



General Assembly

Distr.
GENERAL

A/HRC/WG.6/3/ARE/3
16 September 2008

Original: ENGLISH

HUMAN RIGHTS COUNCIL
Working Group on the Universal Periodic Review
Third session
Geneva, 1-15 December 2008

**SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 (C) OF
THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

United Arab Emirates *

The present report is a summary of seven stakeholders' submissions¹ to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. It does not contain any opinions, views or suggestions on the part of the Office of the High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The periodicity of the review for the first cycle being four years, the information reflected in this report mainly relates to events that occurred after 1 January 2004.

* The present document was not edited before being sent to the United Nations translation services.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations

1. International Federation for Human Rights (FIDH) strongly encouraged the United Arab Emirates to ratify United Nations international instruments not yet ratified and the Rome Statute of the International Criminal Court.² Mafiwasta added that the United Arab Emirates has not signed the International Convention on the Protection of Migrant Workers and their Families.³

B. Institutional and human rights infrastructure

2. According to Alkarama for Human Rights (AHR), the federal institutions are not democratically elected and political parties are not authorised. The country's legislature, the Federal National Council, was renewed in December 2006 by a panel of 6,689 electors which represents only 1 per cent of the population. The Directorate of State Security (*Amn al-dawla*) intervenes in appointments and dismissals of civil servants and interferes in justice affairs, not hesitating to change court verdicts or to exert pressure against judges and other officials, many of whom are foreigners.⁴

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

3. According to FIDH, the United Arab Emirates has repeatedly been late to submit report to relevant treaty bodies, a striking example being the Committee for Elimination of Racial Discrimination for which the state report is more than ten years overdue.⁵

4. Amnesty International (AI) noted that in the course of 2007, the government failed to respond to United Nations human rights bodies in respect to requests for access and on individual cases raised in 2006. Citing concerns about trafficking for the purposes of forced labour, in May the Special Rapporteur on trafficking in persons reiterated a previously unmet request to visit the Emirates. In March the Special Rapporteur on human rights of migrants expressed "his interest in receiving a reply" on cases of abuses against migrant workers in previous years. The Special Rapporteur on extra-judicial executions reported in March that the government had not responded to concerns from 2006 on death penalty safeguards. United Nations Special Rapporteurs, including those responsible for human rights defenders, violence against women, the independence of judges and lawyers, and freedom of expression, all reported that the government failed to reply to concerns raised by their offices.⁶ FIDH requested that the United Arab Emirates extends a standing invitation to all of the Human Rights Council's special procedures.⁷

B. Implementation of international human rights obligations

1. Equality and non discrimination

5. AI reported that women in the Emirates continue to suffer the impact of discriminatory laws and practices which affect most aspects of women's life, including marriage and the choice of marriage partner, dissolution of marriage and child custody, and inheritance. Under the nationality law, a woman is unable to pass on her nationality to her children if she is married to a foreign national. As a result the children suffer severe restrictions including on their residency and employment rights. They are treated as foreigners in higher education and pay higher fees, and as migrant workers in employment.⁸ FIDH added that family law in United Arab Emirates is

governed by Islamic Shari'a courts consisting of only men. While freedom of movement for all persons is enshrined in national law, women are required to get their father's and/or husband's approval in order to participate in professional and social life as well as to leave the country.⁹

6. Mafiwasta noted that the United Arab Emirates, despite ratifying the International Convention on the Elimination of All Forms of Racial Discrimination, is home to systematic racial discrimination against its south Asian non-citizens. It pointed out that while there is de jure discrimination against non-nationals and non-Arabs in the United Arab Emirates' 1980 Federal Law on the Regulation of Labour Relations, de facto discrimination suffered by unskilled south Asian migrants is the primary area of concern.¹⁰

7. FIDH cited reports according to which there are at least 20,000 stateless residents (*bidoon*) in the Emirates who are either without citizenship or any proof of citizenship from any country. Many of those have entered the country illegally to seek employment and often have resided in the country for decades without being granted citizenship. Others are Bedouins and their descendants are without proof of their "national" origin. In October 2007, 1,294 stateless persons were naturalized by the United Arab Emirates government. Persons in the *bidoon* category face heavy discrimination in the labour market and as a result encounter socio-economic challenges. They have limited access to medical care and education, and without passports and other basic identity documents, they are restricted in their movement within the country as well as internationally. They are also denied rights of property ownership, registration of marriage contracts and many other basic procedures.¹¹

