



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women Sixty-second session

Summary record (partial)* of the 1350th meeting

Held at the Palais des Nations, Geneva, on Thursday, 5 November 2015, at 3 p.m.

Chairperson: Ms. Hayashi

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Combined second and third periodic reports of the United Arab Emirates
(continued) (CEDAW/C/ARE/2-3; CEDAW/C/ARE/Q/2-3 and Add.1)

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

2. **The Chairperson** invited Committee members to continue their consideration of the combined second and third periodic reports of the United Arab Emirates (CEDAW/C/ARE/2-3).

Articles 10 to 14 (continued)

3. **Ms. Nwankwo** said that both the State party report and the replies to the list of issues (CEDAW/C/ARE/Q/2-3/Add.1) were silent on the HIV/AIDS prevalence rate and she would welcome information on that point, particularly with regard to measures to prevent vertical transmission. The Committee had received reports that migrant domestic workers were systematically tested for HIV/AIDS on arrival in the country, often without counselling or consent. Those testing positive were apparently jailed without any treatment or provision for care, deported and given lifetime bans preventing any future return to the United Arab Emirates. Information on that practice should be provided.

4. Referring to paragraph 71 of the State party report, in which it was stated that a scientific approach to reproductive health and sex education was taken, she said she would welcome information on how that approach worked in practice. What measures were in place to ensure that school curricula contained a comprehensive rights-based, evidence-based and age-appropriate approach to sex education? What training was provided to teachers?

5. **Mr. Humaid Alsuwaidi** (United Arab Emirates), replying to questions on the issue of employment, said that men and women had equal rights under employment contracts and the Labour Code. Men and women workers could lodge complaints on a wide range of employment issues at labour welfare offices around the country, or through call centres, which operated in a dozen languages, or electronically. While no allegations of unequal pay had so far been received, disputes over pay were among the various grounds upon which complaints could be made. Although domestic workers were not covered by the country's labour laws, they were protected by the Civil Procedure Code and by the terms of the standard employment contract containing employment rights and obligations. Employment legislation was regularly reviewed, and monitoring activities were undertaken to prevent abuses of the system, mistreatment of workers and violations of working conditions.

6. The *kafala* sponsorship and guarantor system regulated the entry and period of residence for foreigners working in the country. Admittedly, it was not infallible; some unscrupulous persons did try to abuse the system. For that reason, provision had recently been made to facilitate labour mobility, enabling a migrant worker to terminate a contract under certain conditions and either leave the country or change employer. The United Arab Emirates was acutely aware of the need to update the sponsorship system to ensure that it was based on stable contractual relations.

7. Women's participation in the workforce was increasing. Despite the slow economic recovery, women's employment in the private sector had leapt by 50 per cent while men's had risen by just 5 per cent.

8. **Ms. Allamki** (United Arab Emirates) said that the Government was committed to achieving equal opportunities and gender parity in education. Admittedly, the figures did not fully reflect the proportion of foreign students in schools, and efforts were under way to establish private and international institutions specifically for those communities. Nevertheless, no one was denied a State education; women and girls in the United Arab Emirates enjoyed equal opportunities in that regard. All forms of specialized training were open to women, without discrimination. Guidance programmes were in place to steer girls towards technical subjects and sectors, with due regard to labour market needs.

9. **Mr. Humaid Alsuwaidi** (United Arab Emirates) said that employers in Abu Dhabi and Dubai were legally required to provide comprehensive health insurance to all employees, including foreign workers. In the remaining emirates, health insurance cards were provided to facilitate treatment in public hospitals. Plans to launch a federal health insurance scheme were in the pipeline.

10. **Ms. Albasti** (United Arab Emirates) said that the United Arab Emirates had worked tirelessly to ensure that violence and any other forms of abuse were thoroughly investigated and punished in accordance with the gravity of the offence. The law was very clear on that point. The United Arab Emirates was not the sort of society that would sanction any form of violence against children or refuse to bring perpetrators to justice, and her delegation firmly rejected any allegations to the contrary, which were completely unfounded. In fact, severe punishments were often handed down as a deterrent. When a complaint was made all measures and resources were triggered to bring the perpetrator to justice and support the child. Psychological assistance and toll-free, confidential telephone hotlines were in place to give children the confidence and means to make their voices heard.

