



**International Convention on
the Elimination of All Forms
of Racial Discrimination**

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Committee on the Elimination of Racial Discrimination

**Consideration of reports submitted by States
parties under article 9 of the Convention**

**Eighteenth to twenty-first periodic reports of States parties
due in 2015**

United Arab Emirates*


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Introduction

1. Ever since its inception, the United Arab Emirates has striven to observe and protect human rights and ensure that they are safeguarded under its Constitution and legislation. It has consequently become a destination for all from across the globe who wish to live in a society that is tolerant and open to all cultures, enjoys security and stability under laws that respect freedom of difference and diversity, and treats everyone fairly before the law. In seeking to accede to the international conventions in which those rights are enshrined, the United Arab Emirates became a party to the International Convention on the Elimination of All Forms of Racial Discrimination in 1974 and has scrupulously complied with its provisions, prohibiting racial discrimination and guaranteeing the right of all to a life free from discrimination on grounds of race, sex or colour.

2. The United Arab Emirates has submitted its periodic reports under article 9 of the Convention, which requires States parties to submit to the Committee on the Elimination of Racial Discrimination, for consideration and evaluation, reports on the legislative, judicial, administrative and other measures taken to give effect to the Convention. The United Arab Emirates submitted its twelfth to seventeenth periodic reports to the Committee on 28 February 2008. The present report contains its eighteenth to twenty-first periodic reports to the Committee on the social, economic, legislative and regulatory achievements attained by the State in furtherance of the general rights and freedoms exercised in the United Arab Emirates. Inspired by the International Convention on the Elimination of All Forms of Racial Discrimination, which it ratified in 1974, the United Arab Emirates has also promulgated a federal law combating discrimination and hate speech and prohibiting religious extremism.

I. Background information

I. Establishment of the State

3. The United Arab Emirates was established on 2 December 1971 as a federation of seven Emirates, namely Abu Dhabi, Dubai, Sharjah, Ras al-Khaimah, Ajman, Umm al-Qaiwain and Fujairah, with Abu Dhabi as its capital.

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II. Political system

4. The United Arab Emirates was established on 2 December 1971 as a federal State consisting of seven Emirates, namely Abu Dhabi, Dubai, Sharjah, Ras al-Khaimah, Ajman, Umm al-Qaiwain and Fujairah. The Constitution of the United Arab Emirates defines the goals and basic structures of the Federation. It states that the Federation exercises its sovereignty throughout the territory and territorial waters inside the international borders of the member Emirates and that the member Emirates exercise sovereignty in their territories and territorial waters over all matters for which the Federation does not have competence under the Constitution. The people of the Federation are one people and are part of the Arab nation. Islam is the official religion of the Federation and Arabic is the official language.

5. The Constitution defines the division of powers between the federal and local authorities. Article 120 sets out the legislative and executive powers of the federal authorities, while article 121 defines the legislative functions that are exclusive to the federal authorities.

III. Constitutional institutions

The federal authorities comprise:

6. **The Supreme Council of the Federation:** This is the highest authority in the State and consists of the rulers of all the component Emirates of the Federation or the alternates of the rulers in the event of a ruler's absence. Each Emirate has one vote in Council proceedings. The Supreme Council of the Federation formulates general policy on all issues for which the Federation has responsibility and considers all matters pertaining to the furtherance of the Federation's goals and the mutual interests of the member Emirates.

7. **The President and Vice-President of the Federation:** The Supreme Council of the Federation elects the President and Vice-President from among its members. Under the Constitution, the President of the Federation performs a number of tasks, most importantly: presiding over the Supreme Council of the Federation and guiding its deliberations; signing federal laws, decrees and decisions that are ratified and promulgated by the Supreme Council; and appointing the Prime Minister and the Deputy Prime Minister of the Federation, as well as government ministers, accepting their resignation and releasing them from their duties upon the recommendation of the Prime Minister of the Federation. The Vice-President of the Federation exercises all the powers of the President when the latter is absent for any reason.

8. **The Federal Cabinet:** The Cabinet consists of the Prime Minister, the Deputy Prime Minister and a number of ministers. In its capacity as an executive organ of the Federation, and subject to supreme oversight by the President of the Federation and the Supreme Council, the Cabinet deals with all internal and external affairs for which the Federation has competence under the Constitution and federal law. It performs a number of particular functions, most importantly: following up on the implementation of the Federal Government's general domestic and foreign policy; proposing draft federal laws and transmitting them to the Federal National Council; preparing the draft federal budget and overseeing the implementation of federal laws and decisions, as well as the international treaties and conventions to which the State is a party.

9. **The Federal National Council:** The Council consists of 40 members from the member Emirates, with seats assigned as follows: Abu Dhabi: 8; Dubai: 8; Sharjah: 6; Ras al-Khaimah: 6; Ajman: 4; Umm al-Qaiwain: 4; and Fujairah: 4. Draft federal laws, including finance bills, are submitted to the Federal National Council before being transmitted to the President of the Federation to lay before the Supreme Council for ratification. The Government informs the Federal National Council of the international treaties and conventions that it signs with other States and various international organizations, and provides it with relevant background information. The Federal National Council may debate any general subject of relevance to federal affairs and make recommendations thereon.

10. **The federal judiciary:** Article 94 of the Constitution stipulates that: "Justice is the basis of government. In performing their duties, judges are independent and are subject to no authority other than the law and their own conscience." The federal court system consists of federal courts of first instance and federal appeal courts with diverse responsibilities for civil, commercial, criminal, administrative and sharia cases. In addition, the Federal Supreme Court, consisting of a president and a number of justices appointed by

a decision of the President of the Federation, following approval by the Supreme Council, discharges a number of functions as assigned to it under article 99 of the Constitution, including: verifying the constitutionality of federal laws; interpreting the Constitution; and hearing cases concerning offences that bear directly on the interests of the Federation.

11. In addition to the federal courts, the United Arab Emirates has local courts, as provided in article 104 of the Constitution, which states: "Local judicial bodies in each Emirate shall have jurisdiction over all legal matters that are not assigned to the federal courts under the Constitution." The local courts apply the Constitution, federal laws, and local laws that are not inconsistent with the Constitution and federal laws. The local courts operate on three levels - first instance, appeal and cassation - without prejudice to the functions vested in the Federal Supreme Court under the Constitution. In accordance with the Constitution, the Prosecutor-General of the Federation is the head of the Federal Prosecution Office, which prosecutes offences under the Federal Criminal Code and Federal Code of Criminal Procedure.

12. A judicial coordinating council was established by Cabinet Decision No. 77/3 of 2007 under the chairmanship of the Minister of Justice and with members including heads and directors of federal and local judicial bodies, in addition to directors of the country's law colleges. The council is tasked with promoting cooperation, coordination and exchange of expertise between the federal and local courts, examining problems and challenges common to both, recommending appropriate solutions, and harmonizing legal principles and judgements handed down in similar cases heard by the two sets of courts.

IV. Geographical location

13. The United Arab Emirates occupies an area located on the Asian continent in the eastern portion of the Arabian Peninsula between 22°50' and 26°N and 51° and 56°25'E. It is bounded by the Arab Gulf in the north, by the State of Qatar and the Kingdom of Saudi Arabia in the west, by the Sultanate of Oman and the Kingdom of Saudi Arabia in the south, and by the Gulf of Oman in the east.

V. Surface area

14. The State covers an area of 83,600 km², including a number of islands with a total area of 5,900 km². The coastline stretches for 644 km along the southern shore of the Arabian Gulf from the base of the Qatar Peninsula in the west to Ras Musandam in the east. The eastern coastline extends for 90 km along the Gulf of Oman.

VI. Topography

15. Most of the land, particularly in the west, consists of desert interspersed with several well-known oases, such as Al-Ain and Liwa, in addition to fertile pastureland in the Zafrah areas, where groundwater is plentiful. To the south of these areas lie the sand dunes forming the boundary of the Rub` al-Khali (the Empty Quarter). Mount Hafit marks the southern boundary of the Buraimi oasis, where the city of Al-Ain is located, and is approximately 1,220 metres high. In addition, the Hajar mountain range, which is 80 kilometres long from north to south and approximately 32 kilometres wide, cuts across the Musandam Peninsula, then enters the Sultanate of Oman and runs down to the eastern tip of the Arabian Peninsula. The city of Ras al-Khaimah stands at the foot of the northern flanks of this range, which reach an altitude of around 2,438 metres at their highest point. On the western flanks are a number of large valleys and ridges, some of which are used for

agriculture. Most of the coastline is sandy, except in the north in Ras al-Khaimah at the headland of the Hajar mountain range.

16. The territorial waters tend to be shallow, with an average depth of 35 metres and a maximum depth of 90 metres, except in the Straits of Hormuz where the water is up to 145 metres deep. The State's territorial waters contain many coral reefs studded with pearl oysters and teeming with fish.

VII. Climate

17. The United Arab Emirates is in the tropical dry zone extending across Asia and North Africa. It is also affected by local environmental factors because of its position on the shores of the Arabian Gulf and the Gulf of Oman, which is linked to the Red Sea through the Mandeb Straits.

18. High summer temperatures are associated with high humidity rates and there are marked differences in climate between the coastal, inner desert and mountainous zones which together make up the topography of the State. The State is buffeted by monsoon and other seasonal winds that pick up strength in the spring and late summer. It receives little rainfall, in variable quantities, between November and April.

VIII. Population

19. At the end of 2010, the population amounted to 8,264,070 persons according to the most recent official estimates issued by the National Bureau of Statistics on the basis of data from the administrative registers of official State sources. Population growth is affected significantly by economic factors, especially in periods of accelerating boom, as in the years 2005-2010. The population of the State rose from 2.4 million in 1995 to 4.1 million in 2005 according to the general population census of 2005. The figure then doubled in 2010, as indicated in table 1 below.

Table 1

Population, by nationality and sex, according to the mid-2010 census

<i>Nationals</i>			<i>Non-nationals</i>			<i>Total population number</i>		
<i>Males</i>	<i>Females</i>	<i>Total</i>	<i>Males</i>	<i>Females</i>	<i>Total</i>	<i>Males</i>	<i>Females</i>	<i>Total</i>
479 109	468 888	947 997	5 682 711	1 633 362	7 316 073	6 161 820	2 102 250	8 264 070

Source: National Bureau of Statistics, *The Emirates in figures, mid-2010*.

IX. Economic indicators

20. The development policy adopted by the United Arab Emirates has produced high growth rates in all economic and social sectors. The statistical data indicate that gross domestic product rose by 4.6 per cent to US\$ 419.6 billion in 2014. The share was 58.9 per cent for the industrial sectors, 40.5 per cent for the services sector and 0.6 per cent for the agricultural sector. Standing at US\$ 71,736, per capita income share is high in comparison with other countries. As a result of its development policies, the United Arab Emirates is among the leading countries of the world and has made great strides forward in human development, particularly in the past 10 years. It thus ranked fortieth in the world in the Human Development Index in 2014 and twentieth in the World Happiness Report in 2015.

II. Comments on the substantive provisions of the International Convention on the Elimination of All Forms of Discrimination

Article 1

21. The United Arab Emirates is seen as one of the most attractive countries in the world in which to work and live owing to its enjoyment of security, stability and a good reputation. In the Expat Insider survey published in 2014, it came first in the region and third worldwide on the list of the 10 best countries in which to live and ranked twenty-fourth overall in the Working Abroad Index. In the report published by the International Organization for Peace, Care and Relief, which has special consultative status with the Economic and Social Council of the United Nations, it also ranked first in the world for peaceful coexistence, embracing as it does some 200 different nationalities from around the world. This performance can be attributed to the guarantees enshrined in the Constitution of the United Arab Emirates, which include the equality of citizens and non-citizens in the enjoyment of fundamental rights to the extent recognized under international law. All of the provisions in chapter III of the Constitution, concerning public freedoms, rights and obligations, are consistent with the most important of the universally recognized human rights norms. Chapter II of the Constitution is furthermore devoted to the fundamental social and economic pillars underpinning the Federation. The principle of equality is thus laid down in the Constitution, notably in the following articles set out in chapter III thereof:

- Article 25: All persons are equal before the law, and there shall be no discrimination between citizens of the Federation on grounds of origin, place of residence, religious belief or social status.
- Article 26: Personal liberty is guaranteed to all citizens. No person may be arrested, searched, detained or imprisoned except in accordance with the provisions of the law. No person shall be subjected to torture or to degrading treatment.
- Article 27: The law shall define offences and penalties. There shall be no penalty for an offence or an omission occurring prior to the enactment of a law providing for such a penalty.
- Article 28: Punishment is an individual matter and accused persons are presumed innocent until proven guilty in a fair and legal trial. Accused persons have the right to engage competent counsel to defend them at trial. The law shall specify the conditions under which counsel for the accused must be present.
- Article 30: Freedom of opinion and of verbal, written and other forms of expression is guaranteed, subject to the limits laid down by law.
- Article 31: The freedom and confidentiality of postal and telegram correspondence and other means of communication are guaranteed by law.
- Article 32: The freedom to perform religious observances in accordance with established traditions is safeguarded, without prejudice to public order or public morals.
- Article 33: Freedom of assembly and of association is guaranteed, subject to the limits laid down by law.
- Article 39: The expropriation of public property is prohibited, and the penalty of expropriation of private property may be imposed only pursuant to a court order and under the conditions defined by law.

