

# ÉMIRATS ARABES UNIS : MAINTIEN DE DISSIDENTS EN DÉTENTION ET OPÉRATION RACISTE CONTRE DES PERSONNES MIGRANTES

COMMUNICATION D'AMNESTY INTERNATIONAL POUR  
LA 43<sup>E</sup> SESSION DU GROUPE DE TRAVAIL SUR L'EPU,  
DU 1<sup>ER</sup> AU 12 MAI 2023

## RÉSUMÉ (+ ANNEXES EN ANGLAIS)

Ces informations ont été préparées en août-septembre 2022 en vue de l'Examen périodique universel (EPU) des Émirats arabes unis. Amnesty International y passe en revue les atteintes aux droits humains et les sources de préoccupation qu'elle a recensées aux Émirats arabes unis depuis la conclusion du dernier EPU du pays, en juin 2018 ; elle y évalue également la mise en œuvre des recommandations adressées aux Émirats arabes unis dans le cadre du dernier EPU.

En ce qui concerne la situation des droits humains sur le terrain, Amnesty International s'inquiète en particulier de l'incarcération prolongée et de la détention arbitraire de défenseurs des droits humains et de prisonniers d'opinion, de l'expulsion collective de centaines d'Africains et d'Africaines à l'été 2021 pour des motifs racistes, de l'apparition incessante de cas de torture et de mauvais traitements infligés à des personnes détenues, de la surveillance électronique de défenseur-e-s des droits humains, en violation du droit au respect de la vie privée, et de la présence d'une vaste population apatride née aux Émirats arabes unis, qui n'a pas le droit d'avoir une nationalité et n'a pas accès à l'éducation et à la santé financées par l'État, contrairement aux citoyens et citoyennes émiriens.

La présente communication s'achève sur une série de recommandations à l'intention des Émirats arabes unis, qui, si elles étaient appliquées, contribueraient à améliorer la situation des droits humains.

## LE PRÉCÉDENT EXAMEN ET SES SUITES

1. Un grand nombre des recommandations établies à l'issue du précédent EPU exhortaient les Émirats arabes unis à garantir la liberté d'expression et à permettre aux défenseur·e·s des droits humains de poursuivre leur travail sans risquer de subir des manœuvres d'intimidation<sup>1</sup>. Aucuns progrès n'ont été effectués dans ces domaines, car les réformes juridiques telles que l'adoption d'un nouveau Code pénal en 2021, qui étaient l'occasion d'éliminer les restrictions pesant sur la liberté d'expression, ont plutôt été utilisées pour maintenir et consolider les entraves aux critiques à l'égard des dirigeants et des autorités du pays. Des défenseurs des droits humains émiriens sont donc toujours maintenus en détention.
2. Le précédent cycle de l'EPU des Émirats arabes unis n'a abouti à aucune recommandation mentionnant explicitement la population apatride présente dans le pays. De grande envergure, elle se compose de nombreux habitants et habitantes nés aux Émirats arabes unis et y ayant grandi. Amnesty International espère que la communauté internationale prendra conscience de la situation de ce groupe marginalisé et s'en préoccupera davantage au cours du cycle actuel de l'EPU. Elle fournit ici des informations et des recommandations à cet effet.

## LE CADRE NATIONAL DE PROTECTION DES DROITS HUMAINS

3. Les Émirats arabes unis ne sont pas un État partie au Pacte international relatif aux droits civils et politiques ni au Pacte international relatif aux droits économiques, sociaux et culturels. Leur législation nationale ne protège pas la majorité des droits civils et politiques et accorde une protection des droits économiques seulement à la population émirienne, discriminant le reste de la population.

### Les enfants et le droit d'avoir une nationalité

4. Les Émirats arabes unis sont partie à la Convention relative aux droits de l'enfant, mais ont introduit une réserve à son article 7 (selon lequel l'enfant a « le droit d'acquérir une nationalité [...] en particulier dans les cas où faute de cela l'enfant se trouverait apatride »), considérant que « l'acquisition de la nationalité est une affaire interne<sup>2</sup> ».

### Les femmes, l'égalité et le droit de transmettre sa nationalité à ses enfants

5. Les Émirats arabes unis sont partie à La Convention sur l'élimination de toutes les formes de discrimination à l'égard des femmes, mais en maintenant des réserves que le Comité des Nations unies pour l'élimination de la discrimination à l'égard des femmes a jugées « incompatibles avec l'objet et le but de la Convention<sup>3</sup> ».
6. Le gouvernement formule par ailleurs la réserve selon laquelle il « ne se considère pas lié » par les dispositions du paragraphe 2 de l'article 15 (par lequel les États parties reconnaissent à la femme, en matière civile, une capacité juridique identique à celle de l'homme), car il considère « que ce paragraphe est contraire aux normes de la charia<sup>4</sup> ». La réforme de septembre 2020 de la loi relative au statut personnel s'applique seulement aux femmes non musulmanes non émiriennes<sup>5</sup>.

<sup>1</sup> Rapport du Groupe de travail sur l'Examen périodique universel : Émirats arabes unis, 18 avril 2018, doc. ONU A/HRC/38/14. Veuillez consulter l'annexe 2 ci-dessous pour connaître les recommandations issues de ce précédent cycle, avec les commentaires d'Amnesty International sur leur mise en œuvre.

<sup>2</sup> Nations unies, Collection des Traités, « Convention relative aux droits de l'enfant », [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-11&chapter=4&clang=fr#EndDec](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&clang=fr#EndDec) (dernière consultation le 22 août 2022).

<sup>3</sup> Comité pour l'élimination de la discrimination à l'égard des femmes [ONU], Observations finales concernant le quatrième rapport périodique des Émirats arabes unis, 4 juillet 2022, doc. ONU CEDAW/C/ARE/CO/4, § 11.

<sup>4</sup> Nations unies, Collection des Traités, « Convention sur l'élimination de toutes les formes de discrimination à l'égard des femmes », [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-8&chapter=4&clang=fr](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&clang=fr) (dernière consultation le 5 octobre 2022).

<sup>5</sup> Émirats arabes unis, « في شأن الأحوال الشخصية (2005 لسنة 28 القانون الاتحادي رقم ) », art. 1.2 (tel qu'il a été modifié le 27 septembre 2020).

7. La législation émirienne est toujours discriminatoire à l'égard des femmes en ce qui concerne la transmission de la nationalité émirienne à leurs enfants<sup>6</sup>.

### Appartenance ethnique et critères d'obtention de la nationalité

8. La loi émirienne relative à la nationalité opère une discrimination fondée sur l'appartenance ethnique : elle n'accorde la nationalité d'origine qu'aux personnes arabes et établit des conditions d'acquisition de la nationalité favorisant les Arabes par rapport aux autres groupes ethniques<sup>7</sup>.

### Personnes réfugiées

9. Les Émirats arabes unis n'ont pas de cadre juridique reconnaissant le droit des personnes réfugiées de demander asile ou l'interdiction du renvoi forcé (« refoulement »), qui consiste à renvoyer de force une personne dans un pays où elle risque d'être persécutée ou de subir d'autres violations graves des droits humains. Les Émirats arabes unis ne sont pas partie à la Convention de 1951 relative au statut des réfugiés ni à son Protocole de 1967.
10. Malgré les dernières révisions de la loi nationale relative à l'immigration, publiées en juillet 2022, les concepts d'asile et de statut de réfugié ne bénéficient toujours d'aucune reconnaissance juridique<sup>8</sup>. Il n'existe qu'une catégorie de visa d'entrée sur le territoire et de permis de résidence pour « cas humanitaire », octroyé à la discrétion du pouvoir exécutif, sans que les demandeurs/demandeuses d'asile et les personnes réfugiées de fait puissent invoquer aucune norme juridique pour faire appliquer leurs droits<sup>9</sup>.

### Droits sexuels

11. En 2021, les Émirats arabes unis ont adopté un Code des infractions et des sanctions, entièrement nouveau, qui a remplacé l'intégralité du Code pénal de 1987 lorsqu'il est entré en vigueur, le 2 janvier 2022<sup>10</sup>. Par son article 409, le nouveau code a procédé de nouveau à une criminalisation des relations sexuelles consenties entre adultes du même sexe et entre adultes hors mariage, après une brève trêve ouverte en 2020<sup>11</sup>. Le nouvel article 409 impose une peine de prison pouvant aller de six mois à trois ans aux deux parties impliquées dans une relation sexuelle où quiconque « fornique avec une femme ou commet la sodomie avec un homme [...] avec son consentement<sup>12</sup> ». Contrairement aux dispositions législatives précédentes qui criminalisaient les relations sexuelles consenties, le nouveau texte édicte que des poursuites pour de tels actes peuvent être engagées uniquement « à partir de la plainte d'un époux ou d'un tuteur de sexe masculin<sup>13</sup> ».
12. Plusieurs autres dispositions du nouveau Code des infractions et des sanctions sont vagues et trop générales, laissant craindre leur utilisation pour engager des poursuites contre des adultes ayant eu des relations sexuelles consenties. L'article 407, par exemple, permet de condamner à une peine d'emprisonnement pouvant aller jusqu'à trois ans toute personne qui « viole l'honneur d'une autre personne, homme ou femme<sup>14</sup> ».

<sup>6</sup> UAE, Art. 10 bis, § 1, m. en ce qui concerne les questions de genre et les voyages (1972) amendé en 2017 (16<sup>e</sup> loi fédérale, loi fédérale, UAE, Art. 10 bis, § 1, m. en ce qui concerne les questions de genre et les voyages (1972) amendé en 2017).

<sup>7</sup> Émirats arabes unis, art. 2.1, 5, 6 (tels qu'ils ont été modifiés le 15 novembre 1975), 7 et 8.

<sup>8</sup> UAE, (décision du gouvernement n° 65, de 2022), [bit.ly/3dMs2i9](http://bit.ly/3dMs2i9)

<sup>9</sup> Émirats arabes unis, décision du gouvernement n° 65, de 2022 (op. cit.), art. 34.9, 46.9.

<sup>10</sup> Émirats arabes unis, (Code des infractions et des sanctions), art. préliminaires 2 et 3.

<sup>11</sup> Émirats arabes unis, (Code pénal abrogé), art. 356 (tel qu'il a été modifié le 27 septembre 2020).

<sup>12</sup> Émirats arabes unis, Code des infractions et des sanctions (op. cit.), art. 409, § 1 et art. 70, § 2.

<sup>13</sup> Émirats arabes unis, Code des infractions et des sanctions (op. cit.), art. 409, § 2. Le terme arabe est « بناء على شكوى من الزوج أو الولي ».