2. Right to life, liberty and security of the person

8. According to AI, the United Arab Emirates retains the death penalty in national legislation and in 1995 introduced the death penalty for drug trafficking; however, no executions for this offence are known to have been carried out. In December 2007, the United Arab Emirates was one of eight countries that abstained in the vote in the General Assembly on resolution 62/149 calling for a moratorium on executions and which, on 2 February 2008 then joined 57 other countries in a statement of disassociation with the resolution, stating that they are "in persistent objection to any attempt to impose a moratorium on the use of the death penalty or its abolition in contravention to existing stipulations under international law".¹²

9. AI informed that it raises with the authorities around three to five times per year reports of persons - both Emirati and foreign - arbitrarily arrested and held incommunicado for prolonged periods of time, commonly in undisclosed locations where they face torture and other ill treatment. Those responsible are usually said to be members of the Directorate of State Security. In the years following the 11 September 2001 attacks, hundreds of Emirati nationals, including military personnel and judges, were detained. Scores were detained for many years, some of whom faced torture and other ill-treatment, including by the forced administration - by way of injection - of substances that induce drowsiness and lethargy. Other methods used to inflict torture and other ill treatment documented by AI have included sleep deprivation, suspension by the wrists or ankles, severe beatings to the soles of the feet, the use of electric shocks to various parts of the body, and threats of sexual violence.¹³ AHR added that the courts use confessions extracted under torture and refuse to order investigations.¹⁴

10. According to AI, some encouraging developments took place in June 2008 when the former director of a Dubai jail and 24 wardens and police officers were sentenced to prison terms for beating up inmates during a check for drugs in August 2007. They were all accused of "abuse of power and ill-treatment of detainees under their guard." The former director and six

wardens and officers were sentenced to six months in prison while 18 others received three-month sentences.¹⁵ AI called on the government to accede to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment, in order to bring the practice of torture and ill-treatment to light, whether pre- or post-trial, as a part of sentencing; and ensure that detainees who lodge complaints about torture or ill-treatment are granted adequate protection without the fear of being subjected to any kind of reprisal or prosecution.¹⁶

11. AHR reported that searches and arrests are most often carried out without judicial warrant, in violation of legal procedures. The duration of police custody and preventive detention set by the Code of Criminal Procedure is often not respected. According to the law, the Prosecutor has to be informed about any arrest within 48 hours upon which he has to decide within 24 hours to release or continue to detain the suspect. The latter may be imprisoned for 21 days without charges, renewable for crimes or offences punishable by imprisonment. The court decides on any extension, which theoretically cannot exceed 30 days. In practice, however, judges prolong indefinitely the detention without defining the charge. Secret detention, which may last months or even years, is a common practice, especially when arrests are carried out by the State Security for political reasons. Many people have been arbitrarily detained without charges, tortured and sometimes convicted without receiving the minimum guarantees of a fair trial.¹⁷

12. AHR also reported on persons arrested between 2001 and 2004 without judicial warrant, and without a specific reason to justify their arrest being communicated to them, and then arbitrarily detained and held incommunicado without due process of law.¹⁸ AI called on the government to publish up-to-date lists of all places of detention in a form that is readily accessible to lawyers and members of the public as a step towards ending the practice of incommunicado and secret detention and torture and other ill treatment; and make clear to all officers involved in arrest, detention and interrogation, in particular those of the Directorate of State Security, that torture and other ill-treatment will not be tolerated under any circumstances and that those found, following a fair trial, to have carried it out will be held accountable.¹⁹ AI furthermore called on the government to allow regular, unannounced, independent and unrestricted inspections by national and international independent expert bodies to all places where people are or may be deprived of their liberty.²⁰

13. FIDH reported that, though sexual harassment and domestic abuse against women is commonplace, there is very little institutional support for victims, nor is spousal rape considered a crime by Emirati law. Activists who dare to denounce such violations are placed under intense pressure.²¹

14. AI reported that in all of the Emirates, save Dubai, flogging sentences are imposed on those caught having “illicit sex” and AI has recorded such sentences against, in particular, migrant workers.²² According to Global Initiative to End All Corporal Punishment of Children, corporal punishment is lawful in the home, albeit prohibited in schools. In the penal system, corporal punishment is lawful as a sentence for crime. Under the Juvenile Delinquents and Vagrants Act (1976), a child over 16 years may be punished under the Penal Code (article 8), which provides for flogging for a wide range of offences including murder, violent assault, alcohol and drugs related offences, theft and sex crimes. Judicial corporal punishment of younger children is permitted under Shari’a law.²³