- Article 40: Foreign nationals in the Federation enjoy the rights and freedoms recognized in the applicable international covenants, treaties and conventions to which the Federation is a party and incur the corresponding obligations.
- Article 41: Any person may submit a complaint to the competent authorities, including judicial bodies, concerning violations of the rights and freedoms set out in the present chapter.
- Article 44: All inhabitants of the Federation have the duty to comply with the Constitution and with laws and orders promulgated by the public authorities in implementation thereof, to observe public order and to respect public morality.

Those constitutional principles have been transposed into federal laws, including the following:

- Article 4 of the Federal Criminal Code (Federal Act No. 3 of 1987), as amended, provides that: “No punitive measures shall be imposed except in the cases and under the conditions prescribed by law. Provisions relating to punishments shall apply to punitive measures unless stipulated otherwise.” Article 12 of the Code provides that: “Offences shall be punishable under the law in effect at the time of their commission, which is determined on the basis of the time when the acts were carried out, irrespective of the time when their outcome is realized.”
- Article 4 of the Federal Code of Criminal Procedure (Federal Act No. 35 of 1992) also provides that: “Persons accused of a serious offence punishable by death or life imprisonment shall have a lawyer to defend them at trial. If the accused person fails to appoint a lawyer to defend him or her at trial, the court shall appoint such a lawyer, whose fees shall be borne by the State in the manner prescribed by law. Persons accused of serious offences punishable by a fixed term of imprisonment may request the court to appoint a lawyer to defend them if it is established that they lack the financial means to appoint a lawyer for themselves. The appointed lawyer must promptly inform the president of the criminal court of any excuses or impediments that prevent him or her from taking up the appointment. If the excuse is accepted, another lawyer shall be appointed.”
- Article 70 of the same Code further provides that: “The investigation shall be conducted in Arabic. If the Public Prosecution Office decides to hear statements from the accused, the litigants, the witness or other third parties who do not know Arabic, a member of the Public Prosecution Office must call upon the services of an interpreter, who is required to take oath that he or she will perform his or her duties with honesty and sincerity.”
- Article 161 of the Code provides that: “Hearings shall be held in public, although a court may decide to hear all or part of a case in camera or to prohibit specific groups from attending in order to preserve public order or public morals.”
- Article 210 of the Code provides that: “The judgement shall be delivered in a public hearing, even if the case was heard in camera. It must be entered in the record of the hearing and signed by the president and the clerk of the court. The court may order that measures be taken to prevent accused persons from leaving the courtroom before the judgement is delivered or to ensure their presence at the hearing until which judgement has been deferred, which it may do by remanding them in custody, where permissible.”
- Article 268 of the Code provides that: “A criminal case brought against an accused person and the offences of which the person stands charged in such case shall lapse following the pronouncement of a final judgement of innocence or guilt therein. No

judgement handed down in a criminal case may be reviewed except by an appeal filed in the legally prescribed manner.”

- The provisions of the Federal Personal Status Code are also flexible in allowing non-Muslims to choose the law appropriate to their beliefs in the event that a dispute is taken to court. The principle of the territoriality of the Emirati Personal Status Code is enshrined in article 2 thereof, which provides that: “The provisions of this law shall apply to all citizens of the United Arab Emirates unless the non-Muslims among them have special provisions applicable to their confessional group or religious community. Its provisions shall also apply to non-citizens unless one of them requests the application of his or her own law.” If non-Emirati citizens involved in personal status cases brought before the Emirati courts file a request with the court for the application of their own law, the court is obligated to apply the provisions of the foreign law and not the Emirati law. It thus applies the law of both parties to the case.

Articles 2 to 4

22. Under the Constitution and laws of the United Arab Emirates, all forms of racial discrimination are prohibited. It is clear from articles 46, 47, 60 and 125 of the Constitution that international conventions, once ratified and published in the Official Gazette, have the force of domestic law and that the Cabinet and the relevant minister are responsible for supervising the implementation of their provisions, with the exception of articles to which reservations have been entered. The State has also incorporated into law various provisions reflecting the requirement to prohibit racial discrimination, including:

- Paragraph (a): The Federal Criminal Code (Federal Act No. 3 of 1987), as amended, contains numerous provisions that criminalize violence in all its forms and manifestations, including article 312, paragraph 1, which states that: “A penalty of imprisonment and/or a fine shall be imposed on any person who commits any of the following offences: Desecration of a sacred Islamic object or abuse of an Islamic observance ...”.
- Paragraph (c): The Federal Criminal Code (Federal Act No. 3 of 1987), as amended, considers any offence, including racial discrimination or incitement thereto, as an aggravating circumstance. Article 102 of the Code provides that: “Subject to the cases in which the law states that there are grounds for aggravation, the following are considered to be aggravating circumstances: ... (d) The commission of an offence by a public official who takes advantage of his position or capacity, unless the law prescribes a specific punishment on account of that capacity.”

23. Decree-Law No. 2 of 2015, on combating discrimination and hatred, contains provisions aimed at fighting racial discrimination in all its forms and manifestations. It criminalizes acts involving the defamation of religions and sacred religious objects, combats all forms of discrimination and rejects the expression of hate speech by any means.

24. The same Decree-Law prohibits insults to deities, religions, prophets, messengers, divine books and places of worship, as well as discrimination among individuals or groups on the basis of religion, creed, doctrine, confessional group, religious community, race, colour or ethnic origin. It also makes it a criminal offence to engage in speech or conduct that incites discord, strife or discrimination among individuals or groups by way of the Internet, telecommunication networks, electronic websites, manufactured items, information technologies or any print or audiovisual media, using verbal, written, graphic or other means of expression.

25. The Decree-Law prescribes the punishment for some of the offences provided for when committed by public officials during the course of, by reason of or in connection with performing their duties or by persons working, or assigned to work, in a religious capacity, or if the act is committed in a place of worship. All persons who abuse religion to label individuals or groups as unbelievers, whether verbally, in writing or by any other means, are also punished and are furthermore liable to a heavier penalty if any such act leads to death, as the act is deemed in that case to be incitement to killing.

26. Under the Decree-Law, any person who forms, establishes, organizes or runs an association, centre, entity, organization, league, group or any branch thereof or uses any other means for the purpose of insulting religions, practising discrimination or inciting, applauding or promoting hate speech, is liable to punishment. Any person who joins, participates in or in any way assists any of the aforementioned entities while knowing of its objectives is also liable to punishment.

27. The severity of the penalties imposed under the Decree-Law for such acts varies in line with the seriousness of the conduct constituting the offence. The court also orders the confiscation of funds, property, tools and papers used in committing the offences provided for in the Decree-Law, in addition to imposing secondary penalties.

28. The perpetrators of any of the offences provided for in this Decree-Law are absolved from punishment if they report the offence to the judicial or administrative authorities information before it is discovered. If the offence is reported after it has been discovered, the court may absolve the persons from punishment if the information provided leads to the arrest of the other offenders. In applying the provisions of the Decree-Law, any advantage, preference or benefit afforded to women, children, persons with disabilities, older persons or others pursuant to any other legislation in the State is not deemed to be prohibited discrimination.

29. Under Decree-Law No. 5 of 2012, on combating cybercrime, any person who sets up, administers or oversees a website or disseminates information on the Internet or by means of information technology in order to circulate or promote any programmes or ideas that incite discord, hatred, racism or denominationalism, prejudice national unity or social peace, or breach public order or public morals, is liable to punishment.

Article 5

I. Information grouped under particular rights

A. Equal treatment before tribunals

30. The right to equal treatment before the tribunals and organs administering justice is guaranteed in the Constitution of the United Arab Emirates to all citizens and residents alike. Article 25 of the Constitution provides that: "All persons are equal before the law, and there shall be no discrimination between citizens of the Federation on the basis of origin, place of residence, religious belief or social status. Article 41 of the Constitution provides that: "Everyone has the right to submit a complaint to the competent authorities, including the judicial authorities, concerning violations of the rights and freedoms set forth in the present chapter." Article 94 of the Constitution also provides that: "Justice is the basis of government. In performing their duties, judges are independent and are subject to no authority other than the law and their own conscience."

B. Right to security of person

31. Various constitutional and legal provisions have been enacted to guarantee security of person and respect for human dignity. Protection from all violence or bodily harm

inflicted by government officials or by any individual, group or institution is a right guaranteed by the State to all individuals on the basis of:

(a) *Provisions of the Constitution*

- Article 26: “Personal liberty is guaranteed to all citizens. No person may be arrested, searched, detained or imprisoned except in accordance with the provisions of the law. No person shall be subjected to torture or to degrading treatment.”
- Article 27: “The law shall define offences and penalties. There shall be no penalty for an offence or an omission occurring prior to the enactment of a law providing for such a penalty.”
- Article 28: “Punishment is an individual matter and accused persons are presumed innocent until proven guilty in a fair and legal trial. Accused persons have the right to engage competent counsel to defend them at trial. The law shall specify the conditions under which counsel for the accused must be present.”
- Article 41: “Everyone has the right to submit a complaint to the competent authorities, including the judicial authorities, concerning violations of the rights and freedoms set forth in the present chapter.”

(b) *Legal provisions*

- Article 15 of Federal Act No. 43 of 1992, on the regulation of penal institutions, states that members of the Public Prosecution Office may enter penal institutions at any time in order to verify compliance with the laws and regulations. The same article also provides that: “Every prisoner is entitled to meet visiting members of the Public Prosecution Office in order to lay a complaint before them. The members of the Public Prosecution Office must examine the complaint, take the necessary measures and inform the Public Prosecutor.”
- Article 242 of the Federal Criminal Code (Federal Act No. 3 of 1987), as amended by Federal Act No. 34 of 2005, provides that: “Any public official who uses or orders the use of torture, force or threats against an accused person, a witness or an expert for the purpose of obtaining a confession to an offence, coercing the person into making a statement or providing information about an offence or concealing facts shall be liable to imprisonment.”
- Article 243 of the Code provides that: “Any public official who, with respect to a convicted person, imposes or orders the imposition of a penalty that is more severe than that imposed by law or different to the penalty to which the person was sentenced shall be liable to imprisonment for a term of up to 5 years.”
- Article 244 of the Code provides that: “Any public official responsible for administering or supervising a penal institution or any other institution or facility designated for the enforcement of criminal or social defence measures shall be liable to imprisonment for a term of between 1 and 5 years if he or she agrees to admit a person to such an institution or facility without an order from the competent authority, holds a prisoner beyond the time limit specified in the order, or fails to comply with a release order.”
- Article 245 of the Code provides that: “Any public official or person entrusted with a public service who uses the authority of his or her office to subject others to cruel treatment, offend their decency or cause them bodily harm shall be liable to imprisonment for a minimum term of 1 year and/or to a minimum fine of 10,000 dirhams.”

- Article 259 of the Code provides that: “Without prejudice to the provisions of article 243, anyone who uses torture, force or threats, or who offers or promises a gift or advantage of any kind in order to induce a person to conceal facts or make a false statement or provide incorrect information to the judiciary, shall be liable to imprisonment for a term of up to 1 year and to a maximum fine of 5,000 dirhams.”
- Article 344 of the Code provides that: “Anyone who, by any means, unlawfully abducts, arrests, confines or deprives another person of liberty, either directly or through an intermediary, shall be liable to imprisonment. The penalty shall be life imprisonment in the following cases:
 1. If the act is carried out by impersonating a public official, by claiming to be performing or entrusted with a public service, or by providing false information;
 2. If the act is committed by deceit or accompanied by use of force, threat of killing or grievous harm or acts of physical or mental torture;
 3. If the act is carried out by two or more persons or by a person bearing arms;
 4. If the abduction, arrest, confinement or deprivation of liberty lasts for more than one month;
 5. If the victim is female, a minor or mentally incapacitated;
 6. If the purpose of the act is profit or revenge, or to rape, violate the honour of or cause harm to the victim, or to induce the victim to commit an offence;
 7. If the act is carried out against a public official during the course of performing his or her duties or by reason thereof.”

32. If the act leads to the death of the victim, the penalty is death or life imprisonment. Any intermediary involved in the offences referred to in the same article receives the same penalty as the principal offender, as does anyone who knowingly conceals a person who has been abducted.

33. The above articles clearly indicate that it is prohibited under Emirati law for government officials, individuals, groups and institutions to engage in any kind of torture, violence or bodily harm or to subject anyone to degrading practices.

(c) *Other measures*

- The training curricula used by the Police College now includes the treatment of prisoners and the administration of their affairs in conformity with the principles laid down by law, together with the procedures to be followed by prison officials in accordance with international human rights norms and the United Nations Standard Minimum Rules for the Treatment of Prisoners of 1957. As part of the curricula, prison security officers learn about the purposes of imprisonment, human rights, the Standard Minimum Rules, the rights of prisoners in terms of their treatment, non-discrimination among prisoners, the case of women prisoners, and other relevant issues. Prison administrations are also supplied with books on international human rights norms.
- Pursuant to Ministerial Decision No. 654 of 2005, a police code of conduct and ethics was issued for personnel of the Ministry of the Interior. In addition to the general training provided under the Ministry’s annual training scheme, every prison administration runs refresher training courses for on-site staff.

