

## United Arab Emirates Report | Freedom on the Net 2018



### Key Developments:

#### June 1, 2017 - May 31, 2018

- Human rights activist Ahmed Mansour was sentenced to 10 years' imprisonment on cybercrimes charges in May 2018, after spending over a year in detention awaiting trial for "spreading sectarianism and hatred on social media" (see Prosecutions and Detentions for Online Activities).
- Authorities blocked a number of Qatari media websites amid a dispute with the country. Skype was blocked in December 2017, followed by Change.org after a user created an online petition on the platform to appeal the block (see Blocking and Filtering).
- The state media oversight body announced new regulations for electronic media in March 2018 to require social media influencers who engage in commercial transactions to apply for licenses, which will be awarded based on certain criteria (see Media, Diversity, and Content Manipulation).
- In July 2017, the cybercrime law was expanded to criminalize "sympathy for Qatar," which carries a penalty of up to 15 years in prison (see Legal Environment).
- Several foreigners were sentenced to prison for social media posts under the country's harsh cybercrime laws (see Prosecutions and Detentions for Online Activities).

### Introduction:

Internet freedom remained greatly restricted in the United Arab Emirates in the past year, characterized by high levels of online censorship, onerous legal constraints, and heavy penalties for critical online speech.

The telecommunications industry remains tightly controlled by the government, which holds large stakes in the country's two service providers. Close ties between the government and telecommunications companies enable restrictions on free internet calling services (VoIP), rampant censorship, and pervasive surveillance.

The state systematically blocks access to political, social, or religious content, from pornography and gambling to political discussion and LGBTI (lesbian, gay, bisexual, transgender, or intersex) content. In the past year, site blocking emerged as a political tool through which authorities sought to isolate Qatar, which the UAE had accused of supporting banned groups such as the Muslim Brotherhood, which has been classified by several Middle Eastern governments as a terrorist organization. Separately, Skype was blocked in December 2017, followed by Change.org after a user created an online petition on the platform to appeal the block.

In March 2018, the state media oversight body announced new regulations for electronic media that would govern "all online activities, including e-commerce; publishing and selling of print, video, and audio material; as well as advertising." Social media influencers who engage in commercial transactions must now apply for licenses, which are awarded based on a number of qualifications, such as age, a clean criminal record, good reputation, and a university degree.

The cybercrime law criminalizes a wide range of legitimate online activities, including offending the state and its rulers or symbols, and insulting religion. In May 2018, activist Ahmed Mansour was sentenced to 10 years' imprisonment on cybercrimes charges following a series of closed proceedings. He was arrested in March 2017 for "spreading sectarianism and hatred on social media." Amid the dispute with Qatar, the UAE expanded the cybercrime law to criminalize "sympathy for Qatar" in July 2017. Expressing "sympathy or support" could be punished with a 15-year prison sentence and a fine.

### Obstacles to Access:

Emirati users enjoy a robust information and communication technology (ICT) infrastructure and high connection speeds. However, the major telecom companies are either fully or partially state-owned, resulting in high prices and weak competition. Popular Voice-over-Internet-Protocol (VoIP) services are subject to blocking.

### Availability and Ease of Access

The UAE is one of the world's most connected countries. According to the International Telecommunication Union, internet penetration was at 95 percent in 2017, up from 91 percent the previous year. As of December 2017, there were over 1,300,000 internet subscribers in the country, 99 percent of whom had broadband connections.<sup>1</sup> The UAE has one of the highest mobile phone penetration rates in the region;<sup>2</sup> according to the state Telecommunications Regulatory Authority (TRA), mobile penetration in 2017 increased to 228 percent, or some 19.8 million subscriptions.<sup>3</sup>

