

# United Arab Emirates | Freedom House

## [Freedom in the World 2017](#)

### Profile

### Freedom in the World Scores

#### Overview:

The United Arab Emirates (UAE) is a federation of seven emirates led in practice by Abu Dhabi, the largest by area and richest in natural resources. Limited elections are held for a federal advisory body, but political parties are banned, and all executive, legislative, and judicial authority ultimately rests with the seven hereditary rulers. The civil liberties of both citizens and noncitizens, who make up an overwhelming majority of the population, are subject to significant restrictions.

#### Key Developments:

- In July, the government issued a law that increased penalties for using a virtual private network (VPN) to commit a crime, potentially deterring those who employ such tools to circumvent online censorship.
- In November, an Emirati dissident who had initially been arrested in Indonesia was sentenced to 10 years in prison as part of a broader crackdown on individuals accused of links to the Muslim Brotherhood.
- Another Emirati citizen, academic and activist Nasser bin Ghaith, was on trial during the year for critical online comments about the authorities and his own claims of torture, as well as alleged collaboration with Islamist political groups. He had been detained incommunicado or in solitary confinement since his August 2015 arrest.

#### Executive Summary:

The government of the UAE continued to suppress dissent in 2016, restricting the use of social media and utilizing an expansive antiterrorism law that criminalizes criticism of the regime. The authorities remained especially focused on activists with real or suspected ties to Islamist political groups, which—like all political parties—are banned even if they do not espouse violence.

Sheikh Mohammed bin Zayed al-Nahyan, the crown prince of Abu Dhabi, the most powerful of the seven emirates, has reportedly taken on most policymaking authority since his older brother, UAE president and Abu Dhabi emir Khalifa bin Zayed al-Nahyan, suffered a stroke in 2014. Under Sheikh Mohammed's leadership, the country has pursued an active foreign policy, deploying financial, diplomatic, and even military resources to combat perceived Islamist or pro-Iranian threats across the region. It has provided support for the anti-Islamist Egyptian government, participated in a Saudi-led coalition against Shiite-affiliated antigovernment forces in

Yemen, and backed an anti-Islamist factional leader in Libya.

Economic disparities persist among UAE citizens across the seven emirates, and between citizens and many noncitizen residents, who constitute nearly 90 percent of the total population. Noncitizens have borne the brunt of government austerity measures associated with lower oil and gas revenues in recent years.

## **Political Rights**

All decisions about political leadership rest with the dynastic rulers of the seven emirates, who form the Federal Supreme Council, the country's highest executive and legislative body. These leaders select a president and vice president, and the president appoints a prime minister and cabinet. The emirate of Abu Dhabi, the major oil producer in the UAE, has controlled the federation's presidency since its inception in 1971. In 2006, Sheikh Mohammed bin Rashid al-Maktoum succeeded his late brother as ruler of the emirate of Dubai and prime minister of the UAE.

The 40-seat Federal National Council (FNC) serves as an advisory body, reviewing proposed laws and questioning federal government ministers. Under reforms implemented in 2006, half of its members are elected by an electoral college chosen by the seven rulers, while the government directly appoints the other half. After previous rounds in 2006 and 2011, the third elections to the FNC took place in 2015, and while the size of the electoral college was expanded to more than 224,000 members—some 34 times larger than in 2006—voter turnout remained low, at 35 percent. Overseas voting was permitted for the first time.

Political parties are banned in the UAE. The allocation of positions in the government is determined largely by tribal loyalties and economic power.

Since 2011, the authorities have aggressively cracked down on suspected members of the Association for Reform and Guidance, or Al-Islah—a group formed in 1974 to peacefully advocate for democratic reform—accusing them of being foreign agents of the Muslim Brotherhood intent on overthrowing the government. The government officially declared the Muslim Brotherhood a terrorist organization in 2014. Dozens of activists, civil society leaders, academics, and students remained behind bars as part of the crackdown in 2016. In December 2015, one defendant, Abdulrahman bin Sobeih, who had been convicted in absentia, was forcibly returned from Indonesia to the UAE. He was put on trial in March 2016, found guilty of being a member of Al-Islah, and sentenced in November to a 10-year prison term.

