

The United Arab Emirates

Positions for the Human Rights Council

I. Protecting and Promoting the Human Rights of Migrant Domestic Workers

The United Arab Emirates recognizes its former inaction against human rights violations within its borders, and the government has made tremendous progress in correcting this mistake. In the past, The Gulf Cooperation Council (GCC) member states, including the United Arab Emirates, had a particular problem protecting the rights of their vast populations of migrant domestic workers under the Kafala system. However, in 2016, the UAE made the first step toward reforming the Kafala system, passing a law that requires both employers and employees to sign Labor Ministry standard employment contracts clearly stating the terms of employment.¹ Although domestic workers were excluded from this initial law, the UAE government has been considering the extension of this law to include protections for domestic workers.

The UAE acknowledges the special importance of this topic within their country. This is due to the overwhelming number of migrant domestic workers currently residing within its borders. Acknowledging the significant contributions by these individuals to the UAE workforce, it is in the best interests of the UAE to ensure the rights of these workers. Traditionally, migrant domestic workers have been left out of initiatives to curb human rights abuses. However, the UAE has taken a substantial step forward by transferring domestic worker regulations from the jurisdiction of the Ministry of Interior to the jurisdiction of the Ministry of Human Resources and Emiratization.² This will ensure the rights of domestic workers and migrant domestic workers will be equal to those of traditional workers. Furthermore, the UAE recently approved its first law regarding domestic workers. This law provides protections and rights that include, but are not limited to, at least 12 hours of rest per day, one day of paid rest per week, payment of wages within ten days of their due date, and the ability to end employment contracts for any reason without penalty.³ The UAE also plans on replacing existing domestic worker recruitment agencies with a public-private partnership program named Tadbeer Centres.⁴ This new domestic worker recruitment organization will ensure adequate working conditions, proper training, timely placement, access to healthcare, proper visas, and many other rights and protections for migrant domestic workers.⁵

These substantial steps are only the beginning of an ongoing process within the UAE to improve the labor conditions for all workers within their country. The United Nations should move to work alongside the United Arab Emirates, Saudi Arabia, and other countries with substantial populations of migrant workers to improve conditions for migrant domestic workers worldwide. However, the UAE asserts that substantial alterations to current national labor laws should progress at a measured, cautious pace to protect and promote national sovereignty and stability.

With these goals in mind, the United Arab Emirates proposes a four-point working measure to address the rights of migrant domestic workers: promote the incorporation of migrant domestic workers into the formal labor market among states with high-migrant populations, respect the traditions and sovereignty of individual state actors as they work towards improving labor rights in their countries, encourage the modernization of the Kafala system to sufficiently meet the needs of an evolved twenty-first century labor economy, and pursue all avenues that would allow a collaboration between high-migrant countries and migrants' countries of origin on the facilitation of an improved, streamlined immigration process.

¹“UAE: A Move to Protect Migrant Workers.” *Human Rights Watch*. 1 Nov 2015. Web. Accessed: 25 Sept 2017. <https://www.hrw.org/news/2015/11/01/uae-move-protect-migrant-workers>

² “Submission for the Universal Periodic Review of the United Arab Emirates.” *Human Rights Watch*. 29 June 2017. Web. Accessed: 25 Sept 2017. <https://www.hrw.org/news/2017/06/29/submission-universal-periodic-review-united-arab-emirates>

³ “UAE Approves Law on Domestic Workers.” *Migrant-Rights.org*. 28 Sept 2017. Web. Accessed: 28 Sept 2017. <https://www.migrant-rights.org/2017/09/uae-approves-law-on-domestic-workers/>

⁴ *Ibid.*

⁵ Shouk, Ali al. “Tadbeer Centres to Recruit Domestic Workers.” *Gulf News Society*. 22 March 2017. Web. Accessed: 28 Sept 2017. <http://gulfnews.com/news/uae/society/tadbeer-centres-to-recruit-domestic-workers-1.1998797>

II. Combating Human Trafficking Among Refugees and Displaced Persons

The United Arab Emirates condemns to the fullest extent the practice of human trafficking, including the trafficking of refugees and displaced persons, and will adopt any clear and necessary measures to ensure protection for all victims of this inhumane industry. Although all victims of human trafficking deserve protection, rescue, and rehabilitation, the UAE recognizes the special susceptibility of refugees and displaced persons to this heinous crime. Due to their unique situations that often leave them without identification, forms of communication, or any personal belongings, refugees and displaced persons have the least amount of protection against human traffickers. Human traffickers often exploit these vulnerabilities of refugees, who lack the protection from this crime typically guaranteed by individual nations. Therefore, to uphold the basic dignity of human rights, it is the sovereign duty of every country to assist in the protection and security of refugees and displaced persons from human trafficking to the fullest of each nation's abilities.

As a result of the UAE's proximity to many conflict zones, human trafficking within its borders has been a particular problem. However, the UAE government recognized their inefficiencies in combating this crime and has taken tremendous steps toward dismantling human trafficking organizations and protecting the victims of human trafficking. Within the Middle East, the Emirates have proven themselves to be the regional leader in the fight to eradicate human trafficking. The UAE acceded to the UN Convention against Transnational Organized Crime and the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children— known as the Palermo Protocol.⁶ In 2006, the UAE became the first Arab country to adopt comprehensive laws to combat human trafficking.⁷ In addition, the UAE has implemented the following anti-human trafficking programs within the country successfully: an extensive public awareness campaign translated into several languages, a government fund to assist in the rehabilitation of human trafficking victims, and the establishment of human trafficking departments within all seven Emirates.⁸ More recently, the UAE has also begun working with the international community to form multilateral solutions to the problem including, but not limited to, the creation of a UN Voluntary Trust Fund for the Victims of Trafficking in Persons, Especially Women and Children to which the UAE has already pledged USD 100,000.⁹

Human trafficking of refugees and displaced persons cannot be combatted without international cooperation. Working with this goal in mind, the United Arab Emirates has signed memorandums of understanding with India, Indonesia, Armenia, Azerbaijan, and Australia to promote international solutions in the fight against human trafficking.¹⁰ While the UAE recognizes the need for further legislation specifically targeting the trafficking of refugees and displaced persons, the country points toward its multitude of past initiatives against human trafficking as a sign of its commitment to resolving this detrimental issue. The UAE looks forward to continued cooperation with the United Nations and other international organizations to develop the best strategies for combating human trafficking, particularly among refugees and displaced persons.

⁶ "Annual Report of the National Committee to Combat Human Trafficking." *National Committee to Combat Human Trafficking Crimes*, 2016, www.nccht.gov.ae/download.aspx?FileID=101&download=0.

⁷ "Combating Human Trafficking." *Embassy of the United Arab Emirates*. Web. Accessed: 20 Oct 2017. <https://www.uae-embassy.org/about-uae/human-rights/combating-human-trafficking>

⁸ "Human Rights." *Embassy of the United Arab Emirates*, www.uae-embassy.org/about-uae/combating-human-trafficking.

⁹ "UAE Pledges \$100,00 to UN Fund to Combat Human Trafficking." *Permanent Mission of the United Arab Emirates to the United Nations*. 30 Sept 2017. Web. Accessed: 20 Oct 2017. <https://www.un.int/uae/news/uae-pledges-100000-un-fund-combat-human-trafficking>

¹⁰ "Annual Report of the National Committee to Combat Human Trafficking."