

Ref: TG MDE 25.2012.003  
Index: MDE 25/008/2012

Sheikh Abdullah bin Zayed Al Nahyan  
Minister of Foreign Affairs  
Ministry for Foreign Affairs  
Abu Dhabi, POB: 1  
United Arab Emirates

19 October 2012

Dear Minister,

**OPEN LETTER: THE UNITED ARAB EMIRATES' CANDIDACY FOR ELECTION TO THE UN HUMAN RIGHTS COUNCIL**

We write on the occasion of your country's candidacy for membership of the UN Human Rights Council in the elections scheduled for 12 November 2012. We welcome your submission of election pledges to promote and protect human rights at the national and international levels, as indicated in the Annex to the letter dated 13 March 2012 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the President of the General Assembly.<sup>1</sup>

We recall that, according to General Assembly resolution 60/251, members of the Council shall uphold the highest standards in the promotion and protection of human rights and fully cooperate with the Council.<sup>2</sup> On the occasion of the United Arab Emirates' candidacy, we take the opportunity to comment on your election pledges and to note additional opportunities for your government to promote and protect human rights. In doing so, we refer to the guidance of the Office of the High Commissioner for Human Rights on presenting voluntary human rights pledges and commitments, including that such pledges and commitments should be specific, measurable and verifiable.<sup>3</sup>

**Commitments at the international level**

*Ratification of international human rights instruments*

We take this opportunity to encourage you to ratify the international human rights instruments that are still outstanding, in particular the International Covenant on Civil and Political Rights and its Optional Protocols; the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol; and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

*Cooperation with the Special Procedures*

All Members of the Council are requested to fully cooperate with the Special Procedures. We note that the Special Rapporteur on the right to education is currently requesting permission to visit, and we urge your government to facilitate this visit without delay. We also note that the Special Rapporteur on trafficking in persons, especially in women and children, visited the United Arab Emirates in April 2012, and we encourage you to implement her recommendations.

---

<sup>1</sup> A/67/85.

<sup>2</sup> A/RES/60/251, para 9.

<sup>3</sup> Office of the High Commissioner for Human Rights, *Suggested Elements for Voluntary Pledges and Commitments by Candidates for Election to the Human Rights Council*, available at <http://www2.ohchr.org/english/bodies/hrcouncil/docs/pledges.pdf>.

### *Cooperation with the treaty monitoring bodies*

We urge you to promptly submit the periodic reports that are due to the Committee on the Rights of the Child, the Committee on the Elimination of Racial Discrimination, and the Committee on the Rights of Persons with Disabilities. We also encourage you to implement the 2010 recommendations by the Committee on the Elimination of Discrimination against Women, in particular to enact legislation on violence against women, including domestic violence, to ensure that it is a criminal offence;<sup>4</sup> to guarantee equal application of all labour laws to women and men regardless of their nationality;<sup>5</sup> and to abolish all discriminatory provisions on women's freedom of movement.<sup>6</sup>

### *Engagement with the Universal Periodic Review*

We welcome your pledge to promote dialogue with civil society regarding the follow-up to and implementation of the recommendations arising from the United Arab Emirates' first Universal Periodic Review (UPR), which took place in 2008.

The second review of the United Arab Emirates is taking place in January 2013. In our submission for the review, we have expressed concern that the human rights situation in the United Arab Emirates has deteriorated since your first UPR in 2008, and that despite your endorsement of a range of recommendations made to you during the first review, there has been little or no progress in implementing these recommendations. Contrary to a commitment to support victims of domestic violence, the Supreme Court in 2010 upheld a husband's right to "discipline" his wife and children, provided that this left no visible marks. Despite commitments to protect migrant workers, such workers continue to be exploited and abused by their employers. We urge your government to address these issues, as well as restrictions on the rights to freedom of expression and association, and torture and ill-treatment of individuals held in incommunicado detention, in the course of your second review, and to be open to supporting and implementing recommendations pertaining to these concerns.

### *Participation in the deliberations of the Human Rights Council*

We note your commitment to strengthen cooperation with the Human Rights Council and enhance coordination and dialogue with its various bodies and mechanisms.

In this regard, we urge your government to work with delegations from all regions to ensure that the Council addresses situations of human rights violations, including gross and systematic violations and human rights emergencies, without selectivity or double-standards. We also urge your government to support efforts to ensure that all credible allegations of reprisals or intimidation against persons and groups who have engaged or have sought to engage with the UN human rights machinery are brought to the urgent attention of the Council; that the Council demands the government concerned to ensure that any alleged reprisals are investigated in a prompt, impartial, transparent and effective manner and that perpetrators are held to account; and that the Council requests the government concerned to inform it of measures taken in this regard.

### **Commitments at the national level**

We note your commitments to undertake a study to bring provisions of federal law on combating human trafficking into line with the Palermo Convention; to strengthen labour systems and take further steps to improve the conditions of contract labour; to continue infrastructure work to ensure the effective enjoyment of economic, social, and cultural rights, including the right to health, of those living in rural areas; to organize training in human rights for law enforcement agencies; to pursue legislative reforms with a view to promoting and protecting human rights in accordance with international standards; to

---

<sup>4</sup> Concluding observations of the Committee on the Elimination of Discrimination against Women, United Arab Emirates, 5 February 2010 (CEDAW/C/ARE/CO/1), recommendation 27.

<sup>5</sup> CEDAW/C/ARE/CO/1, recommendation 37.

<sup>6</sup> CEDAW/C/ARE/CO/1, recommendation 46.

study the possibility of establishing an independent national human rights body; and to work on developing a concrete national strategy for the promotion of human rights culture at all levels.

In addition to these commitments, we call on you to establish a moratorium on executions with a view to abolishing the death penalty; to revoke or amend laws, including those governing NGOs, that criminalize freedom of expression and association; to ensure that all allegations of torture and other ill-treatment are independently and promptly investigated; and to immediately cease all incommunicado and secret detentions.

We welcome the pledges and commitments already made by the United Arab Emirates, and we urge your government to use this opportunity to further strengthen its election pledges by including the additional elements listed above. We also encourage your government to announce the steps it will take to fulfil its electoral pledges and to regularly inform the General Assembly and the Human Rights Council of progress in implementing these commitments. This could be done, for example, in the form of an oral or written statement to these bodies.

We would be pleased to receive your comments and responses to the issues raised in this letter.

A copy of this letter has been sent to your country's permanent missions in Geneva and New York.

Yours sincerely,

Ann Harrison  
Deputy Programme Director  
Middle East North Africa Programme  
Amnesty International