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[Back to United Arab Emirates](#)

UNITED ARAB EMIRATES 2020

Over two dozen prisoners of conscience, including well-known human rights defender Ahmed Mansoor, continued to be detained in the United Arab Emirates (UAE). The state continued to restrict freedom of expression, taking measures to silence citizens and residents who expressed critical opinions on COVID-19 and other social and political issues. A number of detainees remained in prison past the completion of their sentences without legal justification. A UK court found that head of government Mohammed bin Rashed Al Maktoum had abducted and detained two of his daughters.

Background

Emirati authorities continued to ban political opposition and to detain prisoners for such opposition. Scores of Emiratis continued to serve prison sentences in the UAE-94 case, a mass trial of 94 defendants that concluded in 2013 with 69 convicted on charges of seeking to change the system of government.

In February 2020, the UAE announced the completion of its “phased military withdrawal” from Yemen after five years of co-leading the coalition in the armed conflict. It continued, however, to illicitly divert weapons and military equipment to militias in Yemen (see Yemen entry). In Libya, the Emirati government provided arms to the self-proclaimed Libyan National Army, in violation of a UN embargo, and operated military drones in Libyan airspace, in some cases leading to the killing of people not directly participating in hostilities (see Libya entry).

Arbitrary detention

At least 10 people continued to be arbitrarily detained after completing their prison sentences. Articles 40 and 48 of the counter-terrorism law (Federal Act No. 7 of 2014) stated that those “adopting extremist or terrorist thought” may be held indefinitely in prison for “counselling”. Most such prisoners were held at al-Razin prison in the desert south-east of Abu Dhabi city. They included Omran Ali al-Harithi, a defendant in the UAE-94 trial, who should have been released in July 2019; and Abdullah Ebrahim al-Helu, convicted in June 2016 of belonging to the charitable arm of al-Islah, the formerly legal Emirati branch of the Muslim Brotherhood, who was due for release in May 2017. The authorities released some prisoners after they appeared in videos posted to pro-government social media channels in which they “confessed” that al-Islah was a “terrorist” organization and repudiated their affiliation with it.

In March, the UK High Court of Justice (Family Division) made public a fact-finding judgement reached the previous December that concluded that the head of government had arranged for his daughter Shamsa’s enforced removal from the UK in 2000 and the “capture” and detention of another daughter, Latifa, in a maritime assault launched when she attempted to escape the royal family in 2018.

Freedom of expression

More than 25 prisoners of conscience remained in jail on account of their peaceful political criticism. They included attorneys Mohamed al-Roken and Mohammed al-Mansoori, former heads of the UAE Jurists Association (which the government took over in 2011 after the Association called for free national elections), who were convicted in the

UAE-94 trial; Nasser bin Ghaith, a lecturer in economics at Sorbonne University's Abu Dhabi branch, detained since 2015; and human rights defender Ahmed Mansoor.

Government agencies in Dubai and Ajman warned that they would prosecute individuals who spread information about COVID-19 deemed misleading by authorities, later announcing they had initiated several such prosecutions.

Unfair trials

Emiratis and foreign national residents continued to face imprisonment following unfair trials. On 17 February, the State Security Chamber of the Federal Supreme Court upheld the conviction and sentencing of five Lebanese men on charges of planning violent acts in the UAE. They had faced unfair trial procedures, including incommunicado detention for months, denial of access to lawyers, and use of coerced “confessions” as evidence.¹ In May, Abdallah Awadh al-Shamsi – an Omani national born to an Emirati mother and an Omani father resident in the UAE – was sentenced to life in prison after proceedings marred by a similar pattern of violations.

Arbitrary deprivation of nationality

The estimated 20,000-100,000 stateless people born in the UAE continued to be deprived of equal access to rights covered for Emirati citizens at state expense, such as state-subsidized health care, housing and higher education, or jobs in the public sector. Access was dependent on proof of citizenship and stateless people were denied recognition as citizens, despite most of them having roots in the UAE going back generations.

Stateless Emiratis given Comorian passports under a 2008 deal between Comoros and the UAE found it difficult or impossible to get these passports renewed, leaving many of them, once again, lacking basic identity documents.

Women's rights

Women remained unequal with men under Emirati law. Married women were obliged “to look after the house” as a “right” held by husbands under Article 56.1 of the Law on Personal Status. The Article was amended in late 2019 to remove a line stating that a husband has the right to “courteous obedience” from his wife.

Article 72 continued to allow judges to determine whether a married woman was permitted to leave the house and to work.

In the past two years Amnesty International had reported that Article 53.1 of the Penal Code, recognizing “a husband’s discipline of his wife” as “an exercise of rights,” was still in effect, but in 2020 the organization learned that this clause was removed in late 2016.

Transmission of nationality continued to be granted on a gender-preferential basis, meaning that children of Emirati mothers did not automatically receive nationality and were recognized as nationals only at the discretion of the federal cabinet.

In September, the UAE annulled Article 334 of the Penal Code, which had made “honour” killings punishable by as little as one month in jail.

Sexual and reproductive rights

Consensual sexual behaviour continued to be prosecuted under Article 356 of the Penal Code, authorizing a minimum of one year in prison for “consensual violation of honour”, a clause that could be used to punish both same-sex sexual activity and extramarital sex. The provision was, in some cases, used to prosecute migrant labourers who had given birth out of wedlock, requiring such mothers to serve prison sentences before being allowed to leave the country.

Migrants’ rights

The sponsorship (*kafala*) system for employing migrant workers in the UAE – alongside unsanitary living conditions in overcrowded accommodations, scarce legal protection and limited access to preventive health care and treatment – put these workers in an even more vulnerable position and at risk of infection during the COVID-19 pandemic.²

Death penalty

Courts continued to issue new death sentences, primarily against foreign nationals for violent crimes. No executions were reported.

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1. **[UAE: Supreme Court confirms verdict in an unfair trial \(MDE 25/2000/2020\)](#)**
 2. **[UAE: Ensure protection of migrant workers in COVID-19 response \(MDE 25/2169/2020\)](#)**

