

## United Arab Emirates

### Summary

The UAE is a good example of the motivating power of public monitoring and grading. Scorecard diplomacy has proved effective in the United Arab Emirates, partly because the country became very concerned with its reputation and tier ratings after a documentary exposed official involvement. Some of the concern about the tier rating was tied to FTA negotiations, but mostly the issue was about the UAEs image; officials repeatedly expressed concern about “public stigma,”<sup>468</sup> and called the rating “embarrassing.” Still, the case also shows that it may take a long time to change cultural practices and understandings. Although officials were eager to take measures to get the US to improve the rating, initially they did little to improve actual practices. The case demonstrates the importance of close monitoring of implementation. At first the US took promises at face value and awarded the UAE with an improvement tier rating, only to learn that implementation was missing. After this, the US embassy was quite involved on the ground, traveling to sites of interest. The UAE sought to be seen as a regional leader, but as in some other Middle Eastern countries, it has been keener to address issues of sex trafficking than the entrenched labor violations that are enabled by national policies.

### Background

UAE is a destination and transit country, but not really a source country for trafficking. About 80 percent of UAE’s population is foreigners, which makes the situation ripe for exploitation. Up to 95 percent of the UAE’s private sector workforce are migrant workers from Ethiopia, Eritrea, Iran, and East, South, and Southeast Asia. Restrictive sponsorship laws enable unlawful practices such as withholding passports and wages and restricting movement, for foreign domestic workers that give employers considerable control over domestic workers. Some women are forced into prostitution. Like in Oman, another serious problem was the practice of using small children as jockeys in camel racing, who were purchased, enslaved and starved to be as light as possible. With pressure from the US and advances in technology, the problem has been greatly reduced. Other problems included sex and labor trafficking, such as the culturally and financially ingrained nature of the sponsorship system for foreign labor. The UAE government was motivated to address TIP, with varying levels of success, leading to a fluctuation of Tier ratings, but lately the country has carried out steady programs, although the focus continues to favor sex-trafficking rather than labor issues, which are deeply engrained in the societal structure.

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<sup>468</sup> 06ABUDHABI3125

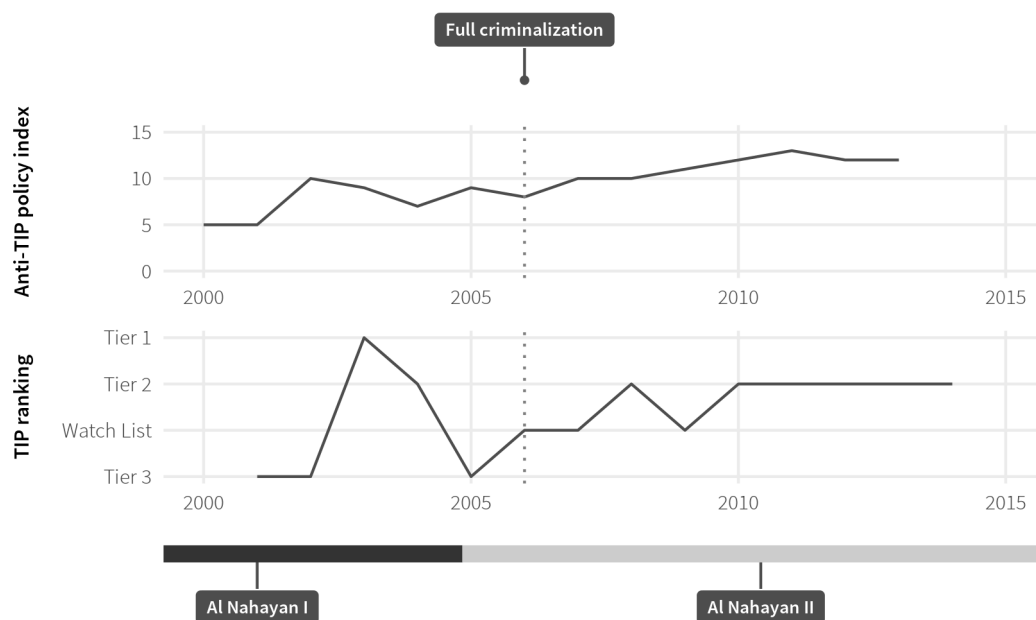


Figure 14: United Arab Emirates's TIP ranking and policy during governments, 2000–2014