- Officials in charge of the country's penal and correctional institutions participate in meetings and conferences held by the United Nations and international organizations on prison management and the treatment of prisoners. They also frequently visit advanced countries in order to learn about the latest systems in place in their area of expertise and furthermore organize seminars at which national stakeholders deliver working papers covering all aspects of the work of penal institutions and the treatment of prisoners.
- The permanent members of the committees responsible for inspecting penal and correctional institutions include personnel from the Human Rights Department, whose job it is to ensure that inmates are not subjected to any violation of their rights or to degrading treatment while serving their sentences.
- The Penal and Correctional Institutions Act is being updated to bring it into line with international laws guaranteeing the rights of prisoners and protecting them from all forms of ill-treatment. In accordance with article 320 of the Code of Criminal Procedure, the Public Prosecution Office supervises penal institutions, which keeps it informed of the situation of prisoners and of complaints received. The Penal and Correctional Institutions Act governs the rights of prisoners, the provision of health care, and access to social and cultural facilities.
- Impartial reports by independent experts in the field of penal institutions have confirmed that the penal and correctional institutions in the United Arab Emirates are organized and operated in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners.

C. Political rights and equal access to public service

34. The political system in the United Arab Emirates has evolved since the establishment of the Federation in 1971, when citizens regularly participated in decision-making with the rulers through the traditional consultation process already in place before that time. Following the country's emergence and the rapid socioeconomic changes that ensued, the political system was developed in order to meet the needs of the modern State. Several official institutions have recently been strengthened, together with the legislation, in line with the policy of encouraging political participation. Measures taken by the State are as follows:

1. In 2006, a ministry was created to deal with the affairs of the Federal National Council and to exercise responsibility for managing the transition to elections as part of the country's broad and carefully planned process of political development;

2. The leadership swiftly promulgated laws and decrees defining the electoral frameworks, features and mechanisms, including Decision No. 3 of 2006, concerning the procedures for the election of representatives of the United Arab Emirates to the Federal National Council, which provided for the establishment of the National Election Commission under the chairmanship of the Minister of State for National Council Affairs. The Commission has full powers to supervise every aspect of the electoral process. The same provision is contained in Federal Council Decision No. 4 of 2006, concerning the procedures for the election of representatives of the United Arab Emirates to the Federal National Council, pursuant to which the Head of State is also authorized to issue all rules governing the implementation of the Decision;

3. At its meeting of 2 December 2008, the Supreme Council of the Federation agreed to amend certain articles of the Constitution concerning the Federal National Council with the aim of empowering the Council, strengthening its role and promoting democratization and political participation. The fifth meeting of the third ordinary session of the fourteenth legislative term of the Federal National Council, held on 27 January 2009,

took on particular significance, as it was the meeting at which the Council discussed draft Constitutional Amendment No. 1 of 2009 dealing with several articles relating to the Federal National Council and the Cabinet;

4. The amendments concerning the Federal National Council pertained to articles 72 and 78 of the Constitution, which extended the term of membership of the Council from two to four years and the duration of its sessions to a minimum of seven months, starting from the third week of October of each year. Article 85 of the Constitution was also amended to widen the power of the Council with respect to its rules of procedure, which it is responsible for drafting and which are promulgated by a decision of the President of the Federation, with the approval of the Supreme Council of the Federation. Article 91 of the Constitution, relating to agreements and treaties concluded by the State, was likewise amended so that the agreements and treaties to be presented to Federal National Council prior to their ratification are determined by a decision of the President of the Federation;

5. In order to promote the participation of citizens, the Supreme Council of the Federation, in its Decision No. 1 of 2011, amended certain provisions of its Decision No. 4 of 2006, concerning the procedure for electing representatives of the Emirates to the Federal National Council. Presidential Decree No. 2 of 2011 amending Presidential Decree No. 3 of 2006, concerning the procedure for electing representatives of the Emirates to the Federal National Council, was thus promulgated so as to increase the number of members of electoral colleges accordingly.

35. The first elections of the Federal National Council, held in December 2006, were an important experiment in public participation. The number of members of electoral colleges for all six Emirates amounted to 6,595 citizens of both sexes, 456 of whom were nominated to stand for election. In those elections, 1 of the 20 seats in contention was won by a woman and 8 other women were appointed to membership of the Council, bringing the number of seats held by women to 9, or 22.5 per cent of the total of 40 seats. The first woman was thus elected to membership of the Federal National Council, which was also the first time on record that a woman was elected to a legislative body in a member State of the Cooperation Council for the Arab States of the Gulf (GCC).

36. In the elections held on 24 September 2011 in order to select one half of the members of the Federal National Council, the number of members of electoral colleges was increased from 100 times the minimum number of seats reserved for each Emirate on the Council in the first elections held in 2006 to 300 times that number. The second stage of the journey towards political empowerment confirms the leadership's faith in the role of Emirati women; six women members were appointed, one woman was elected and a woman also took office as First Vice-President of the Council.

37. Constituting the third stage of the political empowerment programme, the elections for the Federal National Council, held on 3 October 2015, were an important step towards building further on the country's parliamentary experiment and strengthening the role of the Council in the various areas of national action. These elections notably differed from the previous ones insofar as the one-vote rule was applied and Emiratis living abroad or visiting other countries were given the first-ever opportunity to participate through their embassies. These measures clearly reflect the concern to increase public participation in such elections and drive forward the parliamentary experiment in order to keep pace with the country's ongoing development at all levels. The National Election Commission approved the electoral college lists for the elections to the Federal National Council in 2015, which comprised 224,279,000 members representing the electoral colleges in all Emirates, or an increase of around 66 per cent compared with the number on the lists for 2011, which amounted to 135,308 citizens of both sexes. In 2015, one woman was elected to the Federal National Council and seven others were appointed. A woman also took office

as its President for the first time ever, thus becoming the first woman to head an Arab parliamentary institution.

D. Civil rights

Right to freedom of movement and to leave and return to the country

38. The right to unrestricted freedom of movement is guaranteed by Emirati law, as reflected in a number of legislative and legal provisions, primarily:

Article 29 of the Constitution: “Freedom of movement and residence shall be guaranteed to citizens within the limits of the law.”

Article 37 of the Constitution: “No citizen may be expelled from or denied entry to the Federation.”

Right to marriage and choice of spouse

39. Federal Act No. 28 of 2005 governs all matters relating to marriage and choice of spouse. A marriage may be concluded only with the consent of both spouses, pursuant to article 39 of the Act, which stipulates that the wali (matrimonial guardian) of an adult woman assumes responsibility for the marriage contract, with her consent, and that the authorized marriage official must obtain the woman’s signature to the contract. It also provides that the contract is nullified in the absence of a marriage guardian and that, if the marriage has been consummated, the couple must separate and the lineage of any born child must be established. The articles concerning marital rights provide as follows:

Article 12:

1. Concerning the substantive requirements for the validity of a marriage, reference shall be made to the law applicable to each spouse at the time of marriage.

2. Concerning the formal requirements, a marriage between two foreign nationals or between a foreign national and a national is valid if concluded in accordance with the conditions set in the country in which it took place or those established in the law applicable to each spouse.

Article 13:

1. The law of the State of which the husband was a national at the time of marriage shall apply concerning the personal and property effects of the marriage.

2. With respect to divorce, the law of the State of which the husband was a national at the time of the divorce shall apply. Concerning divorce and separation proceedings, the law of the State of which the husband was a national at the time when the proceedings were instituted shall apply.

Article 14:

In the cases provided for in the two preceding articles, if either spouse was a national at the time of the marriage, the law of the United Arab Emirates alone shall apply, with the exception of the marriage eligibility requirement.

40. The United Arab Emirates Personal Status Code governs all matters relating to betrothal, marriage, child custody and inheritance. The Code is primarily based on the sharia; it covers issues that are clearly determined by the religion and are incontrovertible. Although the approval of the marital guardian is a fundamental condition for the validity of

a woman's marriage, the law has established rules governing the matter and guaranteeing rights to the woman:

- A woman may, in the marriage contract, stipulate any conditions not prohibited by law and rescind the contract in the event that the conditions are breached
- The man must be suited to the woman at the time of the marriage, as is every woman's right.
- Consent based on explicit or implicit acceptance of the offer is a prerequisite, as is the eligibility of both parties for marriage at the time when the contract is concluded.

41. As to the matter of equal rights and responsibilities during marriage and its dissolution, the sharia honours women and makes the man responsible for the financial support of women, whether his wife, daughter, mother or sister. A wife is not required to support herself or her family, even if she is independently wealthy. All property that she owns is hers alone and she is not required to provide for anyone. In the event that one is the partner of the other in building wealth, constructing a home or the like, he or she has the right to recover his or her share therein from the other on divorce or death.

42. Article 55 of the Personal Status Code sets out the rights of the wife with respect to her husband, which are that he should support her financially, not prevent her from completing her education, not prevent her from visiting her ascendants, descendants or siblings, not interfere with her personal property, and not harm her either physically or psychologically.

43. While a woman is not obliged to provide for her children, which is an advantage in her favour, she nonetheless has reciprocal rights with her husband concerning their care, education and proper upbringing, pursuant to article 54 of the Personal Status Code.

Right to own property alone as well as in association with others

44. The United Arab Emirates pursues a liberal economic policy based on free trade, commercial exchange and services, the aim being to develop the national economy, diversify income sources and achieve balanced economic and social development for the State as a whole. Thanks to its development policies, the United Arab Emirates is now a leading country of the world and has progressed significantly in the area of human development, especially in the last decade. The Human Development Report 2011, published by the United Nations Development Programme, ranked the United Arab Emirates first among Arab States and thirtieth globally, which is a reflection of the Government's desire to improve living standards and economic and social conditions.

45. The United Arab Emirates does not yet collect income tax or value added tax on goods and nor do its banking institutions make any distinction between men and women in their financial dealings. The rules established by the Central Bank lay down general conditions for guaranteeing loans. A woman is accordingly granted loans guaranteed by her salary and is not required to provide any additional guarantees. Women are entitled to obtain credit cards and to engage in commercial activities. They have full legal competence to manage their own financial obligations in terms of concluding contracts and administering property. In Islam, women have for 14 centuries enjoyed a financial status that is completely independent from that of men and full legal capacity that is in no way inferior to that of men. They have the right to possess all kinds of property, whether real estate, chattels or liquid assets (cash), exactly like men, and to dispose of what they own in the various ways established by law. They have the right to buy, sell, barter, give, bequeath, loan, borrow, share, speculate, donate, pledge, lease and so forth, and their dispositions take effect by virtue of their own will, with nothing depending on the approval of a father, spouse or brother. Article 159 of the Personal Status Code provides that: "All persons are

legally competent to conclude contracts unless such competence is stripped from them or limited by law.” Article 174 states that the impediments to legal competence are insanity, feeble-mindedness and terminal illness.

46. With regard to women’s economic empowerment, the State acts through government and civil society institutions to support the participation of women in the economy, particularly in entrepreneurship. These institutions qualify and train women, in addition to granting them loans for engaging in commercial activity through the funds established to provide financing for that purpose. The Ministry of Social Affairs, women’s organizations and businesswomen councils encourage economically active women and support their small and medium enterprises by providing marketing opportunities, working to increase their participation in trade fairs and educating them about savings.

47. In the first half of 2013, there were over 21,000 Emirati female business owners, which was 58 per cent more than in 2012 and 100 per cent more than in 2011. Female business owners account for 10 per cent of the Emirati private sector and 15 per cent of members of the boards of directors of the country’s chambers of commerce and industry, which is 13 per cent more than in 2012. Businesswomen run projects worth 40 billion dirhams, a figure that is expected to reach 50 billion dirhams in the next two years.

Right to inherit

48. Article 17 of the Federal Civil Transactions Act No. 5 of 1985 provides as follows:

1. Inheritance shall be governed by the law of the deceased at the time of his or her death.

2. Property rights located in the territory of the State which belong to a foreign national having no heir shall become vested in the State.

3. The substantive provisions governing testamentary dispositions and other dispositions taking effect after death shall be governed by the law of the State of which the person making such dispositions is a national at the time of his or her death.

4. The form of wills and other dispositions taking effect after death shall be governed by the law of the State of which the person making such disposition is a national at the time the dispositions is made, or the law of the State in which the disposition is made.

5. The law of the United Arab Emirates shall apply to wills made by foreign nationals disposing of their real property located in the State.

Article 19:

1. An heir shall acquire by inheritance the real property, movable property and rights included in the estate.

2. The designation of heirs, the calculation of their shares in the inheritance and the transfer of the estate are governed by the Islamic sharia and the laws enacted in application thereof.

Right to freedom of thought, conscience and religion

49. Article 32 of the Constitution provides that: “The freedom to perform religious observances in accordance with established traditions is safeguarded, without prejudice to public order or public morals.”

Right to freedom of opinion and expression

50. Article 30 of the Constitution provides that: “Freedom of opinion and of verbal, written and other forms of expression is guaranteed, subject to the limits laid down by law.”

Right to freedom of peaceful assembly and association

51. Article 33 of the Constitution provides that: “Freedom of assembly and of association is guaranteed, subject to the limits laid down by law.” Federal Act No. 2 of 2008, concerning non-governmental public welfare associations and foundations, also entitles all segments of the Emirati population to form representative associations and foundations in order to express their views in a legal and systematic manner compatible with the national interest. The Act defines a public welfare association as any permanent group with a minimum of 20 founding members, although the Minister may grant an exception to this rule by allowing a minimum of 5 founding members.