While prices are among the highest in the region, broadband is affordable for most users given the country's high per capita income.<sup>4</sup> With the provider Etisalat, a postpaid mobile plan with a 6 GB data allowance and 500 local minutes<sup>5</sup> costs AED 150 (US\$40), as does a prepaid plan with an allowance of 3 GB, plus 2 GB for over-the-top (OTT) services.<sup>6</sup> In April 2017, the regulator directed mobile operators to reduce rates for UAE residents roaming within the Gulf region, resulting in an average 18 percent drop in prices for consumers.<sup>7</sup> In December 2017, Etisalat announced a 5 percent VAT on all products and telecom services starting from January 2018.<sup>8</sup>

In 2016, the telecommunications provider Du conducted 40 Gbps speed tests using advanced fiber-optic technology developed by Nokia.<sup>9</sup> Du currently offers speeds of 1 Gbps.<sup>10</sup> Etisalat and Ericsson successfully tested 5G mobile technology in May 2017,<sup>11</sup> in line with objectives to roll out 5G nationwide by the time Dubai hosts the Expo 2020 world fair.<sup>12</sup> Also, in May 2017, the regulator signed an agreement with the main ISPs "to facilitate raising the country's ranking into the top 10 countries on the National Readiness Index (NRI) in the World Technology Report." Increased bandwidth and improved fixed-broadband services are expected to result.<sup>13</sup>

Illiteracy is not an obstacle to internet use, as literacy rates in the UAE are high.<sup>14</sup> Emirati schools are increasingly connected to the internet and equipped with e-learning facilities, and many offer tablets for student use.<sup>15</sup> There are also programs for principals to enroll in international computer literacy training programs.<sup>16</sup>

## Restrictions on Connectivity

No orders to shut down ICT networks were reported over the coverage period. However, damage to undersea cables occasionally disrupts connectivity.<sup>17</sup>

Most popular Voice-over-Internet-Protocol (VoIP) services are restricted over mobile connections. Etisalat and Du are the only operators licensed to provide paid VoIP services, while the free or low-cost over-the-top (OTT) voice calls services provided by WhatsApp, Skype, and others are only accessible through fixed-line or Wi-Fi connections. WhatsApp's voice feature was blocked shortly after it was introduced in March 2015,<sup>18</sup> as was a similar feature offered by Facebook.<sup>19</sup> Viber has been banned since 2013, along with FaceTime, a feature provided by Apple;<sup>20</sup> in fact, Apple agreed to sell its iPhone products to UAE mobile phone companies without the Facetime application preinstalled, though FaceTime can be used on phones purchased outside the country.<sup>21</sup> Discord, a chatting app used by gamers, had its VoIP feature blocked in March 2016;<sup>22</sup> Snapchat voice services were blocked in 2016.<sup>23</sup>

Seeking to improve connectivity within the country, the Etisalat and Du have launched their own carrier-neutral international internet exchange points, called Smarthub and Datamena, respectively.<sup>24</sup> Etisalat maintains its nationwide fiber-optic backbone. In 2015 the company selected TeliSonera International Carrier (TSIC) as its preferred global internet backbone provider.<sup>25</sup>

## ICT Market

Internet service providers (ISPs) in the UAE are either fully or partially owned by the state, allowing authorities to exert control over the flow of information. Mobile networks Etisalat and Du are both controlled by the state. The UAE government maintains a 60 percent stake in Etisalat through its ownership in the Emirates Investment Company,<sup>26</sup> while a majority of Du is owned by various state companies.<sup>27</sup> Du pays a percentage of its profits and revenue as a dividend to the federal government, which owns 39.5 percent of the operator through its sovereign wealth fund, the Emirates Investment Authority.<sup>28</sup> In June 2015, the government announced a decision to allow up to 20 percent of Etisalat shares to be held by foreign investors.<sup>29</sup>