<sup>14</sup> Émirats arabes unis, Code des infractions et des sanctions (op. cit.), art. 407, § 1 et art. 70, § 2.

## Accès des observateurs/observatrices indépendants de la situation des droits humains

13. Bien qu'ils aient adressé une invitation à la rapporteuse spéciale sur les droits des personnes handicapées et à la rapporteuse spéciale sur le droit à l'éducation en 2018, les Émirats arabes unis n'ont jamais accepté de proposition de visite d'aucun-e titulaire de mandat au titre des procédures spéciales des Nations unies chargées de la défense des droits humains. Plus précisément, ils n'ont accepté aucune proposition de visite adressée par les titulaires de mandats au titre des procédures spéciales concernant les droits civils et politiques depuis 2014, année où une visite de la rapporteuse spéciale sur l'indépendance des juges et des avocats a donné lieu à la publication d'un rapport critique à l'égard du pays<sup>15</sup>.

## Institution nationale de défense des droits humains

14. Les Émirats arabes unis ont mis en place une institution nationale des droits humains. Cependant, les informations à son sujet sont contradictoires et opaques. Plus d'un an et demi après l'annonce de sa création, elle ne semble toujours pas disposer d'un bureau physique et n'a pas établi de mécanisme pour recevoir des plaintes. En décembre 2020, les Émirats arabes unis ont annoncé avoir « approuvé la formation de l'autorité nationale de défense des droits humains », qui « suivrait les Principes de Paris » et agirait pour « protéger les droits humains<sup>16</sup> ». Or, la loi portant création de l'institution nationale de défense des droits humains n'a été publiée officiellement qu'en mai 2021<sup>17</sup>. Fin août 2022, le site web de l'institution ne fournissait toujours aucun mécanisme de plainte, aucun numéro de téléphone et aucune adresse physique<sup>18</sup>.

## LA SITUATION DES DROITS HUMAINS SUR LE TERRAIN

### Incarcération prolongée de défenseurs des droits humains

15. Les Émirats arabes unis maintiennent toujours en détention les défenseurs des droits humains Mohamed al Mansoori, Mohamed al Roken et Ahmed Mansoor. Les autorités ont arrêté Mohamed al Mansoori et Mohamed al Roken en juillet 2012, puis les ont poursuivis en justice dans le cadre d'un procès collectif réunissant 94 prévenu-e-s (affaire dite « des 94 des Émirats arabes unis »).<sup>19</sup> Ahmed Mansoor a été arrêté en mars 2017, puis poursuivi et condamné à 10 ans d'emprisonnement pour avoir exercé son droit à la liberté d'expression lorsqu'il avait critiqué sur les réseaux sociaux le bilan des Émirats arabes unis en matière de droits humains.<sup>20</sup> Mohamed al Mansoori et Mohamed al Roken étaient tous deux d'éminents avocats qui représentaient des victimes d'atteintes aux droits humains avant d'être emprisonnés.<sup>21</sup> Tous les deux ont également présidé l'Association des juristes des Émirats arabes unis.<sup>22</sup> Comme toutes les autres organisations non gouvernementales

<sup>15</sup>Haut-Commissariat des Nations unies aux droits de l'homme, Voir: Visites de pays des titulaires de mandats au titre des procédures spéciales du Conseil des droits de l'homme depuis 1998, <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&Lang=fr> (dernière consultation le 24 août 2022) ; Conseil des droits de l'homme, Rapport de la Rapporteuse spéciale sur l'indépendance des juges et des avocats, Gabriela Knaul. Mission dans les Émirats arabes unis, 5 mai 2015, doc. ONU A/HRC/29/26/Add.2.

<sup>16</sup> Ambassade des Émirats arabes unis à Washington, "Human Rights", [uae-embassy.org/discover-uae/society/human-rights](http://uae-embassy.org/discover-uae/society/human-rights) (dernière consultation le 25 août 2022).

<sup>17</sup> Émirats arabes unis, ( بشأن الهيئة الوطنية لحقوق الإنسان 2021 لسنة 12 قانون اتحادي رقم ) , [nhriuae.com/ar/law-12](http://nhriuae.com/ar/law-12)

<sup>18</sup> Émirats arabes unis, National Human Rights Institution, « قريباً » sur la page « تواصل معنا » , [nhriuae.com/ar/coming-soon](http://nhriuae.com/ar/coming-soon) (dernière consultation le 29 août 2022) ; Émirats arabes unis, National Human Rights Institution, "Coming Soon" sur la page "Contact Us", [nhriuae.com/en/coming-soon](http://nhriuae.com/en/coming-soon) (dernière consultations le 29 août 2022).

<sup>19</sup> Amnesty International, "There Is No Freedom Here": Silencing Dissent in the United Arab Emirates (UAE) (MDE 25/018/2014), 18 novembre 2014, pp. 44–46.

<sup>20</sup> Amnesty International, « Émirats arabes unis. Ahmed Mansoor condamné à 10 ans d'emprisonnement » (MDE 25/8510/2018), 4 juin 2018, [amnesty.org/fr/documents/mde25/8510/2018/fr/](http://amnesty.org/fr/documents/mde25/8510/2018/fr/)

<sup>21</sup> Amnesty International, "There Is No Freedom Here" (op. cit.), p. 47 ; Amnesty International, « Émirats arabes unis. Sur fond de répression, 13 personnes ont été arrêtées, dont des avocats défenseurs des droits humains », 18 juillet 2012,

<https://www.amnesty.org/fr/latest/press-release/2012/07/uae-human-rights-lawyers-among-13-detained-crackdown-intensified-2/>

<sup>22</sup> Emirates News Agency (WAM), "جمعية الحقوقيين/رئيس الدولة", 6 septembre 2000, [wam.ae/ar/details/1395231251163](http://wam.ae/ar/details/1395231251163); WAM, "وزير العمل", 16 septembre 2005, [wam.ae/ar/details/1395234310902](http://wam.ae/ar/details/1395234310902)

dans le pays, l'Association des juristes des Émirats arabes unis et sa direction ont été mises en place avec l'accord du gouvernement<sup>23</sup>.

16. Mohamed al Roken a fini de purger sa peine de 10 ans de prison le 17 juillet 2022.<sup>24</sup> Pourtant, les Émirats arabes unis ne l'ont pas libéré ce jour-là et ont continué de le maintenir en détention à la prison d'Al Razeen, où il a purgé sa peine.<sup>25</sup> Les Émirats arabes unis justifient le maintien en détention de prisonniers après la fin de leur peine en invoquant une disposition de leur loi de 2014 relative à la lutte contre le terrorisme, selon laquelle une personne « adoptant une pensée extrémiste ou terroriste » peut être maintenue en détention pour y recevoir des « conseils pour combattre l'extrémisme » ou le terrorisme.<sup>26</sup> Cette loi n'accorde au prisonnier aucun droit d'être présent ou d'être représenté par un avocat dans ces procédures de prolongement de la détention, ni aucun droit de faire appel de son maintien en détention, faisant de lui une victime de détention arbitraire<sup>27</sup>.

### Incarcération prolongée de prisonniers d'opinion

17. Le gouvernement émirien maintient encore en détention au moins 26 prisonniers d'opinion. Vingt-quatre d'entre eux sont des prisonniers du procès collectif dit « des 94 », de 2012-2013.<sup>28</sup> À ces 24 hommes s'ajoutent l'universitaire Nasser bin Ghaith, que le gouvernement a arrêté et emprisonné en août 2015, et le défenseur des droits humains Ahmed Mansoor, en détention depuis mars 2017.<sup>29</sup> Ces 26 personnes sont détenues uniquement pour avoir exercé leurs droits à la liberté d'expression ou d'association. Onze d'entre elles sont des prisonniers d'opinion, tous victimes du procès collectif « des 94 » ; ils sont détenus arbitrairement alors qu'ils ont purgé leur peine, en application de la loi relative aux « conseils pour combattre l'extrémisme<sup>30</sup> ».

### Expulsions en masse d'Africains et d'Africaines pour des motifs racistes

18. Depuis la nuit du 24 au 25 juin 2021 jusqu'à l'automne 2021, les Émirats arabes unis ont maintenu en détention, sans procès et dans des conditions inhumaines, des centaines d'Africains et d'Africaines noirs qui avaient été arrêtés illégalement lors d'une opération de masse à caractère raciste.<sup>31</sup> Les arrestations ont été effectuées lors de descentes dans des immeubles où se logeaient des travailleurs et travailleuses migrant-e-s. Des dizaines d'autocars et une équipe spéciale de policiers et d'agents des forces de sécurité en uniforme et en civil ont été mobilisés pour cette opération.

<sup>23</sup> Émirats arabes unis, ( art. 5. Cette loi est celle qui était en vigueur lorsque le gouvernement a autorisé la création de l'Association des juristes des Émirats arabes unis, en 1980. La disposition équivalente dans la loi actuelle est la suivante : Émirats arabes unis, ( art, 6 (tel qu'il a été modifié le 27 septembre 2020).

<sup>24</sup> Émirats arabes unis, Cour suprême fédérale – Chambre de la sûreté de l'État, décision du 2 juillet 2013 relative à l'affaire n° 17/2013, archives d'Amnesty International, pp. 240–241.

<sup>25</sup> Entretien téléphonique avec un militant émirien en exil, 19 juillet 2022.

<sup>26</sup> Émirats arabes unis, ( art. 40. « في شأن مكافحة الجرائم الإرهابية(2014) لسنة 7قانون اتحادي رقم 7 »).

<sup>27</sup> Amnesty International, « Émirats arabes unis. Les dissidents détenus arbitrairement au-delà de leur peine de prison doivent être libérés sans attendre », 30 mai 2022, <https://www.amnesty.org/fr/latest/news/2022/05/uae-dissidents-arbitrarily-detained-beyond-their-sentence-must-be-immediately-released/>

<sup>28</sup> Amnesty International, « *There Is No Freedom Here* » (op. cit.).

<sup>29</sup> Amnesty International, « Émirats arabes unis. La condamnation d'un éminent universitaire à 10 ans de prison pour des tweets porte un coup scandaleux à la liberté d'expression », 29 mars 2017, <https://www.amnesty.org/fr/latest/press-release/2017/03/uae-prominent-academic-jailed-for-10-years-over-tweets-in-outrageous-blow-to-freedom-of-expression/> ; Amnesty International, « Émirats arabes unis. Le militant Ahmed Mansoor condamné à 10 ans de prison pour ses publications sur les réseaux sociaux », 31 mai 2018, <https://www.amnesty.org/fr/latest/news/2018/05/uae-activist-ahmed-mansoor-sentenced-to-10-years-in-prison-for-social-media-posts/>

<sup>30</sup> Amnesty International, « Émirats arabes unis. Les dissidents détenus arbitrairement au-delà de leur peine de prison doivent être libérés sans attendre » (op. cit.).