15. Mafiwasta highlighted that there is strong evidence to suggest that debt bondage is widespread in the Emirates. The practice of charging migrant workers for their recruitment, rendering them in debt for several years, is widespread. Not only is the State failing to meet its obligations to stop debt bondage, it is an active participant in the abuse, and one of the principal

beneficiaries.²⁴ FIDH explained that recruitment services in the sending countries lure migrants en masse, promising them jobs and salaries that may never materialize. Having at times forked out their entire life savings, these workers do everything possible to secure what they believe are legally enforceable contracts and work visas. On arrival in the host country, they are deeply indebted and out of options. They have little choice but to work for local sponsors or employers under highly exploitative conditions that may essentially amount to forced labour or servitude. The recent Abu Dhabi Labour Ministers conference announced a pledge to provide fundamental protection to migrant workers in the GCC states, which would include stricter enforcement of efforts to combat smuggling and trafficking.²⁵ As noted by AI, in November 2006, the President issued a federal law against human trafficking, which prescribes penalties ranging from one year to life imprisonment.²⁶

3. Administration of justice and the rule of law

16. The United Arab Emirates possesses a dual legal system, as noted by Institute on Religion and Public Policy (IRPP). Shari'a courts are responsible for criminal and family law matters. Other courts are responsible for civil law matters. In Dubai, Shi'a Muslims may choose to be tried regarding Shi'a family law cases in front of a special Shi'a council rather than the Shari'a courts. For criminal offences, non-Muslims are tried in Shari'a courts. In cases where a Shari'a penalty may be applied, non-Muslims may receive penalties in lieu of Shari'a punishments at the discretion of the judge. Shari'a penalties applied to non-Muslims are subject to review and modification by a higher court.²⁷

17. According to AHR, the judiciary is not independent and is often subject to political and security interference. Only the president and the 5 judges comprising the High Court and appointed by decree of President of the Federation are irremovable according to the Constitution. The staff of the judiciary is composed largely of foreigners under contract, from Arab countries, which may at any time be revoked, thereby greatly reducing their independence. For the jurisdictions of the two emirates of Abu Dhabi and Dubai, the proportion of foreign judges is almost 70 per cent. By contrast, the proportion of national prosecutors is 85 per cent. The right to a counsel is limited and is left to the discretion of the prosecutor. An accused person cannot have a lawyer before the police investigation is closed. Trials are public with the exception of cases relating to internal and external national security, as these are exclusively handled by the Federal High Court. Article 101 of the Constitution stipulates that "the judgments rendered by this court are without appeal and binding", which constitutes a violation of the principle of the right of review.²⁸

18. With regard to workers wishing to file a complaint, Mafiwasta noted that they frequently encounter difficulties. Aggrieved employees must submit a written complaint in either Arabic or English, the two official languages of the Emirates, to the Ministry of Labour and to their employer. There is a general reluctance among foreign workers to make a complaint.²⁹

4. Right to marriage

19. Muslim men are able to marry non-Muslim women who are "People of the Book," Christians and Jews. Muslim women are forbidden from marrying non-Muslim men. If a Muslim woman were to marry a non-Muslim man, both would be arrested, tried, and imprisoned on the grounds of fornication.³⁰

5. Freedom of movement

20. As reported by Mafiwasta, in 2001 a Dubai Court of Cassation stated that “it is not permitted for an employer to confiscate the passport of an employee and prevent him from his natural right to travel and move whatever the nature of the relationship that ties them together.” The retention of passports is nonetheless commonplace in the United Arab Emirates and there appears to be confusion in the judiciary over the illegality of the confiscation of migrant workers’ passports.³¹

6. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

21. IRPP noted that the United Arab Emirates provides a degree of legal protection of religious freedoms in its constitution. However, there are numerous issues that negatively affect the status of religious freedom in the country. The government maintains control over the vast majority of Sunni mosques and imams. Nearly 95 percent of Sunni mosques are funded and subsidized by the government, and all Sunni imams are employed by the state. Shi’a mosques are private institutions and are eligible for state-funding upon request. The government regularly issues guidance to Sunni and Shi’a mosques and imams about sermons and monitors these sermons for politically inappropriate content.³² IRPP added that the government actively encourages the conversion of minority faiths to Islam, while simultaneously denying the ability of minority faiths to proselytise. Prisoners who convert to Islam, or memorize all or part of the Qur’an, can receive a reduced sentence.³³

22. The United Arab Emirates government places restrictions on the freedom of religious assembly and association. Religions other than Islam can only be practiced on the grounds of religious institutions or in private homes, as indicated by IRPP. Private schools, as well as schools officially supported by the federal government include mandatory Islamic Studies programs within their curriculum. It is against the law for children to receive instruction about any other religion than Islam. During the month of Ramadan, non-Muslims are required to hold the same religious standards as Muslims out of a forced respect for the Islamic holiday.

23. IRPP also reported that women who choose to wear the *niqab* (a veil that allows only the eyes to be seen) are increasingly finding it difficult to live normally in their country. Many businesses will not hire women who wear the *niqab* and those who do relegate them to administrative jobs where they will not be seen and some businesses ban the wearing of the *niqab* during business hours.³⁴

24. The participation of citizens in the Emirates in public affairs of the country is virtually non-existent and freedom of opinion, expression and association are restricted, as noted by AHR.³⁵ FIDH added that the Law on the Press and Publications entitles the Ministry of Information to license newspapers and publications and strictly monitor their content, and also governs the appointment of editors.³⁶

25. On the occasion of the sentencing of two journalists to two months prison terms for defamation, as reported by AI, the Vice-President, Prime Minister and Ruler of Dubai, decreed that no journalist should receive a prison sentence for press-related offences. He also urged for the enactment of a new press and publications law.³⁷ Nevertheless, as highlighted by FIDH, domestic law has not been amended accordingly. Thus, press offences are still widely criminalized. Another form of repression directed towards journalists is “banning” them and adding them to “blacklists” comprising journalists and writers not “governmentally approved”.

Several journalists and writers have been prevented from writing in newspapers or appearing on television.³⁸

26. FIDH further reported that access to information is also severely restricted. Various websites considered by the authorities as “unwelcome” due to their religious, cultural and/or political content are made inaccessible in the country.³⁹ IRPP added that Etisalat, the Emirates’ exclusive Internet provider, selectively blocks websites which contain material deemed religiously sensitive, including information on the Bahá’i faith, Judaism, sites which provide a negative view of Islam, and “testimonies of former Muslims who converted to Christianity”.⁴⁰

27. FIDH explained that under the Federal Law on Organizations working for the Public Interest, NGOs have to apply for registration with the Ministry of Social Affairs, they then receive subsidies from the government based on membership size. According to the information received, despite the request, more than 20 local NGOs are still unregistered. Associations are also restricted by directives of government’s censorship which necessitate prior government approval before publishing any material. In further repression, NGO representatives must obtain government permission before attending events outside the country.⁴¹ Noting that the United Arab Emirates does not guarantee the freedom of association, Human Rights Watch (HRW) added that in at least two cases, the Ministry of Labour and Social Welfare has failed to process applications submitted by prominent activists seeking permits to establish human rights organizations.⁴²

28. According to AHR, the harassment of opponents from all sides was exacerbated after the attacks of September 11, 2001. More and more organizations and individuals are denied freedom of association, assembly or speech. Many activists have been arrested, arbitrarily detained and tortured.⁴³ AHR further noted a number of arbitrary decisions which have occurred in a context of successive purges in the state services to exclude citizens suspected of belonging to the reformist current or simply citizens suspected of having political opinions. New provisions relating to the suspension and exclusion of members of the Civil Service were approved in March 2008 by the Council of Ministers. It feared that these provisions are interpreted broadly and applied in an arbitrary manner to dismiss officials suspected of non-conformism in a country where the public service is the main employer.⁴⁴ In this context, FIDH reported that national academics, in particular those known for their critical writings, have regularly been sanctioned over the past years. 83 Emirati educationists were transferred by the United Arab Emirates authorities to state jobs in other regions or departments, in disregard of the nature of their professional background, in order to sanction what is seen as Islamist views. Dozens of teachers demonstrated in Dubai against this decision in November 2007 and June 2008.⁴⁵

