



# Convention on the Rights of the Child

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## Committee on the Rights of the Child Seventieth session

### Summary record of the 2026th meeting

Held at the Palais Wilson, Geneva, on Monday, 14 September 2015, at 3 p.m.

*Chairperson:* Mr. Mezmur

## Contents

Consideration of reports submitted by States parties

*Second periodic report of the United Arab Emirates*

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*The meeting was called to order at 3.00 p.m.*

### **Consideration of reports submitted by States parties**

#### *Second periodic report of the United Arab Emirates (CRC/C/ARE/2)*

1. *At the invitation of the Chairperson, the delegation of the United Arab Emirates took places at the Committee table.*

2. **Mr. Al Shaikh** (United Arab Emirates) said that every effort had been made to ensure that his delegation was fully representative of all State institutions which worked with children. The United Arab Emirates had become a party to the Convention in 1997 and had presented its initial report in 2002. Since then the country had undergone extensive and rapid development, and the population had more than doubled, to more than 9 million people of many different nationalities and cultures, who lived together in peace and harmony and enjoyed many opportunities for economic advancement.

3. The strategy known as the Emirates Vision 2021 rested on four pillars: an ambitious and confident people, a strong federation, a competitive and innovative economy and a high standard of living in a sustainable environment. It focused on priorities such as a high-quality education system, world class health care and an integrated infrastructure. Among the goals set in the strategy were drastic reductions in diabetes, childhood obesity and school drop-out rates.

4. Government investment in services, housing, education and health care had accounted for more than 50 per cent of the 2014 budget, thanks to which the United Arab Emirates currently ranked 40 out of 187 on the United Nations Development Programme's Human Development Index and 43 out of 187 on the Gender Equality Index. The excellence of national infrastructure enjoyed international recognition, the general standard of living was high, and poverty and adult illiteracy were on the wane. Furthermore, infant and maternal mortality rates had fallen, there were fewer underweight children and average life expectancy had risen from 49.3 years in 1970 to 76.8 years at present.

5. The United Arab Emirates was aware of the importance of economic development and poverty reduction in the protection of human rights. In 2014, for the second year running, it had been the world's biggest donor of official development aid, having allocated 4.89 billion United States dollars (US\$) or 1.17 per cent of the country's gross domestic product. It was committed to attaining the Millennium Development Goals, focusing particularly on the areas of health care and education, and it had launched a number of development projects in poor countries, including child vaccination campaigns.

6. The protection of human rights and fundamental freedoms called for a constant review of legislation and a consolidation of State institutions. To that end, the United Arab Emirates was actively involved in multilateral and bilateral human rights forums, and was currently following up on recommendations received during its second universal periodic review. The protection of children was a priority of the national agenda. Under the National Strategy for Motherhood and Childhood, measures were taken to help young people realize their full potential while fostering their mental, social and cultural development in accordance with the principle of the best interests of the child. The country had many laws regulating matters affecting children and childhood, as well as numerous institutions dedicated to children's welfare. Legislation and activities in that regard were coordinated and monitored by the Supreme Council for Motherhood and Childhood and the Ministry of Social Affairs.

7. The National Strategy for Motherhood and Childhood was the primary source for decision makers in the United Arab Emirates as they sought to ensure that children and juveniles were able to develop and flourish. As part of efforts to harmonize national legislation with the Convention, the Federal National Council had recently approved a new children's rights bill which it was hoped would soon pass into law. The bill, which covered the family, health, cultural, social and educational rights of children, had an entire section dedicated to the prevention of violence and mistreatment. It stipulated a number of prohibitions, laid down penalties for any violations and included provisions for the medical, psychological and social support for victims.

8. Other measures affecting children included the creation of the High Committee for the Protection of the Child and of the Child Protection Centre. The latter had recently organized an awareness-raising campaign on the mistreatment of children for parents, teachers and other persons who worked in childcare. The Dubai Foundation for Women and Children was also involved in educational activities in that regard, while the Ministry of Health was seeking to maintain and improve health-care services for the country's growing population.