<sup>31</sup> Tous les paragraphes de cette section s'appuient sur Amnesty International, « Émirats arabes unis. Il faut garantir le droit à réparation de centaines de travailleurs et travailleuses africains victimes de détentions et expulsions à caractère raciste », 26 octobre 2021, <https://www.amnesty.org/fr/latest/news/2021/10/uae-ensure-the-right-to-remedy-to-hundreds-of-african-workers-following-rationally-motivated-detentions-and-deportations/> ; Amnesty International, « Émirats arabes unis. Détentions arbitraires massives et expulsions visant des Africain-e-s », 26 octobre 2021, disponible à l'adresse suivante : <https://www.amnesty.org/fr/documents/mde25/4896/2021/fr/>

19. Les descentes les plus importantes ont eu lieu en pleine nuit au cœur de la ville d'Abou Dhabi. La police a parcouru les immeubles étage par étage en enfonçant les portes. Si l'appartement était occupé par des travailleurs/travailleuses migrant-e-s asiatiques, elle repartait. Si l'appartement était occupé par des Africain-e-s, elle les arrêtait. La police n'a présenté aucun mandat et n'a donné aucune explication aux victimes pour leur arrestation. Les personnes détenues ont été emmenées hors de leur domicile, pieds nus et en pyjama ou sous-vêtements, puis conduites jusqu'à des autocars et transportées à la prison d'al Wathba, où elles ont été fouillées puis placées dans des zones d'attente où plus d'une centaine de personnes se sont retrouvées détenues en même temps.
20. Les Émirats arabes unis ont maintenu les personnes détenues dans des conditions inhumaines et dégradantes (voir section suivante) pour une moyenne d'un à deux mois avant de procéder à leur expulsion sommaire, sans qu'aucune procédure juridique qu'elles puissent contester soit engagée contre eux à aucun moment. Pendant tout ce temps, la plupart de ces personnes ont été rigoureusement maintenues en détention au secret. Aucune d'entre elles n'a vu de tribunal ou d'avocat à aucun moment, ni même pu téléphoner à un avocat.
21. Lorsque les médias ont informé des expulsions de masse, les Émirats arabes unis ont émis une déclaration selon laquelle les personnes déportées appartenaient à « des organisations qui sont des réseaux de prostitution » et ont été traitées « conformément aux procédures juridiques », en fonction d'« éléments de preuve décisifs et étayés ».<sup>32</sup> Or, les personnes détenues n'ont eu droit à aucune des garanties prévues par la loi. Toutes celles pour lesquelles Amnesty International a pu confirmer la situation au regard de la législation sur l'immigration, documents à l'appui, étaient présentes dans le pays en toute légalité.
22. Toutes les personnes détenues interrogées ont affirmé avoir été renvoyées dans leur pays d'origine sans rien d'autre que leur téléphone, leur passeport et des vêtements d'occasion. Elles ont déclaré avoir perdu toutes leurs possessions : vêtements, argent liquide, épargne bancaire, téléviseurs, chaînes hi-fi, tablettes, téléphones, ordinateurs portables, permis de conduire, certificats de naissance et de mariage, diplômes scolaires, diplômes universitaires, licences professionnelles, cartes nationales d'identité et dossiers médicaux.
23. Tout porte à croire qu'un grand nombre de ces expulsions sont des cas de « refoulement » : sur les 18 personnes interrogées par Amnesty International, 11 étaient de la région anglophone du Cameroun, en proie à un conflit armé opposant le gouvernement et des groupes séparatistes depuis 2017. De nombreuses personnes détenues ont déclaré aux autorités avoir peur de retourner dans leur pays mais ont été ignorées.

## Torture et autres mauvais traitements

24. Début 2018, les autorités émiriennes ont arrêté un Libanais, Abdel Rahman Chouman.<sup>33</sup> Il a été jugé pour des accusations de planification d'un attentat terroriste au nom du parti politique et groupe armé libanais *Hezbollah*. Lors de son procès, il a déclaré ne pas savoir où il a été maintenu en détention pour être interrogé car il a eu les yeux bandés pendant toute la durée de son interrogatoire, qui a duré trois mois. Il a déclaré également que les personnes qui l'ont interrogé l'ont roué de coups pendant parfois six heures d'affilée, lui ont heurté la tête contre un mur jusqu'à briser ses plaquettes dentaires et l'ont forcé à signer des « aveux » sans lui permettre de les lire.<sup>34</sup> Pourtant, dans sa décision, le tribunal s'est appuyé explicitement sur ces « aveux » comme élément en faveur de la condamnation d'Abdel Rahman Chouman à perpétuité<sup>35</sup>.
25. Les autorités émiriennes ont maltraité des détenu-e-s africain-e-s pendant la détention massive décrite à la section précédente. Lors de l'arrestation des personnes expulsées, à leur domicile, la police et les forces de

<sup>32</sup> Émirats arabes unis, ministère des Affaires étrangères et de la Coopération internationale, « وزارة الداخلية تدعو وسائل الإعلام إلى تحري الدقة », 3 septembre 2021, [mofaic.gov.ae/ar-ae/mediahub/news/2021/9/3/03-09-2021-uae-accuracy](https://mofaic.gov.ae/ar-ae/mediahub/news/2021/9/3/03-09-2021-uae-accuracy) et « واستقاء المعلومات من مصادرها ».

<sup>33</sup> La date exacte de son incarcération n'est pas claire, car la décision du tribunal comporte des incohérences : elle mentionne d'abord le 15 février 2018, puis le 11 janvier 2018. Cour d'appel fédérale d'Abou Dhabi – Chambre de la sûreté de l'État, décision du 15 mai 2019 relative à l'affaire liée à la sûreté nationale n° 32/2019, archives d'Amnesty International, pp. 3, 12.

<sup>34</sup> Amnesty International, « Émirats arabes unis : Un verdict a été rendu dans l'affaire des hommes libanais » (index : MDE 25/0430/2019), 27 mai 2019, <https://www.amnesty.org/fr/documents/mde25/0430/2019/fr/>

<sup>35</sup> Cour d'appel fédérale d'Abou Dhabi, décision du 15 mai 2019 (op. cit.), p. 9.



sécurité émiriennes ont pénétré par effraction dans les appartements sans présenter de mandat et ont pointé leurs armes à feu sur les habitant-e-s. Lorsque des personnes résistaient à leur arrestation en refusant de se laisser passer les menottes, les agents des forces de sécurité leur assenaient des coups de matraque sur la tête ou les frappaient avec leur équipement à impulsions électriques. Les policiers ont également agressé sexuellement plusieurs femmes pendant leur arrestation.

26. Dans la zone d'attente des femmes de la prison d'al Wathba, plus de 140 personnes se partageaient quatre toilettes, parfois trois. Dans une cellule provisoire pour les hommes, les détenus étaient entassés à raison d'environ 1,64 m<sup>2</sup> par personne, soit moins de la moitié du minimum de 3,4 m<sup>2</sup> par personne recommandé par le Comité international de la Croix-Rouge. Lorsqu'un groupe de femmes s'est disputé avec les gardiens au sujet de leur traitement, elles ont été menottées et attachées aux jambes 24 heures sur 24 pendant une semaine, ce qui leur a provoqué des écorchures aux poignets et aux chevilles. La prison n'a fourni aucun traitement aux personnes malades ; elles n'ont pas été autorisées à recevoir les médicaments sur prescription qui se trouvaient dans leur appartement au moment où elles ont été arrêtées. Une Camerounaise enceinte qui souffrait d'anémie en prison a expliqué à Amnesty International ne pas avoir eu le droit de recevoir son traitement et avoir perdu environ sept kilos pendant sa détention.
27. Les Émirats arabes unis ont maintenu en détention le défenseur des droits humains Ahmed Mansoor dans des conditions inhumaines dès son arrestation, en mars 2017.<sup>36</sup> De mars 2017 à novembre 2019, l'administration du centre pénitentiaire d'al Sadr ne lui a pas permis de quitter son bloc cellulaire pour voir la lumière du soleil et respirer de l'air frais. Depuis son arrivée à la prison d'al Sadr il y a plus de quatre ans, en mars 2017, les Émirats arabes unis le maintiennent en détention à l'isolement, sans accès à aucun livre, à la télévision ou à la radio. Depuis décembre 2017, il n'a pas de lit, de matelas ou d'oreiller dans sa cellule et n'a plus accès à la plupart des produits de nettoyage et d'hygiène personnelle. Mises bout à bout, ces mesures constituent un traitement cruel, inhumain ou dégradant, qui atteint même probablement le degré de torture.

## Le droit à une nationalité

28. Aux Émirats arabes unis, une part importante de la population née dans le pays est apatride. En conséquence d'un accord passé avec les Comores en 2008-2009, des dizaines de milliers d'Émiriens et Émiriennes apatrides ont acquis un passeport comorien, sans toutefois obtenir réellement de nationalité, ni aux Comores, ni aux Émirats arabes unis<sup>37</sup>.
29. La présence d'apatrides dans le pays est reconnue par la législation émirienne, qui comporte une disposition selon laquelle, en droit pénal, toute personne n'ayant pas de nationalité doit être considérée comme équivalente à un-e citoyen-n-e si sa résidence habituelle se trouve dans l'État.<sup>38</sup> L'agence de presse officielle des Émirats arabes unis a aussi reconnu la présence d'apatrides sur le territoire, « qui n'ont pas de documents d'identité et dont la présence dans l'État avant l'annonce de l'Union [le 2 décembre 1971] a été prouvée<sup>39</sup> ».
30. La taille de cette population apatride aux Émirats arabes unis a fait l'objet de différentes estimations. Dans le bas de la fourchette, le ministère de l'Intérieur émirien a déclaré en octobre 2006 qu'environ 10 000 apatrides vivent aux Émirats arabes unis, les décrivant comme « principalement d'origine iranienne ou asiatique, ou de

<sup>36</sup> Ce paragraphe repose sur la publication suivante : Amnesty International, « Émirats arabes unis. Action complémentaire: un prisonnier d'opinion dans un état critique: Ahmed Mansoor » (index : MDE 25/1782/2020), 12 février 2020, disponible à l'adresse suivante : <https://www.amnesty.org/fr/documents/mde25/1782/2020/fr/> ; Amnesty International, « Émirats arabes unis. Ahmed Mansoor, détenu illégalement à l'isolement pendant trois ans, doit être libéré », 20 mars 2020, <https://www.amnesty.org/fr/latest/news/2020/03/uae-ahmed-mansoor-unlawfully-detained-in-solitary-confinement-for-three-years-must-be-released/> ; Human Rights Watch et Gulf Centre for Human Rights, *The Persecution of Ahmed Mansoor: How the United Arab Emirates Silenced its Most Famous Human Rights Activist*, 27 janvier 2021, [hrw.org/report/2021/01/27/persecution-ahmed-mansoor/how-united-arab-emirates-silenced-its-most-famous-human](https://www.hrw.org/report/2021/01/27/persecution-ahmed-mansoor/how-united-arab-emirates-silenced-its-most-famous-human) ; arabi21.com, "رسائل مسربة من سجون الإمارات 21 حصري لـعربي", 16 July 2021, [bit.ly/3CWak6f](https://bit.ly/3CWak6f)

<sup>37</sup> Noora Lori, *Offshore Citizens: Permanent Temporary Status in the Gulf*, 2019 ; Atossa Araxia Abrahamian, *The Cosmopolites: The Coming of the Global Citizen*, 2015, chap. 1–3.

