

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 06-22253 CIV-ALTONAGA/TURNOFF

MOTHER DOE I AND FATHER DOE I,
INDIVIDUALLY, AND AS PARENTS AND
GUARDIANS FOR MINOR R.M., et al.,

Plaintiffs,

v.

SHEIKH MOHAMMED BIN RASHID AL
MAKTOUM, et al.,

Defendants.

**DECLARATION OF MOHAMMED ABDULLAH AL GARGAWI
IN SUPPORT OF THE MOTION TO DISMISS THE COMPLAINT**

I, MOHAMMED ABDULLAH AL GARGAWI, declare under penalty of perjury that the following is true and correct:

I. Introduction

1. I am the Minister of State for Cabinet Affairs of the United Arab Emirates (“UAE”). His Highness Sheikh Mohammed bin Rashid Al Maktoum, Vice-President and Prime Minister of the UAE and Ruler of Dubai, appointed me the Minister of State for Cabinet Affairs in February 2006, and my appointment was approved by the President of the UAE, His Highness Sheikh Khalifa bin Zayed Al Nahayan.

2. As Minister of State for Cabinet Affairs, I serve on the Council of Ministers, also known as the Cabinet. Article 60 of the UAE Constitution provides that the Council of Ministers is

the “executive authority” of the UAE. There are currently 21 members of the Cabinet, including Ministers of Foreign Affairs, Defence, Finance, Education and Justice, among others.

3. As Minister of State for Cabinet Affairs, I am also the President of the Civil Service Council, which is an arm of the Ministry of State for Cabinet Affairs. The Council’s objectives, which are ultimately my responsibility, include:

- a. development of the civil service structure;
- b. increasing productivity and efficiency of the civil service workforce. This is achieved through the development of administrative and technical policies, implementation of best practices and incentive schemes;
- c. ensuring that the ministries/departments achieve their objectives and dispense their functions appropriately. This is achieved through development of performance control mechanisms and oversight functions, among other things;
- d. monitoring any irregularities in the administrative process employed in the ministries/ departments and propose solutions;
- e. developing rules for the selection of the most viable candidates to fill civil service positions; and
- f. developing policies for the training and re-training of civil service staff to upgrade or better utilize their skills.

4. Before my appointment as the Minister of State for Cabinet Affairs, I served as the Secretary General of the Dubai Executive Council, the CEO of Dubai Holding LLC, the Chairman of Dubai Development and Investment Authority, and a member of the board of directors of Dubai Media Corporation.

5. I have spearheaded the launch of several of Dubai's strategic initiatives, including Dubai Internet City, Dubai Media City, Knowledge Village, Dubai Land, Dubai Healthcare City, Dubai Press Club, the Mohammad bin Rashid Al Maktoum Award for Arab Management, the Mohammad Bin Rashid Program for Leadership Development, the Government Excellence Program, the Dubai Shopping Festival, the Dubai Summer Festival, the Dubai Autism Centre, the UAE Disabled Sports Union, the Arab Media Forum, and the Arab Strategy Forum. I have also received many prestigious awards, including the Moroccan Royal Order and the American Business Award.

6. As discussed in more detail below, I submit this Declaration for three purposes: First, I wish to convey the significant concern of the UAE Government that this lawsuit will inhibit the progress that the UAE has made, by working in close diplomatic partnership with the United Nations Children's Fund ("UNICEF") and a multi-national consortium of sovereign governments, including Pakistan, Bangladesh, Mauritania and Sudan, and numerous other non-governmental organizations ("NGOs"), to end the use of underage camel jockeys in camel races held within the UAE and to compensate (both monetarily, and through the creation and funding of social, educational and support programs) the children involved in this practice.

7. Second, I wish to convey the significant concern of the UAE Government that this lawsuit may damage the mutually valuable relations that exist between the UAE and the United States.

8. Third, I wish to convey the concern of the UAE Government that this lawsuit against Sheikh Mohammed bin Rashid Al Maktoum, the Prime Minister and Vice President of the UAE, and Sheikh Hamdan, Minister of Finance and Industry of the UAE, constitutes an infringement on the immunity which should be afforded the leader of the UAE, a long standing friend of the U.S. and key partner in the global war against terrorism.

