



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women

### List of issues and questions in relation to the fourth periodic report of the United Arab Emirates\*

#### Legislative framework and definition of discrimination against women

1. With reference to the Committee's previous recommendations ([CEDAW/C/ARE/CO/2-3](#), paras. 12 and 14) and in the light of the structural advancement foreseen in the Vision 2030, please indicate steps taken to ensure the precedence of the Convention over national laws and concrete measures taken to accelerate the process of incorporating the Convention into the national legal system in order to make its provisions directly applicable in the national courts. Please inform the Committee about measures taken to incorporate the principle of equality of women and men into the Constitution and to prohibit and sanction all forms of direct and indirect discrimination against women. Please also inform the Committee about concrete steps taken to repeal all discriminatory provisions in the State party's legislation, such as of the concept of male guardianship and the obligation imposed on women to obey their husband (art. 56 of the Personal Status Law). Please indicate measures taken to combat all forms of discrimination, including intersecting discrimination, and build an inclusive society.

#### Withdrawal of reservations and ratification of the Optional Protocol

2. Please describe progress made by the State party towards withdrawing or narrowing the scope of its reservations to articles 2 (f), 9, 15 (2), 16 and 29 (1) of the Convention and ratifying the Optional Protocol.

#### Women's rights and gender equality in relation to the pandemic and recovery efforts

3. In line with the Committee's guidance note on the obligations of States parties to the Convention in the context of the coronavirus disease (COVID-19) pandemic, issued on 22 April 2020, please indicate the measures implemented by the State party: to redress long-standing inequalities between women and men and to give a new impetus to the implementation of gender equality by placing women at the centre of recovery as a strategic priority for sustainable change, in line with the Sustainable Development Goals; to meet the needs and uphold the rights of women and girls,

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\* Adopted by the pre-sessional working group on 5 March 2021.



including those belonging to disadvantaged and marginalized groups and women in situations of conflict or other humanitarian emergencies; and to ensure that, in the context of lockdown measures, whether partial or total, and in post-crisis recovery plans women and girls are not relegated to stereotypical gender roles. Please indicate the measures in place to ensure that all COVID-19 crisis responses and recovery efforts: effectively address and are aimed at preventing gender-based violence against women and girls; guarantee the equal participation of women and girls in political and public life, decision-making, economic empowerment and service delivery, particularly in the design and implementation of recovery programmes; and are designed so that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic. Please explain how the State party is ensuring that measures taken to contain the pandemic, such as restrictions on freedom of movement or physical distancing, do not limit the access of women and girls, including those belonging to disadvantaged and marginalized groups, to justice, shelters, education, employment and health care, including sexual and reproductive health services.

#### **Access to justice**

4. Please describe measures taken to raise women's awareness of their rights and measures taken to raise men's awareness of women's rights, in particular in rural and remote areas, in line with the Committee's general recommendation No. 33 (2015) on women's access to justice. Please provide information on the legal remedies available to women to complain about gender-based discrimination. Please also provide information on the situation of women human rights defenders and measures taken to ensure freedom of expression and respect for legal procedures in cases of arrest and detention, in line with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules). In the light of general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations and of Security Council resolution 1325 (2000) and subsequent resolutions on women and peace and security, please indicate measures taken to ensure the protection of women against war crimes and violence and their effective participation in peace processes.

#### **National machinery for the advancement of women**

5. With reference to the Committee's previous recommendations (CEDAW/C/ARE/CO/2-3, para. 18 (a) to (c)), please provide detailed information on the mandate, status and authority of the General Women's Union and on its relationship with relevant ministries and women's institutions. Please also provide information on the human, technical and financial resources from the national budget allocated to the General Women's Union. Please describe the impact of the implementation of the national strategy for the empowerment of Emirati women for the period 2015–2021 on women's rights and the level of involvement of civil society in the preparation, implementation and evaluation of plans (para. 10),<sup>1</sup> in line with target 5.5 of the Sustainable Development Goals. Please indicate whether gender-responsive budgeting is mandatory for all government departments and whether specific budgetary benchmarks have been defined. Please provide information on concrete steps taken to establish a national human rights institution in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

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<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to fourth periodic report of the State party.

**Temporary special measures**

6. Please indicate whether the State party has adopted temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, aimed at accelerating achievement of the substantive equality of women and men in all areas in which women are still underrepresented or disadvantaged, in particular in political and public life, education and employment.

**Discriminatory stereotypes and harmful practices**

7. Please provide detailed information on measures taken to eliminate discriminatory stereotypes about the roles and responsibilities of women and men in the family and in society and their impact, including awareness-raising and educational programmes and media campaigns to convey positive images of women as active participants in economic, social and political life. Please indicate measures taken to address discriminatory gender stereotypes, negative portrayals of women and all forms of objectification of women in the media and advertisements and their results. Please also indicate measures taken to ensure the effective enforcement of the minimum age of marriage at 18 years, eliminate exceptions, including in religious marriages, and prohibit polygamy, in line with joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices.