Statistic	Value
Average GDP per capita	\$47,952.78
Total aid	\$35.36 million
Aid from US	\$1.54 million
Average total aid as percent of GDP	0.00211%
Total TIP grants	\$0

Table 14: Key Emirati statistics, averaged 2001–2013

## Indirect pressure

Scorecard diplomacy had few civil society partners in the UAE, with very few NGOs present, and domestic media largely under government control. However, the embassy worked with the IOM to arrange a May 2004 Anti-TIP Training Seminar attended by UAE law enforcement specialists, Interpol, the UN, and ministry officials.<sup>469</sup> The embassy also facilitated an official visit from the head of IOM in Kuwait,<sup>470</sup> pressured the government to allow the IOM to open an office,<sup>471</sup> and urged the government to sign a formal agreement with the IOM to aid in the camel jockey issue,<sup>472</sup> an issue UNICEF also engaged in. The ILO has also been critical of the UAE.<sup>473</sup>

<sup>469</sup> 04ABUDHABI1814, 04ABUDHABI1832

<sup>470</sup> 04ABUDHABI1814

<sup>471</sup> 04ABUDHABI2034

<sup>472</sup> 05ABUDHABI1167

<sup>473</sup> 04ABUDHABI1809

## Concerns

While officials were highly concerned with the country's image, in the beginning they clearly thought they could get away with posturing and cosmetic changes. However, an HBO sports documentary about camel-racing (see below) made it clear that these horrific abuses could not occur without knowledge and implicit consent by the elite, including the royal family. The next TIP Report referenced this documentary,<sup>474</sup> in which the commentator had portrayed the United Arab Emirates as: "a rare Arab beacon of Western values ... with ... an increasingly international outlook," but noting that "for all its 21<sup>st</sup> century progress, the UAE is also home to a sinister remnant of another time. A time when people were bought, sold, and kept as slaves."<sup>475</sup> The abuses thus exposed beyond denial, the government's motivation from then on was to bring about TIP reforms to improve the tier rating. The issue had become one of UAEs image; the embassy described their concern about "public stigma,"<sup>476</sup> and officials repeatedly called the rating "embarrassing."<sup>477</sup> The deputy prime minister and minister of state for foreign affairs "said that combatting trafficking in women was the UAEG's priority as well because it is detrimental to our society and reputation."<sup>478</sup> The government's desire to be seen as an international leader was also manifested by its hosting in 2007 of a UNDOC anti-TIP conference, and the minister of Justice said that if the UAE anti-TIP law passed in time, the government would present it as a "as a model law for the [Gulf Cooperation Council]."<sup>479</sup>

The link to Free Trade Agreement negotiations also mattered. Like in Oman, material motivations were more about possible trade implications of a negative rating than sanctions. The ambassador quickly linked TIP progress to ongoing FTA negotiations,<sup>480</sup> which some UAE officials saw as a useful way to pressure other emirates.<sup>481</sup> Although the US was mostly the one reminding the UAE about the FTA and using it as leverage,<sup>482</sup> the minister of labor said that he realized that a fall to Tier 3 would mean the UAE could "kiss an FTA goodbye." That said, local media dismissed the threat of any sanctions as "toothless."<sup>483</sup>

## Outcomes

### Legislation

When the UAE entered the TIP Report as Tier 3 in 2001, the country seemed motivated to improve its rating.<sup>484</sup> Despite strong resistance from people involved with traditional camel racing, which had been found to traffic children for use as jockeys, the government quickly announced that it would criminalize the practice of employing child camel jockeys effective September 1<sup>st</sup>, 2002. Meetings were held at very high levels, and the government created a TIP task force.<sup>485</sup> Meanwhile, the US was eager to use the UAE as a "success story,"<sup>486</sup> and a "model for other countries,"<sup>487</sup> so it rapidly elevated the UAE to Tier 1 by 2003. This turned out to be a mistake, for the problems were nowhere near adequately addressed, as

