

United Arab Emirates

Country:United Arab Emirates**Year:**

2016

Freedom Status:

Not Free

Political Rights:

6

Civil Liberties:

6

Aggregate Score:

20

Freedom Rating:

6.0

Overview:

The government of the United Arab Emirates (UAE) continued to suppress dissent in 2015, restricting the use of social media and utilizing an expansive antiterrorism law that criminalizes criticism of the regime. Amid security concerns exacerbated by the ongoing conflicts in Syria, Libya, and Yemen, the UAE also retained a role in helping challenge the regional spread of Islamist militancy, providing support for the Egyptian government and participating in a Saudi Arabia–led coalition against antigovernment forces in Yemen.

Political Rights and Civil Liberties:**Political Rights: 7 / 40 (-1) [Key]****A. Electoral Process: 1 / 12**

All decisions about political leadership rest with the dynastic rulers of the seven emirates, who form the Federal Supreme Council, the highest executive and legislative body in the country. 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. Half of its members are elected by an electoral college chosen by the seven rulers, while the government directly appoints the other 20 for two-year terms. The first elections to the FNC took place in 2006 with a 6,689-member electoral college. In the 2011 elections, only about 36,000

voters participated despite the expansion of the electoral college to more than 129,000 members. The third elections to the FNC took place in October 2015, and while the size of the new electoral college stood at more than 224,000 members—some thirty-four times higher than in 2006—voter turnout remained low, at 35 percent. Overseas voting was permitted for the first time.

B. Political Pluralism and Participation: 2 / 16

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 UAE has 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 in 2015, facing or having been indicted on the charge of attempting to overthrow the government. Those defendants who were convicted in the so-called UAE 94 mass trial in 2013 remained in prison in 2015. In December, one of the defendants who had been convicted in absentia was forcibly returned from Indonesia to the UAE. Separately, six Libyan nationals who had been detained for alleged links to the Muslim Brotherhood in 2014 remained in prison without charge or access to legal counsel; others who had been temporarily detained with them have made allegations of torture in custody.

Citizens are believed to constitute less than 15 percent of the population. Noncitizens—including many expatriate minority groups—have limited opportunities for participation and representation in politics.

C. Functioning of Government: 2 / 12

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. Officials declared 2015 the “Year of Innovation,” an initiative that included calls for reforming public services in addition to advancing the country’s commercial interests. Sheikh Mohammed bin Rashid, who holds the posts of vice president and prime minister of the UAE in addition to ruling Dubai, launched a 2 billion dirham (\$550 million) innovation fund in November to support new programs in both the public and private sectors; the fund will be managed by the Ministry of Finance. These and other initiatives are part of the government’s broader “UAE Vision 2021” plan, aimed at improving key governmental, social, economic, and technological areas. The UAE was ranked 23 out of 168 countries and territories surveyed in Transparency International’s 2015 Corruption Perceptions Index.

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

Discretionary Political Rights Question A: 2 / 0 (-1)

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, and the severe difficulty of acquiring citizenship leaves the noncitizen majority without meaningful prospects for political participation.

Civil Liberties: 13 / 60

D. Freedom of Expression and Belief: 4 / 16

Although the UAE's 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 the free media zones of Dubai, Abu Dhabi, and Ras al-Khaimah—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. Critics have voiced concerns that the broad language of a 2014 counterterrorism law can be used to restrict the exercise of free expression, among other things. The legislation provides the death penalty for offences including “undermining national security” and possession of material that opposes or denigrates Islam. A new law against hate speech and discrimination, containing broad definitions and criminalizing a wide range of free speech activities, was enacted in July 2015.

Online news portals, blogs, and social media platforms are an increasingly common source of news and information. A 2012 cyber law allows for the imprisonment of anyone who publishes online content that insults the state, organizes antigovernment protests, or is deemed a threat to national security. Offenders can also be fined up to \$272,000. Among several cases during the year, in August 2015, human rights activist and academic Nasser bin Ghaith was arrested days after using social media to criticize the Egyptian security forces' treatment of protesters in 2013; the grounds for his arrest were unclear and his whereabouts remained unknown at year's end. Bin Ghaith had previously been arrested in 2011 as part of the so-called UAE 5, a group of activists who were indicted in 2011 for “publicly insulting” high-ranking officials but subsequently pardoned.

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 Western universities have opened satellite campuses in the UAE, although faculties are cautious to not criticize the government out of fear of losing funding. In March 2015, a professor from New York University (NYU) was barred from boarding a flight from New York to Abu Dhabi at the request of UAE officials, who cited unspecified security concerns. The academic 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—for research into the topic.

Social media platforms have become a popular means of communication but 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.

E. Associational and Organizational Rights: 2 / 12

The government places restrictions on freedoms of assembly and association. Public meetings require government permits. Nongovernmental organizations (NGOs) must register with the Ministry of Social Affairs and can receive subsidies from the government, though they are subject to many burdensome restrictions. In May 2015, airport officials in Dubai denied entry to a representative of Amnesty International who had been invited to speak about the rights of migrant workers at a conference.

Workers—most of whom are foreign—do not have the right to organize, bargain collectively, or strike. Expatriate workers can be banned from working in the UAE if they try to leave their employer before at least two years of service. Workers occasionally protest against unpaid wages and poor working and living conditions, but such demonstrations are frequently dispersed.

F. Rule of Law: 3 / 16

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 introduces fines of up to \$27 million, imprisonment of up to life, and death sentences for terrorist offences. The law is broad and ambiguous, defining a terrorist offence as any action or inaction carried out for a "terrorist result," which includes "opposing the country, or influencing the public authorities of the country or another country or international organization while discharging its duties, or receiving a privilege from the country or another country or an international organization."

Discrimination against noncitizens and foreign workers, who comprise more than 80 percent of the UAE's population, 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.

G. Personal Autonomy and Individual Rights: 4 / 16

Emiratis face no apparent restrictions on freedom of movement within the UAE or on their type or place of employment, although under UAE's *kafala* system, a migrant worker's legal status is tied to an employer's sponsorship. Foreign workers are often exploited and 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 September 2015 aim to improve conditions for migrant workers. Among other things, the decrees give workers more flexibility to terminate employment under certain conditions, including through indemnification or in the case of extended nonpayment of wages, and aim 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.

The UAE has made reforms in recent years to ease procedures for establishing and operating businesses. However, the government exercises considerable influence over the economy and is 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 marital 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, she was appointed to the role of speaker and president, marking the first time that the position has been held by a woman. The government appointed an additional eight women to the FNC.

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.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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