

COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW

United Arab Emirates - 2023

THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR Protocol of 2014 P029 to the Forced Labour Convention

REPORTING

Fulfillment of Government's reporting obligations

Yes

Involvement of Employers' and Workers' organizations in the reporting process

91. When preparing its report, did the Government consult? [10.1]

a) The most representative employers' organizations, b) The most representative workers organizations.

92. To which employers organizations was the report sent? [12] Please provide the list

UAE Federation of Chambers of Commerce.

93. To which workers organizations was the report sent? [13] Please provide the list

Coordinating Assembly for Occupation Societies.

94. Please describe the consultation process(es). [10.2]

OBSERVATIONS BY THE SOCIAL PARTNERS

Employers' organizations

83. Have employers and or workers organizations been consulted in the development and implementation of adopted measures? [6.1]	Yes
84. Please provide details and provide any relevant URL(s) [6.2]	The UAE regularly consults with the UAE Federation of Chambers and Commerce which offers the perspective of some of the leading businesses in the UAE, in addition to consulting the Coordinating Assembly for Occupational Societies, to provide insight from the perspective of employees, especially when developing new laws and regulations.
95. Did employers organizations comment on the report? [11a]	No
97. Please provide URL(s) to the responses and comments of the employers and workers organizations to the above questions, if you have received them	

Workers' organizations

83. Have employers and or workers organizations been consulted in the development and implementation of adopted measures? [6.1]	Yes
84. Please provide details and provide any relevant URL(s) [6.2]	The UAE regularly consults with the UAE Federation of Chambers and Commerce which offers the perspective of some of the leading businesses in the UAE, in addition to consulting the Coordinating Assembly for Occupational Societies, to provide insight from the perspective of employees, especially when developing new laws and regulations.
96. Did workers organizations comment on the report? [11b]	No
97. Please provide URL(s) to the responses and comments of the employers and workers organizations to the above questions, if you have received them	

EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL

Ratification

Ratification intention

61. If you have ratified Convention No. 29 but not the 2014 Protocol to Convention No. 29, what are the prospects for ratification of the Protocol?

Likely

62. What, if any, are the impediments to the ratification of the 2014 Protocol to Convention No. 29?

Procedural

Existence of a policy and or plan of action for the suppression of forced or compulsory labour

63. Is there a national policy and plan of action aimed at realizing the principle of effective and sustained suppression of all forms of forced or compulsory labour through prevention, victim protection and access to remedies? [1.1]

Yes

65. Please also indicate the manner in which employers' and workers' organizations have been consulted. [1.3]

Consultation Councils.

66. Does the Government envisage adopting a national policy and/or plan of action in this regard? [1.4]?

67. Does the Government wish to receive ILO assistance in developing a national policy and/or plan of action in this regard? [1.4b]

68. Is there a national policy and plan of action setting out measures and specific action for combatting trafficking in persons for the purposes of forced or compulsory labour? [1.5]

Yes

69. Please describe these measures. [1.5]

The UAE Government attained the highest consideration to heinous crime of forced labour and/or human trafficking. It set the foundation to combat this crime in the law, and ensured its execution through a whole of government approach and mandated the establishment of a National Committee on Combatting Human Trafficking comprised of 14 of the most significant actors in the Government. The committee then produced a 5P Strategic Process to execute the law and realise the UAE Governments vision in combatting human trafficking in all its forms. NCCHT: <https://nccht.moi.gov.ae/en/page/UAE-National-Committee-to-Combat-Human-Trafficking>

	MOFA: https://www.mofa.gov.ae/en/The-Ministry/The-Foreign-Policy/Human-Trafficking PCHR: https://pchr-uat.azurewebsites.net/en/reports-and-publications
70. Does the Government collect and analyse statistical data and other information on the nature and extent of forced or compulsory labour? [1.6]	Yes
71. Please describe these data. [1.6.1]	Data is collected through a set of indicators measuring the labor market performance that assist in detecting violations, which indicate the possibility of suspected human trafficking crimes. Once these indicators are detected, the facility is referred for further inspection in cooperation with the police, to then refer it to prosecution.
72. Does the Government envisage collecting data on forced or compulsory labour? [1.6.2]	
Measures taken or envisaged for systematic and coordinated action	
64. Please describe the measures envisaged, the established objectives and the authorities responsible for the implementation, coordination and assessment of these measures. Please provide any relevant URL(s) [1.2]	The National Committee on Combatting Human Trafficking is comprised of almost 17 entities from across the Emirates including: 1. Ministry of Justice 2. Ministry of Interior 3. Ministry of Foreign Affairs 4. Ministry of Human Resources and Emiratization 5. Dubai Foundation for Women and Children 6. Ewaa 7. Dubai Police 8. Ministry of Community Development 9. Ministry of Health and Prevention 10. Ministry of Tolerance 11. Abu Dhabi Judicial Department 12. Federal Authority for Identity, Citizenship, Customs and Port Security 13. Central Bank of the UAE 14. Aman - RAK 15. Federal Public Prosecution 16. Ministry of State for Federal National Council Affairs 17. Public Prosecution Abu Dhabi/Dubai/Ras Al Khaima. The above entities are mandated to work together on improving awareness at the local level with the public on engaging in such illicit activities and of raising awareness on the various mediums available to complain and notify the authorities of suspicious behaviour. The committee also shares knowledge on best practices and activities that could be replicated, in addition to implementing the strategy on improving and equipping the law enforcement officers with the right set of skills that enable them to monitor and detect any cases of human trafficking and/or forced labour, specifically labour inspectors, an example of which is the recent technical cooperation between MOHRE and the ILO to upskills labour inspectors with the necessary tools and knowledge to detect violations in the labour market. https://www.mohre.gov.ae/en/media-centre/news/19/6/2023/uae-ilo-sign-cooperation-agreement-to-enhance-labour-inspection-capabilities.aspx

