



General Assembly

Distr.: General
20 September 2021

English only

Human Rights Council

Forty-eighth session

13 September–1 October 2021

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Institut International pour les Droits et le Développement, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 August 2021]

* Issued as received, in the language(s) of submission only.



Calling the United Arab Emirates to stop fundamental Human Rights violations

Although the United Arab Emirates is having a considerable economic liberalization and a remarkable modernization processes, a huge effort is still needed in order to respect its international obligations especially regarding human rights.

The infrastructure innovation, accommodation blocks and national pavilions are mostly constructed by migrant workers as the case of the 2020 Expo exhibition built in a 4.38 sq km site in Dubai South economic zone. In 2015, foreign nationals already accounted for more than 80 percent of the UAE's population.¹ The construction began in the same year with the involvement of dozens of foreign construction companies. Yet, the UAE is not a safe place for labors coming from India, Pakistan, Nepal, Bangladesh and elsewhere to work in one of the world's wealthiest countries in dangerous and fatal conditions.

In fact, every year thousands of these workers die while working, data about worker fatality numbers are hard to access, but according to the Indian government for instance, 5.185 Indian nationals died between 2012-2017. Likewise, deaths are due to cardiovascular events, mostly because of the exposure to extreme heat stress leading to heart attacks or respiratory failure.² The UAE authorities stress therefore that they are protecting workers from such heat-related injuries by prohibiting manual labor in unshaded outdoor areas between 2.30-3 PM from June to September every year. Still, such measures do not protect or keep workers safe; anyone working outside even with moderate physical labor is still exposed to fatal levels of heat stress. The international firms involved in the 2020 Expo are doing relatively well at facing the issue of heat stress than then national companies, but they also still operate under an unacceptable level of risk to their worker's according to the Business and Human Rights Resources Center (BHRRC).

Moreover, an investigation made by The Guardian shows that the social measures taken by the UAE authorities to prevent this issue are inefficient. In fact, in June no outdoor work is safe between 9am-3pm. In July and August, outdoor work is only safe for 15min during the same time. Furthermore, the second half of September and the first half of October, which are not covered by the outdoor work ban, are also particularly dangerous in terms of heat stress and there should be no work between 12-3PM and only 15min of work per hour for the rest of the day (Ibid). With that said, The UAE refused to comment on this investigation.

Migrants Right

According to Migrant-Rights organization,³ workers pay hefty requirement fees and other costs in order to work in the UAE. Transparency is a major problem at this stage because workers get to know for whom and where they will be working only once landed in the UAE and often months later. According to Dahal, a Nepalese worker, he had to wait 4 months before starting his job at Dubai airport even though his work permit came out in the name of Transguard LLC, an emirate company that supplies workers for Dubai airport, thing that he did not know before coming. Moreover, during the four months of waiting he was paid not even the minimum wage stated in contract he signed in Nepal. He had to sign a new contract once in Dubai with a difference of 400 AED in the wage.

Furthermore, many foreign workers were obliged to resign and go back home even though their work permits were still valid because of the Covid-19 crisis. Most of them couldn't even recover the amount the paid for the job and even accumulated debts and loans. The Covid-19 pandemic has in fact amplified the ways in which migrant workers' rights are violated, thousands of migrant workers lost their jobs and were trapped in the UAE in dire conditions

¹ Human Rights Watch (2020). United Arab Emirates, events of 2020. Online : World Report 2021: United Arab Emirates | Human Rights Watch (hrw.org).

² Kelly, A. McIntyre. N. (October, 2019), Workers at Dubai's Expo 2020 likely to have suffered dangerous heat stress, The Guardian.

³ Karki, H. (September, 2020) Emirates Group company Transguard abandons its workers, drives them deeper into debt bondage. Migrant-Rights org.

living through strict lockdowns in crowded and unhygienic housing, many were left in the UAE because of travel restrictions and expensive plane tickets, and were left unable to pay rent or buy food and trapped in a vicious circle of debt bondage. Moreover, those who couldn't turn back home had an increasingly high risk situation of forced work under modern slavery, and the UAE government was more concerned about protecting companies than workers (Karki, 2020). Additionally, domestic workers also suffered a lot from the lockdown; they faced abuses, unpaid wages, workdays up to 21 hours, and physical and verbal or sexual abuses.⁴

Therefore, evidence and data of victim workers whose labour and human rights were violated should be maintained in order to facilitate access to justice for them and authorities of the destination country and the employers should be made accountable. Human Rights Watch and other international organizations have already called the government to take measures to adequately protect migrant workers, including in immigration detention and labor accommodations or private families.

Women's Right

The women rights in the UAE continue to be widely violated, despite some progress in access to education, health, and the economic sector. Legislation remains deeply discriminatory, in particular in the area of the family, and deep-rooted stereotypes of women's roles in society persist. Migrant women are particularly vulnerable to violations of their rights, both as non-nationals and as women.

Notably, the UAE has also greater progress to make concerning the protection of women's right. The UAE's labor law that excludes domestic workers excludes the women of whom they are the vast majority. In fact, even though the UAE ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), deep discrimination against women in the Penal Code and the Personal Status Law and in practice is still observable. The Committee on the Elimination of Discrimination against Women in its 2015 review even made several recommendations to guarantee women's equality. The state of the domestic law itself discriminatory against women. For instance, a domestic violence law came into effect in 2020 extent male authorities to discipline their wives and female relatives, it also does not criminalize marital rape. Consequently, the judge can deem a woman if she leaves the house or takes a job deemed outside in breach of her spousal obligations (Ibid).

Disappeared Sheikha Latifa bint Mohammad al-Maktoum

Likewise, women's rights in the UAE have recently come under heightened with the release of new photos of the daughter of the Dubai ruler Sheikha Latifa that conducted the United Kingdom of Great Britain and Northern Ireland former foreign office minister to urge the demand for a proof of her life and freedom (The Guardian, 2021). She has in fact smuggled out a video message in February in which she described the conditions of her forced confinement following her abduction and forcible return to the UAE after she failed to flee Dubai in March 2018 (HRW, 2021). The Office of the United Nations High Commissioner for Human Rights has been seeking proof of life from the UAE rulers since then. There are serious doubts that the latest pictures released of her in Dubai were designed to convince the public about her freedom and it seems that permission to publish the photos was sought, which leads Lord Hain to ask: "Why is she not allowed to speak directly to journalists for instance?"⁵

⁴ Human Rights Watch (2021) UAE: Greater Progress Needed on Women's Rights. Online: UAE: Greater Progress Needed on Women's Rights | Human Rights Watch (hrw.org).

⁵ The Guardian. (June, 2021) Dubai: UK urged to intervene after another photo of Princess Latifa emerges. The Guardian.

Conclusion

The International Labour Organization (ILO), in which The UAE is a state member, has the objective of protecting labour rights from conditions involving injustice, hardship and privation. It so obliges its state parties at the preamble of its constitution to apply “the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment.” and most of all “protection of the interests of workers when employed in countries other than their own.” The UAE is therefore asked to double its involvement in protecting worker rights in order to honor its international obligations.

- We urge the esteemed Human Rights Council to demand the UAE to fulfill its obligations in tolerance, social justice, freedoms, and the release of detainees including Sheikha Latifa bint Mohammad al-Maktoum.
- To take all necessary measures to raise public awareness on women's rights and eliminate discriminatory stereotypes on the role of women in society.
