

**Submission to the
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Broken Chalk is an Amsterdam-based NGO established in 2020 which focuses on monitoring and minimizing human rights violations in education all around the world. Our goal is to contribute to promoting universal and equal access to education for all.

Together with our international sponsors and partners, we encourage and support achieving societal peace by advocating for intercultural tolerance, preventing radicalism and polarization, and tackling inequalities in the field of education.

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0. Introduction

1. This report is a contribution by Brokenchalk to the fourth Universal Periodic Review (UPR) of the United Arab Emirates (UAE). Broken Chalk is an Amsterdam-based NGO established in 2020 and focused on raising awareness and minimizing human rights violations in the educational field. Our goal is to work together with global partners to remove barriers to access to education and to take concrete steps to ensure universal access to education. Therefore, this report will focus on human rights violations in regards to education in the UAE.
2. In the third session of the Universal Periodic Review (UPR), the UAE accepted 100 recommendations from the Council in full, partially accepted 7 recommendations and took note of 54 recommendations. In regards to education, recommendations referred to the explicit prohibition of child violence in schools (Estonia)ⁱ and in all settings (Montenegro)ⁱⁱ, non-discrimination and advancement of equal opportunities in schoolsⁱⁱⁱ^{iv}, mandatory and free primary education for all children on the territory (Peru)^v and the promotion of human rights through the curricula in schools (Egypt)^{vi}. There were 4 other recommendations, which referred to the issue of providing “better services to persons with disabilities, in particular in education” (Singapore).^{vii} ^{viii} ^{ix} ^x
3. Since the last cycle, the UAE has undergone ambitious educational developments and reforms under the 2017-2021 education strategy, Vision 2021. The plan has prioritized six main objectives: a safe society, a fair judicial system, a sustainable environment, an integrated infrastructure, and a shift towards a knowledge-based economy, assisted by the creation of a first-rate education system.^{xi}
4. The Ministry of Education has prioritized the development of the highest global educational standards for students and teachers, based on innovation and competitiveness. In line with this, the UAE Vision 2021 states that the new National Agenda aims to “promote an inclusive environment that integrates all segments of society while preserving the UAE’s unique culture [...]”^{xii}.
5. This report will signal the major issue areas regarding the protection of human rights in education and it will furthermore acknowledge the attempts to promote human rights regarding education. Lastly, it will provide the appropriate comments and recommendations.

1. Statistical insights

6. The UAE Government provides a wide range of resources to transform education in the country. Between 2017 and 2020 included, the federal budget has allocated a minimum of 14% of its GDP to education, and, in 2022, education receives 16.3% of the \$16 billion federal budget.^{xiii}

7. In the fall of 2022, Dubai's private schools reached over 300,000 enrollments for the first time ever, a 4.9% growth rate from the previous year, with 289,019 enrollments.^{xiv}
8. The UAE evaluates and categorizes the performance of their schools and assigns fees accordingly: the average fees for an Outstanding school is AED 56,000, respectively 43,000 for Very Good schools, 37,000 for Good, and 16,000 for average schools^{xv}. Public schools are relatively more affordable.
9. Education is free in public schools only for Emirati nationals.
10. The UAE fosters the biggest immigrant population on the planet, accounting for 87.9% of the total population.^{xvi}
11. Immigrant students aged 15 comprise 72% of the total number of registered students.^{xvii}
12. In 2022, Dubai provides 251 private schools, which offer 18 different curriculums. Approximately 16% of pupils are enrolled in American education while 26% in the Indian curriculum, and 35% in the UK curriculum.^{xviii}
13. Most expatriates attend private schools, while mostly nationals attend public schools.
14. Performances of public schools compared to private schools show an uncommon result, with private outperforming public schools. Research shows an estimated gap of 3 school years between private and public schools.^{xix}
15. The UAE Government provides no updated statistics on the country's poverty line. According to the Beit Al Khair Society, over 17,000 families in the UAE need help from the government and are less likely to have the means to enrol their children in school.^{xx}
16. According to officials, local women represented more than 70% of national higher education students.

II. Barriers to education in the UAE

17. According to Refugees International and the Emirates Centre for Human Rights, more than 100,000 people are stateless in the UAE. The issue of documentation in the UAE has been a major challenge, since the Emirati government and other public institutions either deny or retrieve personal documentation, leaving thousands, including children, stateless.^{xxi}
18. One such stateless group are the *Bidoons*, descendants of nomadic tribes that travelled within the borders of the Gulf region, who have been excluded from Emirati nationality since the creation of the country, even though they were born on the territory. As stateless people, they are marginalized, restricted from public services and basic human rights, such as healthcare and education, employment, the right to own property, birth and death certificates.^{xxii}
19. In some exceptions, albeit the financial difficulties, the children of Bidoons manage to enroll in schools. However, they are further prohibited to enroll in applied institutes or universities.^{xxiii}