29. AHR recommended amending the laws limiting the rights of expression and association and repealing any administrative or judicial sanction because of the simple peaceful expression of an opinion or political or civil rights activism.⁴⁶ AI called on the government to investigate fully, promptly and impartially any reported human rights abuses against civil society activists, journalists and members of groups or communities, whether formal or informal, that oppose the structure of the state and to bring to justice anyone suspected of involvement in such abuses, in trials which meet international standards of fair trial.⁴⁷

30. AI noted that political parties do not exist in the Emirates; political dissent is not tolerated and those targeted for arrest are usually believed to be Islamists or those making criticisms of the human rights situation in the country, for example.⁴⁸ According to AHR, societies and in particular charities have been halted because of the threats and intimidation they suffer.⁴⁹

7. Right to work and to just and favourable conditions of work

31. According to HRW, the United Arab Emirates labour law is silent on the right of workers to freedom of association and to bargain collectively and the law prohibits strikes.⁵⁰ Mafiwasta added that the United Arab Emirates has not signed core ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organise and Convention No. 98 on the Right to Organise and Collective Bargaining. Trade unions do not exist in the United Arab Emirates and strikes and lock-outs are expressly banned. The prohibition applies to citizens as well as non-citizens; however, its de facto effect is to discriminate solely against non-citizens.⁵¹

32. Mafiwasta further noted that, unlike citizens, migrant workers, comprising 95 per cent of the workforce, can be summarily dismissed if, for instance, an employer does not wish to pay wages or end of service contract benefits. The absence of trade union legislation underpins the entire system of worker exploitation and is compounded by the limited access to domestic avenues of legal redress.⁵² HRW informed that despite the risks of losing their jobs and facing deportation, workers in the Emirates have continued to participate in strikes, some of which have turned violent. While government officials have made public assurances that only instigators of violence would be prosecuted and deported, HRW is concerned that non-violent participants in strikes may face punishment as well. The absence of unions or genuinely independent human rights organizations complicates monitoring the fate of striking workers.⁵³ In this context, Mafiwasta reported that in October 2007, a larger strike involving thousands rather than hundreds of workers led to a senior ministry official announcing publicly that 4000 workers would be deported.⁵⁴

33. AI informed that a draft labour law, issued in February 2007 to streamline employment practices, provides for the punishment of striking workers, but not for the right to organize, bargain collectively or strike. The draft excludes migrant workers, farmers, public sector workers and private security staff.⁵⁵ HRW noted that the Ministry of Labour claims to have shut down over one hundred companies that violated labour laws. However, it has not divulged the names of these companies, making it impossible to verify the claim.⁵⁶ HRW recommended that the government should ratify core labour conventions and amend its laws accordingly, enforce existing labour laws, and bring domestic workers under the protection of labour laws. It also recommended to aggressively prosecute and impose significant penalties for employers and recruiting agencies that abuse employees in violation of the law, and to allow the establishment of genuine and independent human rights and workers' rights organizations that can bring abuses to light and help workers know and defend their rights.⁵⁷

8. Right to social security and to an adequate standard of living

34. Mafiwasta cited reports of appalling housing conditions for migrant workers, who reside in segregated labour camps. Sometimes this is acknowledged by the United Arab Emirates government. According to Mafiwasta, the Gulf News quotes the Head of the Health Education Section at the Ministry of Health, who stated he was "shocked at the conditions the men in workers accommodation...live in". A further report noted by the organisation asserts that "cramped living conditions and poor wages make migrant workers 'highly susceptible' to communicable diseases which often develop into serious health problems"; the reference to a health risk was in the context of "the Al Mussafah labour accommodation area where an estimated 12,000 workers often share cramped rooms containing up to 20 beds." Mafiwasta stated that the United Arab Emirates government insistence on accommodation being the responsibility of companies is in clear violation of its obligations under article 5 of the Convention, which holds the state responsible for ensuring the right to housing is granted

without racial discrimination.⁵⁸ HRW welcomed that over the course of 2007, the Emirates made incremental improvements in the conditions of migrant workers. Most significantly, a substantial number of employers have upgraded workers' living quarters, including by improving sanitary conditions and easing overcrowding.⁵⁹

9. Migrants, refugees and asylum-seekers

35. HRW noted that roughly 85 percent of the United Arab Emirates's population is made up of foreigners, and foreigners account for nearly 99 percent of the workforce in the private sector, including domestic workers; as of August 2007, according to the Ministry of Labour, there were 4.5 million foreigners in the country, compared to 800,000 Emirati citizens.⁶⁰