52. Under this Act, the State guarantees to all workers in its territory the right to establish professional associations to represent them. Membership in such associations is open to all citizens and non-national residents.

53. The Act also grants the founders of any such association the freedom to establish the association’s statutes and determine the membership requirements, membership types, membership admission and cessation procedures, members’ rights and duties, method for forming the board of directors, the board’s functions and working methods, the association’s resources and their use, the expenditure control method, and the requirements and rules for the voluntary dissolution of the association and disposal of its assets.

54. The Act furthermore entitles an association to form a board of directors to attend to its affairs, which is to be chosen by secret ballot in accordance with the statutes established by the founding committee. The Act also allows the association to participate in international events, join the membership of international organizations and bodies, and organize joint activities with them. Under article 13 of the Act, legally registered associations may apply to form federations, as specified in the implementing regulations for the Act. A coordinating body for professional associations operating in the country was created pursuant to Ministerial Decision No. 297 of 1994. With a membership that includes a number of the professional associations formed under the above-mentioned Act, the coordinating body represents the country’s workers at all international forums and events.

55. With respect to employment in the government sector, in 2010, the Federal Authority for Government Human Resources announced the establishment of a committee for women working in the Federal Government. The committee prepares studies and surveys aimed at supporting such women and providing their needs. In addition to studying regulations and legislation relating to women’s affairs, it proposes initiatives and recommendations for supporting working women, raises institutional awareness of the important role of women, and supports and promotes the establishment of women’s committees for female workers in government bodies and institutions.

E. Economic, social and cultural rights*Right to work*

56. Article 34 of the Constitution: “Every citizen is free to choose his own occupation, profession or trade, subject to the limits laid down by law and having due regard for the legislation governing certain professions and trades. No person may be compelled to provide labour other than in exceptional circumstances provided for by law and in return for compensation. No person may be enslaved.”

57. Article 35 of the Constitution: “Public office shall be open to all citizens on a basis of equality, as provided by law. Public office is a national service entrusted to those performing it, who must carry out their official duties solely in the public interest.”

58. The State of the United Arab Emirates ensures that women are strategic partners in development. It works assiduously to create an employment environment that appeals to women by enabling them to reconcile their family and employment responsibilities. The flexibility provided by human resources laws regulating labour relations in various institutions have boosted women's labour force participation rate. This right is guaranteed, with article 32 of the Labour Code providing that: "A woman shall be granted pay comparable to that of a man if she performs the same work." The Labour Code guarantees gender equality in respect of wages, bonuses, allowances and end-of-service pay. It also grants women several preferential advantages consisting in the right to leave with full pay in the circumstances and cases requiring her to perform her other social function relating to pregnancy and reproduction.

59. In accordance with Federal Decree-Law No. 11 of 2008, concerning human resources in the Federal Government, wages are set in all State institutions according to fixed rules based on the application of job analysis and evaluation systems. This is reflected in article 20 of the Federal Human Resources Act No. 9 of 2011, which stipulates that: "All ministries shall have a uniform schedule of grades and salaries issued by a decision of the Cabinet, on the recommendation of the Authority in accordance with a series of rules, which shall not state whether the holder of the position is male or female but shall rather pertain entirely to the job functions themselves, the qualifications required to fill the job and the degree of responsibility borne by the employee, regardless of gender."

Right to join and form trade unions

60. This was mentioned on page 13 of the report.

Right to public health

61. The United Arab Emirates has pursued its legislative efforts to promote the rights of individuals in receipt of health services, in keeping with the Constitution, which provides that every person has to right to health care and ready access to methods for preventing, treating and protecting against illness and communicable diseases. This right is recognized in article 19 of the Constitution, which provides that: "The community shall provide citizens with health care and means for the prevention and treatment of illnesses and communicable diseases and shall promote the construction of hospitals, clinics and public and private medical centres."

62. A number of laws recognizing the right to health security and health care have been enacted, such as Federal Act No. 6 of 1975, concerning regulation of the registration of births, and Federal Act No. 7 of 1975, concerning the medical profession. Several other pieces of legislation enacted in this context include in particular:

- Federal Act No. 15 of 2008, concerning medical liability, which provides in article 3 that doctors must not discriminate in their treatment of patients and contains other provisions guaranteeing the rights of patients
- Federal Act No. 14 of 2014, concerning communicable diseases, which in part IV, article 27, prohibits the imposition of specific restrictions or conditions on persons with communicable diseases that prevent them from accessing their rights as prescribed in the current legislation, thereby affirming the State's concern to respect the rights of patients and ensure that no patient is subjected to any discrimination
- Cabinet Decision No. 29 of 2011, concerning the scheme for the prevention of HIV and protection of the rights of persons living with HIV, which affirms the State's commitment to protecting the rights of persons living with AIDS and to ensuring that such persons are neither excluded nor subjected to practices inconsistent with the patient non-discrimination policy. Part VI of the Decision emphasizes that the

rights of persons living with the virus must be respected and that no special restrictions or conditions must be imposed to prevent them from accessing the rights afforded to all members of the community under domestic law, such as the right to education, employment and health care

- At the end of 2014, the number of hospitals, clinics and health centres in the United Arab Emirates amounted to 154 in the public sector and 3,334 in the private sector.

63. The vision of the strategic plan adopted by the Ministry of Health for 2014-2016 is to sustain the health of a community enjoying comprehensive health care and a long life. The plan is aimed at providing world-class health services for both citizens and non-citizens in the United Arab Emirates through attainment of the following objectives:

1. Providing world-class health services for the population of the United Arab Emirates
2. Improving the quality of the systems in place, developing health-care facilities and ensuring that they are easily accessible
3. Promoting healthy lifestyles to the population of the United Arab Emirates so as to prevent lifestyle diseases
4. Strengthening the health system so as to protect the population of the United Arab Emirates against communicable diseases and bring those diseases under control
5. Developing and giving effect to the country's health care policies and legislation, in partnership with the public and private sectors.

64. The Ministry of Health is also working on Government Innovation Lab initiatives (Cabinet Decision - fourteenth extraordinary session) covering different segments of the population, without distinction. Its main strategies include the following:

1. Adopting a national regular full health check programme;
2. Standardizing the criteria for the accreditation of doctors and health-care specialists;
3. Strengthening the appeal of nursing as a profession;
4. Establishing a specialist medical training centre to international standards;
5. Introducing an early cancer screening test programme;
6. Raising public awareness of healthy lifestyles;
7. Initiating a mobile health-care programme;
8. Implementing an assessment programme for hospitals and health clinics;
9. Establishing research and development centres;
9. Recruiting specialist medical personnel to the public sector;
11. Developing uniform national standards for hospitals;
12. Establishing a national database of patients' medical records.

65. Citizens and non-citizens benefit from the current health system in the United Arab Emirates. The health authorities in the Emirates of Abu Dhabi and Dubai operate a compulsory health insurance system for all residents, without discrimination or distinction, which covers the first-class medical services offered by public and private hospitals and clinics. In the other Emirates, all individuals benefit only from the health services provided by the Ministry of Health in hospitals and clinics under a health card system, which is also

compulsory, although the Ministry is now in the process of shifting to the health insurance system in place in Abu Dhabi and Dubai.

Right to education

66. This right is enshrined in the Constitution of the United Arab Emirates, article 17 of which provides that: "Education is a fundamental factor in social progress. It is compulsory at the primary stage and free of charge at all stages in the Federation." The State has thus established primary, intermediate and secondary schools, as well as universities and vocational colleges, in order to offer the highest standards of State education and eradicate illiteracy. Since the founding of the State in 1971, the Ministry of Education has taken two different approaches to illiteracy. The first focuses on education for the younger generation, while the second focuses on adult education. In addition to day school, the State has opened the door to education for those who missed the boat by establishing evening study centres from which they can easily benefit in order to complete their education.

67. Statistics show the clear evolution between 1972 and 2015 in the number of students in all stages of education and in the number of schools in the United Arab Emirates. The number of students rose from 44,118 in the academic year 1972/73 to 257,857 in the academic year 1993/94 and continued to grow rapidly, jumping to 569,538 in the academic year 2014/15. This positive upward trend is evidence of the attention paid to education in the United Arab Emirates, where the number of public and private schools has also grown conspicuously, rising from 117 in 1972 to 692 in 1994, followed by a further substantial increase to 1,160 in 2015.

68. The Ministry of Education is working in conjunction with all groups of students, both citizens and residents, to build the educational learning environment and to create cohesion and harmony among those groups with a view to promoting tolerance and peaceful coexistence. The Ministry is also working to further develop and improve its materials and curricula, including by incorporating into them, as from the academic year 2014/15, the notions of tolerance, combating racial discrimination and disseminating a culture of peaceful coexistence and constructive dialogue among all student groups, whether citizens or residents.

69. The Ministry of Education has focused all its efforts and resources towards formulating a structured practical plan for developing the services provided to students with special needs by taking steps to integrate such students into age-appropriate classes with their mainstream school peers, pursuant to Federal Act No. 29 of 2006, concerning the rights of persons with special needs. In accordance with part II of the Act, specifically article 12 thereof, which deals with special needs education, the Ministry supports children and persons with disabilities by providing the education and training needed for them to integrate into the community.

70. The Government of the United Arab Emirates is channelling its efforts and energies into building human beings, carrying out its plans on the basis of a deep-seated conviction that humanity is a tool for social development and the true wealth of the community. There are consequently no age, gender or nationality restrictions on the right of foreign nationals to education, provided that the same student registration and admission policies are applied to them as to citizens. The right of foreigners to education is therefore safeguarded, with no restrictions placed on it, whether in private or public schools or in formal or informal education programmes.

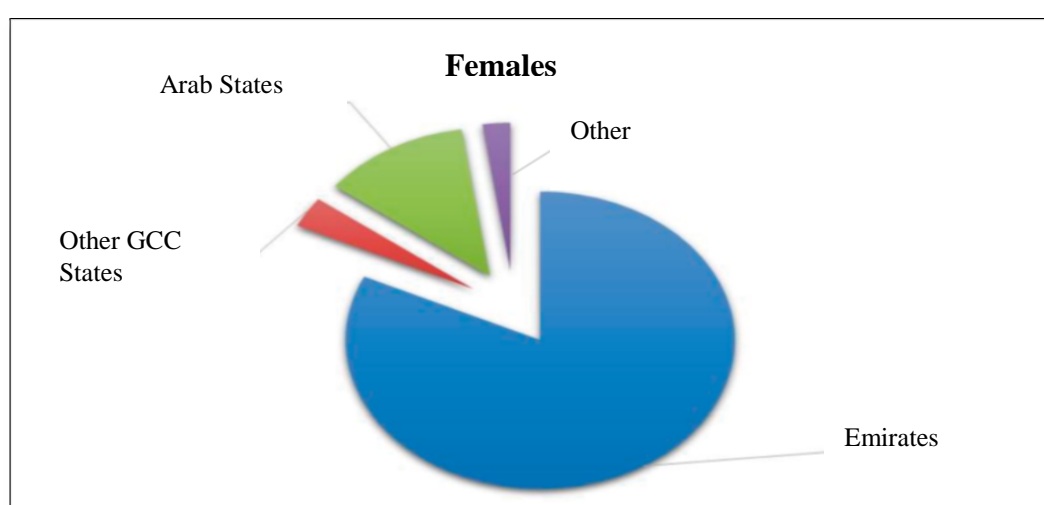
- The United Arab Emirates was ranked first worldwide in the educational attainment subindex contained in the *Global Gender Gap Report 2013* published by the World Economic Forum

