

HUMAN RIGHTS IN THE MIDDLE EAST AND NORTH AFRICA: REVIEW OF 2018

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UNITED ARAB EMIRATES

United Arab Emirates

Head of state: **Khalifa bin Zayed Al Nahyan**

Head of government: **Mohammed bin Rashed Al Maktoum**

Space for civil society remained nearly non-existent in the United Arab Emirates (UAE), with the country's most well-known human rights activist behind bars and high levels of fear dissuading victims of human rights violations and dissidents from speaking out. Arbitrary detention of foreign nationals was frequently reported. Women continued to face discrimination in law and in practice. The authorities introduced several labour reforms likely to be of benefit to migrant workers, but other policies left them vulnerable to exploitation. The authorities continued to deny nationality to thousands of individuals born within the UAE's borders, effectively rendering them stateless. Some detainees were held incommunicado and in undisclosed locations for weeks or months. Courts handed down death sentences; no executions were reported.

BACKGROUND

The UAE remained part of the Saudi Arabia-led military coalition that committed serious violations of international law in the armed conflict in Yemen (see Yemen entry). UAE troops and UAE-backed militias operating in southern Yemen carried out enforced disappearances and torture.

The UAE remained a member in the coalition of Gulf states imposing economic and political sanctions on Qatar. In July, the International Court of Justice issued provisional orders to the UAE to uphold its obligations under the Convention on the Elimination of All Forms of Racial Discrimination by allowing Qatari residents who had been forced to leave the UAE as a result of the regional crisis to reunite with family members, complete academic studies and access courts in the UAE.

ARBITRARY ARRESTS AND DETENTIONS

On 4 March, UAE forces (acting with assistance from India) detained Latifa bint Mohammed bin Rashed Al Maktoum, a daughter of Dubai's ruler, in international waters after she tried to flee the UAE by yacht to seek asylum abroad. She continued to be held incommunicado, effectively a victim of enforced disappearance. Two of her companions – Finnish national Tiina Jauhiainen and French-US national Hervé Jaubert – as well as three Filipino crew members were detained at the same time and held for over two weeks.

Arbitrary detention of foreign nationals was frequently reported.

UK national Matthew Hedges, a student carrying out academic research in the UAE, was detained at Dubai International Airport in early May as he was about to leave the country. He was held, mainly incommunicado and in degrading and inhumane conditions, until October, when he faced an unfair trial on charges of spying for the UK government. On 21 November he was convicted and sentenced to 25 years' imprisonment. Five days later he was pardoned and released.

Several Lebanese nationals working in the service sector were arbitrarily detained in early 2018 and held throughout the year without due process. They were denied access to legal representation and were not informed of any charges against them.

In September, Abudujilili Supi, a Chinese national of Uighur ethnicity, was detained without charge and held for a month before being allowed to leave the UAE for Turkey.

FREEDOM OF EXPRESSION

Criticism of the government continued to be stifled by the prosecution and imprisonment of peaceful dissenters. On 29 May, Ahmed Mansoor, the last human rights defender in the UAE publicly documenting and speaking out against human rights violations in the country, was sentenced to 10 years in prison for comments posted on his social media accounts. This followed over a year in detention during which he was mainly held incommunicado in an unknown location. His trial was conducted in virtual secrecy, with no information published until after the verdict. According to the UAE's closely controlled press, Ahmed Mansoor was convicted of "publish[ing] false information, rumours and lies about the UAE", confirming, as had previous government statements, that the prosecution was based on the exercise of his right to freedom of expression. On 31 December the Federal Supreme Court, sitting as the State Security Court, upheld the conviction and sentence, rendering them final.

Academic and prisoner of conscience Nasser bin Ghaith remained incarcerated on speech-related charges, as did human rights lawyer and fellow prisoner of conscience Mohammed al-Roken. Nasser bin Ghaith went on hunger strike (while still taking fluids) on 7 October, protesting against medical neglect and irregular family visits in al-Razeen prison. He had been deprived of the medications he took pre-imprisonment for high blood pressure and other ailments. His health was in a critical state at the end of the year.

WOMEN'S RIGHTS

Women continued to face discrimination in law and in practice. Federal Law No. 28 on Personal Status contains multiple provisions entrenching the lack of equal status between men and women, stating for example that "a husband's rights over his wife" include the wife's "courteous obedience to him" and obligation "to look after the house", and placing conditions on a married woman's right to work or leave the house. Under Article 53 of the Penal Code, "a husband's discipline of his wife" is "considered an exercise of rights," language which can be read as an official sanction of spousal abuse. The government failed to protect women adequately from sexual and domestic violence.

MIGRANTS' RIGHTS

The authorities introduced several labour reforms likely to be of particular benefit to migrant workers, including a decision to allow some workers to work for multiple employers, tighter regulation of recruitment processes for domestic workers and a new low-cost insurance policy that protected private sector employees' workplace benefits in the event of job loss, redundancy or an employer's bankruptcy.

However, the UAE maintained its no-minimum wage policy. This had a particularly negative impact on migrant workers, who comprised an estimated 85% of the country's workforce. Unlike UAE nationals, migrant workers did not receive government allowances for housing, subsidized health care and other services and were therefore far more dependent on wages for their livelihood. Migrants' wages were typically low relative to nationals and to price levels in the country, undermining their right to just and favourable conditions of work, and their right to an adequate standard of living.

In February Amnesty International wrote to UAE authorities requesting information and access to research the situation of workers at the engineering company Mercury MENA, which operated in several Arab Gulf states and had left many of its workers unpaid for over a year. The UAE did not respond.

STATELESSNESS

The UAE continued to deny nationality to at least 15,000 individuals who were born within its borders and had no other nationality, effectively rendering them stateless. This deprived them of a range of state services, such as free education provided for citizens, and made it difficult for them to find employment in state-supported industries that require security clearance.

Most of the indigenous UAE residents locked into statelessness were from the northern emirates such as Ajman and Sharjah, which are considerably poorer than Abu Dhabi and Dubai. A money-for-passports deal with the Comoros that was introduced in 2008 with the alleged purpose of regularizing the status of the stateless population failed to resolve the problem. As in previous years, some of those who had obtained five-year Comorian passports were left stateless again after their passports expired and they could no longer renew them, due to the Comorian government having ended the programme.

TORTURE AND OTHER ILL-TREATMENT

The UAE failed to take steps to end torture and other ill-treatment in detention. Amnesty International documented eight cases in which detainees were held incommunicado and in undisclosed locations for weeks or months, greatly increasing the risk of human rights violations. In some cases, detainees were held in degrading conditions, denied personal hygiene items and the opportunity to bathe, or threatened with extreme violence.

DEATH PENALTY

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