



GENEVA CENTRE FOR HUMAN RIGHTS ADVANCEMENT AND GLOBAL DIALOGUE

HUMAN RIGHTS COUNCIL / WORKING GROUP on the Universal Periodic Review of the United Arab Emirates – Fourth cycle

8 May 2023

Palais des Nations, Geneva

The United Arab Emirates' report was presented by H.E Shamma bint Sohail bin Faris Al Mazrui, Minister of Community Development.

In their presentation, the delegation of the United Arab Emirates emphasized their government's intention to **hold a peaceful dialogue on current regional issues**. The Papal Visit to the UAE in 2019, for instance, was generally regarded as a landmark event in the field of interfaith dialogue.

In terms of advancements in the field of human rights, many countries commended the United Arab Emirates' establishment of a **National Human Rights Institution** in accordance with federal law 12 of 2021 and recommended taking concrete step to ensure the independence and effectiveness of its work.

The United Arab Emirates reported adopting more than 68 federal laws between 2019 and 2022 to strengthen their human rights legal arsenal including on wage equality, domestic violence, insolvency, protection of witnesses, public health, civil procedure, juvenile offenders, minors at risk of delinquency, domestic work, children born of unknown parentage, penal procedures, the personal status of non-Muslims, discrimination and hatred, and elderly persons.

The international community commended the new **Gender-balance strategy 2022-2026** and recommended its full implementation.

The delegation of the United Arab Emirates announced that the strategy to ensure women's autonomy will be updated in the near future, and a **national human rights plan** will be prepared, which many States have called for during the review.

Decree-Law no.33 of 2021 Regarding the Regulation of Employment Relationship was also hailed by the delegation as a transformative law for contractual relations, that profoundly changed the labour market. New permits and labour models.

Finally the United Emirates reported its intention to accede to the **Optional Protocol on Children in Armed Conflict**.

Recommendations

Migrant Workers

- **Adopt legislation and promote the rights of migrant workers and domestic workers**

Armenia, Bangladesh, Canada, Denmark, Ecuador, Indonesia, Iraq, Kenya, Malaysia, Mozambique, Nigeria, Norway, Lithuania, Switzerland, Thailand, Uganda

- **Ratify the Convention on the Protection of Migrant Workers and their Families.**

Afghanistan, Bangladesh, The Gambia, Indonesia, Paraguay, Sri Lanka, Togo

Note that this instrument garners 58 ratifications as of May 2023 but is viewed to be of particular relevance to the United Arab Emirates where 90% of the private sector labour force is estimated to be migrants.

- **Afghanistan also recommended ratifying the International Labour Organization's Domestic Workers Convention C189.**

Human Trafficking

- **Take measures and revise legislature to combat human trafficking**

Angola, Bulgaria, Liechtenstein Malawi, Mozambique, Nepal, Philippines South Sudan, Thailand, Tunisia.

Many countries expressed concern over the Kalafa system/sponsorship system, in which a worker's legal status of residence depends on their employers. This system places workers, especially domestic workers in a position of dependency, places constraints on workers to change employers, and can be used as a means for the trafficking of persons. The UAE delegation assured that, as of 2022, workers are allowed to move from one employer to another at any time and without any restraints. They added that obtaining a work permit is no longer in the hands of the employer and leaving the territory does not require the approval of the employer or any other entity. Many civil society organizations remain worried that laws requiring employers to report 'runaway' workers to authorities give employers too much power over their workers who could face detention or deportation if found guilty.¹

- **Yemen recommended the amendment of federal law 51 of 2006 on human trafficking crimes - which was previously amended in 2015**

¹ Migrant Rights, para. 15, UPR Info

Human Rights Defenders and Freedom of Opinion and Expression, Freedom of Association and Freedom of Peaceful Assembly

- **Revise national legislation and take measures to guarantee freedom of expression, especially for Human Rights Defenders and/or journalists**

Argentina, Austria, Belgium, Canada, Czechia, Ecuador, Estonia, Ethiopia, Finland, Greece, Honduras, Italy, Liechtenstein Luxembourg, México, The Kingdom of the Netherlands, New Zealand, Norway Spain, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay

- **Unconditionally release from prison all human rights defenders and prisoners of conscience**

Belgium , United States of America.