36. FIDH indicated that the exploitation migrant workers suffer from partly results from the 'sponsorship' or "*kafala*" system. All foreign workers enter the Emirates as contracted workers in the *kafala* framework. In this system, employers or other individuals, who are natives, sponsor workers coming from abroad for a limited period. The workers are often found using manpower recruitment agencies in sending countries. The sponsors must pay a fee to the recruitment service and pay for the worker's airfare, all employment visas, work permits, wages and return airfare. It has been observed that unscrupulous employers sometimes do not renew the worker's documents deliberately, and falsely accuse the employee of theft in order to render the migrant worker undocumented and avoid payment of taxes and the price of the return airfare.⁶¹

37. The United Arab Emirates's large migrant worker population is vulnerable to multiple forms of abuse, as reported by HRW. This abuse is facilitated by a legal ban on strikes, the lack of explicit protections for the rights of association and collective bargaining, restrictions on genuinely independent human rights organizations, and the failure of the government to enforce provisions in United Arab Emirates law that aim to protect workers. The abuses include the employers' failure to pay the workers' travel and recruitment fees and to report workplace deaths and injuries, their withholding of workers' earnings, and the retention of workers' passports and travel documents. Abuses against migrant workers also include extended working hours without overtime compensation, unsafe workplaces, and squalid living conditions in labour camps. Authorities do not investigate or hold employers accountable even though many of these practices violate domestic law.⁶²

38. Regarding the situation of migrant domestic workers, HRW explained that these routinely suffer abuse such as forced confinement in the workplace, restricted communication with family and friends, no rest days, and restrictions on their ability to return to their home countries when they wish to do so. HRW has found that physical, psychological, and sexual abuse and food deprivation of domestic workers occurs without abusers being held accountable. Like their counterparts in the construction industry, migrant domestic workers face the confiscation of their identity documents, non-payment or less-than-full payment of wages, excessively long working hours, inadequate living conditions, and exploitation by labour agents.⁶³ HRW added that because of lax oversight by the authorities, women domestic workers are at particular risk of abuse, including food deprivation, forced confinement, and physical or sexual abuse by their employers.⁶⁴

39. Domestic migrant workers continue to be denied the protection of labour legislation, as noted by AI. Hence, they do not formally have the right to a weekly day of rest, limits on hours of work, paid holidays or forms of compensation.⁶⁵ HRW informed that in April 2007, the Emirates introduced a standard contract for domestic workers that provides some protections, but contains no ceiling on working hours per week, no provisions for a rest day or overtime pay, no

workers' compensation, and only provides for unspecified "adequate breaks" and one month of paid vacation every two years. The standard contract does not serve as an adequate substitute for extending equal protection to domestic workers under the labour law.⁶⁶

10. Human rights and counter-terrorism

40. AHR observed that from September 2001, the Emirati authorities took in the context of the fight against terrorism drastic measures against opponents or persons suspected of affinity with the Islamist movement. Most of them have never called for violence and claimed political and social reforms without challenging the legitimacy of the State. According to AHR, dozens, perhaps hundreds of people, including officials and members of security services and armed forces were arrested by State Security and arbitrarily detained and held incommunicado, some for several years without any charges. Some were forced to sign commitments not to contact human rights defenders in return for their release. Others were forced to submit a weekly report on their activities while their families were monitored.⁶⁷ AHR added that some persons suspected of terrorist activities have been handed over to foreign States.⁶⁸

41. Regarding new measures adopted by the government, AHR indicated that no public activity is now possible without obtaining prior authorization of the security services. To organize a public lecture, a summary of the meeting must be submitted beforehand to the authorities. New laws have instituted strict control over the mosques. The Friday sermons have been standardized by the central authority and imams who do not hold strictly to the version provided by the authorities are dismissed.⁶⁹

42. The United Arab Emirates adopted in July 2004 an anti-terrorism law that allows prosecutors to extend custody of detainees for up to 6 months, instead of the already originally excessive 3-week period instituted by law, as reported by AHR. Once an accusation is made, the case is reviewed by the Supreme Court, which may extend the detention indefinitely.⁷⁰

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

43. FIDH welcomed the counter trafficking strategy developed by the United Arab Emirates National Committee to Combat Human Trafficking during its last meeting on June 6th 2008, and in particular the decision to renew the "focus on ensuring protection in United Arab Emirates law for domestic workers (...) and to ensure prosecution of violations under the United Arab Emirates' tough human trafficking law". These decisions should be implemented without delay and result in concrete actions. Special attention should indeed be given to the plight of female migrant domestic workers.⁷¹

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

N/A.