11. **Ms. Sara Alshamsi** (United Arab Emirates) said that abortion was a criminal offence except in cases where to continue with the pregnancy would endanger the woman's life.

12. **Ms. Nwankwo** said that she wished to know whether free medical services in the State party encompassed maternity care and whether rural women could access those services. In that connection, it was clear that preventing unwanted pregnancies was preferable to the use of abortion as a means of contraception and she would welcome information as to whether contraceptives were available and affordable, particularly for those who did not have medical insurance. She pointed out that certain questions, whether from the Committee's list of issues or put during the current dialogue, had still received no reply.

13. **Ms. Acosta Vargas** said that she would be interested to know whether the State party intended to repeal the requirement for a woman's husband to provide written authorization so that she could work. She asked whether employers who unlawfully confiscated workers' passports were punished and, if so, whether details of any such cases could be provided. She wondered whether the State party had done any analysis of the kind of complaints received from women migrant workers by the Directorate General of Residency and Foreigners' Affairs. In reality such cases were a reflection of an international situation, as any measures to be taken involved both the State party and the countries of origin, and she would like to know whether the State party had considered entering into bilateral agreements with countries of origin and whether national or international awareness-raising programmes were envisaged to provide information on the recent changes made to improve the status of foreign workers.

14. **Ms. Bailey** said that she wished to know whether the State party had enough capacity to cope with the increase in the number of students since compulsory education had been extended to 18 years of age. In that connection, the practice of

guiding girls into certain education choices to meet labour market needs was of concern since the labour market had traditionally been gender segregated. How many girls, for instance, were studying or working in technical fields?

15. **Ms. Maitha Alshamsi** (United Arab Emirates) said that the country had the infrastructure necessary to absorb the increase in the number of students. The Ministry of Education championed gender parity and equal opportunities at all levels of the education system. That approach was borne out by the statistics, which showed that 60 per cent of medical students were women, for example, and it was a similar story in other subjects such as computer science and technology. Clearly, there were some shortcomings in the data-collection procedures and those would have to be addressed to ensure that the data reflected reality. There was a direct link between labour market requirements and education, and an employment agency had been tasked with ensuring that supply could meet demand, and vice versa. Happily, all graduates were able to find gainful employment within their first year after graduation.

16. **Mr. Humaid Alsuwaidi** (United Arab Emirates) said that the Government had ratified the International Labour Organization (ILO) Equal Remuneration Convention, 1951 (No. 100) and the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111). In the past, the wife, daughter or female relative of a person who had the right to work in the United Arab Emirates had been allowed to take up employment provided her husband authorized her to do so. However, the Government had recently lifted that restriction and the husband's authorization was no longer required.

17. With regard to the issue of forced labour, he said that his Government was aware of the risks of labour exploitation and that indirect forms of exploitation were particularly widespread. Employees were not always familiar with the terms of work and often did not sign a labour contract, which placed them in a very vulnerable position. On 1 January 2015, a decision had been taken to eliminate certain harmful practices in that regard. For example, employers were no longer allowed to confiscate an employee's passport. Following that decision, all confiscated passports had been returned to the employees concerned.

18. Partnerships and agreements were crucial to improving working conditions. In 2008, the Government had discussed partnerships with 21 different States. A number of useful initiatives had been launched as a result, including cooperation agreements and memorandums of understanding on employment issues with countries that exported labour to the United Arab Emirates, including Pakistan, India and the Philippines. The Government attached great importance to the principle of shared responsibility in that area.

19. **Ms. Allamki** (United Arab Emirates) said that the Government ensured the health and safety of all citizens. Foreign nationals who wished to take up employment in the United Arab Emirates were required to submit a certificate of good health from their country. The measure was not discriminatory but rather designed to protect the rest of the population from HIV/AIDS and other diseases. Awareness campaigns were conducted to prevent discrimination and stigmatization.