II. This Lawsuit Endangers the UAE-Led Multinational Initiative To Eradicate The Use of Underage Camel Jockeys

9. The Declaration of Colonel Najim A. Alhosani, the Director of the Community Policing Department of the Minister of Interior of the UAE, submitted concurrently herewith, details the multi-national initiative commenced in May 2005 to eradicate the use of underage camel jockeys, return the children formerly involved in camel racing to their countries of origin and reintegrate them into their communities. Colonel Alhosani also details the comprehensive legal and regulatory regime which the UAE Government has enacted to prevent the involvement of children in the camel racing industry and the recent proposal of the Ministry of Interior for new legislation to expand the benefits of the current program to other former camel jockeys and to provide additional compensation to former camel jockeys for injuries.

10. In a recent review of the first year of the program dated September 2006, UNICEF calls this program “groundbreaking,” and a “historical initiative” that “is an important step in advancing the cause of children’s rights,” and a “strong model...that aims to inspire other countries to develop similar forms of cooperation.” See UNICEF’s Report, “Starting Over: Children Return Home from Camel Racing, September 2006, p. 3, attached to the accompanying Declaration of Col. Alhosani as Exhibit 1.

11. On December 11, 2006, the full Cabinet of Ministers approved and issued a binding Cabinet Resolution expanding the scope of the UAE commitments under the agreement with UNICEF as proposed by the Ministry of Interior. (A copy of the Cabinet Resolution is attached as Exhibit 1.) The Cabinet Resolution directs that:

- (a) the benefits of the UNICEF Agreement be extended for an additional two years and include all individuals who were formerly child camel jockeys in the UAE;

- (b) the program be extended to include, in addition to the payment of any unpaid salaries for former camel jockeys, the creation of a claims facility (implemented in coordination with UNICEF and the source country governments) to adjudicate and award compensation for claims of any injury incurred by former camel jockeys in the UAE;
- (c) the Ministry of Interior negotiate and enter into an agreement with UNICEF establishing the terms and conditions for administration of the claims facility, including claims submission protocols, claims verification, methods of payment, and the full amount of additional funding necessary to achieve the program's goals.

12. In a recent Press Release, UNICEF stated that it “welcomed the allocation of \$9 million by the Government of the United Arab Emirates (UAE) to assist former camel jockeys who have returned home to their communities.” (UNICEF Press Release, December 18, 2006, attached as Exhibit 2.) UNICEF then further explained:

In May 2005, UNICEF and the UAE signed a groundbreaking agreement to return children formerly involved in camel racing to their countries of origin and reintegrate them into their communities in nations such as Bangladesh, Mauritania, Pakistan and Sudan.

The initiative was the first programme in the Gulf region to publicly acknowledge the issues of child trafficking and exploitation of children for use in camel racing, and protects and assists young victims.

“We are happy to be working with the UAE on this very important initiative,” said Rima Salah, UNICEF Deputy Executive Director. “The UAE’s decision to expand and extend its cooperation to include former camel jockeys who left the country before, or outside of the legal system put in place for repatriation and rehabilitation, shows their high level of commitment to the wellbeing of these children.”

Id.

13. Omar Abdi, UNICEF Regional director in the Middle East and North Africa, stated that “We welcome and commend UAE’s additional support to children formerly involving in camel racing.” (“UAE extends pact with UNICEF,” Emirates News Agency, December 17, 2006, attached as Exhibit 3.) He continued: “This new partnership between UAE and UNICEF will address the root causes of child trafficking by investing in integrated community-based projects for improving the conditions of children in their villages.” Id.

14. The Minister of Foreign Affairs of the UAE sent a Diplomatic Note to U.S. Secretary of State Condoleezza Rice, attached as Exhibit 4, expressing the significant concern of the UAE should this lawsuit proceed. The Minister of Foreign Affairs of the UAE explained that the continued adjudication in a U.S. court of this matter will compromise the progress made by the United Arab Emirates to address the use of underage camel jockeys. The Minister of Foreign Affairs of the UAE further explained that the UAE Government is cooperating with other foreign governments to address these issues, and this litigation affects these efforts.