The two companies are also the major mobile phone operators. In January 2017, Emirates Integrated Telecommunications Company (EITC), the company behind Du, stated it will launch a new mobile provider under the Virgin Mobile brand. Speaking to the media that month, the chief executive of EITC clarified that since Virgin Mobile would fall under "the full ownership of EITC," it would not require a separate license.<sup>30</sup> In an interview, the managing director of Virgin Mobile said the company is not a telecommunication provider, but rather a lab for its mother company Du. He added the company will be developing alternatives to VoIP applications.<sup>31</sup> In April 2018, Etisalat announced "the first global cybersecurity alliance" with Singapore's Singtel, Japan's Softbank, and Spanish blue chip firm Telefonica.<sup>32</sup>

## Regulatory Bodies

Providers fall under the laws and regulations set by the TRA. The authority was established in 2003, and is responsible for the management of "every aspect of the telecommunications and information technology industries in the UAE." Its objectives include ensuring quality of service and adherence to terms of licenses by licensees, encouraging telecommunications and IT services within the UAE, resolving disputes between the licensed operators, establishing and implementing a regulatory and policy framework, and promoting new technologies.<sup>33</sup>

Limits on Content:

*Authorities blocked a number of Qatari media websites amid a dispute with the country. Skype was blocked in December 2017, followed by Change.org after a user created an online petition on the platform to appeal the block. The state media oversight body announced new regulations for electronic media in March 2018 that require social media influencers who engage in commercial transactions to apply for licenses, which will be awarded based on criteria that include their education, reputation, and whether they have a criminal record.*

## Blocking and Filtering

The TRA instructs ISPs to block content related to terrorism, pornography, and gambling, as well as websites that contain political speech threatening to the ruling order. In practice, authorities commonly block websites that criticize the government or tackle social taboos. More recently, site blocking emerged as a political tool through which authorities sought to isolate Qatar, which Bahrain, Egypt, Saudi Arabia, and UAE had accused of supporting "terrorist" groups, notably the banned Muslim Brotherhood. In 2017, authorities blocked a number of Qatari media websites amid this dispute, including Al-Jazeera Live,<sup>34</sup> *Peninsula Qatar*,<sup>35</sup> and the *Arabic Huffington Post*.<sup>36</sup>

Earlier in 2017, a story was posted on the Qatar News Agency website and related social media accounts, apparently by state-sponsored hackers, in which the emir of Qatar was quoted making controversial comments regarding that country's relationship with Iran and other regional groups. Citing anonymous US intelligence officials, the *Washington Post* said senior UAE officials orchestrated the hack in order to destabilize Qatar and justify breaking off diplomatic relations immediately, after regional leaders were reported to have reached an accord at a landmark counter-extremism conference in Saudi Arabia.<sup>37</sup>

Many other sites have been blocked for reasons separate from the Qatar dispute. In July 2017, the UAE-based outlet *Arabian Business* was blocked, with the Dubai Media Office saying an article it had published on the liquidation of real estate projects in the UAE was "false news based on inaccurate information."<sup>38</sup> The print version of the magazine was also barred from publishing for one month. In September 2017, UAE-based Twitter users reported that the website for the women's magazine *Cosmopolitan* had been blocked.<sup>39</sup> In January 2018, the aviation website *Paddle Your Own Kanoo* was blocked after publishing reports on conditions of employees working for Emirates Airlines.<sup>40</sup> The opposition-run NGO al-Karama was reported blocked in late 2017 blocked in the Emirates.<sup>41</sup>

