

CIVIC SPACE IN THE UNITED ARAB EMIRATES (UAE)

Summary of joint submission to the 43rd Session of the UN Universal Periodic Review (2018-2022)

CIVICUS, Emirates Detainees Advocacy Centre (EDAC), Gulf Centre for Human Rights (GCHR) & the World Organisation Against Torture (OMCT)



We are deeply concerned by barriers against and the targeting of civil society organisations (CSOs). Authorities have created a hostile environment for CSOs and denied labour unions the right to operate and advocate for the rights of workers. We are further alarmed by the use of security-related legislation to persecute human rights defenders, academics, journalists and bloggers, who have been subjected to harsh prison conditions and kept in detention beyond their sentences.

KEY CONCERNS



FREEDOM OF PEACEFUL ASSEMBLY

Article 210 of the Crime and Punishment Law imposes penalties up to three years in prison for participating in gatherings of at least five people with the intent of disrupting the implementation of regulations, and life sentences for those promoting gatherings with the intention of causing riots of endangering public security.

The Federal Decree Law No. 34 prohibits the use of the internet to organise or call for a march without prior approval from the authorities and imposes a fine of up to 1,000,000 Dirhams and a prison sentence for those found guilty of violating the law.

The Penal Code provides harsh imprisonment sentences to those gathering in a public place: one year for gathering with the aim of rioting, five years if the action disorders peace and public security and life sentence for those organising such meetings with the intent to riot.

The Penal Code further criminalises public declarations of hostility to the state or governance system and disloyalty to the leadership.



FREEDOM OF EXPRESSION

The Federal Law No. 1980 is one of the most repressive laws in the MENA region. It empowers the authorities to censor both domestic and foreign publications before distribution and prohibits criticism of the government and ruling family.

It bans the publication of information deemed damaging to the national economy, criminalises the publication of information or images that endanger state security and public order or harm the reputation of the State. Those found guilty are liable to fine of one million Dirhams and imprisonment.

The 2021 Crime and Punishment Law imposes prison sentences of between three to 15 years on anyone found guilty of collecting data, statistics or information with the intent of passing them to a group, organisation or foreign entity.

The provisions in the law may also be used to target bloggers, journalists and HRDs who engage with international media outlets or international human rights mechanisms.



FREEDOM OF ASSOCIATION

Authorities do not authorise political organisations and trade unions.

Article 181 of the 2018 Penal Code, provision maintained in the 2021 Penal Code, criminalises actions that disrupt the constitution and the law, prevent one of the state institutions performing their tasks or violate the personal freedoms of local populations

Articles 188, 189 and 190 of the 2021 Penal Code criminalises the establishment or founding of an organisation or association created 'with the intention of overthrowing the regime or the state' with a penalty of life imprisonment.

The 2021 Penal Code adds penalties including prison sentences of at least five years to those who gather, receive or obtain funds to overthrow the State or to disrupt the constitution and the law.

Civic space in the UAE is currently rated "CLOSED" by the CIVICUS Monitor

COMMON VIOLATIONS AGAINST HUMAN RIGHTS DEFENDERS INCLUDE:



Intimidation, threats, reprisals and harassment against human rights defenders (HRDs) and their families, including surveillance and house raids



Arbitrary arrests, ill-treatment and lengthy detentions under restrictive security and anti-terrorism laws



Surveillance and cyber harassment against activists and journalists



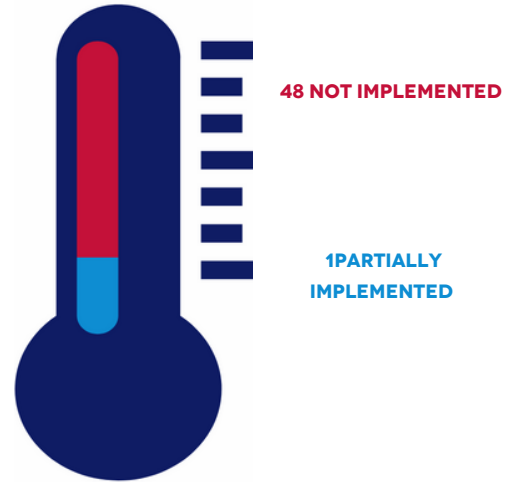
Travel bans and withdrawal of citizenship



Criminalisation and stigmatisation of HRDs, journalists and activists

PREVIOUS UNIVERSAL PERIODIC REVIEW PROCESS

The United Arab Emirates received 49 recommendations relating to the space for civil society (civic space).



RECOMMENDATIONS

- 1 Undertake a consolidated process of repeal or amendment of legislation and decrees that unwarrantedly restrict the legitimate work of HRDs, in line with the UN Declaration on Human Rights Defenders
- 2 Halt the use of anti-terrorism legislation to arrest, detain and prosecute HRDs and activists for the peaceful exercise of their rights.
- 3 End the practice of imprisoning HRDs at length and in solitary confinement, which amounts to torture.
- 4 Take steps to lift restrictions on the freedom of expression and adopt a framework for the protection of journalists from persecution, intimidation and harassment.
- 5 Refrain from adopting any laws providing for censorship or undue control over social and conventional media content.
- 6 Amend the Federal Decree Law No. 34 of 2021 on Combatting Rumours and Cybercrimes and articles 210, 211 and 212 of the 2018 Penal Code, which impose severe prison sentences and fines for gathering.
- 7 Review and if necessary update existing human rights training for police and security forces, with the assistance of independent CSOs, to foster the more consistent application of international human rights standards, including the UN Basic Principles on the Use of Force and Firearms.

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