9. Since the creation of the United Arab Emirates in 1971 educational opportunities, which had been extremely limited, had increased exponentially. Education and the development of human capital remained a priority and the State, which had invested heavily in that sector, currently offered free education to all citizens from kindergarten to university. Furthermore, thousands of students of both sexes were given the opportunity to study abroad at public expense. The Ministry of Education was also implementing improvement plans which focused specifically on the introduction of modern teaching methods and encouraging children to learn and develop their creativity.

10. In December 2013, the Prime Minister had invited the people of the United Arab Emirates to participate in a collective brainstorming session to share ideas and innovative solutions regarding issues in the fields of health care and education. Public response had been considerable and the Council of Ministers had been able to use the results to develop initiatives in those areas. At the same time, the Government was continuing to promote social welfare and it had allocated some US\$ 742 million to vulnerable groups under the Social Security Act in 2012. Fifty-one per cent of the State's budget for the period 2014-2016 had already been allocated to social development projects, including 21 per cent for education.

11. The United Arab Emirates was a young country but proud of its achievements in the field of human development. It intended to continue its efforts in that regard while respecting rights, maintaining security and ensuring justice.

12. **Ms. Aldoseri** (Country Rapporteur) said that the fact that the United Arab Emirates had sent such a large and diverse delegation would help to facilitate the constructive dialogue. She had to point out, however, that the periodic report had been submitted nearly 10 years late.

13. She wished to know whether there were any obstacles to the State party's ratifying the first two Optional Protocols to the Convention and whether the State had any plans to ratify the third Optional Protocol, had come into force in April 2014.

14. She asked why the country had not withdrawn its reservations to certain provisions of the Convention, such as articles 7 and 21, an issue which had first been raised by the Committee in 2002. She would also welcome responses to the Committee's 2002 recommendations that the State party should establish a data-collection system on children, disseminate the text of the Convention and provide training for professionals who worked with children. How did the authorities currently gather and disaggregate data?

15. The Committee welcomed the many legal and institutional measures put in place to protect children. However, it remained concerned about the length of the legislative processes involved. Could the delegation tell members when the new children's rights bill would finally be approved? She would also welcome further details about the role of the Supreme Council for Motherhood and Childhood in coordinating the activities of the many institutions involved in child welfare.

16. The Committee recognized the Government's considerable investment in society but it lacked information about the resources specifically allocated to children's rights and the implementation of the Convention. She wondered whether the authorities had a system for monitoring the use of resources in that regard.

17. She wished to know whether a national human rights institution had been established, in accordance with the commitment given by the United Arab Emirates following its universal periodic review in 2008. She appreciated the efforts being made to raise public awareness about the Convention but asked for details about any plans to provide relevant training to specific categories such as teachers, the judiciary and the police.

18. She asked for more details about local NGOs and civil society organizations which worked with children and wished to know how they interacted with the State in the implementation of the Convention. The definition of the child in the Social Security Act and other legislation was inconsistent with the Convention and she wished to know whether there were any plans to undertake a review in that regard.

19. **Mr. Nelson** (Country Rapporteur) said that he wished to know how certain forms of child abuse had been criminalized under the Federal Penal Code, as indicated in the replies to the list of issues, when children and adolescents had only a passing mention therein. Under article 16 of the Constitution, society was responsible for the welfare of children and mothers, as well as the protection of minors and others who were unable to look after themselves, and he wondered whether all children resident in the United Arab Emirates were guaranteed equal protection under that provision, regardless of their citizen status. He also wished to know whether female and male children had equal inheritance rights and treatment in custody cases. In that connection, he invited the delegation to comment on reports that children of detained human rights defenders, as well as children of persons convicted in the context of the "UAE 94" trial, were subjected to certain rights violations. Similarly, he sought clarification concerning reports that three out of every four executions in 2010 had involved persons who were minors at the time of the offence.

20. He asked whether the principle of the best interests of the child had a legal definition in the State party and whether examples of cases in which it had been accepted by judges could be provided. He also asked what legal status children born to mothers from the United Arab Emirates and foreign fathers had until they reached the age of 18 years, when they were granted their mother's nationality; what the outcome of the 2008 campaign to register stateless children and their families had been, and whether it was still ongoing; and whether children born out of wedlock could obtain a birth certificate and other identifying information.