20. Since 2008, the UAE has given 40,000 Bidoons passports of Comoro Islands. The ones who hold these passports are permitted to apply for public schools, with the fee of US\$1,650.^{xxiv} However, due to the systematic discrimination, hundreds of thousands still live under the poverty line and are unable to access education.^{xxv}
21. Reportedly, hospitals also have a practice of withdrawing and denying documentation^{xxvi}. The Ministry of Health insists that the new-born of Bidoons should not be registered and should not be granted a birth certificate, unless the guardian elevates his own birth status. Thus, for most Bidoon children, human rights violations start with the refusal of the state to recognize the person before the law, fully restricting it from the fundamental rights granted to all.^{xxvii}
22. Similarly, hospitals withdraw birth certificates and identity documents of families who cannot pay for the birth fee, leaving the parents and child with no access to public services. This practice disproportionately affects low-income immigrants.^{xxviii}
23. Research finds that children enrolled in high-fee schools receive better-qualified teachers and better facilities. In Dubai, high-fee private schools are mostly attended by wealthy families, predominantly from the West, while low-fee schools are attended mostly by children from India and Pakistan.^{xxix}
24. In 2017, 20,000 Pakistani children alone were out of school.^{xxx} Besides the withdrawal of documentation, the situation of thousands of children of immigrant families left without education can be directly attributed to the fact that non-nationals have to pay fees for either private or public schools.
25. Non-Emiratis can access “charity schools” that offer full scholarships, however, students generally still have to pay fees (AED 2,000-7,500)^{xxxi}. The schools are usually operational at night, have long waiting lists due to the high demand, reside in substandard facilities and are taught by educators who are not at their full capacity since they work in public schools during the day.^{xxxii}
26. Until 2017, children were left stateless if they did not have or remained without an Emirati father, because the mother could not pass her Emirati citizenship to her child. However, under the rectified Emirati National law in 2017, she can apply to pass her nationality when the child turns six. However, it seems that the process can take years to complete, which means the child can miss the start of obligatory education at the right age.
27. Physical and verbal abuse in the UAE schools used to be a worrying issue both for parents and international bodies of law^{xxxiii}. Under the Regulation of Behavioral Direction for Private School Students, it is unlawful to resort to non-pedagogic methods for modifying student behavior. In 2017, the Ministry of Education put forward the Code of Conduct for teachers and staff where he emphasizes the ban on corporal punishment, verbal abuse and humiliation. However, the regulation does not specify anything about public schools and neither the regulation nor the ban are lawfully enforced by penalties.

Corporal punishment against children is not yet prohibited.

- 28.** Under Article 3 of Wadeema’s Law that was passed in 2016, the UAE protects the child from any discrimination against “origin, race, home country, faith, social status or disability”. In 2017, the UAE launched its National Policy for Empowering People of Determination with the aim to establish an inclusive education system and to adapt school curricula. It aims to tackle each type of impediment with the appropriate facilities and methods. The ministry launched skill training programs that create teachers specialized in behavioral skills to communicate and understand the needs of children with disabilities. The ministry established centers that would evaluate the progress of this group before and after enrollment. However, a study that observed the conditions for visually impaired children in schools reported major challenges in the effectiveness of teaching, lacking special training in regular schools, resulting in the children having limited access to the curriculum.^{xxxiv}

III. The effect of COVID-19 on Education

- 29.** Like most countries, the UAE has implemented distance learning through online classes. The government created a “Smart Learning Platform” on the website- however there is little information about the platform online.^{xxxv} Private schools either expanded their existing E-Learning, or held classes on online platforms designed for video calls.^{xxxvi}
- 30.** Research shows that most teachers received, on average, one day of training before starting online teaching, and some have trouble adjusting to the digitized methods and materials.^{xxxvii} There were challenges in following the usual assessments and grading processes, which resulted in limited feedback and track of progress.^{xxxviii}
- 31.** Vulnerable groups were most affected by the sudden crisis. Children with disabilities lacked the sufficient and appropriate support, which led some to interrupt their classes overall.^{xxxix}
- 32.** It is reported that students of charity schools, which are expatriates, have been disproportionately affected by the shift to online education, since most lack the necessary technology.^{xl} Charity schools and other organizations made some efforts to alleviate this, by giving out internet packages for families who did not have internet, as well as laptops and tablets.^{xli} However, challenges continued as the number of children in low-income education accounts for over 9,000.
- 33.** Moreover, parents under financial stress or who lost their job due to the pandemic also faced strong challenges to keep their children in school.
- 34.** Schools had flexible payment terms, such as monthly payment. They were also free to decide on the regulation on fees and discounts. Some schools have offered to cut their fees by 20%.

