

United Arab Emirates

The United Arab Emirates (UAE) continued in 2015 to arbitrarily detain and in some cases forcibly disappear individuals who criticized the authorities, and its security forces continued to face allegations that they torture detainees in pretrial detention. The UAE passed an anti-discrimination law that further jeopardizes free speech and is discriminatory in that it excludes references to gender and sexuality. Authorities denied access to the country to activists who criticized the UAE's mistreatment of migrant workers.

Arbitrary Detentions, Enforced Disappearances, and Torture

Authorities forcibly disappeared and detained incommunicado individuals who criticized the government or its allies. Three Emirati sisters, Asma, Mariam, and Al Yazzyah al-Suweidi, spent three months in incommunicado detention after authorities called them to a police station in Abu Dhabi on February 15. The three, whom authorities eventually released without charge, had posted comments criticizing the UAE authorities' unlawful imprisonment of Emirati dissidents, including their brother, Dr. Issa al-Suweidi.

In August, 13 security officers in civilian clothes arrested Emirati academic Nasser bin Ghaith. He had made comments on social media criticizing the Egyptian security forces' mass killing of demonstrators in Cairo's Rab'a Square in 2013 on the two-year anniversary of the massacre. Egypt is a key ally of the UAE government. Bin Ghaith's whereabouts remained unknown at time of writing.

Six Libyan nationals remained in detention without charge, more than a year after their arrests. Individuals who were arrested at the same time but subsequently released alleged that authorities tortured them in an attempt to secure confessions and said they heard other detainees being subjected to torture. The Libyans said their interrogators asked them about supposed links to the Muslim Brotherhood, which the UAE has designated a terrorist organization, and described being subjected to beatings, forced standing, and threats of rape, electrocution, and death.

Freedom of Expression

People who speak with rights groups remained at serious risk of arbitrary detention and imprisonment. The 2014 counterterrorism law provides for the death penalty for people whose activities are found to “undermine national unity or social peace,” even if these acts do not include an element of violence or intended violence.

In May, local media reported that the Federal Supreme Court sentenced a UAE national, Ahmed Abdulla al-Wahdi, to 10 years in prison for “creating and running a social media account that insults the UAE’s leadership and the country’s institutions.” In June, local media reported that the Federal Supreme Court found that Nasser al-Junaibi, a UAE national, had “spread rumors and information that harmed the country” and “insulted government entities,” and sentenced him to three years in prison.

Authorities cited “national security” grounds as the reason for denying activists who have criticized the UAE’s mistreatment of migrant workers entry to the UAE.

Federal Decree Law no. 2 of 2015 on anti-discrimination and anti-hate contains numerous broadly worded provisions that further jeopardize free speech. Enacted in July, the law provides for a minimum of five years in jail for anyone who commits “an act that may instigate any form of discrimination, using any forms of expression or any means.” Article 3 of the law says that freedom of expression cannot be invoked as a defense in cases relating to acts or statements “that may incite the contempt of religions that offend them.”

Freedom of Association and Movement

Family members of political detainees imprisoned in a mass trial in 2013 complained of repeated harassment by the authorities, including the freezing of assets, the denial of government security clearances required to secure employment, and the imposition of foreign travel bans that they cannot challenge.

Migrant Workers

Foreigners account for more than 88.5 percent of UAE residents, according to 2011 government statistics, but despite labor reforms, low-paid migrant workers continue to be subjected to abuses that amount to forced labor. Domestic workers are particularly

vulnerable to abuse since they do not enjoy even the minimal protection afforded by UAE labor law.

The *kafala* sponsorship system, which operates in all Gulf Cooperation Council states, ties migrant workers to individual employers who act as their visa sponsors. In practice, the system severely restricts workers' ability to change employers. The system gives employers inordinate power over workers by entitling them to revoke migrant workers' sponsorship at will, thereby removing their right to remain in the UAE and making them liable to deportation.

Under new regulations from 2010, workers covered under the labor law can switch employers in certain cases. However, domestic workers—who are excluded from this reach—cannot transfer employers before their contract ends or before they receive their employer's consent.

Women's Rights

Discrimination on the basis of sex and gender is not included in the definition of discrimination in the UAE's 2015 anti-discrimination law.

Federal law No. 28 of 2005 regulates matters of personal status in the UAE, and some of its provisions discriminate against women. For instance, the law provides that, for a woman to marry, her male guardian must conclude her marriage contract; men have the right to unilaterally divorce their wives, whereas a woman who wishes to divorce her husband must apply for a court order; a woman can lose her right to maintenance if, for example, she refuses to have sexual relations with her husband if she does not have a lawful excuse; and women are required to "obey" their husbands. A woman may be considered disobedient, with few exceptions, if she decides to work without her husband's consent.

Domestic violence is permitted under UAE law. Article 53 of the UAE's penal code allows the imposition of "chastisement by a husband to his wife and the chastisement of minor children" so long as the assault does not exceed the limits prescribed by Sharia, or Islamic law. In 2010, the UAE's Federal Supreme Court issued a ruling—citing the UAE penal code—

that sanctions beating and other forms of punishment or coercion by husbands on their wives, provided they do not leave physical marks.

LGBT Rights

The UAE's penal code does not explicitly prohibit homosexuality. However, article 356 of the penal code criminalizes zina offenses with a minimum sentence of one year in prison. Zina offenses include consensual sexual relations outside heterosexual marriage and other "moral" offenses, including same-sex relations. The UAE courts could convict and sentence people for zina offenses under article 356 which criminalizes but does not define "indecent," punishable by at least one year in prison.

Key International Actors

The UAE sent thousands of ground troops to Yemen in July to assist in the Saudi-led military campaign against Houthi forces, also known as Ansar Allah. The same month, the United States and the UAE launched an online counterterrorism messaging program, which they said "will use direct online engagement to counter terrorist propaganda rapidly and effectively."