20. **Ms. Maitha Alshamsi** (United Arab Emirates) said that, although there was no special institution dealing exclusively with matters relating to abortion, reproductive health and family planning, the federal health authority, hospitals, regional health centres, women's associations and organizations working with children provided a range of services related to reproductive health and family planning. In addition, educational activities were conducted in schools and universities in order to raise girls' and young women's awareness of their rights. Steps were taken to ensure proper coordination of those activities among the Ministry of Education, educational

establishments and the relevant women's and children's organizations. In cooperation with a number of partners, the Government took active steps to improve women's reproductive health and ensure the availability of quality family planning services and proper nutrition, including for babies.

21. **Ms. Gabr** asked for clarification as to whether women wishing to take up work in the future would require their husband's authorization or whether that requirement had been lifted once and for all.

22. **Mr. Humaid Alsuwaidi** (United Arab Emirates) said that such authorizations were no longer required. The measure applied at the federal level as well as in individual emirates.

23. **Ms. Acar** asked whether that measure also applied to foreign women.

24. **Mr. Humaid Alsuwaidi** (United Arab Emirates) said that it applied to all women working in the public and private sectors, regardless of their citizenship or residence status.

25. **Ms. Gabr** welcomed the efforts made to ensure the enjoyment of social rights at all levels, but expressed concern about the status of women with disabilities. She asked whether the Government had adopted temporary special measures for that group. It would also be useful to know whether steps were taken to create special conditions for women in rural or remote areas and whether stateless persons received social benefits. Additional detailed information on women living in rural and border areas would be welcome. Did women living in those areas receive assistance and have access to loans? Lastly, she enquired whether the Government planned to establish a dialogue on stateless persons with the Office of the United Nations High Commissioner for Refugees (UNHCR).

26. **Ms. Khanji** (United Arab Emirates) said that, through a strategic partnership with over 30 institutions, departments and agencies, the Government had developed policies to promote the social inclusion of persons with disabilities and to ensure their access to education, employment, health and other services. Comparative studies had been carried out in cooperation with other countries to ensure that the necessary infrastructure was in place for the rehabilitation of that group of the population.

27. **Ms. Maitha Alshamsi** (United Arab Emirates) said that women had access to state-of-the-art facilities and services regardless of whether they lived in urban, rural or border areas. A wide variety of services were now provided through mobile phone applications. The quality of services in general had improved significantly over recent years.

28. With regard to the refugee crisis, she said that her Government attached great importance to providing assistance to refugees. A number of initiatives had been launched through the International Federation of the Red Cross and Red Crescent Societies (IFRC), as well as through charity organizations around the country. Assistance was provided on an equal basis, without discrimination on grounds of race, ethnicity or religion. She stressed the need for international cooperation and solidarity in tackling the refugee crisis. In 2003, a memorandum of understanding had been signed with UNHCR to establish an assistance fund for female refugees. The Government and UNHCR were discussing ways to provide services to more women around the world. She hoped that the fund would play an important role in that regard.

29. **Ms. Alamri** (United Arab Emirates) said that women with disabilities were integrated in society and worked in the public and private sectors. Special workshops were organized for women with disabilities and their families. Social services were provided to all persons living in the country, including stateless persons.

Articles 15 and 16

30. **Ms. Maitha Alshamsi** (United Arab Emirates) reiterated that there was no discrimination in the provision of services and that stateless persons had access free of charge to health, education, social and other services.

31. **Ms. Acar** welcomed the fact that the Government was considering lifting the State party's reservation to article 15, paragraph 2, of the Convention and asked for detailed information on the impact of the reservation on women in the country. In particular, it would be useful to know how the reservation affected women's right to freedom of movement. Did women enjoy the same rights as men if they wished to travel in the country, or abroad?

32. According to the delegation, no early marriages took place in the country. However, according to alternative reports, child and early marriages were widespread. She asked the delegation to clarify that contradiction and to provide data on unregistered early marriages. What was being done to enforce the law in that regard?

33. According to some sources of information, the law prevented women from taking autonomous decisions on when and whom to marry. Marriage contracts were concluded and annulled by male guardians. She would be interested to know whether a refusal by a husband to grant his wife an authorization to work could be used by the latter as grounds for divorce and, if so, whether the woman could be sanctioned for disobedience for doing so. She found it contradictory that women were allowed to be members of company boards and make important financial and business decisions, but were not allowed to make decisions within their own marriage. She also found it hard to believe that women wishing to remarry had to ask their sons for permission.

