

Universal Periodic Review (29th session, Jan-Feb 2018)
Contribution of UNESCO
Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III - F, J, K, and P)

[United Arab Emirates](#)

I. Background and framework

Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO.

Title	Date of ratification, accession or succession	Declarations /reservations	Recognition of specific competences of treaty bodies	Reference to the rights within UNESCO's fields of competence
Convention against Discrimination in Education 1960	Not a State Party to this Convention	Reservations to this Convention shall not be permitted		Right to education
Convention on Technical and Vocational Education 1989	State Party to this Convention (Ratification 24/05/1991)			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage 1972	11/05/2001 Acceptance			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage 2003	02/05/2005 Ratification			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005	06/06/2012 Accession	The instrument contained the following declaration: [...] the Government of the United Arab Emirates accedes		Right to take part in cultural life

		to the 2005 Convention and undertakes to implement all of its provisions, while expressing reservations about Article 25 of the Convention regarding the settlement of disputes. On the basis of Article 25, paragraph 4, the Government of the United Arab Emirates considers itself exempt from applying the conciliation procedure.” [Original : Arabic]		
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Right to education

II. Promotion and protection of human rights on the ground

1. The **Constitution of the United Arab Emirates** of 1971, as amended in 1996, does not enshrine the right to education. The Constitution states “Education shall be a fundamental factor for the progress of society” and provides for compulsory primary education and free education at all stages. Provisions relating to private education are also included, as well as the principle of equality before the law of citizens of the Union regardless of race, nationality, religious belief or social status.
2. The main federal laws governing education were adopted in 1972. Federal Law No. 11 covers compulsory education, Federal Law No. 1-M7 concerns specializations of ministries and Minister’s authority, including in the field of education, and Federal Law No. 9 deals with private schools. Federal Law No. 29 on the Rights of Persons with Special Needs, which guarantees equal chances in education, was adopted in 2006.
3. In terms of reporting to UNESCO, the United Arab Emirates did not submit national report within the framework of the 8th (2011-2013) and 9th (2016-2017) Consultations of Member States on the measures taken to implement the UNESCO Recommendation against Discrimination in Education. Similarly, the United Arab Emirates did not report on the measures taken to implement the UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms for the 5th (2012-2013) and 6th (2016-2017) Consultations.

Freedom of opinion and expression

- Constitutional and Legislative Framework:

4. Article 30 of the United Arab Emirates's Constitution states that "Freedom to hold opinions and express them orally, in writing or by other means of expression shall be guaranteed within the limits of the law". Article 31 states that "Freedom of communication by post, telegraph or other means of communication and the secrecy thereof shall be guaranteed in accordance with the law."¹
5. UAE Federal Law No. 15 of 1980, known as the Press and Publications Law, indicates: "the press is free within the limits set by the law and it is prohibited to suspend activities or close down newspapers by administrative means". The law lists 16 types of material that cannot be published, including any material criticizing the Government, the Head of State or any work that involves "instigation against Islam or the system of ruling, or if it causes harm to the interest of the state or the values of society religion, public morals". Violations of the law can result in fines and prison sentences².
6. The Federal Law No. 5 of 2012 on Combating Cybercrimes regulates the use of information technology and criminalizes the use of the internet to commit offenses as outlined in the law, including insulting any of the Islamic sanctities or rituals or any recognized religion, and "condoning, provoking or promoting sin".³
7. There is no law guaranteeing freedom of information as a basic right.
8. Defamation is a criminal offense under the UAE Penal code Chapter VI Articles 371 to380, which carries a maximum prison term of up to two years.

➤ Implementation of legislation:

9. The National Media Council (NMC) is a federal government body established by Federal Law No.1 of 2006. It is responsible for the implementation of national media policies. Members of the council are appointed by the UAE's President, the hereditary ruler of Abu Dhabi.
10. Broadcast media outlets based in the "media free zones" (MFZs) are regulated by the Technology and Media Free Zone Authority, but are also subject to the 1980 Press and Publications Law and the penal code. All free zones must obtain approval from the NMC before licensing any print or broadcast activities. The United Arab Emirates has four "media free zones" (MFZs) in the emirates of Dubai, Abu Dhabi, Ras al-Khaimah, and Fujairah.