21. **Ms. Aldoseri** noted that in the United Arab Emirates it was still lawful for husbands and fathers to use corporal punishment in the home, which ran counter to the Convention on the Rights of the Child and the Committee's general comment No. 13 on the right of the child to freedom from all forms of violence. She asked whether the State party intended to review and amend the relevant law so as to prohibit violence against children in any form. In its 2002 concluding observations, the Committee had urged the State party to put an end to the use of flogging as a punishment for

adolescents in conflict with the law and she asked what steps had been taken in that regard.

22. Regarding child victims of sexual abuse, she asked whether children could report such offences without fear of being charged with a crime themselves and whether the law protected children from being used for the purposes of pornography. While the minimum age for marriage in the United Arab Emirates was 18 years, she noted that the percentage of girls who married before reaching that age had been steadily increasing. Information on the extraordinary powers used by judges to allow girls under 18 to marry would be appreciated.

23. **Mr. Kotrane** said that he wished to know what measures were available to children of unknown parentage to enable them to trace their biological family. Noting that the United Arab Emirates had yet to ratify the Optional Protocols to the Convention, he asked whether the Convention prevailed over the national legislation and whether judges were able to directly apply the provisions thereof. In that connection, he sought clarification on the status of the State party's reservations to certain articles of the Convention, particularly those dealing with a mother's right to transmit her nationality to her children. Regarding non-discrimination in respect of children, he wondered whether the rights enjoyed by United Arab Emirates children were extended to Bedouin children and those born out of wedlock — who were essentially considered to be persons of unknown identity — and also to foreign nationals. An explanation of how the age of the child was used to determine custody arrangements would also be appreciated.

24. Lastly, it would be useful to have information on the outcome of the seminar on migrant children, held in the United Arab Emirates in 2011. In that connection, did the State party intend to accede to the 1951 United Nations Convention relating to the Status of Refugees and the 1967 Protocol?

25. **Ms. Ayoubi Idrissi** called upon the United Arab Emirates to withdraw its reservation to article 17 of the Convention, as the deprivation of that right had a particularly devastating effect on Bedouin children and children who were stateless. Regarding freedom of expression, she wished to know what legal provisions existed to enable children to express their opinions freely. Examples of cases in which children had been encouraged to voice their opinions would be welcome.

26. In view of the fact that the State party had yet to establish an independent monitoring mechanism, she said that she would like to know how compliance with human rights instruments was monitored. In that connection, was there an independent body to which children could report rights violations? What steps had been taken to ensure that children were aware of the available avenues of redress?

27. Regarding the national strategy for motherhood and childhood, she asked what measures were in place to effectively monitor the implementation of the strategy. Referring to the proportion of social security payments allocated to children, she asked whether such payments were received by certain categories of children or whether all children had equal entitlement to receive such benefits. Lastly, she wondered what monitoring mechanisms were in place to oversee the allocation of such benefits and whether an impact assessment had been carried out.

28. **Ms. Aho Assouma** said that she would welcome information on the administrative processes and procedures for registering births and issuing certifications, including the training provided. Why did the Ministry of Health have overall responsibility for recording births? In that regard, she asked whether the document issued by the Ministry of Health was a birth certificate or simply a record of the birth. She also wished to know whether there was a time limit for registering a birth. In that connection, she asked whether there were any specific reasons which

might explain why people were not registering births and deaths. Statistical data on the proportion of non-declared births and the number of children of unknown parentage in the State party would also be appreciated.

29. **Mr. Noguera Neto** said that he would like to know what steps were taken to enforce the legal provisions prohibiting the trafficking of children as domestic workers. In that connection, detailed information on inspections carried out should also be provided.

30. **Ms. Oviedo Fierro** said that, in the light of the State party's reservation to article 17 of the Convention concerning access to information, she asked how the Government was fostering the active participation of children in society, ensuring that they could gain access to sources of information and generally broadening debate among all children. Regarding the use of the children's parliament, she asked whether the suggestions and proposals arising therefrom were implemented.