III. Official Diplomatic Protest Regarding the Maintenance of this Suit in U.S. Court

15. In his Diplomatic Note, the Minister of Foreign Affairs of the UAE also explained that this lawsuit may damage the valuable relationship between the United Arab Emirates and the United States. The Minister of Foreign Affairs of the UAE notes that President Bush has recognized that the UAE and the U.S. have a longstanding alliance, and the UAE is a key partner in the global war against terrorism.

16. The U.S. State Department has recognized that the UAE “has been a key partner in the War on Terror.” See U.S. State Department’s Background Notes: United Arab Emirates, attached as Exhibit 5. In addition, the U.S. State Department has explained how the UAE

contributes to the continued security and stability in the region by providing assistance in the military, diplomatic, and financial arenas since September 11, 2001:

Private commercial ties, especially in petroleum, have developed into friendly government-to-government ties which include security assistance. The breadth, depth, and quality of U.S.-U.A.E. relations increased dramatically as a result of the U.S.-led coalition's campaign to end the Iraqi occupation of Kuwait. In 2002, the U.S. and the U.A.E. launched a strategic partnership dialogue covering virtually every aspect of the relationship.

Id.

17. As the Minister of Foreign Affairs of the UAE explained in his Diplomatic Note, this lawsuit, threatens to undermine the trust and respect between the United States and the UAE and constitutes an infringement and interference with the conduct of foreign relations between the our two countries.

IV. His Highness Sheikh Mohammed bin Rashid Al Maktoum and His Highness Sheikh Hamdan bin Rashid Al Maktoum

18. This lawsuit has been brought against His Highness Sheikh Mohammed bin Rashid Al Maktoum, the Prime Minister and Vice President of the UAE and the Ruler of Dubai, and His Highness Sheikh Hamdan bin Rashid Al Maktoum, Minister of Finance and Industry of the UAE and Deputy Ruler of Dubai.

19. On January 4, 2006, Sheikh Mohammed became the Ruler of Dubai following the death of Sheikh Maktoum bin Rashid Al Maktoum. On January 5, 2006, the members of the Supreme Council elected Sheikh Mohammed the UAE Vice President. UAE President His Highness Sheikh Khalifa bin Zayed Al Nahyan then nominated Sheikh Mohammed as the Prime Minister, and the Supreme Council approved this nomination.

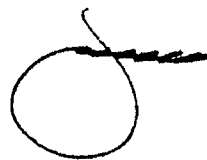
20. As Prime Minister, Sheikh Mohammed is the leader of the UAE's Executive Branch and Head of Government. And as Vice President, Sheikh Mohammed shares the duties of Head of State with the President.

21. When Sheikh Mohammed appointed the members of the Cabinet, Sheikh Mohammed appointed Sheikh Hamdan the Minister of Finance and Industry. As Minister of Finance and Industry, Sheikh Hamdan is responsible for the fiscal, monetary and industrial policies within the UAE.

22. It is my understanding that if Plaintiffs were to seek permission to bring a lawsuit against Sheikh Mohammed and Sheikh Hamdan in the UAE, Sheikh Mohammed and Sheikh Hamdan would consent to the suit in the UAE.

23. For these reasons, the UAE Government considers this lawsuit against His Highness Sheikh Mohammed bin Rashid Al Maktoum, the Vice President and Prime Minister of the UAE and the Ruler of Dubai, to be an affront on its sovereignty and urges this Court to dismiss this case.

Dated: December 21, 2006

A handwritten signature consisting of a large, stylized circle with a horizontal line extending to the right from the top of the circle.

MOHAMMED ABDULLAH AL GARGAWI

EXHIBIT LIST

1. Cabinet Resolution, December 11, 2006
2. UNICEF Press Release, December 18, 2006
3. "UAE extends pact with UNICEF," Emirates News Agency, December 17, 2006
4. Diplomatic Note from the Minister of Foreign Affairs of the UAE to U.S. Secretary of State Condoleezza Rice
5. U.S. State Department's Background Notes: United Arab Emirates