Citizens are believed to constitute only about 11 percent of the population. Noncitizens—including many expatriate minority groups and some stateless residents—have few opportunities for participation and representation in politics.

Although unelected officials determine and implement all laws and policies with little independent oversight, the UAE is considered one of the least corrupt countries in the Middle East, and the government has taken steps in recent years to increase efficiency and streamline bureaucracy. In 2015, the leadership launched a 2 billion dirham (\$550 million) innovation fund to help reform public services and advance the country's commercial interests; the fund is managed by the Ministry of Finance.

These and other initiatives are part of the government's broader "UAE Vision 2021" plan, aimed at making improvements in key governmental, social, economic, and technological areas.

Transparency surrounding such projects—and in government in general—is low, and despite legal provisions, accessing public information remains difficult. Public officials are not required to disclose information about their income or assets.

For traditional monarchies that have no parties or electoral process, does the system provide for genuine, meaningful consultation with the people, encourage public discussion of policy choices, and allow the right to petition the ruler?

1. Is there a non-elected legislature that advises the monarch on policy issues?
2. Are there formal mechanisms for individuals or civic groups to speak with or petition the monarch?
3. Does the monarch take petitions from the public under serious consideration?

Citizens have some limited opportunities to express their interests through traditional consultative sessions, including during an open majlis, or council. The participation of women in consultative processes is limited, however, and the severe difficulty of acquiring citizenship leaves the noncitizen majority without meaningful prospects for political engagement.

## **Civil Liberties**

Although the constitution provides for some freedom of expression, the government restricts this right in practice. The 1980 Publications and Publishing Law, considered one of the most restrictive press laws in the Arab world, regulates all aspects of the media. It prohibits criticism of the government, its allies, and religion and also bans pornography. Journalists commonly practice self-censorship, and outlets frequently publish government statements without criticism or comment. Media operate with relatively more freedom in four "free media zones"—areas in which foreign outlets produce material for foreign audiences—but the zones remain subject to UAE media laws and have additional regulatory codes and authorities.

A number of other laws, such as a 2014 antiterrorism law and a 2015 measure against hate speech and discrimination, feature broadly worded offenses that can be used to restrict free expression. A 2012 cybercrimes law allows fines and imprisonment for anyone who publishes online content that insults the state, organizes antigovernment protests, or is deemed a threat to national security. Amendments to the law issued in July 2016 increased the penalties for using a VPN to commit a crime, permitting fines of up to 2 million dirhams (\$540,000) in addition to possible jail time. Separately, academic and human rights activist Nasser bin Ghaith was put on trial in 2016 after being arrested in August 2015 for online postings that criticized UAE and Egyptian authorities and for alleged collaboration with banned Islamist groups such as Al-Islah. He was held incommunicado until a court appearance in April, and claimed to have been tortured in custody. The trial made little progress during the year, and bin Ghaith remained in solitary confinement at year's end.

The constitution provides for freedom of religion. Islam is the official religion, and the majority of citizens are Sunni Muslims. The minority Shiite Muslim sect and non-

Muslims are free to worship without interference. The government controls content in nearly all Sunni mosques.

The Ministry of Education censors textbooks and curriculums in both public and private schools. Several foreign universities have opened satellite campuses in the UAE, although faculties are careful to avoid criticizing the government for fear of losing funding. In 2015, UAE officials barred entry to a professor from New York University (NYU) who was an outspoken critic of the country's treatment of migrant workers and had planned to travel to Abu Dhabi—where NYU maintains a campus—to conduct research on that topic.