*The meeting was suspended at 4.10 p.m. and resumed at 4.35 p.m.*

31. **Mr. Al Shaikh** (United Arab Emirates), replying to the questions raised by members of the Committee, said that while there were no legal obstacles preventing accession to the Optional Protocols to the Convention, there was a fairly long and involved process to follow. In the light of recently enacted legislation, it was possible that the reservation to article 7 of the Convention might be withdrawn in due course, while the other reservations were currently under review. A national identification system had been established to collect data on individuals from birth. That data formed part of a person's electronic file, which contained useful information on their education and health, for example, and, in turn, had become an important tool in decision-making and policymaking.

32. **Mr. Alhammadi** (United Arab Emirates) said that the adoption of the Children's Rights Bill had taken longer than expected, partly due to the intricacies of the federal system, but that the bill was now with the Supreme Council of the Federation for enactment. Many of the rights under the Convention were, however, already protected by other laws and the Constitution. The Children's Rights Bill was intended to enhance those rights and introduce further protections, particularly in the area of criminal justice.

33. **Ms. Al Falasi** (United Arab Emirates) said that the mandate of the Supreme Council for Motherhood and Childhood included the monitoring of such areas as welfare, the empowerment of mothers and children, and the coordination of efforts between Government ministries and civil society organizations. The Supreme Council had formulated a national strategy for motherhood and childhood in collaboration with the Gulf Area Office of the United Nations Children's Fund (UNICEF). The Supreme Council consisted of representatives from all seven Emirates and from relevant ministries and authorities. Particular emphasis was placed on efforts to improve the health, safety, education and social participation of mothers and children.

34. **Mr. Al Shaikh** (United Arab Emirates) said that a system did exist for monitoring the use of funds allocated for children and their interests but that it was not yet fully operational. Funding for children's affairs involved numerous government bodies and a three-year strategy had therefore been adopted by the federal Government requiring all State entities to develop relevant indicators and identify their funding requirements for children's affairs.

35. **Ms. Al Falasi** (United Arab Emirates) said, in reference to data collection, that the Supreme Council for Motherhood and Childhood was a major source of data when evaluating the country's progress in achieving the Millennium Development Goals. The Government was working with UNICEF and with the National Bureau of

Statistics to develop a national set of indicators on health and welfare, education and cultural activities, child protection, and standard of living. Such efforts also sought to fine-tune existing indicators, produce new ones where necessary, and publish the data in a document intended for circulation among national monitoring institutions. The project was ongoing and funds had been allocated for that purpose.

36. **Mr. Al Zaabi** (United Arab Emirates) said that the Government was committed to establishing a national human rights institution and to implementing the recommendations received during the universal periodic review. Planning for such follow-up was at the preparatory stage.

37. **Mr. Al Shaikh** (United Arab Emirates) said that a number of initiatives and programmes had been launched to raise awareness of the Convention, a list of which could be consulted on the website of the Ministry of Social Affairs.

38. **Ms. Al Shamsi** (United Arab Emirates) said that a programme entitled “Know your rights” had been launched to provide training to teachers on the provisions of the Convention. Workshops had also been conducted in State schools to raise awareness of the Convention, brochures on the same topic had been printed and circulated around schools, and some students themselves had started children’s rights clubs.

39. **Mr. Al Ali** (United Arab Emirates) said that the Child Protection Centre had launched a number of awareness-raising programmes for parents, persons working in the field of children’s affairs, and children themselves. For example, there were programmes on road safety, and the prevention of cyberbullying and sexual abuse over the Internet. Workshops had also been held in crèches, and persons working in schools had been trained to recognize signs of child abuse and how to report such abuse to the authorities. For instance, reports could be filed online and free of charge.

40. **Ms. Almarzooqi** (United Arab Emirates) said that, as part of awareness-raising efforts, games relating to the Convention were distributed free of charge to children in all schools.

41. **Mr. Alhammadi** (United Arab Emirates) said that the Government had made a comparison of the provisions of international instruments and the national laws of Arab States in the area of children’s rights. Although the Government had not ratified the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, considerable efforts had been undertaken in that area. The United Nations High Commissioner for Refugees (UNHCR) had commended the United Arab Emirates for the excellent relationship it maintained with the United Nations refugee agency, and the Government was continuing to work with UNHCR to alleviate the suffering of refugees. The Government could also provide the Committee with all available data on the work undertaken by organizations working in the field of migration within the country.

