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country summary

United Arab Emirates

The human rights situation in the United Arab Emirates (UAE) worsened in 2010, particularly for migrant workers, as the construction slowdown in Dubai continued. Other pressing human rights issues include torture, restrictions on freedoms of expression and association, and violations of women's rights. Authorities continue to prevent peaceful demonstrations and to harass local human rights defenders.

Two prominent cases in 2010 highlighted ongoing concerns about the justice system: in January a court cleared a member of the royal family on torture charges despite video evidence against him; in March, 17 migrant workers in Sharjah were convicted of murder despite evidence their confessions were unreliable and the product of police torture. The latter decision remains on appeal at this writing.

Migrant Worker Rights

During six years of spectacular growth in the construction sector, mainly in Dubai, the UAE brought in hundreds of thousands of South Asian migrant workers. Immigration sponsorship laws grant employers extraordinary power over the lives of such workers. Workers do not have the right to organize or bargain collectively and face penalties for going on strike. The Labor Law of 1980 excludes from coverage domestic workers employed in private households. Although the law calls for a minimum wage, the Ministry of Labor has yet to adopt such a measure.

Across the country, abuses include unsafe work environments, squalid living conditions in labor camps, and the withholding of travel documents. Workers also complain of nonpayment of wages, despite a mandatory electronic payment system introduced in 2009, that requires companies to pay salaries directly into licensed banks to ensure timely payments without illegal deductions.

The financial crisis that began in late 2008 cost tens of thousands of workers their jobs. Trapped in camps lacking basics such as food and sanitation, many were unable to find new jobs or a way home. Other workers say that some employers forced them to accept reduced pay and benefits or face dismissal.

Hundreds of laid-off migrant workers in 2010 were stranded in labor camps without electricity or running water for months on end after their Dubai-based employers closed; some had to fight off rats while sleeping amidst garbage heaps.

In May hundreds of workers marched from their Sharjah labor camp to the Labor Ministry in Dubai demanding to be sent back home. The workers said they lived in squalor and their employer had not paid them in six months. That same week about 200 workers staged a sit-in at the Labor Ministry demanding unpaid wages. Police detained 95 Vietnamese workers who allegedly attempted to block the ministry's entry gates. In June three Asian workers suffocated to death in their labor accommodation in Dubai after inhaling carbon dioxide from a generator. In August a fire charred to death 11 sleeping workers. In September authorities finally began sending home 700 stranded workers from the al-Sajaa camp in Sharjah.

In February 2010 New York University committed publicly to requiring all companies building and operating its Abu Dhabi campus to reimburse workers for any recruiting or other employment-related fees that they had to pay. The new terms also bar companies from confiscating worker passports. In September the Guggenheim art museum followed suit, though its provisions do not require contractors to reimburse workers for fees paid. Neither institution publicly committed to independent, third-party monitoring of labor conditions or to collective bargaining and a minimum wage. At this writing Le Louvre Abu Dhabi has not made any specific public commitments.

Many female domestic workers in the UAE suffer unpaid wages, food deprivation, long working hours, forced confinement, and physical or sexual abuse. The Indonesian embassy registered a 24 percent increase in domestic worker exploitation incidents in Abu Dhabi in 2009 compared with 2008. In October 2010, makeshift shelters in Abu Dhabi and Dubai housed more than 300 runaway Filipina domestic workers. The standard contract for domestic workers introduced in April 2007 calls for "adequate breaks" but does not limit working hours or provide for a weekly rest day, overtime pay, or workers' compensation.

In October, two weeks after Kuwait announced plans to scrap its *kafala* (sponsorship) system, UAE's minister of labor said the UAE would not follow suit. However, the UAE government took some steps in 2010 to protect migrant workers. In March the Labor Ministry announced the creation of a new unit to identify and investigate potential labor trafficking cases. In May the Labor Ministry extended by an extra month the summer season midday break for individuals working outside in sweltering heat.