- **Release all prisoners who have completed their court-ordered sentences and are currently being held only under the “counselling” provision of the 2014 counterterrorism law**

The Kingdom of the Netherlands, Switzerland

- **Amend Law No. (7) of 2014 on Combatting terrorism and Law No. 34 of 2021 on Combatting Rumours and Cybercrimes**

Switzerland

Note that the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, the Working Group on Arbitrary Detention, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the situation of human rights defenders, all expressed concern over Federal Law No. (7) of 2014 on Combatting terrorism offences could hinder the freedom of expression, while civil society organizations also expressed concerns over Federal Decree Law No. 34 of 2021 on Combatting Rumours and Cybercrimes²

Death Penalty

- **Establish a the moratorium on death penalty and moving towards abolishment of the death penalty**

Australia, Austria, Chile, Côte d'Ivoire, Iceland, Ireland, Italy Latvia, México, Montenegro, Portugal Norway, Spain

- **Ratify 2nd Optional protocol of the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty**

Albania, Angola, Chad, Estonia, Sierra Leone, Republic of Moldova, Lithuania, Peru, Portugal, Republic of Korea , Switzerland

Note that the United Arab Emirates is not Party to the ICCPR and would need to accede to the Covenant first.

² Joint Submission 4, para. 3.2, MENA Rights Group, para. 3.2 and No Peace Without Justice, para. B.7 UPR Info

Women's Rights and Women's Participation in Civil and Political Life

- **Removing discriminatory laws such as those that continue to give men guardianship over women**

Armenia, Austria, Belgium, Côte d'Ivoire, Ghana, Iceland, Ecuador Latvia Liechtenstein Luxembourg, Peru, Portugal

Note that the Personal Status Law no. 28 of 2005 contains provisions on male guardianship, and provides unequal rights of women and men with regard to marriage, custody, divorce and inheritance. Note also the Federal Law no.41 of in 2022, contains differentiated provisions for non-Muslims with non-UEA nationality.

- **Adopt legislation on providing campaign financing and capacity-building for women candidates and women politicians**

Armenia

- **Ratify the Optional Protocol to the CEDAW**

Ghana, Iceland, Namibia

- **Withdraw reservations to CEDAW**

On all articles (2, 9, 15.2, 16, 29.1) : Denmark, Finland, Mexico, Montenegro

On art. 2, 9, 15.2, 16 : Norway

On art. 2 : Iceland

Note that article 2(f) reads "To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women" to which the United Arab Emirates' reservation states: "this paragraph violates the rules of inheritance established in accordance with the precepts of the sharia". Article 29 provides that disputes between two States about the Convention will be submitted to arbitration at the request of one of them.

- **Guarantee access to all women to sexual and reproductive health services**

Chile, Iceland

Equal Access to Education

- **Ensure equal access to education for all children including non-nationals, girls, and children from rural areas**

Algeria, Azerbaijan, Bangladesh, Ecuador, The Gambia, Lithuania, Peru, Portugal South Sudan, State of Palestine

- **Enshrine access to education for all children in the constitution**

Côte d'Ivoire

Rights and Protection of the Child

- **Explicitly prohibit corporal punishment of children in all settings, including in the home**

Estonia, Greece, Uruguay

- **Extent social protection and health service to all children**

Luxembourg, Sri Lanka

Human Rights Instruments

- **Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**

Albania, Brazil, Côte d'Ivoire, Czechia, Denmark, Ghana Latvia, Montenegro, Sierra Leone, Switzerland

Note that OPCAT contains provisions to “establish an independent National Preventive Mechanism (NPM) to conduct inspections of all places of detention and closed environments”. It also provides for “international inspections of places of detention by the United Nations Subcommittee on the Prevention of Torture (SPT)”.

- **Ratify the International Convention for the Protection of all Persons from Enforced Disappearance**

Argentina, Czechia, The Gambia

- **Ratify the International Covenant on Civil and Political Rights (ICCPR)**

Chile and Czechia Ethiopia, Finland France, Italy Latvia Luxembourg Namibia, Nepal, Paraguay, Peru Portugal, Republic of Korea, Slovakia, Spain, State of Palestine, Togo, Estonia Ireland and Ecuador Kenya Lithuania México The Republic of Moldova

- **Ratify the International Covenant on Economic, Social and Cultural Rights (ICESCR)**

Chile and Czechia Ethiopia, Finland France, Italy Latvia Luxembourg Namibia, Nepal Paraguay Peru Portugal The Republic of Korea Slovakia Spain State of Palestine Togo, Honduras

Note that as of May 2023, only 18 States did not ratify or sign the ICCPR, this amount to 22 States for the ICESCR.