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<sup>474</sup> 04ABUDHABI3937

<sup>475</sup> *Real Sports with Bryant Gumbel*. "Camel Jockeys – Sport of Sheikhs." Produced by Joseph Perskie. Correspondent Bernard Goldberg. HBO, 2004. <https://www.youtube.com/watch?v=G51IJ-0L2eA>. Accessed December 27, 2016

<sup>476</sup> 06ABUDHABI3125

<sup>477</sup> 05ABUDHABI1155, 05ABUDHABI1274

<sup>478</sup> 04ABUDHABI496

<sup>479</sup> 06ABUDHABI3616

<sup>480</sup> 05ABUDHABI353, 05ABUDHABI663

<sup>481</sup> 05ABUDHABI663

<sup>482</sup> 05ABUDHABI2947

<sup>483</sup> 05ABUDHABI2495

<sup>484</sup> 03ABUDHABI415

<sup>485</sup> 03ABUDHABI1414

<sup>486</sup> 03ABUDHABI4294

<sup>487</sup> 03ABUDHABI4546

revealed in a shocking 2004 HBO documentary.<sup>488</sup> Rather, the problem continued unabated, hampered by the resistance of powerful sheiks. The US immediately sent an emissary from the TIP office to the UAE to discuss the documentary.<sup>489</sup> Prompted both by the HBO documentary and the US drop of the UAE once again to the Tier 2 in 2004 with a threat of a Tier 3 for the following year, the problem gained intense attention.

That the poor Tier rating motivated efforts to please the US was evident in several ways. For example, after the ambassador had discussed with key UAE leaders how the US TIP Reporting system worked, on March 14, 2005, the government revised the effective date of the new camel jockey law to March 31, *explicitly stating* that they did so to coincide with the last day of the TIP Reporting year.<sup>490</sup> This behavior accords well with the earlier analysis of how the timing of TIP laws sometimes coincide with TIP Reporting deadlines.

Efforts to follow the steps in plans laid out by the US were also apparent.<sup>491</sup> Although the UAE passed the camel jockey law, because it was not enforced at all, the US dropped the UAE to Tier 3 in the summer of 2005. The subsequent cooperation on the action plan the US laid out was intensive, with daily communication.<sup>492</sup> Following the action plan, the UAE made progress in the given 60-day reassessment period. It reported on 19 investigations, identified 630 underage camel jockeys and repatriated 169 of them.<sup>493</sup> By the end of January 2006, over a thousand children had been repatriated.<sup>494</sup> UNICEF provided extensive assistance, and the problem was further alleviated by the introduction of robotic jockeys that could take the place of small trafficked children.<sup>495</sup> The camel jockey issue has been one of the biggest TIP success stories.<sup>496</sup>

The US also pushed the UAE on broader anti-TIP legislation<sup>497</sup> and for more statistics on TIP. The embassy provided officials with a model law and discussed its definitions.<sup>498</sup> The Interior Ministry established a special committee charged with reviewing anti-TIP laws and deliberately included a member who had taken part in an USG-sponsored anti-trafficking training program.<sup>499</sup> The ambassador continued to push for the law as well as for shelters and efforts more generally.<sup>500</sup> In November 2006, the UAEG enacted a comprehensive anti-trafficking law that addressed all forms of trafficking in persons,<sup>501</sup> and four months later, the Dubai Attorney General referred a case to court for the first time under the new anti-trafficking legislation.