V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

N/A.

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (An asterisk denotes a non-governmental organization in consultative status with the Economic and Social Council.)

Civil society

AHR	Alkarama for Human Rights, Geneva, Switzerland.
AI	Amnesty International*, London, UK.
FIDH	International Federation for Human Rights*, Geneva, Switzerland.
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London, UK.
HRW	Human Rights Watch*, New York, NY, USA.
IRPP	Institute on Religion and Public Policy, Washington DC, USA.
Mafiwasta	Mafiwasta, Ireland.

² FIDH, p.1; see also AHR, p.6.

³ Mafiwasta, p.1.

⁴ AHR, p.2.

⁵ FIDH, p.1.

⁶ AI, p.4.

⁷ FIDH, p.1.

⁸ AI, p.4.

⁹ FIDH, p.3.

¹⁰ Mafiwasta, p.1-2.

¹¹ FIDH, p.4.

¹² AI, p.2.

¹³ AI, p.3 ; for information on individual cases see AI, p.3 ; AHR, p.4 and FIDH, p.1.

¹⁴ AHR, p.4.

¹⁵ AI, p.3.

¹⁶ AI, p.5.

¹⁷ AHR, p.4, see also for information on individual cases.

¹⁸ AHR, p.4, see also for information on individual cases.

¹⁹ AI, p.4.

²⁰ AI, p.5.

²¹ FIDH, p.3.

²² AI, p.2.

²³ GIEACPC, p.2.

²⁴ Mafiwasta, p. 4.

²⁵ FIDH, p.4.

²⁶ AI, p.3.

²⁷ IRPP, 1-2.

²⁸ AHR, p.2.

²⁹ Mafiwasta, p.2.

³⁰ IRPP, p.2-3.

³¹ Mafiwasta, p.3.

³² IRPP, 1-2.

³³ IRPP, 1-2.

³⁴ IRPP, p.2-3.

³⁵ AHR, p.5, 6.

³⁶ FIDH, p.2.

³⁷ AI, p.4.

³⁸ FIDH, p.2 ; for information on individual cases see also AHR, p.3.

³⁹ FIDH, p.2.

⁴⁰ IRPP, p.2-3.

⁴¹ FIDH, p.2; see also AHR, p.6.

⁴² HRW, p.2.

⁴³ AHR, p.2. For information on individual cases see AHR, p.5; FIDH, p.3; AI, p.4.

⁴⁴ AHR, p.6; for information on individual cases see AHR, p.5-6, AI, p. 4.

⁴⁵ FIDH, p.2 ; see also AHR, p.6.

⁴⁶ AHR, p.7.

⁴⁷ AI, p.5.

⁴⁸ AI, p.4; see also AHR, p.5.

⁴⁹ AHR, p.6.

⁵⁰ HRW, p.1.

⁵¹ Mafiwasta, p.3-4.

⁵² Mafiwasta, p.3-4.

⁵³ HRW, p.3; for information on individual cases see also FIDH, p.3; AI, p.3; Mafiwasta, p.2-3.

⁵⁴ Mafiwasta, p.2-3.

⁵⁵ AI, p.3; see also HRW, p.3.

⁵⁶ HRW, p.3.

⁵⁷ HRW, p.2, 4.

⁵⁸ Mafiwasta, p.2.

⁵⁹ HRW, p.3.

⁶⁰ HRW, p.2.

⁶¹ FIDH, p.4.

⁶² HRW, p.1. See also Mafiwasta, p.1.

⁶³ HRW, p.2; see also FIDH, p.4.

⁶⁴ HRW, p.3.

⁶⁵ AI, p.3.

⁶⁶ HRW, p.3.

⁶⁷ AHR, p.3; see also for information on individual cases.

⁶⁸ AHR, p.3, see also for information on individual cases.

⁶⁹ AHR, p.3.

⁷⁰ AHR, p.3, see also for information on individual cases.

⁷¹ FIDH, p.3.
