

Document #1422492

HRW – Human Rights Watch

World report 2018 - United Arab Emirates

The United Arab Emirates’ intolerance of criticism continued in 2017 with the detention of prominent Emirati rights defender Ahmed Mansoor for exercising his right to free expression. The government arbitrarily detains and forcibly disappears individuals who criticize authorities.

The UAE continued to play a leading role in the Saudi-led coalition, which has conducted scores of unlawful attacks in Yemen. The UAE was implicated in detainee abuse at home and abroad.

Labor abuses persist. Migrant construction workers face serious exploitation. The UAE introduced a domestic workers law providing them labor rights for the first time, but some provisions are weaker than those accorded to other workers under the labor law.

The UAE continued to ban representatives of international human rights organizations from visiting.

Freedom of Expression

UAE authorities have launched a sustained assault (https://features.hrw.org/features/HRW_2016_reports/140_Characters/index.html?_ga=2.141713073.2051942133.1497513521-2010087215.1482109025#_Toc459041496) on freedom of expression and association since 2011. UAE residents who have spoken about human rights issues are at serious risk of arbitrary detention, imprisonment, and torture. Many are serving long prison terms (<http://www.gc4hr.org/news/view/1193>) or have left the country under pressure.

The UAE’s 2014 counterterrorism law provides for the death penalty for people whose activities “undermine national unity or social peace,” neither of which the law defines.

In March, the UAE detained Ahmed Mansoor (<https://www.hrw.org/news/2017/04/20/uae-free-prominent-rights-defender>), an award-winning human rights defender, who is facing speech-related charges that include using social media websites to “publish false information that harms national unity.” Before his arrest, Mansoor had called for the release of Osama al-Najjar, who remains in prison despite having completed a three-year prison sentence on charges related to his peaceful activities on Twitter.

In March, the UAE imposed a 10-year prison sentence on prominent academic Nasser bin-Ghaith (<https://www.hrw.org/news/2017/02/16/uae-academic-facing-speech-charges>), whom authorities forcibly disappeared in August 2015, for charges that included peaceful criticism of the UAE and Egyptian authorities.

Authorities imposed a three-year prison sentence (<https://www.hrw.org/news/2017/03/17/uae-jordanian-journalist-convicted>) on UAE-based Jordanian journalist Tayseer al-Najjar related to his online criticism of Israeli and Egyptian military actions in and near the Gaza Strip.

Yemen Airstrikes and Detainee Abuse

The UAE is a leading member of the Saudi-led coalition operating in Yemen. Human Rights Watch has documented 87 apparently unlawful coalition attacks, some likely war crimes, that have killed nearly 1,000 civilians since March 2015.

Coalition members have provided insufficient information about the role their forces are playing in the campaign to determine which are responsible for unlawful attacks. In March 2015, the Emirati State news agency reported that the UAE had deployed 30 aircraft (<http://wam.ae/en/details/1395278543785>) to take part in coalition operations. In March 2017, after a helicopter attacked a boat carrying Somali migrants and refugees off Yemen’s coast, killing and wounding dozens, a member of the UAE armed forces said UAE forces were operating in the area but denied carrying out the attack (<http://wam.ae/en/details/1395302603973>).

The UAE leads counterterror efforts, including by supporting Yemeni forces carrying out security campaigns, in southern Yemen. Human Rights Watch has documented abuses by these forces, including excessive force during arrests, detaining family members of wanted suspects to pressure them to “voluntarily” turn themselves in, arbitrarily detaining men and boys, detaining children with adults, and forcibly disappearing dozens.

The UAE runs at least two informal detention facilities in Yemen and its officials appear to have ordered the continued detention of people despite release orders, forcibly disappeared people, and reportedly moved high-profile detainees outside the country. Former detainees and family members reported abuse or torture inside facilities run by the UAE and UAE-backed forces. Yemeni activists who have criticized these abuses have been threatened, harassed, detained, and disappeared.

Arbitrary Detention, Torture, and Mistreatment of Detainees

The UAE arbitrarily detains and forcibly disappears individuals who criticize authorities within the UAE’s borders. In February, a group of United Nations human rights experts criticized the UAE’s treatment of five Libyan nationals who had been arbitrarily detained since 2014. The special rapporteur on torture said he received credible information that authorities subjected the men to torture. In May 2016, the Federal Supreme Court acquitted the men of having links to armed groups in Libya.