Since good collaboration ensued, the UAE was shocked when it was demoted to the Watch List again in 2009 because the US was increasing its efforts to push the UAE on labor issues. The TIP Reports turned increasingly toward the sponsorship system and revision of labor laws, which the UAE has remained reluctant to address, leaving it stuck on Tier 2. Although it is still recognized as being further along on TIP issues than others in the region,<sup>502</sup> problems with labor trafficking persist.<sup>503</sup> In March 2015 the UAE further tightened its anti-TIP law, continuing to show progress.<sup>504</sup>

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<sup>488</sup> 04ABUDHABI3937

<sup>489</sup> 04ABUDHABI4660

<sup>490</sup> 05ABUDHABI1167

<sup>491</sup> 05ABUDHABI3297

<sup>492</sup> 05ABUDHABI3194

<sup>493</sup> 05ABUDHABI3297

<sup>494</sup> 06ABUDHABI277

<sup>495</sup> 06ABUDHABI3125

<sup>496</sup> 09ABUDHABI513

<sup>497</sup> 06ABUDHABI1076, 06ABUDHABI2809

<sup>498</sup> 04ABUDHABI721

<sup>499</sup> 04ABUDHABI2034

<sup>500</sup> 06ABUDHABI1076

<sup>501</sup> 07DUBAI411

<sup>502</sup> 09ABUDHABI322

<sup>503</sup> 09ABUDHABI622

<sup>504</sup> Dana Moukhalati, "UAE Human Trafficking Law Tightened," *The National*, 25 March 2015, accessed 24 December 2016, <http://www.thenational.ae/uae/uae-human-trafficking-law-tightened>.

## Institutions

After passage of TIP legislation, cooperation intensified, and the UAE created a new Human Trafficking Committee chaired at the ministerial level.<sup>505</sup> The US report has also promoted statistics gathering.<sup>506</sup>

### The promotion and adoption of new norms and practices

US work to educate UAE government officials about what actually constitutes trafficking has led to a change in attitudes over time. Officials were initially in denial about the problems of exploitation of children in camel racing, especially the older generation of Emiratis, and met working-level officials demonstrated unwillingness to enforce the rules or acknowledge the practice.<sup>507</sup> By 2005, however, the president's long time advisor called it a violation of human rights.<sup>508</sup> In addition to the camel jockey issue, attitude changes have occurred in sex trafficking.<sup>509</sup> The views of the police were initially particularly ignorant and the embassy was frustrated that the government did not quite "grasp the issues."<sup>510</sup> The US embassy also sought to socialize officials into their view of labor trafficking, about which officials were in denial, noting that victims whose documents have been confiscated "can go to their consulate and get a new passport any time they want,"<sup>511</sup> that "[t]here are very few genuine victims of human trafficking. Many of them came to work as prostitutes and have saved enough money to go home,"<sup>512</sup> that "victims need to assume some responsibility," and that "[w]e don't see any big problem with trafficking laborers or employees."<sup>513</sup> The US government sponsored a visit to the US for officials to learn more about how the US defines the issue. After the UAE was once again dropped to Tier 2, the US embassy was increasingly working on broadening the definition of TIP and the understanding of the problems on the ground to change the views of higher-ranking officials.<sup>514</sup> The differences in cultures and practices are by no means solved, but by 2010 the embassy reported that government officials "commonly and candidly discuss human trafficking issues in public, in the media, and with US government interlocutors."<sup>515</sup>

## Conditioning factors

The UAE exhibited very strong concern about the rating and about pleasing the US. The strong relationship facilitated influence. Furthermore, the publicity connected with the HBO documentary and the possible link with FTA negotiations enhanced the US embassy's constant, sometimes daily, pressure on the camel jockey issue.

Obstacles to US influence included the UAE's initial denial of the problem, a federal structure that made it hard to bring uniform reforms, and cultural obstacles to a common understanding of TIP, such as the culturally and financially ingrained nature of the sponsorship system for foreign labor.

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<sup>505</sup> 07DUBAI411

<sup>506</sup> 05ABUDHABI3272

<sup>507</sup> 03ABUDHABI2335

<sup>508</sup> 05ABUDHABI1712

<sup>509</sup> 04ABUDHABI814

<sup>510</sup> 06ABUDHABI3616

<sup>511</sup> 04ABUDHABI2034

<sup>512</sup> 05ABUDHABI2495

<sup>513</sup> 06ABUDHABI3616, 07ABUDHABI230

<sup>514</sup> 04ABUDHABI1809

<sup>515</sup> 10ABUDHABI284