Social media platforms are heavily monitored by the government. The openness of private discussion is limited by sensitivities surrounding a range of topics, including government policy and officials, the ruling family, and Islam.

The government places tight constraints on freedoms of assembly and association. Public meetings require government permits. Nongovernmental organizations must register with the Ministry of Social Affairs and can receive subsidies from the government, though they are subject to many burdensome restrictions.

Workers—most of whom are foreign—do not have the right to organize, bargain collectively, or strike. Workers occasionally protest against unpaid wages and poor working and living conditions, but such demonstrations are typically dispersed by security personnel.

The judiciary is not independent, with court rulings subject to review by the political leadership. The legal system is divided into Sharia (Islamic law) courts, which address family and criminal matters, and secular courts, which cover civil law. Sharia courts sometimes impose flogging sentences for drug use, prostitution, and adultery.

While the federal Interior Ministry oversees police forces, each emirate's force enjoys considerable autonomy. Arbitrary arrests and detention have been reported, particularly of foreign residents. Detainees are often denied adequate access to legal counsel during interrogations, and lengthy detention without charge is not uncommon. Authorities have been criticized by international human rights organizations for failure to investigate allegations of torture and mistreatment in custody. Prisons in the larger emirates are overcrowded.

The 2014 antiterrorism law allows the cabinet to determine whether groups are terrorist organizations and assigns fines of up to \$27 million, custodial sentences of up to life in prison, and death sentences for terrorist offenses. The law is broad and ambiguous, describing violations such as “antagonizing the state” and “undermining social peace.”

In the first half of 2016, the State Security Chamber at the Abu Dhabi Supreme Court acquitted several Libyan nationals, including U.S. and Canadian dual citizens, who had been held in secret detention since 2014 in some cases, charged with terrorism offenses and supporting militants in Libya. In February 2016, the UN special rapporteur on torture said there was credible evidence that they had been tortured in custody.

Discrimination against noncitizens and foreign workers is common. While the Interior Ministry has established methods for stateless persons, known as *bidoon*, to apply for citizenship, the government uses unclear criteria in approving or rejecting such requests. Same-sex relations are illegal, and LGBT (lesbian, gay, bisexual, and transgender) people are subject to widespread social stigma and discrimination.

Emiratis face no apparent restrictions on freedom of movement within the UAE or on their type or place of employment, although migrant workers' visas and legal status are tied to an employer's sponsorship, meaning they can be punished or deported for leaving employment without meeting certain criteria.

The UAE has made reforms in recent years to ease procedures for establishing and operating businesses. However, the government and ruling families exercise outsized influence over the economy and are involved in many of the country's major economic and commercial initiatives.

The constitution does not address gender equality. Muslim women are forbidden to marry non-Muslims and receive smaller inheritances than men. No laws protect against spousal rape, and men are permitted to physically discipline their wives. Women are politically underrepresented, though they have in recent years received appointments to various levels of government, including the cabinet. Although only one woman was elected to the FNC in 2015, another eight were appointed by the government, and one of them was named as speaker and president of the body, marking the first time that the position has been held by a woman.

Despite a 2006 antitrafficking law and the opening of new shelters for female victims, the government has failed to adequately address human trafficking. Migrants in particular are at high risk of being trafficked for the purposes of forced labor and sexual exploitation. Foreign workers are often subjected to harsh working conditions, physical abuse, and withholding of passports with little to no access to legal recourse.

A series of ministerial decrees issued in 2015 aimed to give migrant workers more flexibility to terminate employment under certain conditions—including through indemnification or in the case of extended nonpayment of wages—and to combat abusive practices like contract substitution, in which a worker is recruited with one contract abroad but forced to sign a less favorable agreement upon arrival in the UAE. Foreign household workers are not covered by those decrees or by labor laws in general, leaving them especially vulnerable. In December 2016, the cabinet transferred oversight responsibility for such workers from immigration officials to the labor ministry, raising the possibility of improved protections.