

Disclaimer

The International Bureau for Children's Rights is pleased to share with the visitors of its official website this draft country profile on the status of the CRC implementation. This draft profile is the preliminary result of the ongoing research project that will eventually cover all the States parties to the Convention.

This draft is based on data that IBCR interns were able to collect from various Internet sources. As the information on the Internet is often limited and may contain inaccuracies, this profile is not meant to be complete or absolutely accurate. Still, IBCR has decided to publicize this draft profile for the purpose of awareness-raising and exchanging of information.

In the meantime, IBCR remains open to any comments, corrections and feedback readers may have. IBCR is seeking additional resources to improve this draft country profile and bring it to the expert level. The reports on Cambodia, Indonesia, Sri Lanka, Timor Leste, and Viet Nam are examples of expert level reports and are available on IBCR's official website thanks to the financial contribution of CIDA. The ultimate goal of this endeavour is to bolster international understanding of children's rights, disseminate knowledge about the CRC and assist Governments in its implementation.

UNITED ARAB EMIRATES

Introduction

The United Arab Emirates (UAE) is a constitutional federation consisting of seven semi-autonomous emirates. The majority of the population is foreign with recent statistics indicating that only 20% of the inhabitants actually hold UAE citizenship.¹ Non-national residents mostly originate from other Arab states, South Asia, and to a lesser extent, Western Europe, America and East Asia.² The exploitation of oil and gas reserves has provided employment for many of these workers and also contributed to the rapid growth and development that the country has experienced over the past thirty years.³ It is estimated that the UAE currently holds 53% of the world oil reserves. The natural resources, however, are unevenly scattered over the Emirati territory and consequently there are some economic disparities from one region to the next.⁴

With regards to the political system, Emirati leaders are not democratically elected and citizens can neither form political parties nor change their government. Instead, the country is characterized by a patriarchal system of power based on political allegiance to tribal leaders. The US Department of State claims that there are several human rights problems in the nation as evidenced by the fact that citizens cannot elect their government; flogging is a sanctioned punishment; there are several restrictions on civil liberties; and women and children are the victims of severe human rights violations including abuse, trafficking and legal and societal discrimination.⁵ Moreover, not only does the Government place restrictions on critiques of its policies but human rights groups have little independence from the authorities making it difficult to obtain clear and accurate information.⁶ It is also reported that migrant workers, comprising nearly 90% of the workforce in the private sector, are particularly vulnerable to serious human rights violations. The Committee on the Rights of the Child is concerned with the disparities in the enjoyment of economic and social rights, particularly to health and education, experienced by non-national children.⁷

International Conventions and Treaties

- Convention on the Rights of the Child (CRC), ratified: January 3, 1997
- Convention concerning the Minimum Age for Admission to Employment (ILO 138), ratified: October 2, 1998
- Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (ILO 138), ratified: June 28, 2001

¹ "Background Note: United Arab Emirates", US Department of State, 2006, available on-line <http://www.state.gov/r/pa/ei/bgn/5444.htm> (last accessed 2 June 2006)

² Ibid

³ "The World Factbook-U.A.E, CIA, 2006, available on-line at <http://www.cia.gov/cia/publications/factbook/geos/ae.html#People> (last accessed 2 June 2006)

⁴ "United Arab Emirates", Wikipedia, 2006, available on-line at http://en.wikipedia.org/wiki/United_Arab_Emirates, (last accessed 2 June 2006)

⁵ "Country Profiles on Human Rights Practices, United Arab Emirates", US Department of State, 2005 available on-line at <http://www.state.gov/g/drl/rls/hrrpt/2005/61701.htm> (last accessed 2 June 2006)

⁶ Ibid

⁷ "Concluding Observations- United Arab Emirates", Committee on the Rights of the Child, 2003, available on-line at http://www.bayefsky.com/./html/unitedarab_t4_crc.php (last accessed 2 June 2006)

Children's Rights

The UAE ratified the Convention on the Rights of the Child in 1997 but has not yet signed the two optional Protocols on the Involvement of Children in Armed Conflict and on the Sale of Children, Child Prostitution and Child Pornography. The Government has sought to uphold its commitment to the Convention through the adoption of several reforms, including a new law that criminalizes the participation of children in the camel racing industry.⁸ While it is clear that some progress has been made, political, cultural and societal constraints have affected the implementation of various reforms as well as the development of new ones. This problem is compounded by the fact that Emirati legislation defines a child as anyone under the age of 15 while the Convention sets the age of majority at 18. The Government has also expressed reservations to article 14 of the CRC, which protects the right to **freedom of thought, conscience, and religion**. This is largely because Muslim children are not permitted to convert to other religions.⁹

Discrimination against children persists in the country. For example, in the area of personal status law (inheritance, custody, and guardianship) young girls and children who are born out of wedlock do not enjoy the same benefits as other groups. Non-national children also face discrimination, especially in the area of health and education, where they are not granted the same rights as Emirati children.¹⁰ Shari'a law also breeds inequitable practices as evidenced by the fact that a son is entitled to inherit double that of a daughter.¹¹ Some reports indicate that police authorities refuse to protect women and children who have been abused or beaten and instead, encourage them to return home.¹² According to the US Department of State, 66% of all women residing in the UAE have been subjected to domestic abuse. However, this situation might improve given that the UAE ratified the Convention on the Elimination of Discrimination against Women in November 2004.¹³

Education is free and compulsory for all Emirati children but non-citizens are not permitted to enroll in public schools unless they do not have access to a private one. In most cases, foreign workers in the private sector benefit from education allowances as part of their salary.¹⁴ UNICEF statistics show that the gross primary school enrolment rate currently stands at 98% for boys and 95% for girls. While the Committee on the Rights of the Child notes that the Government has increased its budgetary allocations for education, it was concerned with the fact that the curriculum does not promote equality amongst the sexes and religious and ethnic minorities.¹⁵ Moreover, concerning children with **disabilities**, there is no legislation that ensures schools are accessible to them however most public buildings provide access.