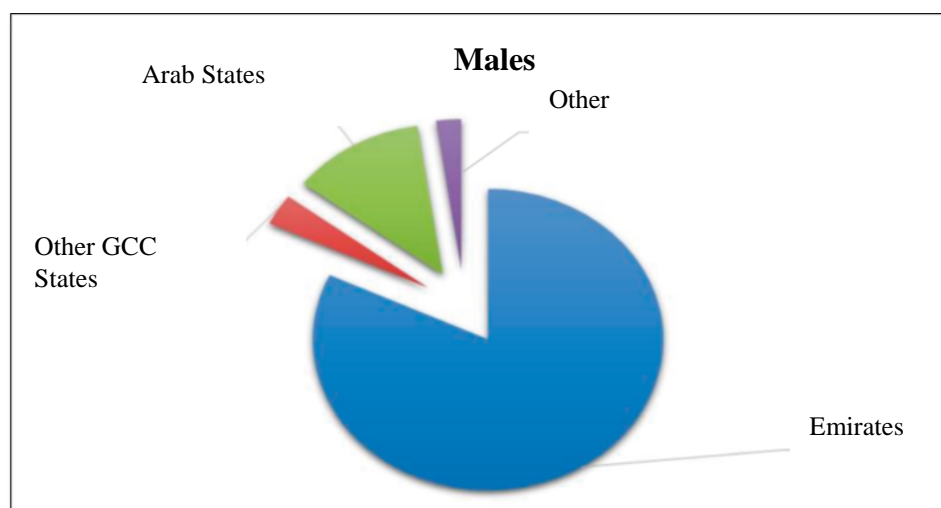
- Articles 1 and 2 of the Constitution of the United Arab Emirates provide for equal rights and opportunities in education for men and women. Pursuant to Federal Act No. 11 of 1972, education is compulsory for boys and girls, without discrimination, from six years of age
- The United Arab Emirates has been elected to membership of the UN-Women Executive Board for a three-year term
- Women account for 77 per cent of teachers, 73 per cent of head teachers and between 99 and 100 per cent of kindergarten staff
- Article 8 of the Student Registration Regulations of 2014 provides that students admitted to State schools may include the children of expatriates, in accordance with the decisions and laws in place
- The Ministry is implementing a strategy for developing a clearly defined outlook leading to projects and programmes for achieving the country's Vision 2021, with input from national personnel and officials and teachers of all nationalities. The Ministry places no restrictions on the appointment of teachers of any nationality, as the main criterion is to recruit competent teaching staff on the basis of capability, regardless of nationality, race, religion or sex
- The Ministry is committed to empowering all workers in the education sector and women in particular in order to benefit from their skills and use them in developing the education system
- In view of the demographic nature of the United Arab Emirates, students of all nationalities are accepted by all schools, including State schools, which reserve a percentage of places for non-national students
- The United Arab Emirates has seen a steady increase in the number of private schools because the communities living in its territory want their children to follow the curricula taught in their own countries. As a result, there are English, Indian, Pakistani, German, French, Japanese and other schools in which 17 approved curricula are taught apart from the curriculum of the Ministry of Education
- Male expatriate teachers account for around 91 per cent of total male teachers in the country's State schools
- There are no restrictions on setting up private schools. On the contrary, premises that can be used for private schools, such as old properties, are given to private investors
- Continuous education programmes (literacy and adult education) are run in order to provide alternative educational opportunities for foreign nationals, at no cost
- The number of non-national students in all schools now stands at approximately 624,930, or some 65 per cent of total students
- The number of private schools admitting non-nationals amounts to 542, which is 45 per cent of total State and private schools
- The number of non-national students in private schools is 573,838, constituting 84 per cent of total students studying in private schools.

Breakdown of students (State education), by nationality, for the academic year 2014/15

Level	Sex	GCC States		Other States		Total	Percentage of citizens
		Emirates	Other GCC States	Arab States	Other		
Kindergarten	Male	14 394	140	931	114	15 579	92.39
	Female	15 530	176	961	122	16 789	92.50
	Total	29 924	316	1 892	236	32 368	92.45
First cycle	Male	40 770	1 816	5 748	1 206	49 540	82.30
	Female	45 084	1 823	6 002	1 287	54 196	83.19
	Total	85 854	3 639	11 750	2 493	103 736	82.76
Second cycle	Male	30 692	1 626	5 328	1 020	38 666	79.38
	Female	34 428	1 550	5 879	1 181	43 038	79.99
	Total	65 120	3 176	11 207	2 201	81 704	79.70
Secondary	Male	18 711	1 227	4 762	641	25 341	73.84
	Female	23 300	1 246	4 941	766	30 253	77.02
	Total	42 011	2 473	9 703	1 407	55 594	75.57
Religious education	Male	392	52	319	228	991	39.56
	Female	0	0	0	0	0	0
	Total	392	52	319	228	991	39.56
Total	Male	104 959	4 861	17 088	3 209	130 117	80.67
	Female	118 342	4 795	17 783	3 356	144 276	82.02
Overall total		223 301	9 656	34 871	6 565	274 393	81.38

Breakdown of students (State education), by nationality, for the academic year 2014/15

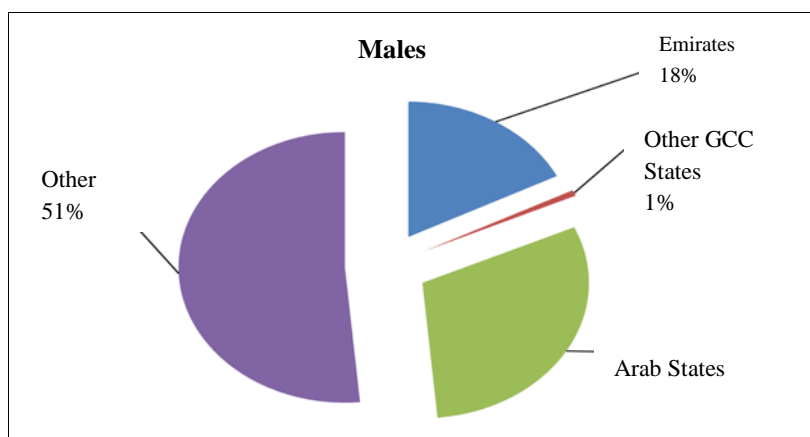




Breakdown of students (private education), by nationality, for the academic year 2014/15

Level	Sex	GCC States			Other States		Percentage of citizens
		Emirates	Other GCC States	Arab States	Other nationalities	Total	
Kindergarten	Male	12 569	622	17 432	35 118	65 741	19.12
	Female	10 910	599	16 010	32 747	60 266	18.10
	Total	23 479	1 221	33 442	67 865	126 007	18.63
First cycle	Male	29 450	1 109	48 682	81 068	160 309	18.37
	Female	23 334	837	45 881	75 997	146 049	15.98
	Total	52 784	1 946	94 563	157 065	306 358	17.23
Second cycle	Males	14 440	490	27 591	47 611	90 132	16.02
	Female	10 772	391	25 650	44 535	81 348	13.24
	Total	25 212	881	53 241	92 146	171 480	14.70
Secondary	Male	6 676	268	15 220	21 161	43 325	15.41
	Female	5 225	258	13 863	20 698	40 044	13.05
	Total	11 901	526	29 083	41 859	83 369	14.28
Total	Male	63 135	2 489	108 925	184 958	359 507	17.56
	Female	50 241	2 085	101 404	173 977	327 707	15.33
Overall total		113 376	4 574	210 329	358 935	687 214	16.50

Breakdown of students (private education), by nationality, for the academic year 2014/15

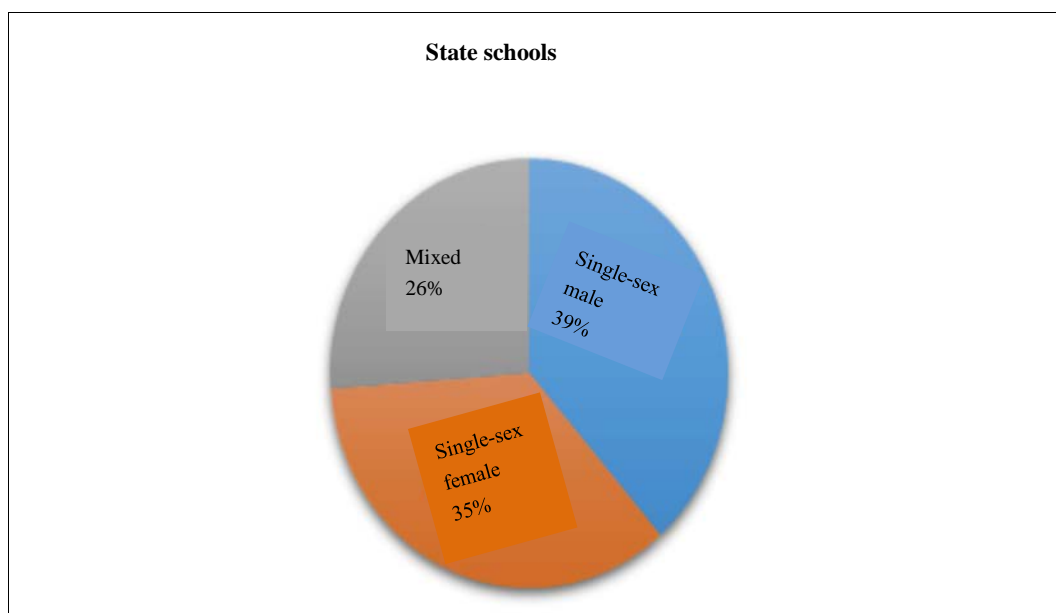


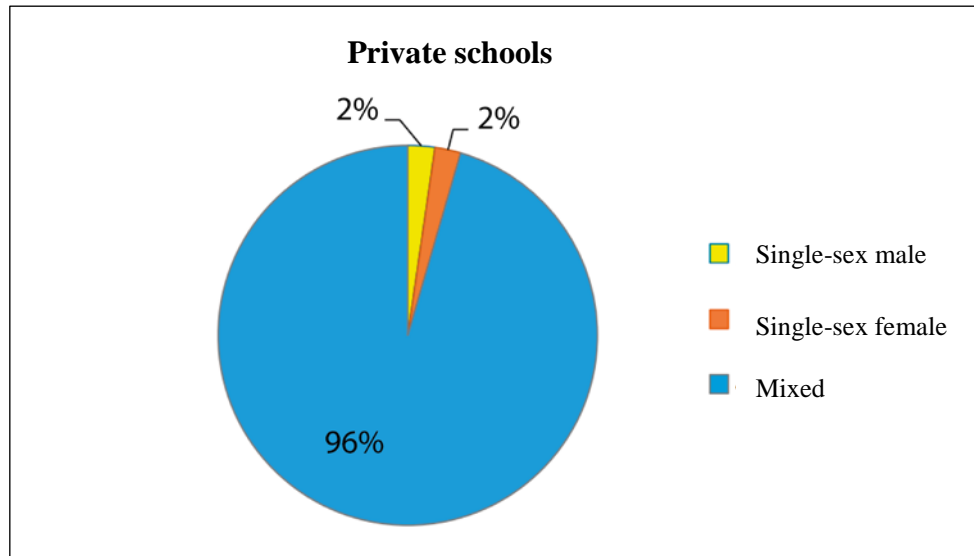
Number of State schools, by sex of students, for the academic year 2014/15

		<i>Single-sex male</i>	<i>Single sex female</i>	<i>Mixed</i>	<i>Total</i>
State schools	Number	260	237	176	673
	Percentage	38.6	35.2	26.2	100

Number of private schools, by sex of students, for the academic year 2014/15

		<i>Single-sex male</i>	<i>Single-sex female</i>	<i>Mixed</i>	<i>Total</i>
Private schools	Number	13	11	518	542
	Percentage	2.3	2.2	95.5	100





Right to equal participation in cultural activities

71. Any observer of social and economic developments in the United Arab Emirates will appreciate the openness and harmony that prevail in the community. While proud of their national identity and cultural legacy, the Emirati Government and people are also open to the cultures of the world as a result of the diversity of foreign nationals residing in the country. Women residing in the country enjoy all of the rights and duties of men, as is clearly reflected in the activities of daily life. The Government is nonetheless working to preserve the gains made by women by strengthening the appropriate cultural patterns for future generations. In view of the special position occupied by women in the United Arab Emirates and the desire to respect their privacy, a number of facilities have been set aside for women only. The United Arab Emirates also encourages cultural and literary movements and provides opportunities for its citizens, male and female alike, to participate actively in the country's cultural life. The country boasts a number of female literary figures, authors and artists among its citizens, and membership of the Writers' Union and cultural clubs is open to women. In this regard, civil society institutions have developed and implemented programmes to raise public awareness of the role and rights of women, empower women in society and change the stereotypical roles of men and women in accordance with socially acceptable concepts. These programmes provide women with opportunities to participate in development, promote positive personal skills in the area of the family and relationships, and encourage the sharing of responsibilities.

Right of access to places of service

72. The United Arab Emirates has devoted attention to leisure, sports and cultural facilities, providing parks, gardens and recreational areas that can be regularly visited by individuals and families living in the country. With respect to opportunities for engaging in recreational activities, sports and all manner of cultural activities, the State focuses on providing a holistic lifestyle for nationals and non-nationals by promoting cultural programmes and pioneering initiatives that enhance social cohesion and ties with different cultures. The concerned governmental and civil society institutions have organized many recreational, athletic and cultural activities for various groups and migrant communities, without discrimination on the basis of gender. These services and facilities are provided to the public mostly free of charge and any fees that might be charged are usually nominal.

Article 6

73. As already mentioned, article 41 of the Constitution provides that: “Any person may submit a complaint to the competent authorities, including judicial bodies, concerning violations of the rights and freedoms set out in the present chapter.” All persons are therefore fully free to submit complaints, without discrimination.

74. The United Arab Emirates has done its utmost to ensure that foreign workers are informed of their rights by appropriate means and to establish channels and mechanisms for the submission of complaints. The Ministry has worked to provide various mechanisms and channels for communicating with the country’s migrant workers, such as the e-mail system started on its website, through which workers can access information about their work permits, employment contracts and labour cards, as well as print copies. A total of 340,832 visits have been made to the website to use this system. There is also a free call centre (800-665), which foreign workers can telephone throughout the week from 8 a.m. to 11 p.m. The centre communicates with its clients in various languages, including Arabic, English, French, Urdu, Hindi, Malayalam, Tagalog, Farsi, Tamil, Russian, Somali and Pashto, to find out about work-related matters of concern to the worker or to take complaints, which remain fully confidential. The Labour Inspection Department is immediately notified of complaints and investigates. Workers may also use the hotline to report any abuse to which they may have been subjected. The Ministry has advertised the free call number in all workers’ places of accommodation, as well as in the country’s airports and the media.