<sup>38</sup> Émirats arabes unis, Code des infractions et des sanctions (op. cit.), art. 23, § 2 et art. 22, § 2.

<sup>39</sup> WAM, "سيف بن زايد: سائرون نحو حل نهائي لمسألة عديمي الجنسية", 25 octobre 2006, [wam.ae/ar/details/1395234612381](https://wam.ae/ar/details/1395234612381)

Zanzibar ». <sup>40</sup> Dans le haut de la fourchette, Noora Lori, autrice de l'étude la plus complète sur les apatrides aux Émirats arabes unis, présente une estimation finale d'« approximativement » 80 000-120 000 personnes dans ce groupe, en se fondant sur les estimations du nombre de passeports comoriens délivrés <sup>41</sup>.

31. Les apatrides aux Émirats arabes unis n'ont pas accès à la santé et à l'éducation sans discrimination, au même titre que les Émiriens et Émiriennes. Alors que la population émirienne a droit à une santé et une éducation publiques gratuites, les apatrides doivent payer pour recevoir des soins de santé ou pour étudier. <sup>42</sup> L'application de la restriction de l'accès à ces services publics est rendue possible par le système des cartes d'identité nationales biométriques. Seules les personnes ayant la carte d'identité nationale peuvent recevoir des services subventionnés par l'État et seules celles ayant un « livret de famille », le document clé pour prouver sa nationalité, qui est refusé aux Émiriens et Émiriennes apatrides, peuvent obtenir une carte d'identité nationale. <sup>43</sup> Par ailleurs, les personnes possédant le passeport spécial comorien doivent maintenant trouver un Émirien ou une Émirienne qui lui serve de « parrain » (ou « sponsor ») pour pouvoir demander un permis de résidence renouvelable, sans lequel elles ont le statut de « résident illégal <sup>44</sup> ».

## RECOMMANDATIONS À L'ÉTAT SOUMIS À L'EXAMEN

**Amnesty International appelle le gouvernement des Émirats arabes unis à prendre les mesures suivantes :**

### Défenseurs des droits humains et prisonniers d'opinion

32. Libérer immédiatement et sans condition tous les défenseurs des droits humains et les prisonniers d'opinion, notamment Ahmed Mansoor, Mohamed al Roken et Mohamed al Mansoori.

### Expulsions en masse d'Africains et d'Africaines pour des motifs racistes

33. Restituer aux personnes expulsées tous les biens qui leur ont été dérobés et les indemniser pour leur souffrance et leur douleur, mais aussi diligenter une enquête indépendante afin d'identifier et de traduire en justice les responsables qui ont ordonné et organisé cette opération discriminatoire.

### Torture et autres mauvais traitements

34. Garantir à toutes les personnes détenues la possibilité de recevoir, en privé, la visite en personne de leurs avocat-e-s, de leur famille et (pour les étrangers/étrangères) des responsables consulaires dans les premières 24 heures de leur détention, comme mesure de protection contre la torture et autres mauvais traitements.

### Droit à une nationalité

35. Établir et publier tous les ans un rapport sur le nombre d'apatrides aux Émirats arabes unis et sur leur bien-être socioéconomique, en y incluant des statistiques sur leur taux de mortalité moyen, leur revenu moyen, leur niveau moyen d'études et d'emploi, ainsi que sur la prévalence des maladies chroniques au sein de cette population.
36. Instaurer une procédure juste et transparente, reposant sur des critères objectivement vérifiables, pour que les apatrides aux Émirats arabes unis puissent demander la nationalité émirienne.

<sup>40</sup> AFP, "UAE to naturalize 10,000 stateless people", 25 octobre 2006, base de données Nexis Uni.

<sup>41</sup> Lori, *Offshore Citizens* (op. cit.), p. 204.

<sup>42</sup> Entretien par appel vocal avec « MM », apatride émirien accepté comme réfugié dans un pays de l'Union européenne, 3 mai 2020 ; entretien par appel vocal avec Noora Lor, autrice de l'étude la plus complète sur la population apatride émirienne, 14 mai 2020 ; entretien par appel vocal avec Yoana Kuzmova, avocate américaine ayant mené des entretiens sur le terrain avec des apatrides émirien-ne-s demandant l'asile à l'étranger et leur ayant fourni des conseils juridiques, 13 mai 2020.

<sup>43</sup> Lori, *Offshore Citizens* (op. cit.), p. 204. Le terme arabe pour « livret de famille » est خلاصة القيد.

<sup>44</sup> Entretien par appel vocal avec « MM », apatride émirien accepté comme réfugié dans un pays de l'Union européenne, 3 mai 2020 ; Lori, *Offshore Citizens*, p. 204 ; Abrahamian, *The Cosmopolites*, p. 67. Le terme arabe pour désigner le statut juridique de « parrain » permettant d'obtenir la résidence est خلاصة القيد.



37. Garantir aux apatrides l'accès à l'éducation et à la santé au même titre que la population émirienne, sans discrimination.

## ANNEX 1

### KEY AMNESTY INTERNATIONAL DOCUMENTS FOR FURTHER REFERENCE

*UAE: Activist Ahmed Mansoor sentence to 10 years in prison for social media posts*, 31 May 2018, [amnesty.org/en/latest/news/2018/05/uae-activist-ahmed-mansoor-sentenced-to-10-years-in-prison-for-social-media-posts/](https://www.amnesty.org/en/latest/news/2018/05/uae-activist-ahmed-mansoor-sentenced-to-10-years-in-prison-for-social-media-posts/)

*UAE: Three Lebanese men receive heavy sentences, including life, despite grave fair trial concerns*, 15 May 2019, [amnesty.org/en/latest/news/2019/05/uae-three-lebanese-men-receive-heavy-sentences-including-life-despite-grave-fair-trial-concerns-2/](https://www.amnesty.org/en/latest/news/2019/05/uae-three-lebanese-men-receive-heavy-sentences-including-life-despite-grave-fair-trial-concerns-2/)

*UAE: Ahmed Mansoor, unlawfully detained in solitary confinement for three years, must be released*, 20 March 2020, [amnesty.org/en/latest/news/2020/03/uae-ahmed-mansoor-unlawfully-detained-in-solitary-confinement-for-three-years-must-be-released/](https://www.amnesty.org/en/latest/news/2020/03/uae-ahmed-mansoor-unlawfully-detained-in-solitary-confinement-for-three-years-must-be-released/)

*UAE: Supreme Court Confirms Verdict in an Unfair Trial*, 31 March 2020, [amnesty.org/en/documents/mde25/2000/2020/en/](https://www.amnesty.org/en/documents/mde25/2000/2020/en/)

*UAE: Nearly a decade of unjust imprisonment for 'UAE-94' dissidents*, 2 July 2021, [amnesty.org/en/latest/news/2021/07/uae-nearly-a-decade-of-unjust-imprisonment-for-uae-94-dissidents-2/](https://www.amnesty.org/en/latest/news/2021/07/uae-nearly-a-decade-of-unjust-imprisonment-for-uae-94-dissidents-2/)

*UAE: Ensure the right to remedy to hundreds of African workers following racially motivated detentions and deportations*, 26 October 2021, [amnesty.org/en/latest/news/2021/10/uae-ensure-the-right-to-remedy-to-hundreds-of-african-workers-following-racially-motivated-detentions-and-deportations/](https://www.amnesty.org/en/latest/news/2021/10/uae-ensure-the-right-to-remedy-to-hundreds-of-african-workers-following-racially-motivated-detentions-and-deportations/)

*UAE: Mass Arbitrary Detention and Deportation of Africans*, 26 October 2021, [amnesty.org/en/documents/mde25/4896/2021/en/](https://www.amnesty.org/en/documents/mde25/4896/2021/en/)

*UAE: Dissidents arbitrarily detained beyond their sentence must be immediately released*, 30 May 2022, [amnesty.org/en/latest/news/2022/05/uae-dissidents-arbitrarily-detained-beyond-their-sentence-must-be-immediately-released/](https://www.amnesty.org/en/latest/news/2022/05/uae-dissidents-arbitrarily-detained-beyond-their-sentence-must-be-immediately-released/)