➤ Safety of journalists:

¹ https://www.constituteproject.org/constitution/United_Arab_Emirates_2009?lang=en

² <http://www.tag-legal.com/Upload/file/IP/UAE/Publication%20and%20Publishing%20law.pdf>

³ http://ejustice.gov.ae/downloads/latest_laws/cybercrimes_5_2012_en.pdf

11. Since 2008, UNESCO⁴ recorded no killings of journalists in the United Arab States.

III. Recommendations

12. Below are the recommendations made within the framework of the 2nd cycle of the Working Group (23rd session) on the Universal Periodic Review (March 2013)⁵:

128.66. *Continue making efforts to ensure that employers and sponsors fully respect the social and cultural rights of migrant workers and domestic workers, their right to housing and an adequate standard of living, and their right to education and training,*

128.100. *Continue its ongoing efforts to further increase the attendance of girls in secondary and higher education and the participation of women in professional and political spheres,*

128.169. *Further strengthen its role as an international centre for higher education,*

128.170. *Continue its efforts in the area of the right to education, and in allocating the necessary resources to promote this right and improve the quality of education,*

128.173. *Continue implementing the political empowerment programme launched in 2006 in promoting awareness and education in human rights, and ensure greater participation in accordance with best practices and standards in this field,*

128.176. *Formulate human rights training programmes to spread awareness among the civil service, particularly law enforcement officials and members of the judiciary,*

128.178. *Continue efforts to spread the culture of human rights through educational curriculums and the media.*

Review and specific recommendations

13. Almost half of the education-related recommendations made to the United Arab Emirates during the last UPR cycle concerned human rights education and training programmes. The United Arab Emirates was repeatedly encouraged to develop programmes and activities in relation with human rights education and training and to spread awareness on human rights. In 2016-17, UNESCO organized a Consultation of Member States on measures taken to implement the UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms. The United Arab Emirates did not report within the framework of the Consultation. This would have provided a valuable opportunity for the country to make a self-assessment of the situation and progress made on this matter and to share information with UNESCO.

14. Positive progress was made on the development of the legal framework relating to education, with the adoption in 2012 of a new federal law, which enshrines education as a right and makes education compulsory from the age of six to 18 for Emirati citizens. Yet, additional efforts could be deployed to ensure the constitutional framework enshrines education as a human right, since it is not yet the case. In the context of SDG-4, such

⁴ <http://en.unesco.org/unesco-condemns-killing-of-journalists>

⁵ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/124/95/PDF/G1312495.pdf?OpenElement> (Last consulted on 21 February 2017)

provisions would provide a supportive legal environment for efforts made towards providing and ensuring “inclusive and equitable quality education and lifelong learning for all”. In that respect, the United Arab Emirates should be strongly invited to ratify UNESCO’s Convention against Discrimination in Education, which provides an international legal framework for the right to education and non-discrimination.

15. With regard to girls’ education, the United Arab Emirates was recommended to continue its efforts towards ensuring attendance of girls at the secondary and higher education levels. Progress are difficult to assess since as pointed out by the CEDAW, relevant data on enrolment and participation rates is often lacking. Indeed, while data shows that gender equality has been achieved in primary schools,⁶ there is insufficient sex-disaggregated data on enrolment rates at lower secondary,⁷ which makes it difficult to compare progress made for upper stages of education. In addition, with the extension of compulsory education until the age of 18 years instead of 15 years since 2012, increased capacities should be made available to all. Special consideration should also be given to the situation of girls to encourage them to complete compulsory education and pursue higher education.
16. As regards resources dedicated to education and quality education, several policy measures can be noted. The Ministry of Education has adopted the document “Education Vision 2020”, which largely addresses strategic themes related to quality education. Based on this strategy document, a series of five-year plans are being designed in order to improve education techniques and innovative skills and abilities of students. Furthermore, the Ministry of Education Strategy 2010-2020 focuses on a number of quality dimensions, including but not limited to students’ outcomes, relevant skills and teacher training. Such measures are particularly welcome. Particular attention and efforts should be now directed towards ensuring their effective and successful implementation to achieve tangible results.