75. The call centre takes all enquiries concerning the Ministry and also offers an alert service for reminding companies operating in the country that they must regularize the situation of their workers and pay any fines due. It also informs them of new services provided by the Ministry. A legal service answers legal queries from workers of both sexes and from employers.

76. In striving to ensure that effective remedies are available to migrant workers, the Ministry has created channels for communicating directly with workers, receiving their complaints and intervening to resolve disputes in which they are involved. In 2009, two labour relations offices were thus opened, in Dubai and Abu Dhabi, in order to receive, register, examine and investigate individual labour-related complaints filed by workers and employers, as well as take appropriate action to settle the dispute amicably in accordance with the Labour Code and ministerial decisions issued in implementation thereof. The offices also report to the Labour Inspection Department any breaches of labour legislation by employers or workers that come to their attention while examining a complaint. They additionally keep a record of notices of summary dismissal issued by employers, investigate the reasons for the dismissal, and communicate with the workers and with employers who wish to withdraw and cancel such notices and resolve the situation in accordance with the applicable ministerial decisions. Staff working at the Ministry’s labour relations offices include legal researchers who are qualified to receive and examine all labour-related grievances and to mediate between workers and employers with a view to resolving the dispute amicably within a maximum of one month. If that proves impossible or if the employer fails to act on the recommendations of the labour relations office, the dispute is referred to an employment tribunal, one of which has been established in every court, on the basis of territorial jurisdiction.

77. The labour offices are also authorized to deal with administrative transfer applications and changes in administrative status and to issue temporary work permits to workers whose complaints are sub judice. They also deal with personal and written enquiries from workers or employers concerning labour relations and produce annual progress reports, including information about obstacles to their work. In 2014, the labour

offices received 89,442 employment-related complaints, of which 67,557 were amicably settled as a result of their efforts and 17,598 were referred to tribunals.

78. The Ministry of Labour has also established nine labour welfare units near the worker cities, which are the areas with the highest concentration of workers in the country. These units are instrumental in building communication among the three key players in the production process and in reconciling workers and employers, particularly where workers wish to engage in collective bargaining with employers over a problem. The labour welfare units play a conciliatory role in mediating between employers and workers to resolve collective labour disputes. If the two parties cannot reach a mutually satisfactory solution, the complaint is referred to the judiciary for a decision. In addition to those nine units, a mobile unit has been set up so that all categories of workers and difficult-to-access worksites can be reached. Using a mobile trailer, the unit visits workers' housing complexes to inform workers about current laws and regulations and to listen to any complaints or comments that they might wish to make. The mobile unit has carried out 30 such visits to give talks and carry out other activities from which 26,218 workers have benefited.

79. Employment tribunals now have labour relations offices that help to find amicable solutions to labour disputes, while a court with jurisdiction to examine disputes involving domestic workers was recently established in the Abu Dhabi Judicial Department, together with the Alternative Dispute Resolution Service. Labour relation offices work with the Service to encourage parties involved in labour disputes to resolve their differences through mediation, amicable settlement and conciliation, rather than through conventional court proceedings, in a confidential out-of-court setting in which their privacy is maintained. The Service takes no fees for applications submitted to the conciliation committees and the decision in such cases is given by a judge from the court before which the case was brought. Any amicable decision reached is binding on both parties in the dispute and must be enforced in the exactly the same way as a court judgement.

80. In collaboration with the Ministry of Labour, the Dubai courts are also implementing a "reporting judge" initiative, in which the court, represented by the competent judge, presents the parties in a dispute with a proposal for conciliation that brings together their points of view in order to reach an amicable settlement and prepare a case file. To that end, the court summons the parties to appear in person. If conciliation is reached, it is noted in the minutes of the hearing, which are treated as an enforceable document, and the agreement of the parties is appended thereto. The "reporting judge" pilot scheme has had a positive impact on the settlement rate for labour disputes in court.

81. In the same context, workers or their beneficiaries are exempt from legal fees at all stages of proceedings and enforcement, pursuant to article 5 of the Federal Labour Relations Regulation Act No. 8 of 1981.

82. In the interest of promoting the rule of law so as to support and strengthen the system of legislation, as well as the monitoring and enforcement tools employed by the State to ensure that the rights of workers are fully protected, the Ministry of Labour decided at the end of 2014 to stop granting new work permits to businesses that fail to comply, or comply belatedly, with final judgements delivered in labour proceedings. It also decided not to grant them any new work permits until after they have executed the court judgements, paid workers their full dues and provided a formal statement to that effect.

83. The Ministry of the Interior receives complaints and reports through its police command units and main departments. Examples of freephone services, hotlines and online facilities created for filing complaints and reports include:

- Freephone number 999 for complaints, reports and calls for help from anywhere in the country, which are transferred to the police command with jurisdiction in the matter
- Freephone number 600525555 for the submission of complaints and suggestions to the Abu Dhabi police command
- Security switchboard 8002626/5086888 for the submission of complaints and suggestions to Abu Dhabi police command
- Freephone number 800404040 for the submission of general complaints to the Dubai police command
- Security service number 8004888 for the submission of complaints to the Dubai police command
- Freephone number 80080 for reporting violations or infringements of the rights of sponsored workers to the Nationality, Residency and Ports Department
- Hotline 8005005 for the submission of complaints of domestic violence to social support centres
- Workers' hotline 8005005, which is run by a programme for monitoring and dealing with abuses of workers
- Emergency text-messaging service 5999, through which persons with special needs can contact the Abu Dhabi police command by SMS
- The website of the Ministry of the Interior and its organizational units (<http://www.moi.gov.ae>) serves as a direct means of communication with the public, who can use it to submit complaints, reports and suggestions in Arabic and English
- The Child Protection Centre, working in coordination with the children's emergency helpline (800700) run by the Department of Social Services in Sharjah, receives reports and answers enquiries, either from children themselves or from guardians or other persons wishing to report cases of child abuse or ill-treatment
- A mobile telephone application called Hedayati ("My protection") has recently been developed to enable children to contact the police operations room directly in emergency situations or if they are in need of assistance
- A hotline (116111) for reporting cases of child abuse was launched at the opening of the Second We Protect Children Online Global Summit, held at the Emirates Palace hotel in Abu Dhabi, with the intention of making it easier to report cases of child abuse by telephone
- The Sharjah police command has provided channels of communication for children who are subjected to any physical or psychological harm, namely the Najeed and Buh services. In 2015, it received two reports from children via the Najeed service and three via the Buh service, all of which were dealt with confidentially in order to protect the safety of the children who were the source of the reports
- In 2015, the child protection page on the Ministry of Information website (www.moi-cpc.gov.ae) was updated so that any member of the public can now electronically submit reports of child abuse or neglect
- Nine special organizational units employing 378 staff have been established in the Nationality, Residency and Ports Department in order to receive complaints from domestic workers and persons of equivalent status.

Article 7

84. Through its Ministries of Education and Higher Education, the United Arab Emirates has worked to enhance its academic curricula by introducing topics and experiences relating, for example, to human rights and specifically to children's rights, women's rights and combating racial discrimination. Some of the principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights have also been incorporated into the curricula and efforts are made in the educational setting to propagate the values of religious and racial tolerance among all students.

85. The Ministry of Education is also intent on disseminating these concepts in its educational competitions and in its curricular and extracurricular activities with the aim of deepening and strengthening the spirit of tolerance and peaceful coexistence and eliminating racial discrimination and intolerance among all student groups, thereby applying the approach and vision of the wise political leadership of the United Arab Emirates. The State has given encouragement to its citizens by providing opportunities for them to pursue a higher education and to study abroad at its expense. It has also set up education and cultural sections in various countries of the world in order to follow up on the education of its students abroad.

86. The State is bound by a number of bilateral treaties with sister and friendly States on education and culture, and has joined various international organizations specializing in education, such as the United Nations Educational, Scientific and Cultural Organization and the Islamic Educational, Scientific and Cultural Organization, as well as other education-related organizations.

87. Given the importance attached by the State to training for law enforcement officials, the Ministry of the Interior has done its utmost to ensure that its personnel, whatever their area of specialization, acquire the essential skills and receive human rights training. It sends them abroad to learn foreign languages and has also produced a code of police conduct and ethics containing 33 rules, one of the most important of which is the principle of non-discrimination among individuals in the community on the basis of colour, sex, nationality, religion, belief, language or social status. The Ministry additionally organizes seminars, conferences and workshops and has sent its personnel to attend various courses at home and abroad, some examples of which are provided below.

88. The Dubai Policy Academy: The Academy offers a range of specialist programmes dealing with human rights issues, including:

- A master's programme in human rights, covering the following subjects:
 1. Human rights protection in the domestic legislation
 2. Protection of personal privacy
 3. Human rights in Islamic sharia
 4. International humanitarian law
- A master's programme in criminal studies, which includes teaching about the rights of accused persons during the information-gathering and investigation stage
- A bachelor's programme in which students are taught about human rights and policing
- The Child Protection Unit attached to the General Department of Human Rights of the Dubai Police also organized training courses in 2013 for 140 staff members, as well as in 2014 for 107 child protection personnel working in various government entities, on the subject of dealing with abused children, the aim of which was to

build their awareness and impart the expertise needed to carry out social work. The training included:

1. A course on techniques for dealing with children during the information-gathering stage
2. A course on child interviewing techniques and the rights of children with disabilities, which was attended by 80 trainees
3. A workshop for instructors on child-related issues, which was attended by 56 trainees
4. Various training courses on dealing with questions of child abuse, neglect and exploitation, which were organized after a manual on child interviewing techniques had been circulated and were attended by 215 officers and personnel.

89. The Abu Dhabi Police College: The Police College teaches different human rights-related subjects as part of its academic curriculum, which includes the following programmes:

- A course for university candidates, with a human rights curriculum covering the following subjects:
 1. The nature of human rights;
 2. International human rights instruments;
 3. Collective rights;
 4. Prisoners' rights;
 5. Human rights in the United Arab Emirates;
 6. Police officers and human rights.

90. Officers' courses at the Officers' Training Institute: The material and curriculum taught at the Institute covers a wide range of human rights-related subjects, which are dealt with in the following courses:

- A course for middle command officers
- A course for first command officers
- A course for personnel working in correctional and penal institutions
- A human rights course

91. The Federal Police School: The School offers the full range of training and academic curricula, which are taught in foundation courses and further training courses, covering, inter alia:

- Human rights in the light of international reports and the domestic legislation
- Human rights in the light of international norms:
 1. Fundamental human rights and freedoms
 2. Limits on human rights
- Human rights in the light of the domestic legislation:
 1. Fundamental human rights and freedoms under the Constitution of the United Arab Emirates
 2. Fundamental human rights and freedoms under the country's criminal legislation

- Human rights in Islamic sharia

III. Implementation of the recommendations of the Committee on the Elimination of Racial Discrimination

Article 1

92. In September 2014, the Committee issued a number of concluding observations and recommendations concerning the combined twelfth to seventeenth periodic reports of the United Arab Emirates. It also welcomed the positive aspects of the combined reports and the frank replies provided by the delegation from the State party during the discussion. The United Arab Emirates has been keen to act on those observations and this part of the report will therefore focus on the steps taken to do so.

Ensuring equality between citizens and non-citizens to the extent recognized under international law and prohibiting racial discrimination

93. In the part of this report dealing with articles 2 to 4 of the Convention, reference was made to articles contained in the Constitution and legislation of the United Arab Emirates that ensure equality and prohibit discrimination, as well as to the laws enacted in that regard. Also mentioned were the laws most recently enacted to combat racial discrimination, specifically Decree-Law No. 2 of 2015, on combating discrimination and hatred.

Strengthening the protection of all foreign labourers

94. The United Arab Emirates is seen by many around the world as an attractive place to work, which has turned it into a top destination for foreign labourers, reaping benefits for the workers, the sending countries and the United Arab Emirates alike. In 2014, foreign workers in the United Arab Emirates transferred over US\$ 29 billion overseas, making the country the third biggest source of remittances in the world. Continuing to improve the protection of workers' rights is a key national priority, in which context the State has taken therefore the measures set out below.

I. Prohibiting the withholding of passports of foreign workers

95. As part of strengthening the protection of foreign workers from the illegal practice of withholding passports, the Ministry of the Interior issued Circular No. 2/Am/Sh.Q/3670, dated 25 December 2002, followed by Circular No. 2/Am/776, dated 16 March 2003, which prohibit the withholding of the passport of any person residing in the United Arab Emirates without a judicial order. Workers are entitled to take complaints about employers who withhold their passports to the judicial authorities. In the event that a ruling is made in their favour, the employer is required to pay all legal fees and expenses incurred as a result of the proceedings.

96. In January 2016, the Minister of Labour issued Ministerial Decision No. 467 of 2015 concerning the model contract of employment approved by the Ministry of Labour, which is a standard 13-page contract setting out all the legal provisions governing the relationship between the worker and the employer. In accordance with the Decision, the contract must be drawn up in three languages: Arabic, English and the language of the worker. A computerized translation of the contract is available in the 10 languages spoken by the great majority of the country's migrant workers. The contract also explicitly provides that workers are entitled to retain their documents of proof, such as passports,

identity cards and labour cards. The confiscation of any such document is therefore a breach of contract.

