

## FREEDOM OF THE PRESS

# United Arab Emirates

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High-profile legal cases, restrictive laws, and censorship continued to constrain press freedom in the United Arab Emirates (UAE) in 2011. While the constitution provides for freedom of speech and freedom of the press, the government uses its judicial and executive powers to limit those rights in practice. UAE Federal Law No. 15 of 1980 for Printed Matter and Publications regulates all aspects of the media and is considered one of the most restrictive press laws in the Arab world. It authorizes the state to censor both domestic and foreign publications prior to distribution, and prohibits criticism of the government, rulers and ruling families, and friendly foreign governments; infractions can result in fines and prison sentences. Journalists can also be prosecuted under the penal code.

In early 2009, the Federal National Council (FNC) adopted a draft “regulation of media activities” bill that would replace the 1980 press code, though it has not yet been passed into law. The proposed legislation would impose fines of more than \$1 million for disparaging the head of state or his officials, and fines of several thousand dollars for publishing “misleading” articles “in a manner that harms the country’s reputation, foreign relations or obligations or defaces its national identity,” or that “harms the country’s national economy.” Expectation that the draft law will soon be enacted has prompted journalists to engage in even greater self-censorship and led to firings. The National Media Council (NMC), created in 2006, is responsible for licensing all publications and issuing press credentials to editors. Members of the council are all appointed by the president.

Defamation is a criminal offense. Mark Townsend, a freelance journalist and former business editor of the English-language *Khaleej Times*, was accused of criminal defamation in August 2009, and was unable to leave the UAE for nearly two years as the investigation proceeded. He was charged under Article 373 of the penal code for allegedly posting articles that criticized the *Khaleej Times*, in which the government holds a 30 percent stake, and faced a maximum sentence of two years in prison and a fine of up to 20,000 dirhams (\$5,400). Townsend was ultimately acquitted in May 2011. In another major case in 2011, blogger Ahmed Mansoor and four other Emirati activists—Nasser bin Gaith, Fahad Salim Dalk, Hassan Ali al-Khamis, and Ahmed Abdul Khaleq—were arrested in April and charged in June under Articles 176 and 8 of the penal code for allegedly insulting the leaders of the UAE in posts made to the internet forum UAEHewar. In November, Mansoor received a three-year prison sentence, while the others received sentences of two years each. The trial was widely criticized by international human rights groups, which cited a lack of evidence and failure to adhere to proper court procedures. The day after their conviction, the five men were pardoned by the president and released.

Extreme forms of self-censorship are widely practiced, particularly regarding issues such as local politics, culture, religion, or any other subject the government deems politically or culturally sensitive. The Dubai Media Free Zone (DMFZ), an area in which foreign media outlets produce print and

## 2012 SCORES

### PRESS STATUS

# Not Free

### PRESS FREEDOM SCORE

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### LEGAL ENVIRONMENT

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broadcast material intended for foreign audiences, is the only arena in which the press operates with relative freedom. It is now home to bureaus of important media outlets such as Cable News Network (CNN), the British Broadcasting Corporation (BBC), and Agence France-Presse. Broadcast media outlets based in the DMFZ are regulated by the Technology and Media Free Zone Authority, but they are also subject to the 1980 press law and the penal code. All free zones must obtain approval from the NMC before licensing any print or broadcast activities.

Although there were no reported physical attacks against journalists in 2011, reporters in the UAE suffered multiple forms of intimidation and harassment. The five activists arrested in April were the targets of an intense campaign of verbal threats online, in the media, and through demonstrations at their court hearings. The government did little to protect the men. Emirati journalists often face warnings and threats if they push the limits of permissible media coverage. However, noncitizen journalists account for the overwhelming majority of those working in the UAE, and they face harsher measures, including dismissal and deportation.

There are about a dozen newspapers printed in Arabic and English, as well as several radio stations and terrestrial television stations. Most media outlets are either government owned or have close government affiliations. The Arab Media Group and Dubai Media Incorporated operate as the Dubai government's media arm, publishing several newspapers and operating television and radio stations. Privately owned newspapers such as the Arabic daily *Al-Khaleej* and its sister paper, the English-language *Gulf Today*, are heavily influenced by the government. Almost all Arabic-language broadcast media that target the domestic audience are state owned and provide only the official view on local issues. However, satellite television service is widespread and provides uncensored access to international broadcasts.

Most major papers receive government subsidies and rely predominantly on the official Emirates News Agency (WAM) for content and guidance on whether or how to cover sensitive local news. Several publishers have opposed free dailies such as *7DAYS*, arguing that they violate a legal provision requiring papers to print their price on the front page. In 2010, the editors of several papers adopted an initiative to expand the number of local citizens in the workplace, despite concerns that the process, known as Emiratisation, was leading to arbitrary dismissal and insecurity among non-Emirati staff. According to one estimate, only about 10 percent of working journalists in 2010 were native Emiratis. The NMC-supported Journalist Association allocated 1 million dirhams (\$270,000) for training and developing Emiratis' capacity in the field.

About 70 percent of the UAE population had regular access to the internet in 2011. The 2006 Information and Privacy Cybercrime Law criminalizes the use of the internet to commit a range of offenses—including violating political, social, and religious norms—and subjects perpetrators to prison terms and fines. There are two internet service providers, Etisalat and Du, both of which are owned and operated by state corporations. Online censorship is extensive, although the government claims it only censors pornographic sites. Both high-speed and dial-up users find themselves directed to a proxy server that maintains a list of banned websites and blocks material deemed inconsistent with the "religious, cultural, political, and moral values of the country." The OpenNet Initiative has reported a marked increase in the number of political sites blocked since 2007 and categorizes social filtering as "pervasive." Websites that are considered indecent include those featuring pornography, dating or personal advertisements, and gay and lesbian content. Some websites based in Israel or covering religions other than Islam, notably the Baha'i faith, are also blocked.

Despite the restrictions, a majority of news consumers in Dubai rely on the internet, including blogs and news forums, to obtain information, according to the Dubai Press Club's report *Arab Media Outlook 2009–2013*. The country has an extremely high mobile-telephone penetration rate, making such devices one of the most popular ways to receive news content. The authorities have threatened to restrict use of the BlackBerry mobile device's encrypted e-mail and messaging services, which could ease government surveillance of journalists.

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