Migrant Workers

Foreign nationals account for more than 88.5 percent of the UAE’s population, according to 2011 government statistics. Many low-paid migrant workers remain acutely vulnerable to forced labor, despite some reforms.

The *kafala* (visa-sponsorship) system continues to tie migrant workers to their employers. Those who leave their employers can face punishment for “absconding,” including fines, prison, and deportation.

The UAE’s labor law excludes domestic workers, who face a range of abuses, from unpaid wages, confinement to the house, workdays up to 21 hours with no breaks, to physical or sexual assault by employers, from its protections. Domestic workers face legal and practical obstacles to redress.

The UAE has made some reforms to increase domestic worker protection. In September, the president signed a bill (<https://www.hrw.org/news/2017/06/07/uae-domestic-workers-rights-bill-step-forward>) on domestic workers that guarantees domestic workers labor rights for the first time including a weekly rest day, 30 days of paid annual leave, sick leave, and 12 hours of rest a day. In some cases, the law allows for inspections of recruitment agency offices, workplaces, and residences, and sets out penalties for violations. But, the 2017 law does not prohibit employers from charging reimbursement for recruitment expenses and requires that workers who terminate employment without a breach of contract compensate their employers with one month’s salary and pay for their own tickets home.

Women’s Rights

Discrimination on the basis of sex and gender is not included in the definition of discrimination in the UAE’s 2015 anti-discrimination law.

Federal Law No. 28 of 2005 regulates personal status matters. Some of its provisions discriminate against women. For a woman to marry, her male guardian must conclude her marriage contract; men have the right to unilaterally divorce their wives, whereas a woman must apply for a court order to obtain a divorce; a woman can lose her right to maintenance if, for example, she refuses to have sexual relations with her husband

without a lawful excuse; and women are required to “obey” their husbands. A woman may be considered disobedient, with few exceptions, if she decides to work without her husband’s consent.

UAE law permits domestic violence. Article 53 of the penal code allows the imposition of “chastisement by a husband to his wife and the chastisement of minor children” so long as the assault does not exceed the limits of Islamic law. Marital rape is not a crime. In 2010, the Federal Supreme Court (<http://www.hrw.org/news/2010/10/19/uae-spousal-abuse-never-right>) issued a ruling, citing the penal code (<http://www.hrw.org/news/2010/10/19/uae-spousal-abuse-never-right>), that sanctions husbands’ beating and infliction of other forms (<http://www.hrw.org/news/2010/10/19/uae-spousal-abuse-never-right>) of punishment or coercion on their wives, provided they do not leave physical marks.

Sexual Orientation and Gender Identity

Article 356 of the penal code criminalizes (but does not define) “indecentry” and provides for a minimum sentence of one year in prison. UAE courts use this article to convict and sentence people for *zina* offenses, which include same-sex relations as well as consensual heterosexual relations outside marriage.

Different emirates within the UAE’s federal system have laws that criminalize same-sex sexual relations, including Abu Dhabi, where “unnatural sex with another person” can be punished with up to 14 years in prison.

In August, the UAE sentenced (<https://www.hrw.org/news/2017/09/07/uae-stop-policing-gender-expression>) two Singaporean nationals who had been arrested in an Abu Dhabi shopping mall to one year in prison "for attempting to resemble women." An appeals court converted their sentence to a fine and deportation.

ecoi.net summary:

Annual report on the human rights situation in 2017



Country:

United Arab Emirates

Source:

[HRW – Human Rights Watch](#) (</en/source/11207.html>)

Original link:

<https://www.hrw.org/world-report/2018/country-chapters/united-arab-emirates> (<https://www.hrw.org/world-report/2018/country-chapters/united-arab-emirates>)

Document type:

Periodical Report

Language:

English

Published:

18 January 2018

Document ID:

1422492 (former ID [351957 \(/en/document/351957\)\)](#))

Austrian Red Cross

Austrian Centre for Country of Origin and Asylum Research
and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien

T (Telefon) +43 1 589 00 583

F (Fax) +43 1 589 00 589

info@ecoi.net

ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

