rights equal to men without discrimination, and women are constantly supported in order to be included in all sectors of development, which allowed them, inter alia, to get prominent positions nationally and internationally. Illiteracy rate among girls is less than 3 per cent and that there are around 12000 businesswomen. Women participated, as candidates and voters, in the first elections in the country in 2006. The United Arab Emirates delegation noted that efforts have been made to harmonize national legislation before acceding to international instruments and that the necessary period for harmonization depends on the subject matter of the instrument. Despite the fact that the State is not party to some relevant treaties, the Constitution has provided for all human rights and this is reflected in laws and practices of the country.

90. The head of the delegation indicated that they greatly value all the comments and are appreciative of the UPR, which represents an important national review. The UPR allowed for understanding that achievements were made but also that shortcomings and challenges exist. The United Arab Emirates will continue communicating with the Human Rights Council and the international community in order to further develop its performance.

## II. CONCLUSIONS AND/OR RECOMMENDATIONS

91. The recommendations formulated during the interactive dialogue have been examined by the State; the recommendations listed below enjoy its support:

1. To reform the 1980 law on publications and all other related laws to take into account the evolution of freedom of expression and opinion (Qatar);
2. To continue efforts to strengthen and protect human rights in accordance with international standards, in keeping with cultural values of the Emirati people (Egypt);
3. To continue to refuse to apply any standards or principles which are outside the international principles and standards agreed upon in the field of human rights, including any attempt to impose any foreign values and customs on the Emirati people (Egypt);
4. To continue its achievements in the area of human rights and to take these achievements into account as an encouraging factor for the promotion and protection of human rights (Saudi Arabia);
5. To be complimented for its pioneering and considerable experience in the area of ending employment of children in camel racing (Bahrain);
6. To invite the Special Rapporteur on trafficking in persons, especially in women and children, to visit the country (Bahrain)
7. To continue to strengthen its labour regulations and improve the working/living conditions of workers (Pakistan);
8. To establish a workshop on education to exchange views and experiences with developed and developing countries (Kuwait) ;
9. To take further steps to improve the situation of migrant laborers and domestic staff (United Kingdom);

10. To continue dialogue with civil society in the follow-up and implementation of the review, and establish a standing forum to facilitate such dialogue and enable greater mutual understanding (United Kingdom);
11. To vigorously pursue efforts to promulgate a national law guaranteeing better protection for children, and that the general principle of the best interest for the child, as contained in article 3 of the Convention, is fully reflected in that law (Djibouti);
12. To enact national legislation to protect the rights of children (Yemen);
13. To continue efforts to strengthen the rights of women and to further the advancement and development of women's rights in the international dimension (Indonesia);
14. To study the possibility of a law that specifically addresses the situation of domestic workers, in order to preserve their fundamental rights and protect them from possible abuses by their employers (Cuba);
15. To pay attention to the development of infrastructure in remote regions (Syrian Arab Republic);
16. To organize training and seminars on human rights for law enforcement authorities in charge of combating terrorism (Algeria);
17. To take concrete measures to limit the number and extent of restrictions on the right to freedom of expression and the freedom of the press (France);
18. To pursue and reinforce current efforts to address allegations and reports of discriminatory treatment of migrant workers, especially those related to female domestic workers (Italy);
19. To put in place a concrete national strategy to disseminate a culture of human rights and to ensure the long-term protection of these rights (Morocco);
20. That the intention of the decree, recently signed by H.H. Shaykh Mohammed al-Maktoum that no journalist should receive prison sentences for its publications be secured through the enactment of a modernized press and publications law (Norway);
21. To continue to build on and strengthen efforts to protect the rights of migrant workers, especially women migrant domestic workers (Philippines);
22. To continue to pursue active cooperation and dialogue with the countries of origin of the migrant workers (Philippines);
23. To share its experiences and best practices with other countries in establishing national legislation and mechanisms and pursuing international cooperation to curb human trafficking (Philippines);

24. To continue to provide assistance to developing countries as a means to improve the enjoyment of human rights in other parts of the world (Philippines);
  25. To accede to the CAT (Albania);
  26. To continue to give importance to ensure economic development, including infrastructure, in remote rural areas (Malaysia)
  27. To continue its leadership role at the regional level, particularly with regard to facilitating dialogue and enhancing cooperation with the receiving and sending States of contractual labourers (Malaysia);
  28. To bolster capacity to oversee working and living conditions of migrant workers by employing more inspectors to oversee implementation of labour laws (Canada);
  29. To consider establishing an independent national human rights institution that could advise the Government and receive and investigate complaints by the public (Netherlands);
  30. To put in place effective institutional support for the victims of domestic violence (Slovenia);
  31. That the perspective of the equality for women be fully included into the follow-up process to this review, including by conducting regular consultation with civil society and women's groups on the implementation of the various related recommendations (Slovenia);
  32. To consider ratifying CAT (Japan);
  33. To fast-track the development of infrastructure in remote rural areas, with a view to ensuring the practical enjoyment of economic and social rights to benefit the people living in remote rural areas (South Africa);
  34. To accelerate the elaboration of a national plan of action with a view of instilling a culture of human rights (South Africa);
  35. To guarantee adequate protection of workers through the effective implementation of legislative and administrative labour laws (South Africa);
  36. To strengthen cooperation with human rights mechanisms, which will be helpful to achieve further improvements in various areas (Republic of Korea);
92. The following recommendations will be examined by the United Arab Emirates which will provide responses in due time. The response of the United Arab Emirates to these recommendations will be included in the outcome report adopted by the Human Rights Council at its tenth session:
1. To ratify all of the most significant international human rights instruments, in particular the ICCPR (Finland);

