

Introduction

1. This contribution to the Office of the High Commissioner for Human Rights is made in the context of the (Second Cycle – 15th Session) of the Universal Periodic Review of the United Arab Emirates (the UAE). Arab Federation for Human Rights (AFHR) will examine progress made on the implementation of accepted recommendations, as well as the developments of the human rights situations in the UAE on some specific issues related to women empowerment and child rights, labour rights and human trafficking. The AFHR will also identify obstacles and challenges that face the UAE on these specific issues and provide some recommendations for further improvements.

A. Women Empowerment and Children's Rights

2. The second cycle (15th session) review of the UAE, presented in the UPR report acknowledged the initiatives taken by the state to empower women and provide rights to children. Along with this came recommendations relating to the protection and promotion of women's rights by integrating additional programs and projects to strengthen their role in society; ensuring gender equality and eliminating discrimination against women; and, the protection of children from violence, and abuses.

A.1 Progress and Achievements

3. The AFHR compliments the UAE for taking additional initiatives through the formation of councils and enhancing strategies that were put in place specifically to empower women as well as ratifying treaties that adhere to the protection of children. In 2014, the World Economic Forum's Global Gender Gap report concluded that the UAE ranked second in the Gulf for overall performance; ranking seventh globally for wage equality. To maintain its status, and improve globally, the UAE established the **Gender Balance Council** in 2015, in an effort to increase women's leadership roles and positions. Furthermore, in October 2015, a UN Women Liaison Office opened in Abu Dhabi; the first office in the Gulf region aimed to promote gender equality and women empowerment.
4. In March 2015, the Chairwoman of the General Women's Union- founded in 1975 pursuant to the Federal Law No. (6) 1974 and represents women throughout the State- launched a **National Strategy for Empowerment of Emirati Women** in the UAE for 2015-2021. In the previous Cycle, recommendations were presented to ensure the implementation of such a program, which the UAE has now moved forward with. The strategy was launched to provide a framework for government, the private sector and civil society organizations to establish work plans suitable for women empowerment.
5. The UAE has made efforts to make sure women are represented in the workforce. AFHR noted that in 2015 women occupied 66 percent of public sector jobs, which ranked one of the highest proportions worldwide; 30 percent of these women are in senior leadership/decision-making roles. In addition, women business owners make up 10 percent of the total private sector in the UAE; constituting 15 percent of the members of the boards of directors of the Chambers of

Commerce and Industry. Women empowerment is also evident amongst **political participation**. For example, in the Federal National Council (FNC) elections held in October, 2015, 78 women candidates were in attendance with a result of 8 women appointed (27 percent of the total ministers) to serve in the 2016 Federal Cabinet.

6. In 2016, the UAE amended article 53 under Federal Law 11 of 2008, to confirm and grant female employees of the Federal Government a three-month paid **maternity leave**, with an entitlement of a two-hour break daily to breastfeed, for a period of four months from the date of delivery as an initiative to empower women who work. Furthermore, the UAE federal Supreme Court has reformed the penal code to prohibit a husband's right to use any form of punishment or coercion to discipline his wife. Specifically, in 2016, they removed article 53 under Federal Law 3 of 1987.
7. The UAE has also **ratified treaties that adhere to children's rights** as well as developed programs to promote the overall well-being of children. In 2016, the UAE ratified the treaty "Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography". The UAE has approved and committed to this clause, with a reservation to article 3, paragraph 5, that stipulates "... the adoption of a child act in conformity with applicable international legal instruments", which is an act inapplicable to the UAE given the governing laws.
8. In 2016, the UAE also implemented the **Child Protection Law**, the Federal Law No. 3, formerly named Wudeema Law. The law ensures that every child in the UAE, whether a resident or tourist, has the right to live safely, be educated, and be protected from neglect and all forms of abuse, whether physical, sexual, verbal, emotional or psychological. In addition, during the International Telecommunication Union (ITU) Conference at the UN in Geneva, the UAE was selected to lead the international committee for **Child Protection Online**.
9. The UAE Cabinet presented a National Strategy to Protect the Rights of Children with Disabilities from 2017-2021.
10. A national initiative, the **Moral Education Council**, was launched in 2016 by the UAE government to encourage children to be more creative, innovative and respectful. This initiative is in an effort to ensure children are receiving their right to education. With this, the UAE also established a Child Protection Center under the Ministry of Interior.