42. **Ms. Al Shoomi** (United Arab Emirates) said that there were many civil society organizations concerned with children operating in the country, such as the Emirates Human Rights Association. Some organizations focused on developing the talents of children, storytelling, and teaching them how to assert their rights and express themselves. As part of the primary education curriculum, children were told stories in both English and Arabic to improve their awareness of their rights. Associations for persons with disabilities and orphans, as well as women’s associations, organized events and conferences on issues pertaining to children.

43. **Ms. Sandberg** said that the Committee had not had access to information from non-governmental organizations working to promote children’s rights, which was a cause of concern. She asked whether the Committee could be provided with such information.

44. **Mr. Al Shaikh** (United Arab Emirates) said that there were non-governmental organizations within the country that could provide the Committee with the information it was seeking. Furthermore, there was a department in each ministry that was responsible for responding to requests for such information. Almost every State ministry had a human rights department and the police also had an independent human rights section which could respond to the specific questions of the Committee.

45. **Mr. Alhammadi** (United Arab Emirates) said, in response to Ms. Aldoseri's question on the legal definition of a child, that many of the national laws defined a child in the same way as the Convention. In certain laws, however, girls were considered adolescents up until the age of 16 only.

46. **Mr. Al Shaikh** (United Arab Emirates) said, in reference to the right of children to social security benefits, that the eligibility requirements were that the individual had to be under the age of 18 and had to be enrolled in education. It was true that a girl would lose her right to social benefits once she married.

47. **Mr. Alhammadi** (United Arab Emirates) said that the country's legislation on inheritance was governed by sharia law and therefore discriminated between girls and boys. The inheritance system was very complex but, generally speaking, it was true that women received less than men and less than half of any given inheritance, on the premise that a male would have to shoulder a greater financial responsibility than a female. However, with regard to other matters, such as engaging in trade and recourse to justice, there was no discrimination between men and women.

48. **Mr. Al Shaikh** (United Arab Emirates) said that, in relation to child custody, no distinction was made between girls and boys. In order to make a decision as to whether the child should be kept in the care of the mother or father, social factors alone were taken into account. The law provided that a child under a certain age should remain with the mother, but exceptions could be made.

49. **Ms. Ayoubi Idrissi** asked whether the age at which custody of children was suspended and transferred from the mother to the father was the same for boys and girls.

50. **Mr. Alhammadi** (United Arab Emirates) said that, under the Personal Status Act, boys could be transferred from their mothers' custody at the age of 11 and girls at the age of 13. However, under the same Act, such decisions could be overturned should it be determined that it was in the best interests of the child to maintain the status quo. According to federal case law and the Federal Supreme Court, the best interests of the child always took precedence over parents' rights.

51. **Mr. Almur** (United Arab Emirates) said that court rulings in the United Arab Emirates targeted only perpetrators and their accomplices, not innocent third parties. Convicted prisoners' children led normal lives and were not subject to any legal measures. Under the Juvenile Act, persons under the age of 18 could not be sentenced to death. The delegation did not have any information about cases in which adults had been sentenced to death for crimes they had committed when they had been under 18 years of age.

52. **Mr. Nelson** asked how the State party could claim that it had criminalized certain forms of child abuse when the provisions of the Federal Penal Code in question failed to refer to children, juveniles or young persons. He asked whether any other legislation had been adopted that clearly criminalized child abuse.

53. **Ms. Aldoseri** said that the definition of the child contained in paragraph 78 of the State party's periodic report had been placed under the wrong heading in the document, leading to a misunderstanding in that regard. She congratulated the State party on its efforts to provide generous funding for education and to set up schools in



cities and isolated rural areas. She asked whether primary education was compulsory and free for all, including the children of non-citizens, in line with article 28 (a) of the Convention, and whether the issue of human rights was covered by school curricula.

54. **Mr. Gurán** asked what measures had been taken to ensure that migrant workers could leave the country to visit their families and why no NGOs from the United Arab Emirates had been present during the Committee's pre-session meetings.

55. **Ms. Ayoubi Idrissi** asked what role civil society had played in the discussion and preparation of the State party's periodic report, what measures had been taken to halt the use of child victims of trafficking as camel jockeys and to compensate the victims of that practice, and what had been done to tackle trafficking in children and their exploitation.