2. To sign the International Convention for the Protection of All Persons from Enforced Disappearance (France);
3. To sign and ratify the additional Protocol to the United Nations Convention against Transnational Organized Crime (France);
4. To consider the possibility of introducing amendments to national laws on citizenship, so that female citizens married to non-citizens can pass on their nationality to their children in the same way that male citizens married to non-citizens can do (Germany);
5. To consider aligning its legislation with the provisions of article 18 of the ICCPR (Italy);
6. To take the necessary measures to guarantee access to civil, penal and labour justice, as well as assistance and consular protection for all migrants, regardless of their migratory status, to ascertain their rights in cases of abuse (Mexico);
7. To ratify the main international instruments, in particular the ICCPR, the ICESCR and the CAT, and to progress in their implementation (Switzerland);
8. To step up efforts to ensure that economic, social and cultural rights of migrant workers are fully respected (Sweden);
9. That a new law should ensure the right to freedom of expression, assembly and association, in accordance with international human rights law (Norway);
10. To continue its recent move of opening up websites with a view to bringing the regulation of internet use in accordance with international law (Norway);
11. To protect and respect the freedom of expression and association of human rights defenders in accordance with the Declaration on Human Rights Defenders and refrain from placing any unnecessary restrictions on their work (Norway);
12. To uphold freedom of expression of NGOs by amending the laws limiting it and repealing punitive administrative or judicial sanctions to that regard (Canada);
13. To consider the possibility of acceding to the ICESCR and the ICCPR (Brazil);
14. To accomplish progressively human rights goals as set up by Council resolution 9/12 (Brazil);
15. To consider ratifying the ICCPR and the ICESCR (Japan);
16. That, in order to ensure cooperation and dialogue with the international community, to submit responses to the communications made by the various special rapporteurs (Japan);
17. To consider extending a standing invitation to all special procedures of the Council (Latvia);

93. The recommendations noted in the report in following paragraphs did not enjoy the support of the United Arab Emirates: paragraphs 38(b); 53 (c) (d); 55 (a) (b); 57 (a); 61 (a); 62 (a) (b); 66 (e); 67 (a) (b) (c); 69 (a); 71 (a) (c) (e); 72 (b); 73 (b); 74 (a) (c).

94. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and /or the State under review thereon. They should not be construed as endorsed by the Working Group as a whole.

## **Annex**

### **COMPOSITION OF THE DELEGATION**

The delegation of the United Arab Emirates was headed by H.E. Dr. Anwar Mohammad GARGASH, Minister of State for Foreign Affairs, and comprised 28 members:

H.E. Mr. Obaid Salem AL ZAABI, Ambassador, Permanent Representative, United Arab Emirates Mission, Geneva;

H.E. Mr. Ahmed Mohammad AL KHATRI, Member of the Federal National Council;

H.E. Dr. Amal Abdulla AL QUBAISI, Member of the Federal National Council;

H.E. Mr. Tareq Hilal LOTAH, Director General, Ministry of State for Federal National Council Affairs;

H.E. Dr. Abdel Raheem Youssef AL AWADI, Assistant Under-Secretary for Legal, Information and Studies Affairs, Ministry of Foreign Affairs;

H.E. Dr. Saeed Mohammed AL GHUFLI, Executive Director, Ministry of State for Federal National Council Affairs;

H.E. Dr. Mahmoud FIKRI, Executive Director, Ministry of Health;

H.E. Mr. Hussein Saeed AL SHEIKH, Executive Director, Ministry of Social Affairs;

H.E. Ms. Khawla Ibraheem AL MUALLA, Councillor, Ministry of Education;

Ahmed Mohamed NEKHAIRA, Colonel, Abu Dhabi Police Headquarters;

Dr. Mohamed Abdall AL MUR, Colonel, Dubai Police Headquarters;

Mohamed Ahmed AL HAMMADI, Councillor, Ministry of Justice;

Mr. Maher Hamad ALOBAD, Ministry of Labor;

Mr. Iskandar Hanna ZALAMI, Ministry of Labor;

Mr. Ahmad HASHEM, Ministry of Interior;

Mr. Ali Matar AL MANA'EE, Ministry of Foreign Affairs;

Mr. Adel AL MAHRI, First Secretary, United Arab Emirates Mission;

Mr. Abdullallah Hamdan AL NAQBI, Ministry of Foreign Affairs;

Mr. Mohamed AL SHEHI, Second Secretary, United Arab Emirates Mission;

Ms. Aisha Ali AL MANSOURI, Ministry of Foreign Affairs;

Mr. Ahmad Jum'aa AL HAY, Ministry of Foreign Affairs;

Ms. Lana Zaki NUSSEIBEH, Ministry of State for Federal National Council Affairs;  
Ms. Shaima Hussein GARGASH, Ministry of State for Federal National Council Affairs;  
Mr. Ahmad BAHAELODIN, Ministry of State for Federal National Council Affairs;  
Mr. Dr. Janardhan NARAYANAPPA, Ministry of State for Federal National Council Affairs;  
Mr. Dr. Mohamed AL MANSOUR, General Women's Union;  
Ms. Afra AL BASTI, Dubai Women and Child Foundation;  
Mr. Mohamed Hussain AL HAMMADI, Emirates Association for Human Rights.

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