Other sites that have been blocked in recent years include the UK-based English-language news site *Middle East Eye*, which was blocked in 2015 after it published articles exposing the country's harsh surveillance practices and poor human rights record;<sup>42</sup> the Arabic-language news site *al-Araby al-Jadeed* and its English equivalent *The New Arab*, both based in the UK and funded by a Qatari businessman;<sup>43</sup> and Arabic-language sites run by news agencies in Iran, such as Fars News and Al Alam TV, over allegations they disseminated antigovernment propaganda.<sup>44</sup> The Beirut-based Gulf Center for Human Rights<sup>45</sup> and an anonymous forum for employees of Emirates Airlines are blocked,<sup>46</sup> as are the LGBTI (lesbian, gay, bisexual, transgender, and intersex) sports news website *Outsports*,<sup>47</sup> the Lebanese queer and feminist e-magazine *Bekhsos*,<sup>48</sup> the US-based Arab Lesbian e-magazine *Bint El Nas*,<sup>49</sup> several political blogs;<sup>50</sup> an Arab-Christian forum;<sup>51</sup> a number of atheist and secular websites;<sup>52</sup> sites disseminating news on Emirati political detainees and prison conditions;<sup>53</sup> a blog operated by the stateless activist Ahmed Abdulkhaleq;<sup>54</sup> and sites related to the Muslim Brotherhood and regional nongovernmental organizations (NGOs).<sup>55</sup> Users have reported the blocking of social media content relating to political detainees in the past,<sup>56</sup> as well as archive.today, a tool that keeps snapshots of URLs entered in case content disappears or gets modified.<sup>57</sup> In December 2016, Emirati authorities blocked the encrypted messaging app Signal.<sup>58</sup>

Skype was blocked in December 2017.<sup>59</sup> In response, a UAE resident started an online petition to unblock Skype, which received thousands of signatures. The TRA then blocked Change.org, the platform on which the petition was posted.<sup>60</sup> In a tweet that month, Etisalat said users in the meantime can make video calls through the apps of BOTIM and C'Me for a monthly fee. The two apps are frequently used in Arab and Asian countries that have a record of blocking VoIP services.<sup>61</sup>

Using banned VoIP services through VPNs is punishable under a law that bars the use of VPNs to commit a crime, as well as cybercrimes and telecommunications regulatory laws.<sup>62</sup> Prosecutions under cybercrime laws can carry a fine of between AED 500,000 and 2,000,000 (US\$140,000 to 540,000), jail time, or both.<sup>63</sup> In January 2018, some users received an SMS summoning them to a Dubai Police Station for using VPN services, and informing them they would be fined AED 5000 (US\$1,400), though the TRA declared on Twitter that the message was a hoax.<sup>64</sup>

The telecommunications company Du details what criteria it uses to block websites in a document available on its website. Prohibited content includes information related to circumvention tools, the promotion of criminal activities, the sale or promotion of illegal drugs, dating networks, pornography, LGBTI content, gambling sites, unlicensed VoIP services, terrorist content, and material that is offensive to religion.<sup>65</sup> No similar list has been made available by Etisalat, although the company invites users to request that a website be blocked or unblocked.<sup>66</sup> Du also allows users to complete an unblocking request via online forms. However, neither company provides information on whether bans have been lifted in response to such requests.<sup>67</sup> Twitter users sometimes monitor when sites are blocked to combat the lack of transparency,<sup>68</sup> but the TRA has also called on social media users to help report "suspicious" content for blocking.

According to a report from CitizenLab in January 2013, ISPs use advanced tools such as SmartFilter, NetSweeper, and Blue Coat ProxySG to censor content.<sup>69</sup> CitizenLab has also documented websites that are blocked in the UAE because both SmartFilter (used by Etisalat) and NetSweeper (used by Du) have miscategorized them as pornographic.<sup>70</sup>

## Content Removal

Online content is often removed without transparency or judicial oversight. Under the cybercrime law, intermediaries, such as domain hosts or administrators, are liable if their websites are used to "prompt riot, hatred, racism, sectarianism, or damage the national unity or social peace or prejudice the public order and public morals."<sup>71</sup> Website owners and employees may also be held liable for defamatory material appearing on their sites.<sup>72</sup>

Facebook occasionally receives government requests to remove content. In its 2017 transparency report, Facebook said it had "restricted access in the United Arab Emirates to items alleged to represent hate speech against the state and its rulers in response to a request from the Telecommunications Regulatory Authority."<sup>73</sup>

Google received 29 requests for removal from the TRA in 2017; most were categorized as copyright-related, though some were related to complaints about defamation, hate speech, and nudity.<sup>74</sup> Twitter reported 14 removal requests from the UAE government from July to December 2017.<sup>75</sup>

## Media, Diversity, and Content Manipulation

Since the regional uprisings of 2011, a number of Emiratis have begun to tackle sensitive issues more boldly over the internet, particularly on social media. However, most users remain anonymous when criticizing state officials or religion out of fear of legal action or harassment.

