

16 July 2012

Islamic Human Rights Commission

United Arab Emirates

Submission to the UN Universal Periodic Review

Fifteenth session of the UPR Working Group of the Human Rights Council

Jan-Feb 2013



The Islamic Human Rights Commission is an NGO in Special Consultative Status with the Economic and Social Council of the United Nations.

www.ihrc.org.uk

info@ihrc.org

Executive Summary

In this submission, Islamic Human Rights Commission provides information under section B, C, D and E as stipulated in the General Guidelines for the Preparation of Information under the Universal Periodic Review:

- Under section B, IHRC raises concerns over the plight of immigrant workers in UAE that do not have basic facilities and rights as employees.
- Section C highlights IHRC's condemnation of the invasion of Bahrain by UAE, whose troops are assisting in crushing pro-democracy activists.
- In Section D , IHRC highlights the discriminatory treatment that Shia minorities are suffering at the hands of UAE authorities.
- In Section E, IHRC makes a number of recommendations for actions by the international community in the areas of concern.

B. Exploitation of Migrant Workers

In the UAE migrants, particularly migrant workers, make up the majority of the resident population of the country and account for 90¹ per cent of its work force. Despite being the backbone of the UAE's economy these workers lack the rights associated with citizenship and thus face a variety of restrictions to their rights. To start with to obtain a visa needed to work in the UAE, these migrant labours have to pay heavy fees to labour supply agencies in their home countries that are contracted to supply labour to construction companies in the UAE. Migrant workers often pay exorbitant fees to labour supply agencies in their home countries to secure visas to work in the UAE. Often from poor backgrounds, these workers often sell valuables, homes, or land in order to secure these visas; or take out loans to pay the fees at high interest rates that create even further debts. Upon arrival in the UAE, they find themselves signing work contracts on the worst possible terms. UAE law prohibit agencies from charging high recruitment fees but this law is not enforced.

Apart from the expensive hiring process the other main problems that are being faced by these workers include low or non-payment of wages, unsafe work environment, and the withholding of travel documents. These workers typically live eight to a room, sending home a portion of their salary to their families whom they do not see for years at a time. Also, often their salary is withheld to pay back loans, making them little more than indentured servants. Unfortunately the immigration sponsorship law of the UAE grants employers extraordinary powers over the lives of these workers. Workers that are not satisfied with their employment contract or working conditions have only two choice i.e. to quit their job while still owing thousands of dollars for the unlawful recruiting fees, or continuing to work in exploitative conditions. In practice this means that they do not have an option to demand better pay or living conditions, as UAE law does not protect the basic rights to form unions or strike.

Along with unfavourable employment law, labour law in the UAE generally favours the employers and is less centred on the rights of employees. The Ministry of Labour is often criticized for loosely enforcing these laws, most notably late or no wage or overtime payment for both blue collar and white collar employees. IHRC condemns these kinds of laws which discourage the free movement of labour, and give employers an unfair advantage in salary negotiations. The situation is even worse for female domestic workers in the UAE who suffer unpaid wages, food deprivation, long working hours, forced confinement and physical and sexual abuse. Although a standard contract for domestic workers was introduced in April 2007, it does not limit working hours or provide a weekly rest day, overtime or worker compensation.

The year 2011 saw some positive developments for migrant workers but more needs to be done. HRC is alarmed at this situation and condemn those laws in the UAE which lead to the inhuman treatment of migrant workers.

C. Repression in Bahrain

In March 2011, the UAE sent troops to Bahrain along with other Gulf states such as Saudi Arabia to crush the pro-democracy uprising. IHRC condemn the military intervention of Saudi Arabian, UAE and Qatari troops that has resulted in the death of 12 civilians and over 2000² people wounded.

¹ <http://www.nytimes.com/2007/08/05/world/africa/05iht-dubai.3.6990197.html?pagewanted=all>

² <http://www.ihrc.org.uk/events/9613-protest-against-attacks-in-bahrain>

D. Suppression of Shia Muslims

In recent months a number of Palestinians and Lebanese Shias have been forced to leave the UAE. When ordering deportation, UAE officials do not give any explanation behind the orders apart from, indicating that their orders have been issued from superiors. Some of these Shias had been living in the country for 20 years.

E. Recommendations

- IHRC calls on the UAE government to develop a just immigration policy which gives the right of citizenship or residency to migrant workers.
- UAE government must legislate in the area of employment law so to provides migrant workers with the basic facilities of an employee, as well as safeguards.
- IHRC calls on UAE authorities to develop a foreign policy which supports the transition of democracy in Bahrain.
- The deportation of Shia Muslims must be immediately stopped.