56. **Mr. Cardona Llorens** asked how many children with disabilities were enrolled in inclusive and special education, respectively, and how many were simply not enrolled at school. He asked what measures had been taken to remove barriers preventing children with disabilities from accessing sports and leisure facilities on an equal basis with their peers without disabilities. He asked what emotional and psychological support was provided to children if a parent was sentenced to death or life imprisonment. He asked whether a bill under which men with debts could not be imprisoned if they had a child aged under 15 years had been adopted and whether there had been any cases in which children of women detainees had remained in prison with their mothers beyond the age of 2. What safeguards were in place to ensure that foreign women domestic workers could leave the country to visit their children without having to seek the permission of their sponsors?

57. **Ms. Aho Assouma** said that she had not received a reply to her question on birth registration. She asked for information on the legal status of children of unknown parents placed with host families or institutions and on whether they were given a name and an official identity document. She asked whether a system had been put in place to monitor children placed with families, whether persons using the services of child jockeys were prosecuted and punished under article 26 of the Constitution, and whether former child jockeys were placed in shelters and, if so, what services were made available to them. She also asked whether girls employed as domestic workers who had suffered from sexual violence and abuse were placed in shelters.

58. She asked whether health services were free and whether vulnerable population groups, including people living in rural areas, could access such services. Additional information on vaccination rates and the breast-feeding programme would be welcome.

59. **Ms. Sandberg** said that the delegation had not replied to the question on lead poisoning and air pollution contained in paragraph 13 of the list of issues. A mother who refused to breast-feed her child up until it reached the age of 2 faced criminal charges in the State party. The Committee strongly believed that breast-feeding should be on a voluntary basis. She asked the delegation for its views in that regard. Information on how breast-feeding was promoted in practice, on the type of assistance provided to mothers in hospitals in order to help them breast-feed, and on any measures taken to halt the marketing of breast-milk substitutes would be welcome. She asked whether obesity was a problem in the State party and whether any measures had been taken to halt the marketing of unhealthy foods to children. No information had been provided on confidential health counselling and services for adolescents, despite the request made in that regard in the Committee's previous concluding observations. She asked whether there were any regulations or laws in place obliging enterprises to uphold or exercise due diligence in terms of children's rights.

60. **Mr. Nogueira Neto** asked for additional information on measures taken to raise awareness of sexual abuse of children and the parental responsibilities of fathers.

61. **Ms. Winter** said that the age of criminal responsibility in the State party was one of the lowest in the world, at 7 years, and asked whether it had been raised. She asked why and in what way vagrancy was criminalized, why children who had committed misdemeanours were placed in centres and whether any alternative sanctions had been introduced in that regard. She asked what criteria determined whether a child over 16 year of age was sent to either a civil or sharia court, and on what basis a decision to send a minor offender to prison or a juvenile care centre was made.

62. **Mr. Nelson** asked how extensive the problems of drug abuse was among children in the State party, whether any studies had been carried out in that regard and how many child patients, if any, had been admitted to drug-addiction treatment centres. He asked for information on children with mental health issues or HIV/AIDS. The State party had done much to combat trafficking in children. Additional information on the prosecution of traffickers would be useful. He asked whether the sale of children had been specifically criminalized and requested details of any relevant legislation in that regard. He asked whether any telephone helplines had been set up for minors and, if so, whether they received State or private funding.

63. He asked whether the Juvenile Justice Bill would specify which offences were to be dealt with by the ordinary courts and which were to be dealt with by the sharia courts, whether the sharia courts were obliged to respect the principles of juvenile justice, whether, under the bill, there were any plans to appoint specialized judges to preside over juvenile justice courts operating according to special procedures, or to introduce non-custodial sentences.

64. He asked whether it was true that child victims in the State party did not report offences because they were afraid of being prosecuted. Information on any support provided to child victims of sexual offences, including counselling and shelters, and on legislation offering specific protection to children members of minority groups would be welcome.

65. **The Chairperson** thanked the delegation for its positive contribution to the discussion.

*The meeting rose at 6 p.m.*