There are some signs of possible content manipulation. In 2014, the government spent more than \$12 million on public relation firms, which some observers suspect have been deployed to counter negative images of the country's human rights abuses online.<sup>76</sup> A large number of anonymously operated Twitter accounts appear dedicated to harassing and intimidating political dissidents and their families online.

Emirati authorities also use financial means to limit the ability of antigovernment websites to produce content online. For example, the government reportedly pressured Dubai-based advertising agency Echo to end its advertising contract with the US-based news outlet *Watan*. A complaint was also allegedly submitted to the FBI against the website, claiming it calls for the assassination of UAE rulers.<sup>77</sup> Nonetheless, users have access to a variety of local and international news outlets, even though some UAE-related articles may be individually blocked.<sup>78</sup>

Local news websites, many of which are owned by the state, exercise self-censorship in accordance with government regulations and unofficial red lines. The overall press freedom environment is poor, and foreign journalists and scholars are often denied entry or deported for expressing their views on political topics.<sup>79</sup>

In March 2018, the state media oversight body, the National Media Council, announced new regulations for electronic media that would govern "all online activities, including e-commerce; publishing and selling of print, video, and audio material; as well as advertising." Social media influencers who engage in commercial transactions must now apply for licenses, which are awarded based on a number of qualifications, such as age, a clean criminal record, good reputation, and a university degree.<sup>80</sup>

## Digital Activism

Some Emiratis push back against government repression through online activism. Activists have used online tools to highlight human rights violations or call for political reform. Families of political prisoners have in the past relied on Twitter to speak on behalf of detainees, document allegations of torture, and call for their release. However, the practice has become less frequent in recent years given escalating arrests and prosecutions. Osama al-Najjar was specifically detained for online advocacy on behalf of his detained father Hossein al-Najjar and other political detainees.<sup>81</sup> He remains in prison even though he was scheduled for release in March 2017 after serving a three-year prison sentence for his online activities. Professor Nasser Bin Ghaith, lawyer Mohammed al-Roken, and Mohammed al-Mansoori continue to serve ten-year sentences on charges including insulting the country's leaders and threatening national security. Bin Ghaith has been denied family visits.<sup>82</sup>

Violations of User Rights:

*The cybercrime law was applied to criminalize "sympathy for Qatar" in July 2017, with penalties of up to 15 years in prison for expressing "sympathy or support" for the country. Several prominent online activists were jailed over the coverage period, while both locals and foreigners were detained for social media posts. Surveillance activities are conducted with little judicial oversight, and there is a widespread perception that online communications are monitored.*

## Legal Environment

Article 30 of the Constitution states that freedom of opinion "shall be guaranteed within the limits of law," and many laws can effectively limit free speech.<sup>83</sup> Since a series of regional mass uprisings in 2011, the UAE has followed countries of the Gulf Cooperation Council (GCC) in passing legislation to criminalize criticism of the authorities online.<sup>84</sup>

The cybercrime law criminalizes a wide range of legitimate online activities. Hefty fines and jail sentences can be handed down for gambling online, disseminating pornographic material, or sharing content that is perceived to violate another person's privacy.<sup>85</sup> The cybercrime law also punishes offending the state and its rulers or symbols, and insulting religion. Calls to change the ruling system are punishable by life imprisonment. Authorities have repeatedly warned foreign nationals that they must also follow the country's restrictive laws.<sup>86</sup> In July 2017, the UAE expanded the cybercrime law to criminalize "sympathy for Qatar." Expressing "sympathy or support" could be punished with a 15-year prison sentence and a fine.<sup>87</sup>