➤ **Specific recommendations:**

1. The United Arab Emirates should be strongly encouraged to ratify the UNESCO Convention against Discrimination in Education.
2. The United Arab Emirates should be encouraged to enshrine education as a *right* in the Constitution and all relevant legislation and ensure the right to non-discrimination applies to education, in line with international standard-setting instruments on the right to education and SDG-4 on education.

⁶ “Regional Overview: Arab States”, Education for All Global Monitoring Report 2015, p. 11, accessible at: http://en.unesco.org/gem-report/sites/gem-report/files/regional_overview_AS_en.pdf (Last consulted on 21 February 2017)

⁷ EFA Regional Synthesis Report of the 2015 National Reviews in the Arab States Region, UNESCO Beirut, 2015, p. 39, available at: <http://unesdoc.unesco.org/images/0023/002329/232941e.pdf> (Last consulted on 21 February 2017)

3. The United Arab Emirates could be encouraged to intensify measures aiming at ensuring equal educational opportunities for girls, and not limited only to primary education, but also to upper stages of education.
4. The United Arab Emirates could be encouraged to further make sex-disaggregated data on access and participation to all stages of education available with a view to track progress.
5. The United Arab Emirates could be encouraged to pursue and strengthen efforts in promoting education and training on human rights.
6. The United Arab Emirates should be encouraged to submit state reports for the periodic consultations on UNESCO's education-related standard-setting instruments.
7. The United Arab Emirates should be encouraged to share with UNESCO any relevant information to update its country profile on UNESCO's Global Database on the Right to Education⁸.

Freedom of expression

17. The United Arab Emirates is recommended to decriminalize defamation and place it within a civil code that is in accordance with international standards.
18. The United Arab Emirates is encouraged to introduce a freedom of information law that is in accordance with international standards.
19. The United Arab Emirates is recommended to consider strengthening the independence of broadcast licensing in line with international standards.

Cultural Rights

20. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972)⁹, the Convention for the Safeguarding of the Intangible Cultural Heritage (2003)¹⁰ and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)¹¹, United Arab Emirates are encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, United Arab Emirates are encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as

⁸ <http://www.unesco.org/new/en/education/themes/leading-the-international-agenda/right-to-education/database/>

⁹ Periodic Report available at: <http://whc.unesco.org/document/104581>

¹⁰ Periodic Report available at: <http://www.unesco.org/culture/ich/doc/download.php?versionID=33121>

¹¹ Periodic Report available at: <http://en.unesco.org/creativity/monitoring-report/quadrennial-reports/available-reports-12>

vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

**Freedom of scientific research and
the right to benefit from scientific progress and its applications**

21. United Arab Emirates has not submitted its National Report on the implementation of the **Recommendation on the Status of Scientific Researchers** (1974) for the **Second Consultation** covering the period from 2013 to 2016 (<http://on.unesco.org/2hL0xGz>). Therefore **United Arab Emirates** is encouraged to report to UNESCO on any legislative or other steps undertaken by it with the aim to ensure the application of this international standard-setting instrument in line with the online monitoring questionnaire (<http://unesdoc.unesco.org/images/0024/002468/246830E.pdf>). When replying to the 2013-2016 monitoring questionnaire, **United Arab Emirates** is kindly invited to pay particular attention to the legal provisions and regulatory frameworks which ensure that scientific researchers have the responsibility and the right to work in the spirit of the principles enshrined in the 1974 Recommendation. The issues under consideration are: autonomy and freedom of research and expression; academic freedom to openly communicate on research results; participation of scientific researchers in the definition of the aims and objectives of research; compliance of research methods with respect for universal human rights and fundamental freedoms, as well as ecological and social responsibility; freedom of movement of researchers and respect for their economic, social and cultural rights.