## ANNEX 2

### MATRIX OF RECOMMENDATIONS FROM THE PREVIOUS CYCLE, WITH COMMENTS ON PROGRESS

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<b>Theme: A22 Cooperation with treaty bodies</b>			
141.50 Continue to strengthen the State's cooperation with treaty bodies, including the submission of periodic reports in the framework of international human rights treaties (Saudi Arabia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A22 Cooperation with treaty bodies <b>Affected persons:</b> - general	<b>Partially implemented</b> The UAE submitted its first report to the UN Committee against Torture five years later. Its report to the Committee on the Elimination of Discrimination against Women was submitted on time.
141.48 Further strengthen its cooperation with United Nations human rights mechanisms (Pakistan); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A22 Cooperation with treaty bodies A24 Cooperation with special procedures A26 Cooperation with the Universal Periodic Review (UPR) <b>Affected persons:</b> - general	<b>Partially implemented</b> Although it extended an invitation to the UN Special Rapporteur on the Rights of Persons with Disabilities and the Special Rapporteur on Education in 2018, the UAE has stonewalled all UN special procedures on human rights with responsibility for civil-political rights, and those with mandates relevant to migrant labour, since 2014, when a visit by the Special Rapporteur on the independence of judges and lawyers resulted in a critical report.
141.51 Submit its report to the Committee against Torture and engage in a dialogue with it (Switzerland); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A22 Cooperation with treaty bodies D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Partially implemented</b> The report was submitted, but five years late.
<b>Theme: A24 Cooperation with special procedures</b>			
141.58 Cooperate with United Nations human rights mechanisms, including by responding positively to visit requests from special procedure mandate holders (Germany); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A24 Cooperation with special procedures <b>Affected persons:</b> - general	<b>Not implemented</b> No affirmative requests from special procedures mandate holders to visit the country have been granted by the UAE since its last UPR cycle.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<b>Theme: A43 Human rights policies</b>			
141.61 Continue to work on building national capacity in the field of human rights, in accordance with international standards (Oman); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A43 Human rights policies <b>Affected persons:</b> - general	<b>Partially implemented</b> The UAE has passed a law for the establishment of a National Human Rights Institution (NHRI). However, over a year and a half after its announcement, the NHRI still does not offer a complaints mechanism or have an address.
<b>Theme: A44 Structure of the national human rights machinery</b>			
141.64 Promote the role of national human rights mechanisms and institutions in the protection of human rights (Bahrain); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A44 Structure of the national human rights machinery S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Partially implemented</b> A law for a National Human Rights Institution has been passed, but the Institution still is not open to the public.
<b>Theme: A45 National Human Rights Institution (NHRI)</b>			
141.74 Take the necessary measures for the establishment of a national human rights institution, including considering cooperation with countries in the region that have already established a national human rights institution (Indonesia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A45 National Human Rights Institution (NHRI) A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Partially implemented</b> A law for a National Human Rights Institution has been passed, but the Institution still is not open to the public.
141.80 Work towards strengthening and developing the specialized national mechanisms in the field of human rights, especially the completion of the legal procedures related to the establishment of the independent national human rights commission, in accordance with the Paris Principles (Tunisia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A45 National Human Rights Institution (NHRI) A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Partially implemented</b> A law for a National Human Rights Institution has been passed, but the Institution still is not open to the public and the Paris Principles are not referenced in the law.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
141.65 Accelerate the process of setting up a national human rights institution, in the light of the Paris Principles (Mozambique); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> A law establishing a National Human Rights Institution was not passed until May 2021, three years after the last UPR, the Institution is still not open to the public over a year and a half after its establishment, and the law does not make reference to the Paris Principles.
141.66 Establish a national human rights institution, in accordance with the Paris Principles (Ghana) (Greece) (Nepal) (Republic of Korea) (Timor-Leste); Establish a national human rights institution, in line with the Paris Principles (Sierra Leone); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> The law establishing the National Human Rights Institution makes no reference to the Paris Principles.
141.68 Establish a national human rights institution, in line with the Paris Principles, and ensure its effective functioning (Republic of Moldova); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> A law for a National Human Rights Institution has been passed, but the Institution still is not open to the public and the Paris Principles are not referenced in the law.
141.71 Create a national human rights institution, in line with the Paris Principles, and establish an Ombudsman's Office (France); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> A law for a National Human Rights Institution has been passed, but the Paris Principles are not referenced in the law and there is still no institution serving an effective ombudsman function.
141.72 Accelerate efforts to establish a national human rights institution, in compliance with the Paris Principles (Georgia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> A law establishing a National Human Rights Institution was not passed until May 2021, three years after the last UPR, the Institution is still not open to the public over a year and a half after its establishment, and the law does not make reference to the Paris Principles.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
141.73 Establish a national human rights institution, in accordance with the Paris Principles, to monitor and examine allegations of human rights violations (Kenya); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> A law establishing a National Human Rights Institution was not passed until May 2021, three years after the last UPR, the Institution is still not open to the public over a year and a half after its establishment, and the law does not make reference to the Paris Principles.
141.75 Establish an independent national human rights institution, in accordance with the Paris Principles (Mongolia); Establish an independent national human rights institution, in line with the Paris Principles (Uruguay); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> A law establishing a National Human Rights Institution was not passed until May 2021, but it does not make reference to the Paris Principles.
141.76 Ensure the swift establishment of an independent national human rights institution, in line with the Paris Principles (Germany); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> A law establishing a National Human Rights Institution was not passed until May 2021, three years after the last UPR, the Institution is still not open to the public over a year and a half after its establishment, and the law does not make reference to the Paris Principles.
141.77 Finalize the draft act on the establishment of the independent national human rights commission and make it functional (Senegal); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Partially implemented</b> The law establishing a National Human Rights Institution has been, but the Institution is still not open to the public.
<b>Theme: A61 Cooperation with civil society</b>			
141.88 Support civil society organizations and institutions to enable them to play their full role in the promotion and protection of human rights (Chad); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	A61 Cooperation with civil society D45 Freedom of association S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - human rights defenders	<b>Not implemented</b> There are no independent civil society organizations operating legally inside the UAE, and under Article 5 of the Law on Public Benefit Associations, no nongovernmental organization can be established without the government's permission.



Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<b>Theme: B31 Equality &amp; non-discrimination</b>			
141.90 Adopt a comprehensive political and legislative framework for the prevention of, and the fight against, discrimination in all its forms (Honduras); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	B31 Equality & non-discrimination A42 Institutions & policies - General A41 Constitutional and legislative framework S10 SDG 10 - inequality <b>Affected persons:</b> - vulnerable persons/groups	<b>Not implemented</b> There is no comprehensive legislative framework against discrimination in place, and the UAE maintains reservations against core provisions of the Convention on the Elimination of All Forms of Discrimination against Women.
141.89 Strengthen state programmes aimed at promoting tolerance of and respect for cultural diversity, and at combating discrimination, hatred and extremism (Belarus); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	B31 Equality & non-discrimination G1 Members of minorities S10 SDG 10 - inequality <b>Affected persons:</b> - minorities/ racial, ethnic, linguistic, religious or descent-based groups	<b>Not implemented</b> The UAE is using "counselling" for those "adopting extremist thought" to arbitrarily detain prisoners, including dissidents and human rights lawyer Mohamed al-Roken, past the end of prison sentences.
<b>Theme: B8 Human rights &amp; counter-terrorism</b>			
141.124 Guarantee that the application of the anti-terrorism law and the cybercrime law is not an obstacle to the legitimate activities of citizens, human rights defenders and the media (Switzerland); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	B8 Human rights & counter-terrorism H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - media - human rights defenders	<b>Not implemented</b> The counterterrorism law (No. 7 of 2014) specifically is being used to keep human rights defender Mohamed al-Roken and other prisoners of conscience behind bars even after their court-ordered prison sentences have ended.
<b>Theme: D29 Domestic violence</b>			
141.177 Work on the adoption of the law on combating domestic violence (Tunisia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	D29 Domestic violence F12 Discrimination against women A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women	<b>Implemented</b> The UAE passed Decree of Federal Act No. 10 of 2019 on Protection from Family Violence in August 2019; it went into effect later, in March 2020. Amnesty International does not have information on how effective the law and its implementation have been in combating domestic violence.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<b>Theme: D43 Freedom of opinion and expression</b>			
141.121 Establish in national legislation the right to freedom of expression and to information, and mechanisms to guarantee its full respect and protection (Mexico); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	D43 Freedom of opinion and expression A41 Constitutional and legislative framework A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> The UAE retains many laws punishing freedom of expression, and criminalization of expression critical of the country's rulers was retained in the new Code of Crimes and Punishments adopted in 2021.
141.119 Continue to work to amend the Publications and Publishing Act, thus contributing to enhancing freedom of expression, in conformity with the relevant international human rights standards (Lebanon); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	D43 Freedom of opinion and expression A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general - media	<b>Not implemented</b> The law on publications and other laws continue to criminalize legitimate forms of free expression, such as criticizing the rulers of the country.
141.112 Protect freedom of expression and freedom of association (France); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	D43 Freedom of opinion and expression D45 Freedom of association S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> Freedom of expression remains subject to criminal sanctions under many laws, and dissidents such as human rights defender Ahmed Mansoor are imprisoned solely because of their exercise of the right to freedom of expression.
<b>Theme: D51 Administration of justice &amp; fair trial</b>			
141.134 Strengthen the independence of the judiciary. Ensure the right to a fair trial for all without discrimination: in particular, reject evidence obtained by torture, and ensure that all arrests are subject to judicial oversight without exception (Czechia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	D51 Administration of justice & fair trial D25 Prohibition of torture and cruel, inhuman or degrading treatment B31 Equality & non-discrimination S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - judges, lawyers and prosecutors	<b>Not implemented</b> The "confession" of Lebanese national Abdel Rahman Chouman, which he told the court was extracted under torture, was explicitly relied on by the court convicting him as evidence. In 2021 hundreds of African nationals targeted in racist mass arrests were denied all judicial process in relation to their detention and deportation.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
141.141 Take steps to ensure that all detainees have access to a fair and transparent trial (Australia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - persons deprived of their liberty	<b>Not implemented</b> The UAE arbitrarily detained and deported hundreds of racially targeted African nationals in summer 2021. None of those detained and deported was given a fair trial. In Amnesty International's interviews with over a dozen of the victims, not one had even seen a courtroom or been able to call an attorney.
<b>Theme: E51 Right to education - General</b>			
141.159 Put in place access and non-discrimination measures, enabling all boys and girls residing in its country to fully enjoy their right to education (Paraguay); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	E51 Right to education - General B31 Equality & non-discrimination S04 SDG 4 - education S10 SDG 10 - inequality <b>Affected persons:</b> - children - girls	<b>Not implemented</b> Children born into the stateless population in the UAE do not have access to the free public school system.
<b>Theme: F11 Advancement of women</b>			
141.186 Work towards enhancing gender equality in society, including by removing impediments to women's free movement and to their free choice of profession and employment (Estonia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	F11 Advancement of women F12 Discrimination against women F31 Children: definition; general principles; protection D41 Freedom of movement E31 Right to work E32 Right to just and favourable conditions of work S05 SDG 5 - gender equality and women's empowerment S08 SDG 8 - economic growth, employment, decent work <b>Affected persons:</b> - women	<b>Partially implemented</b> A 2020 amendment (Decree of Federal Act No. 5 of 2020) improved Article 72 of the Personal Status Law by removing explicit restrictions on a married woman's right to work. However, under the new version of Article 72, a judge may still restrict a spouse's right to leave the house or work based on factors including "canon law or custom" and "the interests of the family." A large-scale reform of the Personal Status Law in 2020 (Decree of Federal Act No. 29 of 2020) explicitly does not apply to Muslim Emirati nationals.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<b>Theme: F12 Discrimination against women</b>			
141.173 Review regulations regarding women in the Penal Code and in the Personal Status Law (Republic of Korea); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	F12 Discrimination against women A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women	<b>Partially implemented</b> In 2016 (by Decree of Federal Act No. 7 of 2016), the UAE removed Article 53.1 of its Penal Code which stated that a husband has the right to "discipline" his wife. In 2019 (by Decree of Federal Act No. 8 of 2019) the UAE removed Article 56.1 of the Personal Status Law which had stated that a husband has the right to "courteous obedience" from his wife. However, the major 2020 reforms of the Personal Status Law (passed in Decree of Federal Act No. 29 of 2020) explicitly do not apply to Muslim Emirati nationals.
<b>Theme: F13 Violence against women</b>			
141.179 Enact comprehensive legislation to address violence against women, including the recognition of domestic violence as an offence (Belgium); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	F13 Violence against women D29 Domestic violence F12 Discrimination against women A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women	<b>Partially implemented</b> The UAE has passed legislation outlawing domestic violence, through Decree of Federal Act No. 10 of 2019. The definition of "family violence" under Article 3 of that act remains a concern, as it refers to family violence vaguely as conduct that "transgresses the sovereignty, guardianship, sustenance, breadwinning role, authority, or responsibility of" the perpetrator.
<b>Theme: G4 Migrants</b>			
141.209 Further facilitate consular protection for migrant workers, including by informing the foreign consulate without delay in case of arrest or detention of nationals (Viet Nam); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	G4 Migrants D33 Arbitrary arrest and detention S16 SDG 16 - peace, justice and strong institutions S10 SDG 10 - inequality <b>Affected persons:</b> - migrants	<b>Not implemented</b> In the summer 2021 mass deportation of African nationals, the victims were not afforded access to consular support.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
141.216 Establish measures to facilitate access to justice, interpretation services and quality legal aid for migrant workers, stateless persons and domestic workers (Sierra Leone); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	G4 Migrants D51 Administration of justice & fair trial B51 Right to an effective remedy S08 SDG 8 - economic growth, employment, decent work S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - migrants - non-citizens - stateless persons	<b>Not implemented</b> In the summer 2021 mass deportation of African nationals, the majority of victims did not have an opportunity to contact any party outside the prison at all, let alone to receive legal aid.
141.210 Continue to cooperate with the countries of origin of migrant workers, in order to better protect their rights (Mauritania); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	G4 Migrants E32 Right to just and favourable conditions of work S08 SDG 8 - economic growth, employment, decent work S10 SDG 10 - inequality <b>Affected persons:</b> - migrants	<b>Not implemented</b> In the summer 2021 mass deportation of African nationals, the victims did not receive consular support and deportations were carried out in a way disrespectful of the interests of sending countries as the Emirati authorities falsified negative Covid-19 test results for the deportees, who in fact had not been either protected from or tested for infection prior to deportation.
141.228 Continue its efforts in the promotion and protection of the rights of vulnerable groups, in particular pregnant migrants (Viet Nam); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	G4 Migrants F12 Discrimination against women F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S08 SDG 8 - economic growth, employment, decent work S10 SDG 10 - inequality <b>Affected persons:</b> - women - migrants - vulnerable persons/groups	<b>Not implemented</b> In documenting the summer 2021 mass deportation of African nationals, Amnesty International took testimony from a pregnant Cameroonian woman who was maltreated by denial of access to medical care while in detention and suffered drastic weight loss despite being several months into her pregnancy.
<b>Theme: H1 Human rights defenders</b>			
141.127 Ensure the protection of human rights defenders (France); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	H1 Human rights defenders <b>Affected persons:</b> - human rights defenders	<b>Not implemented</b> Human rights work is not permitted within the UAE and the most prominent nationals engaged in defence of human rights over the past decade, Mohamed al-Mansoori, Mohamed al-Roken and Ahmed Mansoor, are in prison because of their human rights work.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
141.128 Take steps to protect human rights defenders (Norway); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	H1 Human rights defenders <b>Affected persons:</b> - human rights defenders	<b>Not implemented</b> The UAE's national human rights defenders are in prison and independent international human rights groups, including UN special procedures covering civil and political rights, are not permitted to investigate human rights violations in the country.
141.129 Take measures to prevent acts of harassment and intimidation of human rights defenders and journalists (Latvia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 5	Supported	H1 Human rights defenders D43 Freedom of opinion and expression S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - media - human rights defenders	<b>Not implemented</b> Human rights defenders Mohamed al-Mansoori, Ahmed Mansoor and Mohamed al-Roken are in prison because of their human rights work, with al-Roken even being arbitrarily detained past the end of his court-ordered prison sentence on the pretext of "counselling" for "adopting extremist thought."
<b>Theme: A12 Acceptance of international norms</b>			
141.28 Ratify those international human rights instruments to which it is not yet a party, in particular, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance, and consider withdrawing its reservations to articles 2 (f), 9, 15 (2), 16 and 29 (1) of the Convention on the Elimination of All Forms of Discrimination against Women (Honduras); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A12 Acceptance of international norms A13 Reservations D32 Enforced disappearances F12 Discrimination against women G4 Migrants S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women - migrants - disappeared persons	<b>Not implemented</b> The UAE has not taken any of these steps with respect to international human rights law.



Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<p>141.17 Ratify the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and enhance cooperation with United Nations human rights mechanisms (Austria);</p> <p><b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6</p>	Noted	<p>A12 Acceptance of international norms                      A22 Cooperation with treaty bodies                      D1 Civil &amp; political rights - general measures of implementation                      D25 Prohibition of torture and cruel, inhuman or degrading treatment                      E1 Economic, social &amp; cultural rights - general measures of implementation                      S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - general</p>	<p><b>Not implemented</b></p> <p>The UAE has not taken these steps with respect to international human rights law and has not acceded to the two principal international human rights Covenants.</p>
<p>141.18 Become a State party to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Allow, without delay, visits of the representatives of the special procedures of the Human Rights Council, and issue a standing invitation to the thematic special procedures of the Human Rights Council (Czechia);</p> <p><b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6</p>	Noted	<p>A12 Acceptance of international norms                      A24 Cooperation with special procedures                      D25 Prohibition of torture and cruel, inhuman or degrading treatment                      D32 Enforced disappearances                      S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - disappeared persons</p>	<p><b>Not implemented</b></p> <p>The UAE has not acceded to any of these international human rights instruments and continues to deny access to all special procedures of the Human Rights Council with mandates covering civil and political rights.</p>
<p>141.35 Ratify the Rome Statute of the International Criminal Court, and fully align its legislation with all the obligations under the Rome Statute (Latvia);</p> <p><b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6</p>	Noted	<p>A12 Acceptance of international norms                      A41 Constitutional and legislative framework                      B11 International humanitarian law                      B52 Impunity                      D51 Administration of justice &amp; fair trial                      S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - general</p>	<p><b>Not implemented</b></p> <p>The UAE has not ratified the Rome Statute.</p>

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
141.32 Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance, and incorporate that offence into its national legislation (Argentina); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A12 Acceptance of international norms A41 Constitutional and legislative framework D32 Enforced disappearances S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - disappeared persons	<b>Not implemented</b> The UAE has not acceded to the International Convention for the Protection of All Persons from Enforced Disappearance, and in the summer 2021 mass detention and deportation of African nationals held hundreds of individuals entirely incommunicado in conditions amounting to enforced disappearance.
141.33 Ratify the Rome Statute of the International Criminal Court (Portugal); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A12 Acceptance of international norms B11 International humanitarian law B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> The UAE has not ratified the Rome Statute.
141.34 Ratify the Rome Statute, including the provisions on the crime of aggression (Liechtenstein); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A12 Acceptance of international norms B11 International humanitarian law B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> The UAE has not ratified the Rome Statute.
141.8 Ratify the International Covenant on Civil and Political Rights (Armenia) (Benin) (France) (Portugal); Accede to the International Covenant on Civil and Political Rights (Australia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A12 Acceptance of international norms D1 Civil & political rights - general measures of implementation <b>Affected persons:</b> - general	<b>Not implemented</b> The UAE has not ratified the International Covenant on Civil and Political Rights.
141.11 Accede to the Optional Protocol to the International Covenant on Civil and Political Rights (Australia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A12 Acceptance of international norms D1 Civil & political rights - general measures of implementation <b>Affected persons:</b> - general	<b>Not implemented</b> The UAE is still not a party to the International Covenant on Civil and Political Rights, nor to its Protocols.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<p>141.13 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Chile) (Iceland) (Liechtenstein);                      Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Australia);</p> <p><b>Source of position:</b>                      A/HRC/38/14/Add.1 - Para. 6</p>	Noted	<p>A12 Acceptance of international norms                      D1 Civil &amp; political rights - general measures of implementation                      D23 Death penalty</p> <p><b>Affected persons:</b>                      - general</p>	<p><b>Not implemented</b></p> <p>The UAE has not ratified either the core Covenant or its Protocols, and its courts continue to apply the death penalty.</p>
<p>141.15 Establish an official moratorium on executions, and ratify the International Covenant on Civil and Political Rights and its Second Optional Protocol, aiming at the abolition of the death penalty (Slovakia);</p> <p><b>Source of position:</b>                      A/HRC/38/14/Add.1 - Para. 6</p>	Noted	<p>A12 Acceptance of international norms                      D1 Civil &amp; political rights - general measures of implementation                      D23 Death penalty</p> <p><b>Affected persons:</b>                      - general</p>	<p><b>Not implemented</b></p> <p>The UAE has not ratified either the core Covenant or its Protocols, and its courts continue to apply the death penalty.</p>
<p>141.16 Ratify and accede to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance (Sierra Leone);</p> <p><b>Source of position:</b>                      A/HRC/38/14/Add.1 - Para. 6</p>	Noted	<p>A12 Acceptance of international norms                      D1 Civil &amp; political rights - general measures of implementation                      D32 Enforced disappearances                      E1 Economic, social &amp; cultural rights - general measures of implementation                      G4 Migrants                      S10 SDG 10 - inequality                      S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b>                      - general                      - migrants                      - disappeared persons</p>	<p><b>Not implemented</b></p> <p>The UAE has not ratified any of these international human rights instruments.</p>
<p>141.1 Sign and ratify the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other core international human rights conventions (Italy);</p> <p><b>Source of position:</b>                      A/HRC/38/14/Add.1 - Para. 6</p>	Noted	<p>A12 Acceptance of international norms                      D1 Civil &amp; political rights - general measures of implementation                      E1 Economic, social &amp; cultural rights - general measures of implementation</p> <p><b>Affected persons:</b>                      - general</p>	<p><b>Not implemented</b></p> <p>The UAE has not ratified the two core international human rights Covenants.</p>

