

Legal Environment

While the United Arab Emirates (UAE) constitution provides for freedom of speech, the government uses its judicial, legislative, and executive powers to limit this right 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, UAE rulers and ruling families, and friendly foreign governments. The law also bans publication of information that “causes damage to the national economy.” Violations of the law can result in fines and prison sentences.

Defamation is a criminal offense. Journalists can also be prosecuted under other articles of the penal code and a cybercrime law that was tightened in 2012 through a presidential decree. The 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. Although the law centers on information technology, it has detrimental implications for both traditional journalism published online and citizen journalism. Article 24 makes it a crime to use a computer network to “damage the national unity or social peace.” Article 28 of the law states that the publication or dissemination of information, news, or images deemed “liable to endanger security and its higher interests or infringe on the public order” can be punished with imprisonment and a fine of up to 1 million dirhams (\$270,000). Under Article 29, “deriding or harming the reputation, stature, or status of the state, any of its institutions, its president or vice president, the rulers of the emirates, their crown princes or their deputies,” as well as a number of national symbols, is also punishable with imprisonment and a fine of the same amount. Article 41 allows the government to close websites related to the commission of these crimes.

A number of people were charged and convicted under the cybercrime law during 2013 for their social-media commentary, and the measure continued to be enforced against prominent users in 2014. In November, the Federal Supreme Court sentenced Osama al-Najjar to three years in prison for tweeting about the mistreatment of his father and other political prisoners while in detention. He was charged under the cybercrime law for “insulting the state,” inciting hatred and violence, and being a member of the banned party Al-Islah. He also received a fine of \$136,000. Separately, in late 2013, online activist Obaid Yousef al-Zaabi criticized the lack of free speech and due process in the country in an interview with the U.S.-based Cable News Network (CNN). He was subsequently detained by security forces and charged under the cybercrime law with “offending the Supreme Court,” “offending the state security apparatus,” and “instigating people against the rulers and the security of the state.” Al-Zaabi was acquitted in June 2014, but he reportedly remained in detention without a legal basis at year’s end.

An antiterrorism law passed in August 2014 includes vague language prohibiting any speech that “antagonizes the state,” among other offenses. This raised concerns that peaceful dissent or critical journalism could be punished as a form of “terrorism.” The law carries potential penalties including death, life in prison, and fines of up to 100 million dirhams.

The National Media Council (NMC) is responsible for licensing all publications and issuing press credentials to editors. Members of the council are appointed by the president. The UAE has four “media free zones” (MFZs)—areas in which foreign media outlets produce news content intended for foreign audiences—located in Dubai, Abu Dhabi, Ras al-Khaimah, and Fujairah. The Dubai and Abu Dhabi MFZs house bureaus of international media outlets such as CNN, the British Broadcasting Corporation (BBC), Saudi-owned Al-Arabiya, and Agence France-Presse. Broadcast media outlets based in the MFZs are

regulated by the Technology and Media Free Zone Authority, but 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. In practice, foreign media in the MFZs operate with relative freedom.

Political Environment

Journalists, especially foreign journalists working for Emirati media outlets, have reported having their stories censored by their editors, most often when they are covering sensitive issues such as religion, politics, or foreign allies of the UAE.

Online censorship is extensive, although the government claims that it only censors pornographic sites. The UAE regularly blocks access to websites, particularly Arabic-language new sites such as the popular U.S.-based *Al-Watan*. The government appears more willing to leave English-language sites unfettered in order to burnish its international image. Users are 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.” Websites that are considered indecent include those featuring pornography, dating or personal advertisements, and LGBT (lesbian, gay, bisexual, and transgender) content. Some websites based in Israel or covering religions other than Islam, notably the Baha’i faith, are also blocked. Many users reportedly employ circumvention tools, such as virtual private networks (VPNs), to access blocked content.

Due to vaguely defined redlines on permissible speech, extreme forms of self-censorship are widely practiced. Emirati journalists often face warnings and threats if they push the limits of acceptable 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. Yasin Kakande, a Ugandan journalist for the English-language daily the *National*, lost his job in April 2014 after he published a book that discussed self-censorship in the UAE. He said the *National’s* Emirati editor in chief, Mohammed al-Otaiba, fired him because he failed to ask permission to publish the book and portrayed his employer in an unfavorable light. The book alleged that public-relations executives for large, state-owned corporations behave as de facto censors on behalf of the ruling sheikhs, and argued that journalists mostly ignore the exploitation of migrant workers and are wary of reporting on the actions of the security forces.

Economic Environment

About a dozen newspapers are published in Arabic and English in the UAE, and there are several terrestrial-broadcast radio and 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 English-language sister paper, *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. Only a small minority of working journalists are native Emiratis, and observers note that expatriate journalists with relatively good pay have little reason to engage in risky critical or investigative journalism.

About 90 percent of the UAE population had regular access to the internet in 2014. There are two internet service providers, Etisalat and Du, both of which are owned and operated by state corporations. Despite broad 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 *Arab Media Outlook 2009–2013* report. The UAE has an extremely high mobile-telephone penetration rate, making such devices one of the most popular ways to receive news content.