A.2 Challenges and Recommendations

11. The UAE government needs to continue its efforts and ensure that adequate support for physical and psychological recovery as well as reparation, are provided for women who are victims of violence. In addition, there is a need for creating cultural programs to develop awareness about the concept, aspects and dangers of domestic violence to all members, family and society's stability.
12. In compliance with the Paris principles, we recommend the UAE establish an independent national human rights institution with a focus on women's rights and gender equality. Additionally, implement mechanisms to receive and address complaints from women.

B. Labour Rights

13. AFHR commends the progress the UAE has made to improve labour rights and working conditions of migrant workers putting itself at the forefront of labour rights in the region. Since the previous UPR, the UAE has made progress in strengthening protections for workers. It ratified International Labour Organization's conventions related to the rights of workers and adopted numerous laws to protect workers' rights especially in the areas of recruitment, pay, housing and health.

B.1 Progress and Achievements

14. The UAE Ministry of Human Resources and Emiratization took the initiative to issue three Ministerial Decrees in 2015 (764, 765 and 766) that were intended to guarantee that relations between workers and employers are entered into voluntarily and freely and governed only by Government-monitored work contracts and the labour law. In January 2016, new labour reforms took effect in the country which focused on improving transparency of job terms and employment contracts, spell out how contracts can be terminated, and make it easier for workers mobility within the job market.

15. The UAE equally issued two other Ministerial Decrees in 2016 (591,711) relevant to the protection of worker's rights with respect to adequate housing as well as their health and safety at work. These legislations will help employers respect the rights of workers to just and favourable living conditions; a critical issue which was raised in the last periodic review.

16. The Ministry of Labour has also carried out labour inspections to ensure employers' compliance with the provisions of the labour law, mainly those related to employment terms, wage, and protection of workers during the performance of their work, and matters related to the health and safety of workers and the employment of juveniles and women. In 2016 the number of inspection visits was 212,189 with 22,587 companies found violating various labour laws while in 2015, the Ministry found 24,363 in non-compliance. The decrease in the number of cases of non-compliance demonstrates the hard work put forth by the UAE government to ensure that the rights of workers are observed.

17. Since the previous UPR review, the UAE has made considerable achievements in raising awareness on the rights and protection of migrant workers. In 2016, the Ministry of Human Resources and Emiratization in collaboration with other ministries and institutions launched initiatives to increase the awareness of workers on their rights in accordance with the law. Some of these initiatives include: the "**For you**" initiative with the purpose of reaching a Judicial Conciliation amongst a large proportion of labour complaints in 2016, reduce labour lawsuits referred to the courts as well as reduce the costs; the "**Dubai Al-Khair**" (Dubai Goodness) initiative that handles human rights issue related to labourers; "**Smart Inspection**" which is an electronic system which allows the Ministry to register, track and follow-up complaints made against employers to see whether they adhere to the conditions of work set forth by the law and protect the rights of workers; and, the "**Labour Camps Application**" initiative which seeks to carry out general inspections on accommodations provided to labourers making sure they meet

the minimum standards for a dignified environment for workers to live in and to prevent them from being overcrowded in rooms and labour camps in contravention of the law.

18. The Minister of Human Resources and Emiratization has also conducted several awareness campaigns through multiple channels (social media, radio and television, newspapers etc) to educate and train labourers about their rights such as the “**Know your Rights**” campaign in several languages at workers’ accommodation and workplaces.
19. As a result of the Wage Protection System (WPS) established in 2009 to ensure the timely payment of workers’ salaries, approximately 3.5 million foreign workers (of the 4.6 million migrant workers registered with the Ministry of Labour) benefited from the WPS in 2015 compared to 3.3 million workers in 2013.
20. The UAE has actively participated in the International Labour Conferences from 2013 to 2017. In addition, the UAE organized the fourth “Abu Dhabi Dialogue” in January 2017 and reached four declarations to manage issues related to labour recruitment between countries of origin and destination in Asia and improving the quality of the lives of workers and their families.
21. The UAE has made significant progress in regulating the rights of domestic workers in line with national and international legislations. Notably, the UAE voted in favor for the ILO Convention 189 and Recommendation 201 on Decent Work for Domestic Workers in 2011. To ensure decent working and living conditions for domestic workers, the UAE Cabinet and the FNC approved a new draft Domestic Labour Law in May 2017 that regulates four key areas in the protection of domestic workers: Contracts; Rights and Privileges; Prohibitions from forced labour, sexual harassment (verbal or physical), physical harm, all forms of discrimination and, Recruitment agencies must strictly follow the terms and conditions and are to bear the full cost of the repatriation of the domestic worker to his/her country if contractual terms of the employment are not honoured. The draft law will become in effect when it is signed by the President of the UAE. The new law grants the Ministry of Human Resources and Emiratization the legal responsibility for the employment of domestic workers contrary to the present regulations in which domestic workers are under supervision of Ministry of Interior.