Torture and Suspicious Deaths

On January 10 an Emirati court cleared Sheikh Issa bin Zayed al Nahyan, a member of the UAE ruling family, of torture charges despite video footage that showed him abusing Afghan grain dealer Mohammed Shah Poor with whips, electric cattle prods, and wooden planks with protruding nails. The court convicted five co-defendants but accepted the sheikh's defense that he was under the influence of drugs, which diminished the responsibility for his actions. The public prosecutor did not appeal the ruling.

On March 29 a Sharjah court sentenced 17 Indian men to death for the murder of a Pakistani national during a brawl over control of the illicit alcohol trade. The 17 men alleged that police tortured them over nine days to obtain confessions. Lawyers for Human Rights International (LFHRI), an Indian group, said police beat the men with clubs, subjected them to electric shocks, deprived them of sleep, and forced them to stand on one leg for prolonged periods. As of October their appeal against their convictions continued.

In August 2010 criminal lawyer Abdul Hameed filed a public complaint with Dubai's public prosecutor urging an investigation into circumstances surrounding at least 20 suspicious deaths of inmates (19 Emiratis and one Afghan) in Dubai's central prison over the preceding two years. As of October, he had not received any response.

Freedom of Association and Expression

In 2010 the government subjected the Jurist Association, an NGO established in 1980 to promote the rule of law and raise professional standards, to mounting restrictions. The government did not permit association representatives to attend meetings abroad and cancelled symposiums that it deemed controversial at home. Members also complained of official pressure to quit the association. Former association president Muhammad al-Mansoori, whom authorities have harassed for years, was dismissed from his position as a legal advisor to the government of Ras Al Khaimah in January after he gave a television interview in which he criticized restrictions on freedom of speech in the country. Authorities have refused to renew his passport since March 2008.

Police arrested at least four young activists after they attempted to organize a peaceful protest march on July 15 in response to increasing oil prices. Authorities fired one of the organizers from his government job and Dubai police held him in detention for a week for "inciting the nation against the government," even though the protest was cancelled. Another was imprisoned for more than a month and suspended from his work.

The government monitors press content and journalists routinely exercise self-censorship. Although Prime Minister Sheikh Muhammad stated in 2007 that journalists should not face prison “for reasons related to their work,” a 1980 law still in force provides jail terms for journalists and suspension of publications that publish “materials that cause confusion among the public.”

On February 7, authorities blocked access to the online discussion forum *UAE Hewan* (<http://uaehewan.net/>), a popular website that encourages debate on topics ranging from freedom of expression to political rights.

Women’s Rights

Despite the existence of shelters and hotlines to help protect women, domestic violence remains a pervasive problem. The penal code gives men the legal right to discipline their wives and children, including through the use of physical violence. In October the Federal Supreme Court issued a ruling that upheld a husband’s right to “chastise” his wife and children with physical abuse.

In January a Dubai court charged 23-year-old British woman and her fiance with having illegal sex and drinking outside permitted premises after the woman reported to police that a hotel employee had raped her. In June the Abu Dhabi criminal court sentenced an 18-year-old Emirati woman to a year in prison for illicit sex after she complained that six men gang-raped her a month earlier.

According to a survey conducted in January 2010 of 980 UAE residents, 55 percent of the female respondents said they would not report a sexual assault for fear of tarnishing their family’s reputation, and 49 percent would not do so because society would judge them harshly.

The government made progress in law enforcement efforts against the trafficking of women and girls and successfully prosecuted several traffickers. In June the UAE announced it would establish two new shelters, in Ras Al Khaimah and Sharjah, for trafficked women and girls.

Key International Actors

In April United Nations High Commissioner for Human Rights Navanethem Pillay toured Gulf countries. During her UAE visit she criticized the sponsorship system “that leaves migrant

workers vulnerable to exploitation in an unequal power relationship with their employers” and urged the creation of national human rights institutions that comply with international human rights standards.

In August the United States expressed disappointment at the UAE’s planned cutoff of key BlackBerry services, noting that the ban would set a dangerous precedent in limiting freedom of information. In October the UAE government said it would not go ahead with the ban. The Telecommunications Regulatory Authority said Canadian manufacturer Research in Motion had brought its devices into line with strict local guidelines on security and encryption but authorities did not release terms of the agreement.