Provisions of a 2015 anti-hate speech law go beyond the punishment of hate speech or incitement to violence. By including insults to "God, his prophets or apostles or holy books or houses of worship or graveyards," the law paved the way for further punishment of individuals for expressing nonviolent opinions on religion. Penalties under the law range from jail terms of 6 months to 10 years and fines of AED 50,000 to AED 2,000,000 (US\$14,000 to US\$550,000).<sup>88</sup> Furthermore, while the law bans discrimination on the basis of "religion, caste, doctrine, race, color, or ethnic origin," it does not protect those persecuted on the basis of gender or sexuality.<sup>89</sup> The law specifically includes speech made over online media.

Terrorism offenses are punishable by life imprisonment, death, and fines up to AED 100 million (US\$27 million).<sup>90</sup> Under the law, citizens may be charged with such broad crimes as undermining national unity, possessing materials counter to the state's notion of Islam, and "publicly declaring one's animosity or lack of allegiance to the state or the regime."<sup>91</sup>

Articles 8 and 176 of the penal code are used to punish public "insults" against the country's top officials, and calls for political reform.<sup>92</sup> Articles 70 and 71 of a 1980 publishing law prohibit criticism of the head of the state and of Islam or any other religion.<sup>93</sup> In February 2016, Dubai police reiterated that posting pictures of others without permission can lead to six months in jail and a fine between AED 150,000 and AED 500,000 (US\$41,000 and US\$136,000).<sup>94</sup>

Several court decisions have negatively impacted internet freedom. In June 2015, the Federal Supreme Court ordered the retrial of an individual for making insults over WhatsApp messages, increasing the original fine of AED 3,000 (around US\$800) to AED 250,000 (US\$68,000); the individual was also detained.<sup>95</sup> In a separate December 2015 case, Dubai's Court of Cassation overturned a lower court's acquittal in a defamation case over a Facebook posting.<sup>96</sup>

## Prosecutions and Detentions for Online Activities

The UAE routinely jails individuals for posting political, social, or religious opinions online, and long prison sentences were issued on such charges in the past year.

In May 2018, activist Ahmed Mansour was sentenced to 10 years' imprisonment on cybercrimes charges following a series of closed proceedings.<sup>97</sup> He had been in detention since his arrest in March 2017 for "spreading sectarianism and hatred on social media,"<sup>98</sup> after he had called on Twitter for the release of human rights activist Osama al-Najjar, who remains in prison for campaigning for his imprisoned father.<sup>99</sup> During his arrest, twelve security officers searched Mansour's house for electronic devices, confiscating laptops and cell phones belonging to him as well as his family members.<sup>100</sup> Activists said he had been held in solitary confinement, and was not given access to a lawyer during his trial.<sup>101</sup>

A long prison sentence had been handed a year earlier, to Nasser Bin Ghaith—a human rights activist and former lecturer at the Abu Dhabi branch of the Paris-Sorbonne University—who was sentenced in March 2017 to 10 years in prison on a range of charges that primarily relate to nonviolent speech published online.<sup>102</sup> He was arrested in 2015 after publishing comments on Twitter that criticized Egypt's security forces on the second anniversary of the August 2013 massacre of protestors at Cairo's Raba'a Square, and arbitrarily detained for nine months. In May 2016 he was formally charged with committing a "hostile act" against a foreign country under Article 166 of the penal code.<sup>103</sup> He was also charged under Articles 28 and 29 of the cybercrime law for a sarcastic tweet about the state's tolerance of diverse religions,<sup>104</sup> and another tweet saying he was "tortured and unjustly accused during a previous trial," for which he was charged with damaging the state's reputation.<sup>105</sup>

Several foreigners have been sentenced to prison for social media posts under the country's harsh cybercrime laws in the past year:

- In March 2018, a man and a woman were sentenced to three months in jail for exchanging nude photographs on WhatsApp.<sup>106</sup>
- In November 2017, two Swiss journalists were detained for 50 hours. They were blindfolded and their devices were confiscated, and they were made to sign confessions in order to be released. According to the Swiss media, UAE officials were seeking information on whether the journalists were working for an NGO or a country other than Switzerland.<sup>107</sup>
- In October 2017, a British-German teacher was arrested and sentenced to a year in prison and a fine for issuing an "electronic threat." It was unclear what had prompted his arrest.<sup>108</sup>
- In April 2017, two Bahrainis were sentenced to three years in prison and an AED 500,000 (US\$136,000) fine for inciting sectarianism over a video they published on Instagram while in Dubai. The men were stopped by Saudi authorities while crossing the bridge back to Bahrain, and extradited under a GCC extradition pact.<sup>109</sup>

Meanwhile, numerous Emirati users continue to serve long prison sentences for their online activities, mainly as a result of the so-called UAE94 trials involving alleged members of the banned opposition movement al-Islah.<sup>110</sup> They include Marwan Mohamed Atef,<sup>111</sup> Khalifa Al-Nuaimi,<sup>112</sup> Rashid al-Shamsi,<sup>113</sup> Musabeh al-Rumaythi,<sup>114</sup> Abdullah al-Hajri,<sup>115</sup> Omran al-Radhwan,<sup>116</sup> Abdulrahman Bajubair,<sup>117</sup> Khalifa Rabeiah, and Othman al-Shehhi.<sup>118</sup>

In November 2014, online activist Osama Al-Najjar was sentenced to three years in prison and fined US\$136,000 for tweets alleging that his father, who was imprisoned during the UAE94 trials, was tortured by security forces.<sup>119</sup> He was found guilty of belonging to the banned political group al-Islah, spreading lies, and instigating hatred against the state through Twitter.<sup>120</sup> As of April 2018, al-Najjar remains in detention despite having served out his three-year sentence.<sup>121</sup>

## Surveillance, Privacy, and Anonymity

Surveillance is widespread and there are limited privacy protections or opportunities for anonymous communication. Internet and mobile providers are not transparent about the procedures authorities use to access users' information. It is not clear that there is any legal oversight involved at all.

In February 2018, the UAE-based cybersecurity firm DarkMatter acknowledged its close business ties to the Emirati government, as well as its hiring of former analysts from the US Central Intelligence Agency (CIA) and National Security Agency (NSA). Faisal al-Bannai, the son of a retired police general and the firm's founder, denied activists' allegations that the firm was involved in hacking activities. About 80 percent of DarkMatter's customers are UAE government agencies. Among those contracts is one with the Dubai police; Al-Bannai has suggested that that service could be used to allow police to compile hours of surveillance video in order to track anyone in the country.<sup>122</sup>

Amendments to the cybercrime law passed in July 2016 state that "whoever uses a fraudulent computer network protocol address (IP address) by using a false address or a third-party address by any other means for the purpose of committing a crime or preventing its discovery" can face a fine of between AED 500,000 and AED 2,000,000 (US\$136,000 to US\$540,000), and prison time.<sup>123</sup> The clause may refer to VPNs used to circumvent censorship, which help disguise the user's location. A prison sentence was not specified; however, considering that cyber violations will now be treated as crimes and not misdemeanors, prison terms would likely be at least three years under the law.<sup>124</sup> The TRA clarified that "companies, banks and institutions are not prohibited from using VPNs," adding that "the law can be breached only when internet protocols are manipulated to commit crime or fraud."<sup>125</sup>

In August 2016, a Danish newspaper revealed that a Danish subsidiary of British defense contractor BAE Systems was selling surveillance equipment to UAE officials. The equipment was reportedly capable of deep packet inspection, "IP monitoring and data analysis" for "serious crime" and "national security" investigations.<sup>126</sup> Moreover, UAE has signed a contract with an Israeli surveillance company to launch the so-called Falcon Eye project, a powerful, emirate-wide surveillance project also known as the Abu Dhabi Safe City.<sup>127</sup>