34. She enquired whether the Government registered divorces and asked the delegation to provide data on the number of divorces in the country, disaggregated by sex of the person who had requested the divorce and by reason for doing so. Was violence one of the main reasons for divorce? With regard to *khula*, which made it possible for women to obtain a divorce provided they returned their dowry to the husband and renounced their right to alimony, she said that the practice seemed to be more useful to rich women than anyone else and wondered whether it was not discriminatory. Did the Government plan to establish a support mechanism or a fund in order to enable women who could not otherwise afford it to obtain a divorce through the same procedure? She said that she would like further information about the divorce procedure, including women's child custody and guardianship rights. She also wished to know whether the State party had considered prohibiting polygamy.

35. **Ms. Maitha Alshamsi** (United Arab Emirates) said that the marriage fund provided financial assistance, subject to medical checks, to young persons wishing to marry and start a family. Awareness-raising programmes and training courses had been conducted in schools and higher education establishments to teach students of both sexes about marital relationships and raising children. Very few cases of early marriage had been reported in recent years and the majority of couples married between the ages of 23 and 30. Women were free to choose whether they wished to marry and divorce and were not subject to pressure from their husbands or other male family members. The national divorce rate stood at around 23 per cent. Child custody arrangements could be settled out of court if both spouses were able to reach a mutually satisfactory agreement and fathers were required to pay maintenance for their children if they were not awarded full-time custody.

36. **Mr. Humaid Alsuwaidi** (United Arab Emirates) said that women could travel freely and did not require the prior authorization of their husband or other male family members. Only the courts could issue travel bans or restrictions.

37. **Ms. Alameri** (United Arab Emirates) said that a national family support centre had been established with the aim of providing counselling, arbitration and reconciliation services for married couples seeking a divorce. Over 800 couples had used its services in recent years. Women also had access to a variety of additional support services and measures during divorce proceedings if required.

38. **Ms. Acar** asked whether the State party had considered amending national legislation to include specific reference to women's rights during divorce and custody proceedings. She also wished to know whether women could choose to work without their husbands' consent.

39. **Ms. Maitha Alshamsi** (United Arab Emirates) said that the principle of equality was enshrined in national legislation. Women had the right to make their own decisions, including whether or not they wished to work. Specific provisions could also be included in the marriage contract to stipulate a woman's wish to study, work or manage her own financial affairs, where appropriate.

40. **Ms. Sara Alshamsi** (United Arab Emirates) said that there were no legislative provisions prohibiting women's access to the labour market and no impediment to women working.

41. **Ms. Noora Alsuwaidi** (United Arab Emirates) said that the National Strategy for the Empowerment and Advancement of Emirati Women (2015-2021) contained measures to promote and protect the rights of women with disabilities. The Government also intended to review national legislation in order to make specific reference to their rights.

42. **Ms. Gabr** asked whether age was a factor in the decision to place women under male guardianship during marriage or divorce proceedings.

43. **Ms. Sara Alshamsi** (United Arab Emirates) said that women were not subject to male guardianship. They were free to make their own decisions in all areas of their lives. Guardianship of children could be awarded to either the mother or the father during divorce proceedings, depending on the best interests of the child.

44. **Ms. Almaazmi** (United Arab Emirates) said that all persons had the right to conclude civil or commercial contracts unless their legal capacity had been restricted by the courts. Women had the right to appoint a guardian to represent them during the conclusion of contracts if they so wished, particularly if they found it unseemly to participate directly in the negotiations.

45. **Ms. Haidar** asked whether women were able to directly consent to marriage and divorce.

46. **Ms. Maitha Alshamsi** (United Arab Emirates) said that a marriage contract could not be concluded without the direct consent of the woman. Women were not subject to any form of guardianship unless they so wished or upon the ruling of the courts.

47. **The Chairperson** thanked the delegation for the constructive dialogue, which had enabled the Committee to gain further insight into the situation of women in the United Arab Emirates. She commended the State party for its efforts and urged it to take all necessary measures to address the Committee's concerns and recommendations.

48. **Ms. Maitha Alshamsi** (United Arab Emirates) thanked the Committee members for their valuable and insightful comments and recommendations and said that her Government remained committed to promoting and protecting women's rights.

The discussion covered in the summary record ended at 4.55 p.m.