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Amnesty International Report 2016/17 - The State of the World's Human Rights - United Arab Emirates

The authorities continued to arbitrarily restrict the rights to freedom of expression and association, detaining and prosecuting government critics, opponents and foreign nationals under criminal defamation and anti-terrorism laws. Enforced disappearances, unfair trials and torture and other ill-treatment of detainees remained common. Scores of people sentenced after unfair trials in previous years remained in prison; they included prisoners of conscience. Women continued to be discriminated against in law and in practice. Migrant workers faced exploitation and abuse. The courts continued to impose death sentences; no executions were reported.

Background

The United Arab Emirates (UAE) remained part of the Saudi Arabia-led international coalition engaged in armed conflict in Yemen (see Yemen entry) and participated in international military action in Syria and Iraq against the armed group Islamic State (IS).

In August, the authorities agreed to the transfer of 15 detainees from the US detention centre at Guantánamo Bay, Cuba, to the UAE.

The government failed to respond to requests to visit the UAE made by the Special Rapporteur on torture and other UN human rights experts.

Freedoms of expression and association

The authorities tightened the law relating to electronic information and restricted online expression and association, enacting legislation to ban the use of virtual private networks. They also arrested and prosecuted peaceful critics and others, including foreign nationals, under criminal defamation provisions of the Penal Code, the 2012 cybercrime law and the 2014 anti-terrorism law in unfair trials before the State Security Chamber (SSC) of the Federal Supreme Court. The SSC's proceedings fell far short of international fair trial standards.

In May, the SSC acquitted Moza ‘Abdouli of “insulting” UAE leaders and political institutions and “spreading false information”. She had been arrested in November 2015 together with her sister, Amina ‘Abdouli, and brother, Mos’ab ‘Abdouli. Another brother, Waleed ‘Abdouli, arrested in November 2015 for criticizing his siblings’ detention at Friday prayers, was released without charge in March.

Tayseer al-Najjar, a Jordanian journalist arrested in December 2015, remained in detention at the end of the year awaiting trial before the SSC, apparently in connection with Facebook posts criticizing the UAE and alleged links to Egypt’s banned Muslim Brotherhood organization. In October, he told his wife that his eyesight was deteriorating in detention.

In August, the government appeared to be behind an attempt to remotely hack into the iPhone of human rights defender Ahmed Mansoor. If successful, it would have allowed remote access to all information on the phone, and remote control of his phone’s applications, microphone and camera. The sophisticated spyware used to carry out this operation is sold by NSO Group, an Israel-based, US-owned company which claimed to sell their product exclusively to governments.

Human rights defender and prisoner of conscience Dr Mohammed al-Roken remained in prison, serving a 10-year sentence imposed after the unfair “UAE 94” mass trial in 2013.

Enforced disappearances

The authorities subjected scores of detainees, including foreign nationals, to enforced disappearance, holding them for months in secret and unacknowledged detention for interrogation. Upon release, many reported that they had been tortured and otherwise ill-treated.

‘Abdulrahman Bin Sobeih was subjected to enforced disappearance for three months by UAE authorities after he was forcibly returned to the UAE by Indonesia in December 2015. He had been sentenced in his absence in 2013 to a 15-year prison term after the unfair UAE 94 trial. Following a retrial, in November he was sentenced to 10 years’ imprisonment, followed by three years’ surveillance.

Prisoner of conscience Dr Nasser Bin Ghaith, an academic and economist arrested in August 2015, was subjected to enforced disappearance until April when he was brought before the SSC. He faced charges relating solely to the peaceful exercise of his rights to freedom of expression and association. He told the court that officials had tortured and otherwise ill-treated him, but the judge failed to order an investigation. In December his case was transferred to an appeal court.

Torture and other ill-treatment

Torture and other ill-treatment of detainees, particularly those subjected to enforced disappearance, remained common and were committed with impunity. Neither the government nor the SSC conducted independent investigations into detainees' allegations of torture.

Between March and June the authorities released six of at least 12 men of Libyan origin whom they had arrested in 2014 and 2015. They were released after the SSC acquitted them of providing support for Libyan armed groups. During 2015, State Security officials had subjected at least 10 of the men to months of incommunicado detention and torture, including beatings, electric shocks and sleep deprivation, before they were brought to trial. The fate of two of the men remained undisclosed, while those freed in 2016 included Salim al-Aradi, a Canadian-Libyan national, and Kamal Eldarat and his son, Mohammed Eldarat, both US-Libyan nationals.

Unfair trials

Scores of people, including foreign nationals, were prosecuted before the SSC, often on vaguely worded charges relating to national security. The SSC denied defendants the right to an effective defence and accepted evidence obtained under torture to convict defendants. In December, the government enacted legislation providing for an appeal in state security cases.

In March, the SSC convicted 34 men on charges that included establishing Shabab al-Manara (Minaret Youth Group) to overthrow the government and create an “IS-style caliphate”. They received prison sentences ranging from three years to life. Authorities detained them in 2013 and subjected them to enforced disappearance for 20 months. Some appeared to have been convicted based on “confessions” they said were extracted through torture.

In June, the SSC sentenced Egyptian national Mosaab Ahmed ‘Abdel-‘Aziz Ramadan to three years’ imprisonment for running an “international group in the UAE affiliated to the Egyptian Muslim Brotherhood”. Before trial, the authorities subjected him to several months of enforced disappearance during which he alleged that security officials forced him to “confess” under torture.

Women’s rights

Women remained subject to discrimination in law and in practice, notably in matters of marriage and divorce, inheritance and child custody. They were inadequately protected against sexual violence and violence within the family.

Migrant workers' rights

Migrant workers, who comprise around 90% of the private workforce, continued to face exploitation and abuse. They remained tied to employers under the *kafala* sponsorship system and were denied collective bargaining rights. Trade unions remained banned and migrant workers who engaged in strike action faced deportation and a one-year ban on returning to the UAE.

In January, Ministerial Decrees 764, 765 and 767 of 2015 came into effect, which the government said would address some abuses against migrant workers, including the longstanding practice of contract substitution whereby employers require migrant workers to sign new contracts with reduced wages when they arrive in the UAE.

The decrees did not apply to domestic workers, mostly women from Asia and Africa, who remained explicitly excluded from labour law protections and particularly vulnerable to exploitation and serious abuses, including forced labour and human trafficking.

Death penalty

Courts handed down death sentences; no executions were reported. Law 7/2016, relating to data protection and expression, expanded the applicability of the death penalty.

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