B.2 Challenges and Recommendations

22. The limited number of field inspectors presents a challenge to ensure full compliance of labour laws that guarantee the rights and protection of workers. The number of inspectors employed by the Ministry of Labour to carry out field inspections is 367 whereas the number of establishments registered with the Ministry is more than 314,440 facilities with more than 4.317 million employees. AFHR recommends employing and training more field inspectors to overcome this challenge.
23. The UAE needs to accelerate the passing of the new legislation on domestic workers and need to ensure the implementation and monitoring process of this law is in full compliance by recruitment agencies and employers.

C. Prohibition of Human Trafficking

24. Since its review in December 2012 (2nd cycle- 15th session), the UAE accepted and continue to adopt several recommendations relating to the prohibition of human trafficking. Below are highlights identified by the Arab Federation for Human Rights (AFHR) that shows the UAE's progress and achievements as well as challenges to address.

C.1 Progress and Achievements

25. AFHR commends the UAE's efforts to address the issue of human trafficking and of the country's ratification of the Convention against Transnational Organized Crime on 7 May 2007, and its Protocol to Prevent Suppress and Punish Trafficking in Persons, Especially Women and Children (The Palermo Protocol) on 21 January 2009.
26. The UAE government also has improved the national legislation on combating human trafficking. More specifically, the amendment of the Federal Law 51 of 2006 on Combating Human Trafficking in 2015 to include provisions emphasizing protection and assistance of victims of trafficking. A clear evidence of this can be seen in Article (1) bis (2) and Article (13) bis (1) of the Law 51.
27. Efforts have been made by the UAE's National Committee to Combat Human Trafficking by adopting the '5 Ps' national strategy of Prevention, Prosecution, Punishment, Protection of victims, and Promotion of international cooperation. Through such strategy, the UAE has taken several important steps since 2013: launching the country's biggest multilingual media campaign to create general awareness about human trafficking and simple ways to combat it; organizing a diploma course on human trafficking for officials, the first of its kind in the Arab world; starting a two-year awareness campaign for companies recruiting domestic workers to highlight the dangers of human trafficking for sexual exploitation; forging international partnerships and enhancing cooperation to tackle the crime at source, rather than dealing with it only within the UAE's borders; participating in several regional and international efforts to counter this crime; and conducting regular workshops and training courses as part of the efforts to continuously improve the skills of law enforcement officials dealing with human trafficking issues.
28. AFHR also recognizes the UAE's holistic approach to combat human trafficking which includes significant initiatives to determine how victims are treated by law enforcement officials, as well as expanding the help and welfare programs available to them. As evidence of this, the NCCHT issued Resolution No. 7 of 2010 concerning the regulatory procedures for dealing with human trafficking victims among competent authorities in the UAE. The NCCHT also established a fund in 2013 to support victims of human trafficking. The fund aims to cover some of the expenses related to victims of human trafficking, taking into consideration the humanitarian aspect, and providing a decent life for them, away from the exploitation, which deprives them of their human dignity.
29. Additionally, the UAE has been active in countering human trafficking through fostering bilateral and international cooperation by sharing and exchanging information on the experience of the UAE in tackling such crimes and drawing on other experiences of other countries and international organizations. This is evidenced in the fact that several bilateral cooperation treaties and memorandum of understanding (MOU) have been signed on sharing experiences and

expertise in combating human trafficking. During 2016, the National Committee to Combat Human Trafficking signed a MOU with the Republic of India on preventing human trafficking crimes. Similar MOUs were signed with Indonesia in 2015, Armenia in 2009, Azerbaijan in 2011 and Australia in 2013.

C.2 Challenges and Recommendations

30. While acknowledging the progress made by the UAE in adopting the ‘5 Ps’ national strategy, there is a need to further create a balance between the three areas of prevention, prosecution and protection and to consider the human rights of trafficked persons as being at the centre of any anti-trafficking measures and policies adopted.
31. The UAE government is currently investing growing resources in anti-trafficking initiatives, commonly split into prevention, prosecution and protection efforts. The UAE needs to develop a monitoring system to measure the impact of anti-trafficking initiatives.