II. Wage protection system

97. Pursuant to its Decision No. 788 of May 2009 and in conjunction with the Central Bank of the United Arab Emirates, the Ministry of Labour rolled out a new wage protection system consisting in a unique kind of electronic system via which private enterprises transfer wages to their workers through banks, currency exchange facilities and service providers. The system enables the Ministry to keep track of payment transactions by way of a comprehensive database established for that purpose. Thanks to this system, the wages of over 7,374,334 workers in 281,454 enterprises are now protected. When employers fail to pay wages, the following measures are taken:

1. The enterprise is administratively suspended, meaning that it is not permitted to recruit any new migrant workers and that the owner of the enterprise or his representative is summoned and asked to pay the workers immediately (in 2014, the Ministry of Labour successfully resolved 131 wage disputes and the workers received their wages without needing to seek legal recourse).

2. Labour inspectors are dispatched to ascertain that no other infringements or abuses of workers' rights are taking place.

3. If the employer fails to respond to the above measures, punitive action is taken against the enterprise by referring the case to the Public Prosecution Office, in accordance with article 181 of the Labour Code (the Ministry of Labour has referred 107 enterprises to the courts for non-payment of wages or for interference with the system).

98. Concerning the unlawful deduction of wages, article 60 of the Labour Code provides that no sum may be deducted from any worker's wages except in the cases specified by law and provided that the deduction amounts to not more than 10 per cent of the worker's regular wages unless the deduction is being made on the basis of a court ruling. In that instance, the deduction may not exceed one quarter of the wages payable to the worker. If multiple debts and multiple creditors are involved, the maximum limit is one half of the wages.

99. Concerning charges and fines, the most recent of the numerous decisions issued by the Cabinet on the subject is its Decision No. 40 of 2014, which states as follows:

- An employer who fails to participate in the wage protection system receives a fine of 10,000 dirhams for each worker, with no maximum limit
- An employer who enters false information into the wage protection system in order to evade or circumvent its rules receives a fine of 5,000 dirhams for each worker, up to a maximum of 50,000 dirhams if there are numerous workers
- An employer who fails to pay wages due to workers for 60 days or more receives a fine of 5,000 dirhams for each worker, up to a maximum of 50,000 dirhams if there are numerous workers
- An employer who compels workers to sign fake documents stating that they have received their dues receives a fine of 5,000 dirhams for each worker.
- An employer who makes unlawful deductions or detractions from wages without legal justification receives a fine of 5,000 dirhams for each worker.

100. Pursuant to Cabinet Decision No. 26 of 2010, enterprises are grouped into three categories on the basis of their compliance with various requirements, most importantly the payment of wages at the times specified by law or by agreement and the provision of

workers' accommodation meeting the approved criteria and conditions. A consequence of the categorization is that the charges paid by non-compliant enterprises, which fall into the lowest category (category 3), are over 20 times greater than those paid by compliant enterprises grouped in the first and highest category. The charge for a licence to recruit a foreign worker, for example, rises from 200 dirhams for an enterprise in category 1 to 5,000 dirhams for an enterprise in category 3. In accordance with the Decision, before recruiting a worker, enterprises subject to the Labour Code and falling into category 2/A must provide a bank guarantee of 3,000 dirhams for each worker, up to a maximum of 1.5 million dirhams, whereas enterprises in category 3, i.e., those that are non-compliant with the above-mentioned criteria, must provide a bank guarantee of 10 million dinars. In a number of cases, most notably where a court has ruled in favour of a worker and the employer has failed to fulfil the payment obligation, the Ministry is entitled to liquidate the bank guarantee deposited in the name of the enterprise and make payment of all the amounts due to the worker. The employer is then required to make up the amount of the guarantee to take account of any other labour disputes with one or more of his workers. The same applies in cases where the employment relationship was terminated and the worker wished to return to his country of origin, but the employer failed to meet the obligation to shoulder the costs of the worker's return.

101. In 2008, the Ministry of Labour established the Wage Protection Office. The main functions and tasks assigned to the Office include those of developing and implementing an integrated system for monitoring wage protection and working hours; implementing a scheme enabling workers to remit their wages through the aforementioned banks and financial institutions; communicating with enterprises in order to elicit their payment of wages; and communicating with workers in order to receive complaints relating to the full or partial non-payment of wages when due. Inspections are also conducted to check whether companies are complying with the requirements concerning the payment of wages. The Wage Protection Office is staffed by 46 officials and labour inspectors and continues to exercise its functions in conjunction and in parallel with the wage protection system.

102. As had been announced on 1 June 2009, the Ministry of Labour launched an additional service known as Ratibi ("My salary"), which can be used by workers in any private enterprise to report the late or non-payment of wages and unlawful deductions. Workers may also contact the Ministry through the service, simply by calling the freephone number 800665 or by entering the website www.moi.gov.ae and registering their wages complaints, which are treated with full confidentiality by labour inspectors. Inspections are carried out immediately. In 2014, there were 3,665 complaints concerning wage protection.

III. Working hours/overtime

103. As provided in Federal Act No. 8 of 1980, normal working hours for adults are limited to 8 hours per day or 48 hours per week, with daily working hours organized so that no one may work more than 5 hours consecutively without breaks for rest, food and prayer amounting in total to a minimum of 1 hour. If the work situation requires an employee to work more than the normal working hours, the extra time is regarded as overtime, for which the employee receives pay equal to that received for normal working hours, plus an additional amount of not less than 25 per cent of that pay. If the work is between 9 p.m. and 4 a.m., the employee is entitled, for the overtime, to the pay established for normal working hours, plus an additional amount of not less than 50 per cent of that pay. Overtime may not exceed two hours in any one day.

104. Each year, the Ministry of Labour conducts some 80,000 periodic inspections of enterprises operating in the country in order to examine workers' contracts and files, check that the employer is keeping records of the number of working hours, leave, rest periods and salary deductions, and ascertain that no unlawful deductions have been made. It also

makes special visits to enterprises to check on the situation of women who work there and ensure that the working environment is appropriate and that the women are receiving the regular leave, maternity leave and nursing leave to which they are entitled.

105. Concerning overtime, the Labour Inspection Department carries out inspections, either as part of the pre-arranged periodic visits or in response to confidential complaints received via the free complaints line operated as part of the aforementioned wage protection system or via the complaints link on the Ministry's website. The purpose of these inspections is to examine records and interview a random sample of workers in order to establish that employers are keeping an overtime record and accurately calculating the amount of overtime. If it transpires that an enterprise is in breach of the law, the Ministry takes the following measures:

- Cautions the enterprise concerned and requests it to provide a statement confirming that it has rectified the situation, whereupon another inspection is carried out
- In the event of a second breach, the enterprise is administratively suspended and all services made available to it by the Ministry are halted until after it has provided a statement confirming that the situation has been rectified and the labour inspector has again visited the enterprise and determined that the problem has been addressed
- In the event of a third breach, the labour inspector's report is forwarded to the Public Prosecution Office for legal action to be taken against the enterprise concerned.

IV. Inspection

Measures taken by the Ministry of Labour to develop and promote the role of the Labour Inspection Department

106. The self-inspection system: Using the eNetwasal service available on the Ministry's web portal, enterprises perform self-assessments through this system by responding to a number of questions aimed at determining whether the enterprise and its employment contracts are compliant with the law, particularly with respect to wages, working hours, leave and occupational health and safety. As part of the system, the Ministry conducts a series of unannounced inspection visits to enterprises that have completed the self-assessment, during which the data and information provided in their replies are closely examined and checked for accuracy.

107. The smart inspection system: This is an electronic programme that relies on smart electronic procedures, starting with an analysis of the electronic data available internally and locally on all enterprises registered with the Ministry of Labour. The enterprises are then classified on the basis of the degree of risk and irregularity and prioritized for follow-up by labour inspectors, who use smart inspection devices guaranteeing the speed and accuracy of the inspection. The inspection results are then returned as electronic data that are used in analysing the labour market and taking remedial action.

108. Establishment of the Human Trafficking Section: Part of the Labour Inspection Department, this Section monitors indicators of the existence or potential existence of criminal activities involving the trafficking of workers to whom the Labour Relations Regulation Act and its implementing decisions are applicable. It also provides legal advice to victims and potential victims of human trafficking; prepares reports on shortcomings in the legislation or in the procedures for monitoring and following up cases of human trafficking that are not clearly covered and defined in the current legal provisions; submits the reports to the authorities in the Ministry; and coordinates with those authorities, as well as with the police and judicial authorities, in order to create mechanisms for monitoring, detecting and investigating cases that might be classified as human trafficking.

109. The Labour Guidance Department: The main functions of this Department, which was established in 2008, are to raise awareness of the Labour Code and its implementing decisions; familiarize workers with the procedures and policies in place at the Ministry of Labour; and improve and develop the relationship between the parties involved in production (employers and workers) and the Ministry.

V. Living and working conditions of foreign workers

110. Pursuant to Cabinet Decision No. 13 of 2009, approving a guide to general standards for workers' collective housing and related services, the authorities are not permitted to grant building permits for such housing, except as provided for in the Decision, and employers are responsible for providing housing that complies with the approved standards. Every enterprise operating in the United Arab Emirates was furthermore required to modify its workers' housing so as to make it standard-compliant within a maximum of five years from the date on which the Decision took effect, i.e., by the end of 2014.

111. The Labour Inspection Department has carried out 6,176 inspections of workers' housing in order to establish that the Decision is being properly implemented. The findings were that 64 per cent of enterprises complied with the required standards and that 2,195 enterprises, i.e., 36 per cent of those registered with the Ministry of Labour, did not. Follow-up inspections were carried out in those cases to check that the housing had been modified.

112. The State has built a number of model villages for workers that comply fully with the international standards laid down in the Cabinet Decision and the guide annexed thereto. In Abu Dhabi, for example, there are 37 such villages with the capacity to accommodate 414,812 workers in all.

113. In March 2016, furthermore, the Ministry introduced a new procedure for inspecting workers' accommodation using smart devices and the smart services system, through which labour inspectors can simultaneously transmit full details of workers' housing directly from the actual site to the relevant entities in the Ministry and in local government. Enterprises are thus regularly monitored until they have remedied matters and complied with the rules in place. This system also instantly provides inspectors with indicators and statistical data about substandard housing and the number of dwellings that have crossed the system's "red line" so that immediate action can be taken to rectify the situation.

114. In the same context, Cabinet Decision No. 40 of 2014 imposes a fine of 20,000 dirhams, irrespective of the number of workers, in all cases in which an employer (enterprise) fails to provide workers' accommodation that meets the standards approved by the Ministry, in addition to a fine of 10,000 dirhams for each worker in the event that the housing is not brought up to standard within the deadline set by the Ministry.

VI. Recruitment offices and achieving transparency in the contracting process

115. The Government of the United Arab Emirates is currently working to develop a standard employment contract to be used by all enterprises registered with the Ministry of Labour. The intention is that the contract should cover in detail all of the rights and obligations of workers, as set out in the Labour Code, in order to raise workers' awareness of those rights and obligations and thus prevent recruitment agencies and employers from misleading them about their legal rights or from threatening them with illegal punishments.

116. Stringent penalties are imposed on employers who engage workers without a contract that sets out the terms of employment and is registered with the Ministry of Labour. The aim of the penalties is to protect workers from exploitation, ensure that they obtain their contractual rights, and deter the small number of employers who might exploit workers by employing them without a contract specifying their rights. By way of Cabinet

Decision No. 40 of 2014, the Government imposes on employers a fine of 500 dirhams for each month or partial month that they fail to draw up a contract of employment and provide it to the Ministry within 60 days of the date when the worker entered the country or fail to have the visitor's entry permit changed into a work entry permit.

117. **Protection of workers from indebtedness in order to pay recruitment fees:** Article 18 of Federal Act No. 8 provides that no licensed employment agent or labour supplier may demand or accept from workers, whether before or after their admission to employment, any commission or material reward in return for having found them employment, or charge them any costs, except as prescribed or approved by the Ministry of Labour. As soon as they enter employment, workers supplied by an employment agent or labour supplier are regarded as employees of the employer and have all the rights of the employees of the enterprise in which they are employed. They relate directly with the employer, without any involvement of the employment agent, whose function and relationship with them ceases as soon as they are supplied to the employer and enter into his service. As provided for in the Act, Ministerial Decision No. 52 of 1989 states in article 6 that: "Employers or their representatives shall sign the recruitment request form prepared by the Ministry for that purpose. The form must set out the employer's obligations, above all his commitment to his sponsorship and his responsibility for the recruited worker, as well as for shouldering the costs entailed in recruiting and employing the worker in accordance with the employment contract and the provisions of Federal Act No. 8 of 1980." Ministerial Decision No. 1188 of 2010 also provides in article 9 that: "Any enterprise wishing to employ a worker in accordance with the permits covered by this Decision shall bear the charges for the issuance and approval of the permits. Under no circumstances may the worker be obliged to pay the costs associated with his employment, including for the issuance and approval of permits, and nor may such costs be deducted from his pay."

118. Pursuant to Cabinet Decision No. 40 of 2014, furthermore, an employer is liable to a fine of 5,000 dirhams for each worker who has been obliged to pay the recruitment and employment fees prescribed by the Ministry and recruitment agencies or who has had such fees wrongfully deducted from his pay without any legal basis.