8. In line with joint general recommendation No. 31/general comment No. 18, please provide information on legislative and other measures adopted to eradicate harmful practices, such as female genital mutilation, child marriage and polygamy, in the State party, including by promoting changes in attitude, in particular in rural areas.

**Gender-based violence against women**

9. In line with the Committee's general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, please provide information on:

(a) Steps taken to repeal article 356 of the Penal Code and to promptly release women and girls convicted of *zina* offences, especially foreign women who are victims of sexual violence and abuse;

(b) The number of investigations, prosecutions and convictions and the sentences imposed under Federal Decree-Law No. 10 (2019) on protection against domestic violence (para. 42), disaggregated by age and relationship between the perpetrator and the victim;

(c) Measures taken to end all forms of gender-based violence against women, including physical, psychological and domestic violence, marital rape, honour crimes, online violence and sexual harassment;

(d) Measures taken to allocate sufficient human, financial and technical resources for prevention, investigation, punishment and reparation, as well as measures taken to stamp out impunity in cases of gender-based violence against women;

(e) Capacity-building programmes provided for the judiciary, police officers and other law enforcement officials on the implementation of Federal Decree-Law No. 10 (2019).

10. Please indicate whether acts of gender-based violence against women are subject to ex officio prosecution, including in cases of withdrawal of the complaint or the absence of testimony by the victim in court, and how the non-prosecution of the victim and the confidentiality of the proceedings are ensured. Please indicate measures taken to ensure that:

(a) Protection orders are issued immediately and are effectively monitored and enforced in domestic violence cases;

(b) An enabling environment is created to encourage victims to report incidents of domestic violence, and that victims are informed about the importance of obtaining a permanent protection order and of not withdrawing their complaint upon reconciliation with the perpetrator;

(c) Gender bias, discriminatory stereotypes, patriarchal attitudes and victim-blaming beliefs among the judiciary, police officers, religious and traditional leaders, teachers and health professionals are eliminated, and that those persons are made aware of the specific risks and protection needs of women heads of household, women and girls who are domestic workers, migrant women and girls and women and girls with disabilities;

(d) Support services, shelters, medical and legal assistance, psychosocial assistance and reparations are available to victims of gender-based violence against women;

(e) The levels of funding for victim support services in the State budget are sufficient, in particular in rural and remote areas.

#### **Trafficking and exploitation of prostitution**

11. Please provide information on measures taken to protect women and girls who have been trafficked and to amend any legislation that may treat victims as women having consensual sex outside of marriage, which is punishable with detention in the State party. Please indicate the number of women and girls identified as victims of trafficking and the rehabilitation and reintegration services provided to them, in line with the Committee's general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration. Please specify measures taken to dismantle sex tourism networks and investigate reports of trafficking in organs affecting women and girls. Please provide information on ongoing progress and steps taken with a view to dismantling the *kafalah* system and ensuring that migrant workers can enter, reside in and leave the country and change employers without being dependent on an individual employer or company. Please provide information on steps taken to combat trafficking into forced labour and provide data on the number of related prosecutions and convictions in the past two years.

12. Please clarify whether women in prostitution in the State party are subjected to administrative fines and/or criminal penalties. Please describe measures taken to:

(a) Discourage the demand for prostitution;

(b) Ensure access to health care, including HIV testing and treatment, and modern contraceptives, including condoms, for women in prostitution and provide exit programmes and alternative income opportunities to enable them to leave prostitution;

(c) Address the root causes of the exploitation of women in prostitution and their stigmatization.

**Participation in political and public life**

13. Please provide updated data on the extension of increased representation of women in the political sphere to all public sectors, in particular the judiciary, including the Constitutional Court, the police, public services and the security sector. Please indicate measures taken to address factors that deter women from participating in political and public life, including their limited representation in decision-making positions.