Measures taken or envisaged to prevent forms of forced labour

74. Have measures been taken or are measures envisaged for the prevention of all forms of forced or compulsory labour? [2.1]	Yes
75. If so, please indicate the type of measures, [2.2]	a) Information, education and awareness raising targeting especially people in vulnerable situation and employers, b) Strengthening and broadening of the coverage of legislation, particularly labour law, c) Regulation and supervision of the labour recruitment and placement process, d) Supporting due diligence by the public and private sectors, e) Addressing the root causes that perpetuate forced labour, f) Promotion of safe and regular migration, h) Capacity building for the competent authorities, j) Basic social security guarantees.
75.a. Please provide a description of measures taken or envisaged:	The Ministry of Human Resources and Emiratisation, in collaboration with relevant entities, raises awareness of the rights and obligations of workers and employers equally, with emphasis on the importance of respecting human rights and dignity in all levels of interaction.
75.b. Please provide a description of measures taken or envisaged:	The Ministry has also taken steps to reduce the waiting time on the judicial proceedings and worked together with the relevant authorities in creating the one-day trial to assist workers in settling their cases swiftly.
75.e. Please provide a description of measures taken or envisaged:	The law effectively addressed some of the root causes of forced labour, primarily: - Contract substitution: a double verification system that requires the job offer received at the country of origin to mirror the job contract - Wage: the establishment of an electronic monitoring system in cooperation with the central bank to oversee the payment of wages on time - passport confiscation: fines or prosecution - termination conditions: workers have the legal right to terminate their contracts at any given time in their employment period and are not required to compensate the employer - zero-recruitment cost on worker - compulsory orientation.
75.a.-c., e. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:	UAE Private Sector Labour Market Employees.
75.f. Please provide a description of measures taken or envisaged:	The Abu Dhabi Dialogue regional consultative mechanism on labour mobility works together with governments, international organisations, civil society, and the private sector in recognising best practices and solutions that effectively tackle the challenges arising during the overseas recruitment process, while also cooperating on achieving the objectives of the Global Compact on Migration.
75.f. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:	Asian Governments of Labour sending and receiving countries.

75.h. Please provide a description of measures taken or envisaged:	The agreement aims to develop the skills and capabilities of inspectors at the Ministry, which would enable them to carry out their inspection tasks proactively and enhance their capacities, in line with the best international practices and standards.
75.h. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:	Labour Inspectors at the Ministry of Human Resources and Emiratisation https://www.mohre.gov.ae/en/media-centre/news/19/6/2023/uae-ilo-sign-cooperation-agreement-to-enhance-labour-inspection-capabilities.aspx
75.j. Please provide a description of measures taken or envisaged:	The Ministry has introduced a number of social protection measures that work to mitigate the risk of falling prey to unrecovered entitlements or situations of forced labour; primarily the unemployment insurance scheme which allows a sum of money to be available to the worker upon their loss of employment to ensure decent living and an opportunity for the worker to secure alternative work.
75.j. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:	Private Sector and Federal Government Employees