In February 2016, an official from Dubai police said authorities monitor users on 42 social media platforms.<sup>128</sup> A TRA official also stated, "We have started monitoring all the social media channels—all websites and profiles are monitored."<sup>129</sup>

In April 2014, the Ministry of Interior announced plans to link ID cards with internet services and cell phones "to crackdown on child abusers." An official stated "by linking ID cards with internet service providers, people's identities will be linked to the websites they visit."<sup>130</sup> Mobile phone users were required to re-register personal information as part of a 2012 TRA campaign "My Number, My Identity" to retain service.<sup>131</sup> Cybercafé customers are also required to provide their ID and personal information.<sup>132</sup>

## Intimidation and Violence

Online activists in the UAE face arbitrary detention, enforced disappearances, and torture.<sup>133</sup> Nasser Bin Ghaith reports being detained in poor conditions and subject to torture while on trial for online activities, including extended periods in solitary confinement.<sup>134</sup> In April 2017, he announced he would go on hunger strike to protest his mistreatment and unfair trial.<sup>135</sup>

Activist Ahmed Mansour, who was detained in 2017 in connection with his social media use and later sentenced to 10 years' imprisonment in May 2018, had been harassed for years. Authorities had frozen his bank accounts, put him under a travel ban, denied him a passport, and attempted to hack into his email accounts. When arresting him, security forces searched Mansour's house and confiscated all electronic devices belonging to him and his family members.<sup>136</sup>

## Technical Attacks

Emirati activists have faced repeated technical attacks designed to trick them into downloading spyware. In May 2016, a report from the *New York Times* stated the UAE government paid the Italian cybersecurity firm

Hacking Team more than US\$634,500 to target 1,100 devices with spyware.<sup>137</sup> Through a forensic investigation by cybersecurity expert Bill Marczak, Emirati human rights activist Ahmed Mansour discovered he had been repeatedly targeted with sophisticated spyware from FinFisher and Hacking Team. In 2016, CitizenLab had also helped Mansour investigate a link he received as an SMS, which turned out to be a "sophisticated piece of malware that...would have allowed the attackers to get full control of Mansour's iPhone." The spyware was provided by the Israeli surveillance company NSO Group.<sup>138</sup> Another report by CitizenLab demonstrated five cases where arrests or convictions of users followed malware attacks against their Twitter accounts from 2012 to 2015.<sup>139</sup>

In 2016, an official with DarkMatter said the UAE attracted 5 percent of global cyberattack traffic.<sup>140</sup> The TRA said it had "successfully foiled 1,054 cyberattacks" targeting private companies and government entities that year.<sup>141</sup> In April 2016, Dubai police arrested foreign hackers accused of blackmailing five senior White House officials over emails.<sup>142</sup>

Both Abu Dhabi<sup>143</sup> and Dubai have hosted international cybersecurity conferences in recent years.<sup>144</sup> In May 2017, the Dubai hosted the 4th Gulf Information Security Expo and Conference, a three-day event showcasing recent innovations designed to address cybercrime.<sup>145</sup>

Notes:

1 Telecommunications Regulatory Authority, <https://www.tra.gov.ae/userfiles/assets/Agk8KyUgnEn.xlsx>

2 International Telecommunication Union, "Percentage of individuals using the internet, Percentage of individuals with mobile-cellular subscriptions," 2017, <http://bit.ly/1cbxxy>.

3 "UAE's mobile phone penetration rises to 228%," May 29, 2017, <http://www.arabianbusiness.com/uae-s-mobile-phone-penetration-rises-228-676115.html>

4 International Telecommunications Union, *Measuring the Information Society Report 2014*, <http://bit.ly/1FIOBF>.

5 Etisalat, New Post-paid plan [https://www.etisalat.ae/en/consumer/mobile/mobile-plans/postpaid-plans/new\\_postpaid\\_plan.jsp](https://www.etisalat.ae/en/consumer/mobile/mobile-plans/postpaid-plans/new_postpaid_plan.jsp)

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