**Nationality**

14. With reference to the Committee's previous recommendations (CEDAW/C/ARE/CO/2-3, para. 36), please provide information on concrete steps taken to continue to adapt national legislation to grant Emirati women the same rights as Emirati men to acquire, change and retain their nationality and to confer it on their children and foreign spouse. Please inform the Committee about measures taken to regularize the situation of stateless families, including Bedouin communities, and ensure their right to a nationality without discrimination. Please update the Committee on steps taken to ratify the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

**Education**

15. Please describe measures, including temporary special measures, taken to increase school enrolment and completion rates among girls, including migrant girls and girls with disabilities, at all levels of education, in particular in rural and remote areas. Please provide information on measures taken to continue to enhance access by women and girls to non-traditional fields of study and careers, in particular science, technology, engineering and mathematics and information and communications technology, and to the Mohamed bin Zayed University of Artificial Intelligence. Please also indicate measures taken to eliminate discriminatory gender stereotypes in school curricula. Please provide updated information on progress made in introducing inclusive education for women and girls with disabilities at all levels of the education system. Please provide information on specific measures to increase the enrolment and literacy rates of women and girls at all levels of the education system. Please indicate school dropout rates, disaggregated by sex, race, ethnicity, age, socioeconomic status and geographical location, and measures being taken to address the problem. Please provide information on the delivery of comprehensive and age-appropriate sexuality education at all levels of the education system.

**Employment**

16. Please describe measures taken to reduce unemployment among women and enhance their access to formal employment, address occupational segregation and close the gender pay gap. Please indicate measures taken to extend labour and social protection to women working in the informal economy. Please provide information on measures taken to encourage women to seek employment in traditionally male-dominated professions such as science, technology, artificial intelligence and engineering and in management positions, and provide relevant statistical data. Please also provide information on steps taken to incorporate a comprehensive definition of sexual harassment into the State party's labour legislation applicable to both the private and public sectors and to provide for access to effective remedies. Please provide information on the number and outcomes of complaints by women about discrimination and sexual harassment in the workplace and the effectiveness of labour inspections and other oversight mechanisms in the State party. Please indicate reforms

that the State party is undertaking to ensure compliance with legislation on domestic workers (paras. 86–88), including the number of labour inspections of private households and the fines imposed on abusive employers. Please provide information about measures taken to ratify the Violence and Harassment Convention, 2019 (No. 190), and the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization. Please provide information on measures taken to enable young mothers to return to work, including by promoting flexible working arrangements, equal sharing of family responsibilities by women and men, adequate childcare facilities and incentives for employers.

### **Health**

17. Please indicate measures taken to enhance access by women and girls to health care, including sexual and reproductive health services, in particular in rural and remote areas. With reference to the Committee's previous recommendations (CEDAW/C/ARE/CO/2-3, para. 42 (a) and (b) ), please indicate whether abortion is legal, at least in cases of rape, incest, threats to the life or health of the pregnant woman or severe fetal impairment, and decriminalized in all other cases in the State party. Please provide information on measures taken to ensure that women and adolescent girls have access to safe abortion and post-abortion services. Please provide information on the availability of age-appropriate sexuality education at all levels of the education system, including in rural and remote areas.

18. Please indicate the percentage of women and girls without health insurance in the State party, including in the context of the COVID-19 pandemic. Please indicate measures in place to ensure that women and girls with disabilities are not placed in mental health institutions and that no medical interventions are performed on them without their free, full and informed consent.

### **Economic empowerment and social benefits**

19. Please provide information on access by women to loans and financial credit without the requirement of collateral and, therefore, on the promotion of inclusiveness in society and support for families. Please indicate measures taken to repeal discriminatory provisions regarding access by women to land and other property. Please indicate the percentage of businesses run by women and measures taken to promote their entrepreneurship in order to consolidate existing significant progress and the availability of social security provisions.

### **Rural women**

20. Please provide information on measures taken to combat poverty among and improve data collection with regard to rural women. Please also provide information on the participation of rural women in the design and development of policies, including on economic diversification and climate change, in line with the Sustainable Development Goals and in accordance with the Committee's general recommendation No. 34 (2016) on the rights of rural women. Please provide updated information on measures taken to implement legal, financial, media and information literacy programmes for rural women.

### **Women with disabilities**

21. Please indicate new strategies and concrete measures put in place to ensure inclusive access to education, employment, health care and information on family planning and the right to enter into marriage for women with disabilities. Please also provide information on measures taken by the State party to include women and girls with disabilities in all policies and strategies intended to promote equal opportunities

for women and men, in particular with regard to access to justice, protection against violence and access to poverty reduction programmes. Please also indicate how free and informed consent is ensured for women with disabilities prior to any medical treatment, as well as any existing exceptions to this universal right.

**Marriage and family relations**

22. Please provide information on measures taken to repeal discriminatory provisions relating to marriage, divorce, custody and legal guardianship of children, division of property and inheritance. Please provide information on steps taken to repeal or amend all sex-discriminatory legislation, including article 334 of the Personal Status Law, which currently allows de jure and de facto discrimination in inheritance. Please also update the Committee on measures taken to address the stigmatization of single mothers and provide support to them, including through social protection and child support schemes, paternity recognition procedures and the enforcement of alimony and maintenance obligations of ex-husbands and fathers of their children.

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