⁸ Supra note 6

⁹ Ibid

¹⁰ Supra note 7

¹¹ Ibid

¹² Ibid

¹³ "Convention on the Elimination of Discrimination against Women", Office of the High Commissioner for Human Rights, available on-line at <http://www.unhchr.ch/tbs/doc.nsf/22b020de61f10ba0c1256a2a0027ba1e/80256404004ff315c125638b005f00d1?OpenDocument> (last accessed 2 June 2006)

¹⁴ Supra note 12

¹⁵ Ibid

Trafficking and **slavery** continue to affect the lives of children and constitute some of the most serious abuses of their rights. For example, numerous reports suggest that a substantial number of girls are trafficked from the newly independent states of the former Soviet Union (including, but not limited to, Azerbaijan, Kazakhstan, Ukraine and Russia), Egypt, Lebanon, Iran, Africa, Central and South Asia, and Central Europe.¹⁶ Young girls are sometimes brought to the country under the false pretense of domestic labor and are then forced into sexual activity. While the Penal Code, Labor Law and other forms of legislation prohibit certain forms of human trafficking and slavery, the UAE does not have a comprehensive anti-trafficking law and there are still severe problems.¹⁷ The lack of a single statute on human trafficking has some worried that innocent victims of the practice might be arrested for prostitution.¹⁸ The US Department of State claims that the Government has made some progress in this regard through the establishment of both an anti-trafficking section within the Ministry of Interior and a Human Trafficking section within the Dubai Police.¹⁹ Nonetheless, certain elites continue to hold child slaves and there are also reports that UAE diplomats and businessmen in the US have attempted to smuggle in child slaves during their visits.²⁰

Another pressing issue confronting the UAE is the trafficking of boys for the **camel racing industry**. According to national statistics, there are currently between 1200 to 2700 young boys who have been brought into the country to race camels. Other statistics suggest that the number might be as high as 6000.²¹ Young boys are sought after as camel jockeys because their light weight helps the camel to run faster. Their employers often deny them food and water in order to keep them under weight and many boys do not have access to either health or educational services.²² In some cases, it has even been reported that employers physically and sexually abuse these children. In 2005 the UAE made some efforts to address this situation by adopting a federal decree which prohibits the use of children under the age of 18 from working as camel jockeys. Under this law offenders face up to three years in prison or a fine of 50,000 dirham.²³ Camel farm owners also have to obtain identification cards for all their jockeys. Moreover, the Government has also signed an agreement with UNICEF pledging 2.7 million USD to help the return and reintegration of child camel jockeys in their countries.

Health care for Emirati children is free and the Government provides clean and modern facilities in both urban and rural areas. Health services are also provided for children in schools and kindergartens. However, one issue that has been a cause for concern is female genital mutilation. The Special Rapporteur estimated in 1997 that approximately 30% of girls aged between one and five have undergone the process. Although secrecy generally surrounds this

¹⁶ Ibid

¹⁷ "Trafficking in Persons Report-United Arab Emirates", US Department of State, June 2005, available on-line at <http://www.state.gov/g/tip/rls/tiprpt/2005/46616.htm> (last accessed 2 June 2006)

¹⁸ Ibid

¹⁹ Supra note 16

²⁰ "Worst Forms of Child Labour: United Arab Emirates", Jesse Sage, American Anti-Slavery Group, 2000 in Global March

²¹ Supra note 17

²² "Millions of the World's Children Are Slaves", Anti-Slavery International, 20 November 2002 and "UAE fails to stop child camel jockey use", Anti-Slavery International, 7 June 2004

²³ "United Arab Emirates", Human Rights Watch, 2005, available on-line at <http://www.hrw.org/english/docs/2006/01/18/uae12233.htm> (last accessed 2 June 2006)

traditional practice, it is reported that it is also performed by female doctors in hospitals and dispensaries.²⁴

With regards to **juvenile justice**, the age of criminal responsibility in the country is seven, much lower than international standards. Consequently, children under the age of 18 have been subject to the same punishments as adults including flogging. Moreover, there might be several inconsistencies in the application of the law as there are different laws in various jurisdictions.²⁵ Other areas of concern such as **abuse** and the recruitment of **children into the armed forces** are not widely discussed because there is a dearth of information on these topics.²⁶ More encouraging is that measures have been taken to create a Supreme Mother and Childhood Council.²⁷ However, such actions seem to lack structure and there are not enough resources allotted to such initiatives in order to produce concrete and durable outcomes. Certainly, if children's rights are to be given greater attention in the nation at large, the Government needs to take a more systematic and structural approach to their implementation and promotion.

²⁴ "Second report on the situation regarding the elimination of traditional practices affecting the health of women and the girl child", Mrs. Halima Embarek Warzazi, ECOSOC, Introduction no 100 in Human Rights Internet

²⁵ Supra note 19

²⁶ Ibid

²⁷ "UAE takes giant strides in protecting children's rights", Sanna MAADAD, Khaleej Times, November 23rd, 2003