IV. Acknowledging efforts from the UAE to promote human rights in Education

35. In 2019, the Ministry of Education launched a child protection unit by providing a hotline for the reporting of abuse, to protect "children from all forms of harm, negligence and abuse which they may experience at school or home".^{xliii}
36. As part of its 2017-2021 Strategy for Education, the UAE announced a budget of \$408 million for the construction of modernized schools. For the new year 2022/2034, the has opened 4 new schools that provide 7,000 new places in Dubai, and 9 new charter schools in Abu Dhabi which permits 12,000 new students to enroll. This is an amelioration of the recommendations given by UNESCO and The Committee on the Elimination of Discrimination against Women, where they were worried that the UAE did not have the infrastructure to support the new pupils after the Government extended obligatory education to 18 years.
37. Even if further development needs to be made, this report commends the UAE for its starting efforts to promote the end of abuse in schools and work towards a more inclusive environment for children with disabilities.

V. Recommendations

38. Brokenchalk urges the UAE to make efforts towards the inclusion of low-income immigrant children in education, based on principles of equality and non-discrimination. All individuals, including migrants, irrespective of their legal or migration status, are entitled to the universal right to education, as recognized and protected under international law.^{xliii}
39. The UAE is urged to grant the children of immigrant populations and Bidoons their birth certificate and register them. Birth registration is a fundamental right under article 24 of the International Covenant on Civil and Political Rights and it should be followed without discrimination of any kind, including national status. The Committee of the Rights of the Child has recognized the fundamental impact that the refusal of birth registration has on the educational rights of children.^{xliv}
40. In regards to the position of statelessness, Brokenchalk further reiterates the urge for the UAE to register and take the appropriate measures to integrate the Bidoon population and all the other stateless immigrant populations. The position of statelessness represents the violations of all basic rights preserved in the Universal Declaration of Human Rights, which signifies that these groups go through extraordinary challenges to live in the most basic sense.
41. Brokenchalk advises the UAE to impose serious- yet still in accordance with human rights standards- punishable laws for any institutions or authoritative figures who deny or withdraw personal documentation.

42. Brokenchalk recommends the UAE to conduct research and publish statistics about their immigrant and Bidoon population in regards to every sector, but especially education.
43. Brokenchalk urges the UAE to minimize the gap between the qualities of teaching in public versus private schools that is being dictated by tuition fees. At least for fundamental education, the quality of teaching, approach and basic facilities that assist children in their studies should be granted to all, equally.
44. In respect to accessing education, Brokenchalk urges the UAE to provide a significantly more affordable education to low-income families.
45. It is urged to provide more accessible and better quality of education in charity schools, especially in regards to more appropriate curriculum hours. It is recommended to create more charity schools which further provide free education for children of low-income families.
46. This report found little to no information about schools outside the two largest cities, Dubai and Abu Dhabi. Globally, the general trend shows that the countryside areas foster the highest illiteracy rates. The UAE is asked to investigate and report data about this issue.
47. It is commendable that the UAE has made legal efforts to be more inclusive of people of determination. However, reports show that these practices have not consolidated in the whole federation. Brokenchalk encourages the UAE to continue its efforts in this direction, providing schools with the right facilities and teachers who are trained in educational methods for children with various disabilities. Brokenchalk advises that these efforts should be implemented in schools regardless of the school status.
48. It is encouraging that the UAE now permits women to pass their nationality to their child when the child turns six, compared to, previously, 18 years old. However, now the processes of applying for nationality and the process of enrollment in obligatory education start at the same time, when the child is six years old. It is urged to change the time of application for nationality, so that the child is already registered as a national citizen when trying to enroll in school.
49. It is encouraging that there is a ban on violence in schools under “Regulation of Behavioral Direction for Private School Students”. However, the UAE is warned against discrimination and urged to include public schools under this protection as well.
50. Legal provisions against violence are not interpreted as prohibition^{xiv}. The UAE Constitution lawfully normalizes violence against children under the “right” of the “parent and their equivalents” to “discipline” the child, which hinders the effective application of progressive regulations regarding violence towards children. Brokenchalk strongly urges to rectify this law and make all abuse towards children illegal, with no exceptions.
51. Similarly, this report recognizes the positive efforts towards child protection by creating a hotline for reporting abuse. The government is encouraged to continue to create child

protection programs and institutions connected to law enforcing authorities and can act as a platform to take the necessary steps to protect the child during and after the abuse.

52. The COVID pandemic signaled that the UAE was unprepared for such a crisis. It is recommended to provide legal protection and social support to families who are at risk of being affected, such as providing free education for the children whose parents lost their jobs.

VI. Conclusion

53. Since the last UPR cycle, the UAE is in the process of implementing recommendations about child violence in schools, as well as a more inclusive educational environment for people with disabilities, and the creation of more schools to accommodate the number of students. It only partially alleviated the cross-issue of granting an Emirati mother the right to pass her nationality to her child. The UAE faces serious challenges in regards to the access to school of stateless people and low-income citizens, due to a history of documentation issues and high-fees upheld by the wealthy population.
54. Under the 2017-2021 educational strategy, the UAE has demonstrated that it is working towards developing the already-functional educational structure with ambitious desires to elevate it to the highest level. Brokenchalk strongly advises the UAE to start the development of education for communities that need integration and are restricted access and quality into the UAE educational practices