119. **Controlling the practices of recruitment agencies operating under the legal jurisdiction of the United Arab Emirates:** Ministerial Decision No. 1283 of 2010, governing the operation of recruitment agencies, which was elaborated in cooperation with the International Labour Organization (ILO), prohibits the recruitment of any natural or legal person convicted of an offence involving human trafficking, dishonour or dishonesty or of any of the offences provided for in the Labour Relations Regulation Act and its implementing decisions. The Decision also states that no recruitment agency may apply for a licence if it is the proprietor of, or a partner in, an enterprise that has repeatedly failed to pay workers' wages in accordance with the conditions and rules stipulated by the Ministry or that has fundamentally breached the requirements in place for housing.

120. Under the Decision, the Ministry of Labour is also empowered to revoke a recruitment agency's licence in a number of cases, including where the agency carries out any act involving compulsory labour or human trafficking of any kind. The Decision furthermore prohibits agencies from directly or indirectly receiving any sums of money, forms of commission or fees from workers themselves or by way of an intermediary for any reason. In addition, the Ministry may require an agency to provide an undertaking not to recover from workers any amounts that it may have paid to any entity or person.

121. **Responsibility of employers to protect workers by ensuring their legal residency status in the United Arab Emirates:** Ministerial Decision No. 52 of 1989 provides in article 6 (b) that employers must prepare and sign the employment contract and take any other statutory measures required of them, in particular with regard to obtaining a labour card, within 60 days of a recruited worker's arrival in the country.

122. Pursuant to Cabinet Decision No. 40 of 2014, furthermore, employers are liable to a fine of 20,000 dirhams for each worker whom they engage, employ or take on to perform work for a period of less than two months, as well as to a fine of 500 dirhams for each month that they fail to renew a worker's work permit within 60 days of its expiration.

123. **Protection of the right of migrant workers to transfer to another employer in specific cases:** Pursuant to article 3 of Ministerial Decision No. 1186 of 2010, the Ministry of Labour may renew a worker's work permit without the employer's agreement to termination of the relationship in cases where the employer has failed to fulfil his legal or agreed obligations (for example, non-payment of wages for over 60 days); where the worker has filed a complaint against the enterprise by which he or she is employed on the grounds that he or she has not commenced work owing to closure of the enterprise; where a labour complaint filed by the worker was referred to court by the Ministry and a ruling was made in favour of the worker; and where the employer has taken the step of ending or declining to renew the employment relationship without the worker having resigned. Ministerial Decision No. 1188 of 2010 also provides in article 4 that the Ministry may grant a temporary work permit to a worker without requiring the approval of the enterprise by which the worker is employed and without the worker needing to have a valid residence or work permit, if it is established that the worker has a labour case that has been referred to court by the Ministry.

124. In the same context and with the aim of further protecting the right of workers to end the employment relationship and leave the country or to change employers, without discrimination, the Minister of Labour issued Ministerial Decision No. 766 of 2015, which took effect in January 2016 and allows workers to be granted new work permits in order to transfer from one enterprise to another. In accordance with the terms and procedures laid down in the Decision, workers may change employers at any time after the first six months of their recruitment, which is the period specified by the Ministry with a view to maintaining stability in the labour market and relations.

125. Ministerial Decision No. 765 of 2015, concerning the conditions and rules for terminating the employment relationship, which also took effect in early January 2016, provides for the right of migrant workers to end that relationship and leave the country or to transfer to a new employer in accordance with the legal terms and procedures set out in the Decision.

VII. Cooperation with international organizations

126. The Ministry of Labour has signed a cooperation agreement with the International Organization for Migration (IOM) to conduct a field study on the labour recruitment industry between the United Arab Emirates and Kerala (India) and Nepal. The project is being implemented as part of the joint cooperation among States members of the Abu Dhabi Dialogue and is aimed at developing a common understanding of the key challenges faced by labour-sending and labour-receiving countries and at systematically identifying their causes in a scientific manner. The study is to be carried out in collaboration with the Governments of the States concerned, IOM, Zayed University, the Indian Institute of Management in Ahmedabad and the Kathmandu University School of Management.

127. The United Arab Emirates has also signed a technical cooperation agreement with ILO, covering four strategic areas, in particular labour inspections. The objective is to enhance the country's inspection mechanisms; build its inspection capacities, as well as the capacities of its inspection personnel; establish an information system on the labour market; develop occupational health and safety legislation and policies; and set up a system for receiving employment-related complaints and settling labour disputes.

Strengthening the protection of all foreign workers and the rights of domestic workers and persons of equivalent status

128. Foreign workers fall under the authority of the Ministry of the Interior, which goes to great lengths to protect human rights in general and the rights of domestic workers and persons of equivalent status in particular, pursuant to the principles of the noble Islamic sharia and on the basis of the principles and provisions affirmed by the Constitution, the laws of the State and the instructions of our wise leadership. The Ministry is furthermore intent on fulfilling its international obligations and undertakings in this regard and on keeping pace with global and international developments by providing adequate protection for the rights of those groups working in the country under temporary contracts regulated by the competent authorities in the State and who, as such, are regarded as temporary labour. Domestic workers and persons of equivalent status enjoy the legal protection — both civil and criminal — afforded by the Constitution and domestic laws, such as the Civil Transactions Act, the Federal Penal Code, the Human Trafficking Act and the Federal Entry and Residency of Aliens Act. The most significant endeavours of the Ministry of the Interior, through its police agencies, to protect domestic workers and persons of equivalent status are set out below.

I. Protective legislation

129. The Ministry of the Interior, in collaboration with national institutions and civil society organizations, is helping to fulfil the State's international obligations under the human rights instruments that it has ratified, including preparation of the periodic reports to be submitted to various United Nations bodies concerning the extent to which the legal guarantees concerning protection of the category of domestic workers and persons of equivalent status are being respected. The State has acceded to numerous human rights instruments relating to this category and no violations thereof are permitted. These instruments include:

- The International Convention on the Elimination of All Forms of Racial Discrimination
- The Convention on the Elimination of All Forms of Discrimination against Women
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime of 2009
- The ILO conventions concerning basic human rights that the State has ratified
- A bill of law has been drawn up to regulate the employment of domestic workers and persons of equivalent status in the United Arab Emirates in a manner consistent with international standards and, in particular, the ILO Convention No. 189 concerning Decent Work for Domestic Workers of 2011. The Cabinet has approved the bill and the constitutional procedures for its promulgation are currently being completed. Its implementing regulations have also been drafted.

II. Regulation of the operation and licensing of labour recruitment agencies

- Workers must be informed in their own countries of the type and nature of employment and the gross wage
- It is prohibited to demand any commission or costs from workers, either before or after they start work, in exchange for obtaining employment

- Medical fitness tests must be conducted within the 30 days prior to the worker's entry to the country
- The circumstances in which agencies are to bear the costs of a worker's repatriation and procure a replacement or reimburse all amounts paid by the employer must be specified
- Workers must be briefed about the country's customs and traditions
- Workers are to be provided with suitably equipped temporary living accommodation until they join their employer and must be well treated
- Workers must be advised of the bodies competent to hear complaints concerning violations of their rights and freedoms.

III. Employment contracts

130. The relationship between the worker and the employer is governed by the standard employment contract, specifying the respective rights and obligations of the sponsoring and sponsored parties, which is concluded between them prior to the issuance of a residence permit to the worker. The contract, which must be endorsed by the competent Directorate-General of Residency and Foreigners' Affairs in accordance with the prescribed procedures, is drawn up in three copies in the Arabic and English languages and signed by both parties. Each party retains one copy and the third copy is deposited with the above-mentioned Directorate-General. The State has recently introduced a new employment contract for domestic workers and persons of equivalent status, the provisions of which are governed by the Federal Entry and Residency of Aliens Act No. 6 of 1973, as amended, and its implementing decisions and regulations, in the event of any dispute arising between the parties. The new contract contains the following provisions:

Obligations of employers/rights of workers:

1. It is prohibited to employ workers in activities that are hazardous or incompatible with public order.
2. Care must be taken to assist workers in transferring their wages in accordance with the country's banking regulations.
3. Wages due must be paid not later than seven days after the date on which they are payable and workers must complete and sign a form stating that they have received their entitlements, all of which must be received before the worker's residence permit is cancelled.
4. Suitable accommodation and appropriate working clothes must be provided;
5. Food and beverages must be provided;
6. Workers must be well treated in a manner conducive to the preservation of their dignity, integrity and privacy.
7. Workers must be allowed to communicate their families and the confidentiality of their correspondence must be respected.
8. Medical treatment and care must be provided in accordance with the State's health system.
9. In the event of a worker's death, his or her body and personal effects must be transported to his or her home country as soon as possible and his or her entitlements must be paid to his or her beneficiary.

10. Workers must be granted sufficient rest periods.
11. Workers must be granted paid leave during the term of their contract or receive financial compensation in lieu.
12. Workers are entitled to a travel ticket for their period of leave and at the end of their contract.
13. Workers must be granted a weekly day of rest or financial compensation in lieu, as agreed.

Obligations of workers/rights of employers:

1. To work only for the employer and members of the employer's family; perform their occupational duties in a proper and loyal manner; respect the confidentiality and privacy of the employer and the employer's family; and show regard for the values, customs and traditions observed in the country.
2. To sign a receipt in acknowledgement of payment of wages.
3. To pay appropriate compensation in respect of any damage, loss or destruction of property belonging to the employer up to a maximum limit equivalent to the worker's wage for five working days.
4. The dispute settlement offices in the competent Directorate-General of Residency and Foreigners' Affairs have jurisdiction to settle disputes. In the event that no settlement is reached within two weeks, the dispute is referred to the competent courts for adjudication.

Leave entitlements

Under the contract, workers are entitled to three types of leave:

- (a) Weekly leave
- (b) Annual leave
- (c) Sick leave
- (d) In addition to an end-of-service gratuity

Status of the children of female citizens and of "Bidoun"

131. The acquisition of nationality is a matter relating to the sovereignty of the State, every one of which thus has the right to set the terms for the acquisition of its nationality. The Federal Nationality, Residency and Passports Act No. 17 of 1972, as amended by Act No. 10 of 1975 and the amendments thereto, regulates matters pertaining to nationality, residence and passports in the same way as in other countries. Article 17, paragraph 2, of the Act provides that: "A female citizen ex lege who has acquired the nationality of her foreign spouse who then predeceases, deserts or divorces her may regain her nationality provided she renounces the nationality of her spouse. Her children from that spouse may apply to acquire the nationality of the State if their ordinary residence is in the State and they have expressed their desire to renounce the nationality of their father."

132. On 2 December 2011, His Highness the President of the State issued royal directives stating that United Arab Emirates citizenship should be granted to the children of female citizens married to foreigners, in accordance with the following conditions and rules:

- The children of female citizens must be treated in the same way as nationals of the United Arab Emirates, without discrimination, with respect to education, health and employment

- They are entitled to apply for nationality once they have reached 18 years of age.

133. From the legal perspective, the community in the United Arab Emirates is composed of two groups; there is no third one. The first group comprises those who are legally present in its territory, namely its citizens and its guests, both residents and visitors. The second group comprises all those not in the first group, namely persons in breach of the Federal Entry and Residency of Aliens Act, including all those who are in the territory of the United Arab Emirates illegally, whether irregular migrants or persons who have failed to regularize their legal status.

134. The United Arab Emirates has traditionally dealt with the second (irregular) group in a humane and civilized manner by applying to them either the letter or the spirit of the law, as required in the public interest and under the international instruments and treaties to which the State is genuinely committed. The individuals in this group have been allowed numerous opportunities, periods of grace and other concessions to enable them either to leave the country without legal accountability or to regularize their status in the manner most appropriate to their cases. The State has also granted fee exemptions on several occasions to persons who infringe the residency laws, most recently in a Cabinet decision giving those in breach of the Federal Entry and Residency of Aliens Act and the Labour Relations Regulation Act a two-month period of grace, from 4 December 2012 to 4 February 2013, during which to leave the country and also exempting them from the fines payable for having overstayed their legal residence permit. The aim is to eliminate entirely the phenomenon of irregular migrants in the country.

Continuation of human rights efforts in conformity with international obligations

137. Proceeding from its policy of promoting human rights in conformity with its international obligations, the United Arab Emirates has ratified several of the core United Nations human rights conventions and is continuing its consideration of the remainder. The main instruments that it has ratified are as follows:

- The International Convention on the Elimination of All Forms of Racial Discrimination (1974)
- The Convention on the Rights of the Child (1997)
- The Convention on the Elimination of All Forms of Discrimination against Women (2004)
- The Convention on the Rights of Persons with Disabilities (2010)
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2012)

138. The United Arab Emirates has also signed the Optional Protocol to the Convention on the Rights of Persons with Disabilities (2008) and is considering accession to other key human rights conventions in the near future.

Other relevant conventions

- The Convention on the Prevention and Punishment of the Crime of Genocide
- The four Geneva Conventions of 1949 and the Additional Protocols thereto of 1977
- Nine ILO conventions on hours of work, forced labour, labour inspection, employment of women, equal remuneration, minimum age for admission to employment, and prohibition of the worst forms of child labour

- The United Nations Convention against Transnational Organized Crime and the Protocol thereto to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol)
 - The Arab Charter on Human Rights.
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