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
141.2 Accelerate steps to ratify core international human rights treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Republic of Korea); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A12 Acceptance of international norms D1 Civil & political rights - general measures of implementation E1 Economic, social & cultural rights - general measures of implementation <b>Affected persons:</b> - general	<b>Not implemented</b> The UAE has not ratified the two core international human rights Covenants.
141.5 Ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, in order to strengthen protection of the human rights of foreigners residing in the United Arab Emirates (Japan); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A12 Acceptance of international norms D1 Civil & political rights - general measures of implementation E1 Economic, social & cultural rights - general measures of implementation <b>Affected persons:</b> - general - non-citizens	<b>Not implemented</b> The UAE has not ratified the two core international human rights Covenants.
141.23 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark) (Portugal); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A12 Acceptance of international norms D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> The UAE has not ratified the Convention against Torture and its Protocol.
141.24 Ensure the impartial investigation of all allegations of torture, and move towards ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Finland); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A12 Acceptance of international norms D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> In the case of Lebanese national Abdel Rahman Chouman, there was no impartial investigation of the defendant's allegations of torture, and in fact the court explicitly relied on the "confession" the defendant said was extracted under torture as evidence. No impartial investigation has been made into the conditions of detention of human rights defender Ahmed Mansoor, which likely amount to mental torture.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
141.30 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (France) (Portugal); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A12 Acceptance of international norms D32 Enforced disappearances S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - disappeared persons	<b>Not implemented</b> The UAE has not ratified the Convention against enforced disappearance.
141.39 Accede to and implement the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Kenya); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A12 Acceptance of international norms D6 Rights related to name, identity, nationality G7 Stateless persons S10 SDG 10 - inequality <b>Affected persons:</b> - stateless persons	<b>Not implemented</b> The UAE has not acceded to the core international instruments recognizing the legal concept and rights of the refugee.
141.40 Accede to and fully implement the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Slovakia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A12 Acceptance of international norms D6 Rights related to name, identity, nationality G7 Stateless persons S10 SDG 10 - inequality <b>Affected persons:</b> - stateless persons	<b>Not implemented</b> The UAE has not acceded to the core international instruments recognizing the legal concept and rights of the refugee.
141.6 Ratify the International Covenant on Economic, Social and Cultural Rights (Armenia) (Benin) (France); Accede to the International Covenant on Economic, Social and Cultural Rights (Australia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A12 Acceptance of international norms E1 Economic, social & cultural rights - general measures of implementation <b>Affected persons:</b> - general	<b>Not implemented</b> The UAE has not ratified the International Covenant on Economic, Social and Cultural Rights.
141.36 Ratify the International Labour Organization Domestic Workers Convention, 2011 (No. 189) (Paraguay); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A12 Acceptance of international norms E32 Right to just and favourable conditions of work G8 Non-citizens S10 SDG 10 - inequality <b>Affected persons:</b> - women - migrants	<b>Not implemented</b> The UAE has not ratified this Convention.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<p>141.22 Take further steps, and provide the necessary resources, to ensure the effective implementation of the Convention on the Rights of the Child, including the ratification of the two remaining Optional Protocols to the Convention on the Rights of the Child (Slovakia);</p> <p><b>Source of position:</b>                      A/HRC/38/14/Add.1 - Para. 6</p>	Noted	<p>A12 Acceptance of international norms                      F31 Children: definition; general principles; protection  <b>Affected persons:</b>                      - children                      - persons affected by armed conflict</p>	<p><b>Not implemented</b></p> <p>Since its last UPR cycle, the UAE has not acceded to either of the remaining two Protocols to the Convention on the Rights of the Child – neither the Protocol on the Involvement of Children in Armed Conflict, of concern because of Emirati involvement in the war in Yemen, nor the Protocol on a Communications Procedure, which might lead to better enforcement of the rights in the Convention. The UAE does not permit stateless children born in the country to access the free system of public schools, contrary to Art. 28.1 of the Convention on the Rights of the Child, which states that “primary education” shall be “compulsory and available for all” children, without restriction by nationality.</p>
<p>141.20 Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (France) (Liechtenstein) (Paraguay);</p> <p><b>Source of position:</b>                      A/HRC/38/14/Add.1 - Para. 6</p>	Noted	<p>A12 Acceptance of international norms                      F31 Children: definition; general principles; protection                      F35 Children in armed conflict                      S10 SDG 10 - inequality  <b>Affected persons:</b>                      - children                      - persons affected by armed conflict</p>	<p><b>Not implemented</b></p> <p>The UAE has not ratified this Protocol.</p>
<p>141.21 Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Liechtenstein) (Paraguay);</p> <p><b>Source of position:</b>                      A/HRC/38/14/Add.1 - Para. 6</p>	Noted	<p>A12 Acceptance of international norms                      F31 Children: definition; general principles; protection                      S10 SDG 10 - inequality  <b>Affected persons:</b>                      - children</p>	<p><b>Not implemented</b></p> <p>The UAE has not ratified this protocol.</p>
<p>141.25 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Bangladesh) (Ghana);</p> <p><b>Source of position:</b>                      A/HRC/38/14/Add.1 - Para. 6</p>	Noted	<p>A12 Acceptance of international norms                      G4 Migrants                      S10 SDG 10 - inequality  <b>Affected persons:</b>                      - migrants</p>	<p><b>Not implemented</b></p> <p>The UAE has not ratified this treaty.</p>



Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<b>Theme: A13 Reservations</b>			
141.45 Withdraw its reservations to the Convention on the Elimination of All Forms of Discrimination against Women, and introduce amendments to its national family law to ensure the equal status and rights of women in all matters (Canada); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A13 Reservations A41 Constitutional and legislative framework B31 Equality & non-discrimination D8 Rights related to marriage & family F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality <b>Affected persons:</b> - women	<b>Not implemented</b> The UAE has not withdrawn its reservations to this Convention, including reservations that are incompatible with the object and purpose of the Convention, and the large-scale reforms in 2020 of its Personal Status Law do not apply to Muslim Emirati women.
141.46 Withdraw the reservations to article 16 of the Convention on the Elimination of All Forms of Discrimination against Women, and introduce legislative reforms that provide equal rights to women in the fields of marriage, divorce, property relations, custody of children and inheritance (Uruguay); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A13 Reservations A41 Constitutional and legislative framework D26 Conditions of detention F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality <b>Affected persons:</b> - women - children	<b>Not implemented</b> The UAE has not withdrawn this reservation, and its 2020 reform of its Personal Status Law did not include Emirati Muslim women within its scope.
141.47 Adopt and implement equal nationality rights to guarantee, in particular, women's rights and gender equality, including by lifting reservations to the Convention on the Elimination of All Forms of Discrimination against Women (Kenya); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A13 Reservations D6 Rights related to name, identity, nationality F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality <b>Affected persons:</b> - women	<b>Not implemented</b> The UAE has not withdrawn its reservations to the Convention and its law continues to discriminate against women with respect to the transmission of nationality to children.
141.42 Withdraw its reservations to the Convention on the Elimination of All Forms of Discrimination against Women (Latvia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A13 Reservations F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality <b>Affected persons:</b> - women	<b>Not implemented</b> The UAE has not withdrawn its reservations.
141.43 Withdraw its reservations to articles 2, 15 and 16 of the Convention on the Elimination of All Forms of Discrimination against Women (Finland); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A13 Reservations F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality <b>Affected persons:</b> - women	<b>Not implemented</b> The UAE has not withdrawn its reservations.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<b>Theme: A24 Cooperation with special procedures</b>			
141.52 Issue a standing invitation to the special procedures of the Human Rights Council (Portugal); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A24 Cooperation with special procedures <b>Affected persons:</b> - general	<b>Not implemented</b> The UAE continues to deny access and disregard requests to visit the country by special procedures of the Human Rights Council with mandates covering civil and political rights.
141.53 Extend a standing invitation to the special procedures of the Human Rights Council (Kenya); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A24 Cooperation with special procedures <b>Affected persons:</b> - general	<b>Not implemented</b> The UAE continues to deny access and disregard requests to visit the country by special procedures of the Human Rights Council with mandates covering civil and political rights.
141.56 Respond positively to the pending visit requests by the special procedure mandate holders, and consider extending a standing invitation to all special procedure mandate holders (Latvia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A24 Cooperation with special procedures <b>Affected persons:</b> - general	<b>Not implemented</b> The UAE continues to deny access and disregard requests to visit the country by special procedures of the Human Rights Council with mandates covering civil and political rights.
141.54 Issue a standing invitation to the special procedures of the Human Rights Council, and accept a visit by the Special Rapporteur on the situation of human rights defenders (Sweden); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A24 Cooperation with special procedures H1 Human rights defenders <b>Affected persons:</b> - human rights defenders	<b>Not implemented</b> The UAE continues to deny access and disregard requests to visit the country by special procedures of the Human Rights Council with mandates covering civil and political rights and has not accepted a visit by the Special Rapporteur on human rights defenders specifically.
141.57 Fully cooperate with the special procedures of the Human Rights Council, and accept the pending requests to carry out country visits, including from the Special Rapporteur on the situation of human rights defenders (Netherlands); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A24 Cooperation with special procedures H1 Human rights defenders <b>Affected persons:</b> - human rights defenders	<b>Not implemented</b> The UAE continues to deny access and disregard requests to visit the country by special procedures of the Human Rights Council with mandates covering civil and political rights, and has not accepted a visit by the Special Rapporteur on human rights defenders specifically.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<b>Theme: A41 Constitutional and legislative framework</b>			
141.10 Strengthen the constitutional right to freedom of expression by becoming a State party to the International Covenant on Civil and Political Rights (Germany); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	A41 Constitutional and legislative framework D43 Freedom of opinion and expression D1 Civil & political rights - general measures of implementation <b>Affected persons:</b> - general	<b>Not implemented</b> The UAE has still not ratified the Covenant, and the right to freedom of expression is not adequately protected in its national laws.
<b>Theme: B31 Equality &amp; non-discrimination</b>			
141.92 Take policy measures to promote tolerance and non-discrimination on the grounds of sexual orientation (Iceland); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	B31 Equality & non-discrimination S10 SDG 10 - inequality <b>Affected persons:</b> - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	<b>Not implemented</b> The UAE continues to criminalize "sodomy" between consenting adult men and in June 2022 its Media Regulatory Office banned the showing of an international film in the country on the grounds that it depicted a same-sex kiss.
<b>Theme: D23 Death penalty</b>			
141.97 Abolish the death penalty for all crimes, and commute all existing death sentences (Austria); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general - persons deprived of their liberty	<b>Not implemented</b> The UAE retains the death penalty, and its courts continue to hand down new death sentences, which continue to be implemented.
141.99 Establish a moratorium on the death penalty, as a first step towards its full abolition (Portugal); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general - persons deprived of their liberty	<b>Not implemented</b> UAE courts continue to hand down new death sentences, which continue to be implemented.
141.100 Establish a moratorium on the death penalty, as the first step towards its abolition (Slovenia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general - persons deprived of their liberty	<b>Not implemented</b> UAE courts continue to hand down new death sentences, which continue to be implemented.
141.101 Establish a moratorium on the death penalty, as a step towards the complete abolition of this practice (Australia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general - persons deprived of their liberty	<b>Not implemented</b> UAE courts continue to hand down new death sentences, which continue to be implemented.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
141.102 Reinstate a moratorium on the use of the death penalty, with a view to abolishing the practice (Belgium); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general - persons deprived of their liberty	<b>Not implemented</b> UAE courts continue to hand down new death sentences, which continue to be implemented.
141.103 Ensure a moratorium on executions, and consider the complete abolition of the death penalty (France); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general - persons deprived of their liberty	<b>Not implemented</b> UAE courts continue to hand down new death sentences, which continue to be implemented.
141.104 Give effect to a moratorium on executions, with the aim of abolishing the death penalty (Ireland); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general - persons deprived of their liberty	<b>Not implemented</b> UAE courts continue to hand down new death sentences, which continue to be implemented.
141.105 Consider the adoption of a de jure moratorium on executions, with a view to abolishing the death penalty (Italy); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general - persons deprived of their liberty	<b>Not implemented</b> UAE courts continue to hand down new death sentences, which continue to be implemented.
<b>Theme: D26 Conditions of detention</b>			
141.110 Prohibit the practice of secret detention, and institute safeguards against torture and other ill-treatment (Italy); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	D26 Conditions of detention D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general - persons deprived of their liberty	<b>Not implemented</b> In the summer 2021, mass detention of African nationals, the victims were held in secret and Emirati authorities subjected them to ill-treatment.
<b>Theme: D33 Arbitrary arrest and detention</b>			
141.143 Implement existing laws to inform detainees promptly of the charges against them, and permit access to legal counsel for all those accused of crimes, while affording fair and transparent proceedings by an independent and impartial tribunal with all the fair trial guarantees necessary for an accused's defence (United States of America); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	D33 Arbitrary arrest and detention D26 Conditions of detention D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - persons deprived of their liberty	<b>Not implemented</b> In the summer 2021, mass detention of African nationals, Emirati authorities did not respect any of the forms and guarantees of due process cited in this recommendation.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
141.142 Inform without delay all persons deprived of their liberty of all the charges brought against them, and establish a central register of all detainees, in order to guarantee that their families can immediately locate their whereabouts (Chile); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	D33 Arbitrary arrest and detention D51 Administration of justice & fair trial D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - persons deprived of their liberty	<b>Not implemented</b> There is no publicly accessible registry of detainees, and there continue to be cases of arbitrary detention in which those detained are not timely informed of what charges they may face, as illustrated on both counts in the case of the summer 2021 mass detention of African nationals.
<b>Theme: D43 Freedom of opinion and expression</b>			
141.123 Amend the cybercrime law, the anti-terrorism law and provisions of the Penal Code restricting freedom of expression, in order to bring them into conformity with international standards (Sweden); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	D43 Freedom of opinion and expression A41 Constitutional and legislative framework B8 Human rights & counter-terrorism S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> In 2021, the UAE passed a new Code on Crimes and Punishments superseding the old Penal Code and a new, additional law on cybercrimes, both of which contain provisions suppressing and criminalizing freedom of expression. The counterterrorism laws continue to retain provision incompatible with the right to freedom of expression.
141.115 Review the legal framework and amendments preventing freedom of expression (Norway); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	D43 Freedom of opinion and expression A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> In 2021, the UAE passed a new Code on Crimes and Punishments superseding the old Penal Code and a new, additional law on cybercrimes, both of which contain provisions suppressing and criminalizing freedom of expression. The counterterrorism laws continue to retain provision incompatible with the right to freedom of expression.



Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<p>141.116 Take concrete measures to ensure the right to freedom of expression, and review legislation preventing the exercise of the right to freedom of expression (Slovenia);</p> <p><b>Source of position:</b>                      A/HRC/38/14/Add.1 - Para. 6</p>	Noted	D43 Freedom of opinion and expression A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<p><b>Not implemented</b></p> <p>In 2021 the UAE passed a new Code on Crimes and Punishments superseding the old Penal Code and a new, additional law on cybercrimes, both of which contain provisions suppressing and criminalizing freedom of expression. The counterterrorism laws continue to retain provisions incompatible with the right to freedom of expression. Authorities continue to issue warnings and summons against individuals exercising their right to freedom of expression.</p>
<p>141.117 Continue to take steps to uphold freedom of expression by reviewing restrictive articles within its domestic legal framework, ensuring that legislation is fully aligned with article 19 of the International Covenant on Civil and Political Rights (Netherlands);</p> <p><b>Source of position:</b>                      A/HRC/38/14/Add.1 - Para. 6</p>	Noted	D43 Freedom of opinion and expression A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<p><b>Not implemented</b></p> <p>In 2021, the UAE passed a new Code on Crimes and Punishments superseding the old Penal Code and a new, additional law on cybercrimes, both of which contain provisions suppressing and criminalizing freedom of expression. The counterterrorism laws continue to retain provision incompatible with the right to freedom of expression.</p>
<p>141.120 Uphold freedom of expression in traditional and online media by removing from relevant laws the restrictions on expressions critical of State officials and institutions and the related administrative and judicial penalties (Canada);</p> <p><b>Source of position:</b>                      A/HRC/38/14/Add.1 - Para. 6</p>	Noted	D43 Freedom of opinion and expression A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - media	<p><b>Not implemented</b></p> <p>The new Code on Crimes and Punishments adopted in 2021 retains and reproduces the criminalization of expressions critical of state officials that were found in the old Penal Code.</p>



Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
141.125 Demonstrate greater respect for freedoms of expression and peaceful assembly, including by allowing individuals to criticize the Government and hold peaceful demonstrations, and revising the cybercrime law to be consistent with principles of free expression (United States of America); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	D43 Freedom of opinion and expression D44 Right to peaceful assembly A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> In 2021, the UAE passed a new Code on Crimes and Punishments superseding the old Penal Code and a new, additional law on cybercrimes, both of which contain provisions suppressing and criminalizing freedom of expression. Various provisions of law continue to overbroadly restrict the right to peaceful assembly.
141.132 Align its legislation with international human rights obligations on freedom of expression, and take concrete measures to protect human rights defenders, including from reprisals for cooperating with the United Nations (Austria); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	D43 Freedom of opinion and expression H1 Human rights defenders A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - human rights defenders	<b>Not implemented</b> The UAE continues to retain many laws criminalizing the exercise of freedom of expression, and to imprison Emirati human rights defenders Mohamed al-Roken, Mohamed al-Mansoori and Ahmed Mansoor. The charges on which Ahmed Mansoor is imprisoned include "damaging the reputation and prestige of the state before international bodies and organizations."
<b>Theme: E51 Right to education - General</b>			
141.158 Guarantee mandatory and free primary education for all children living in its territory (Peru); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	E51 Right to education - General E52 primary education S04 SDG 4 - education <b>Affected persons:</b> - children	<b>Not implemented</b> The UAE does not permit stateless children born in the country to access the free system of public schools, contrary to Art. 28.1 of the Convention on the Rights of the Child, which states that "primary education" shall be "compulsory and available for all" children, without restriction by nationality.
<b>Theme: F12 Discrimination against women</b>			
141.172 Enact legislative reforms to ensure non-discrimination against women, including in relation to marriage, divorce and inheritance (Sweden); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	F12 Discrimination against women A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women	<b>Not implemented</b> The UAE's 2020 reform of its Personal Status Law did not include Emirati Muslim women within its scope.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
141.170 Modify the laws to enable Emirati women to pass their nationality on to their children (Sierra Leone); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	F12 Discrimination against women D6 Rights related to name, identity, nationality A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women - children	<b>Not implemented</b> Emirati law continues to discriminate against women with respect to the transmission of nationality to children.
141.171 Take legislative measures to enable Emirati women to transfer nationality to their children without restrictions (Slovakia); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	F12 Discrimination against women D6 Rights related to name, identity, nationality A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women - children	<b>Not implemented</b> The basic rule of Emirati nationality law continues to be that Emirati women having children with non-Emirati men shall not transmit their nationality to their children. Only special discretionary action taken subsequently by the executive branch, and subject to restrictive conditions, will allow such children to obtain the Emirati nationality of their mothers.
141.192 Continue efforts to tackle gender discrimination and inequality for all women and children, independently of their status and nationality (Portugal); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	F12 Discrimination against women F31 Children: definition; general principles; protection B31 Equality & non-discrimination S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality <b>Affected persons:</b> - women - children - migrants - non-citizens	<b>Not implemented</b> The UAE's 2020 reform of its Personal Status Law did not include Emirati Muslim women within its scope.
<b>Theme: G4 Migrants</b>			
141.205 Adopt the necessary legal framework to ensure that migrants, asylum-seekers and refugees, including children, fully enjoy their rights, according to international standards (Brazil); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	G4 Migrants G5 Refugees & asylum seekers F31 Children: definition; general principles; protection S10 SDG 10 - inequality <b>Affected persons:</b> - children - migrants - refugees & asylum seekers	<b>Not implemented</b> The UAE is not a party to the international conventions guaranteeing migrant and refugee rights, and its domestic legislative framework provides no recognition of the legal concept of a refugee.
<b>Theme: H1 Human rights defenders</b>			
141.130 Take the necessary measures to ensure that human rights defenders can carry out their work in a safe environment, free from harassment and intimidation (Belgium); <b>Source of position:</b> A/HRC/38/14/Add.1 - Para. 6	Noted	H1 Human rights defenders <b>Affected persons:</b> - human rights defenders	<b>Not implemented</b> The UAE continues to imprison Emirati human rights defenders Mohamed al-Roken, Mohamed al-Mansoori and Ahmed Mansoor for their human rights work.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<p>141.131 Enhance efforts to guarantee the full exercise of the rights to freedom of expression and association, and ensure a safe environment conducive to the work of human rights defenders and civil society organizations (Italy);</p> <p><b>Source of position:</b>                      A/HRC/38/14/Add.1 - Para. 6</p>	<p>Noted</p>	<p>H1 Human rights defenders                      D43 Freedom of opinion and expression                      D45 Freedom of association                      S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b>                      - human rights defenders</p>	<p><b>Not implemented</b></p> <p>Recent legal reforms, such as the passage of the new Code of Crimes and Punishments and a new, additional cybercrimes law in 2021, maintain and consolidate restrictions on the rights to freedom of expression and association. The legal framework remains incompatible with the establishment of civil society organizations independent of the government, in human rights or other fields.</p>