Measures taken or envisaged to protect victims of forced labour

76. Have measures been taken or are measures envisaged for the identification, release, protection, recovery and rehabilitation of victims of all forms of forced or compulsory labour? [3.1]	Yes
77. If so, please indicate the type of measures [3.2]	a) Training of relevant actors for identification of forced labour practices, b) Legal protection of victims ,d) Medical and psychological assistance for victims, f) Protection of privacy and identity, g) Appropriate accommodation.
77.a. Please provide a description of measures taken or envisaged:	The Ministry recently entered into a technical agreement with the International Labour Organization to equip its labour inspectorates with the appropriate skills to identify victims of trafficking/forced labour. Labour Inspectors are enrolled into a Combatting Human Trafficking Diploma in cooperation with the Dubai Judicial Institute.
77.a. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:	Law enforcement officers including labour inspectors.
77.b. Please provide a description of measures taken or envisaged:	Protecting victims and preserving their dignity is one of the first strategic and fundamental pillars when dealing with human trafficking issues in the United Arab Emirates. Accordingly, the state has established a number of centres and institutions for the care and shelter of victims to deal with them with all professionalism. Victim care and shelter centres and institutions receive all victims of human trafficking at the state level, and in this regard, they implement a number of programs designed to provide all the necessary support requirements for victims in an urgent and fair manner, without discrimination of race or gender.

	DFWAC: https://www.dfwac.ae/human-trafficking-services EWAA: https://www.mediaoffice.abudhabi/en/topic/ewaa/
77.d. Please provide a description of measures taken or envisaged:	Shelter centres and institutions provide free health services to victims in cooperation with health authorities by providing nurses/medical supervisors to arrange appointments for victims, to conduct comprehensive health examinations, in addition to supervising the medication dispensing mechanism, accompanying victims on their medical appointments to the clinics, and spending the night with them if necessary.
77.f. Please provide a description of measures taken or envisaged:	Non-disclosure of the victim and/or potential victim's identity by the authorities concerned, when dealing with them from the moment of their identification, until they pass the rehabilitation programme -Information concerning the victim and/or potential victim, or the incident, or location of the victim, are not published.
77.g. Please provide a description of measures taken or envisaged:	Shelter Centres and institutions for victims of human trafficking provide shelter services to all victims to protect them from any danger that may pose a threat to their safety.
77. b., d., f., g. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:	All victims.

Measures taken or envisaged to facilitate access to remedies

78. Have measures been taken or are measures envisaged to provide victims of all forms of forced or compulsory labour with access to remedies? [4.1]	Yes
79. If so, please indicate the type of measures, [4.2]	a) Information and counselling for victims regarding their rights, b) Free legal assistance, c) Cost-free proceedings, d) Development of forced labour indicators, e) Access to remedies and compensation, f) Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges, g) Provision for authorities not to prosecute victims for acts which they have been compelled to commit, h) Provision of penalties such as the confiscation of assets and criminal liability of legal persons.
80. Please indicate whether the measures aimed at providing access to justice and remedies apply to all victims of forced or compulsory labour, irrespective of their presence or legal status in the national territory. [4.3]	Yes
80.1. Please provide additional information (Optional):	Federal Law no. 51 for the year 2006 on Combatting Human Trafficking Crimes as amended under Federal Law no 1 of 2015: https://www.mofa.gov.ae/en/The-Ministry/The-Foreign-Policy/Human-Trafficking

Non-prosecution of victims for unlawful acts that they would have been forced to carry out

79.a., b. Please provide a description of measures taken or envisaged:	Victims are provided free legal advice or legal representation, and clarification of their legal rights, in addition to their right to civil compensation for the material and psychological damage they have been subjected to.
79.c. Please provide a description of measures taken or envisaged:	They can file a case without any legal fees, in addition to granting them temporary stay in the country free of charge, to allow them to follow up on their case, upon their request.
79.d. Please provide a description of measures taken or envisaged:	The Ministry of Human Resources and Emiratization has developed a guide for labour inspectors on forced labour. The guide includes procedures and mechanisms for monitoring suspected cases and indicators of the possibility of forced labour, how to investigate them and monitor the results of investigations, and the procedures that must be followed for the purpose of coordination with other competent authorities in the country when there is a suspected case. It also includes measures necessary to be undertaken by labour inspectors when confirming the presence of victims and how to deal with them. The guide also devotes a section to specifying procedures for monitoring the practices of recruitment agencies related to forced labour. It is expected that the guide will be approved in the coming future and implemented soon.
79.e. Please provide a description of measures taken or envisaged:	The UAE Government continues to empower its population in providing easy access to remedies through various channels, specifically for victims of trafficking/forced labour, including: - MOHRE Smart Application - MOHRE WhatsApp - MOHRE website - MOHRE Call Centre - Victims hotline 800SAVE 8007283 - Emergency hotline 999 - DFWAC hotline 800111 - Child abuse hotline 116111 - AMAN Centre 80089999 - Dubai Police Human Trafficking Department: htccc@dubaipolice.gov.ae & 8007283 National Committee on Combatting Human Trafficking established a Human Trafficking Victims Support Fund, which provides financial support to victims, which contributes to improving their living conditions and preventing them from falling victim to the crime of human trafficking again.
79.f. Please provide a description of measures taken or envisaged:	The National Committee to Combat Human Trafficking, in cooperation with the relevant authorities, works to implement a series of training and qualification programs for employees working in the field of combating this crime annually. These programs aim to prepare qualified personnel to deal with this crime by providing them with the necessary skills to enable them to contribute to state efforts aimed at combating the crime of human trafficking. During the year 2021, the concerned authorities and institutions in the country implemented a number of training courses and workshops in person or via virtual communication programs related to combating human trafficking.
79.g. Please provide a description of measures taken or envisaged:	Article 11 of Federal Law no 51 of the year 2006 and its amendments of the year 2015 state: 1. It shall be impermissible to interrogate the victim, civilly or criminally for any crime of the crimes stipulated in this Law, whenever the same is established or directly connected to being a victim. 2.

	In exception of the provision of Clause (1) of this Article, it shall be permissible to interrogate the victim civilly and criminally on the human trafficking crime in the following cases: A. If he/she contributed in person, without being subject to any coercion whether moral or material, to the perpetration of one of the human trafficking crimes. B. If the person is a foreigner incoming to the country for work and violated the work contract and the residence regulation. C. If the person failed to report the crime or the collusion thereof to the competent authorities while being able to.
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79.h. Please provide a description of measures taken or envisaged:	Article 7 of the Federal Law no 51 of the year 2006 and its amendments of 2015 state: A corporate entity shall be punished by a fine of no less than one hundred thousand dirhams, and no more than one million dirhams, if its representatives, directors or agents commit, in its name or for its account, one of the human trafficking crimes enumerated herein; without prejudice to the responsibility and punishment of its dependent natural person.
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Cooperation with other Member States, international / regional organizations or NGOs

81. Does the Government cooperate with other member States, international and regional organizations, or non-governmental organizations to achieve the effective and sustained suppression of forced or compulsory labour? [5.1]	Yes
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81.1. Please specify	a) Other member States, b) International and regional organizations, c) Non-governmental organizations.
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82. Please briefly describe the modalities of this cooperation. [5.2]	The government of UAE has approximately 32 Memorandums of Understanding with some of the major labour sending countries in the field of manpower, and 9 protocols on domestic workers. In addition, the UAE is a member in the Bali Process and the Abu Dhabi Dialogue; both of which promote decent work and protection of labour rights. Most recently, the UAE has also attended two years in a row the G20 meetings, and effectively participated in the Employment Working Group, where major attention has been given to ensuring social protection and occupation health and safety are guaranteed to all workers, including those employed in the new types of employment.
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Promotional activities

90. Please provide URL(s) to any new information on efforts made to respect, to promote and to realize the principle of effective and sustained suppression of forced or compulsory labour through prevention, victim protection and access to remedies. [14]	
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Special initiatives or Progress

85. Please describe any significant changes which have taken place since your last report (for example, changes in the legislative and institutional framework, launching of major programmes, new data, changes in the number of persons in forced labour who have been identified, released and protected, penalties imposed on perpetrators). [7]

The Ministry has recently amended the Federal Decree Law no 33 for the year 2021, to introduce a provision on the settlement of disputes, in the aim of expediting procedures surrounding entitlements introducing Federal Decree Law no 20 for the year 2023.

A similar amendment was introduced to Federal Decree Law no 9 of the year 2022, introducing Federal Decree Law no. 21 for the year 2023, in the event of a dispute arises between the employer and Domestic Worker.

The Government has also introduced an optional scheme for end of service that encourages long-term savings. Read more: <https://wam.ae/en/details/1395303193062>

CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL

According to the social partners

Employers' organizations

86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]

a) Lack of awareness

86.a. Briefly describe the obstacle and the relevant forced labour practice.

The fluctuating levels of education of workers arriving from abroad leads to workers still not being capable of utilising available resources that empower them to react appropriately when subjected to illegitimate practices.

Workers' organizations

86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]

a) Lack of awareness

86.a. Briefly describe the obstacle and the relevant forced labour practice.

The fluctuating levels of education of workers arriving from abroad leads to workers still not being capable of utilising available resources that empower them to react appropriately when subjected to illegitimate practices.

According to the Government

86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]

a) Lack of awareness

86.a. Briefly describe the obstacle and the relevant forced labour practice.

The fluctuating levels of education of workers arriving from abroad leads to workers still not being capable of utilising available resources that empower them to react appropriately when subjected to illegitimate practices.

TECHNICAL COOPERATION NEEDS

Request

87. Does your Government think that it should establish technical cooperation activities with the ILO or pursue those that already exist for the prevention and effective suppression of forced or compulsory labour, victim protection and access to remedies? [9.1]

No