



23rd session of the UN Human Rights Council
Item 6 – Adoption of the UPR outcome of the United Arab Emirates
7 June 2013

Thank you Mr. President,

The Human Rights Council's review of the United Arab Emirates comes at a time of serious concern about the rights situation in the country. Human Rights Watch has described the mass trial of 94 Emirati dissidents as "fundamentally unfair" and has documented numerous violations of fair trial rights and credible allegations of torture at UAE state security facilities. The government has suppressed the right to freedom of expression, particularly with new legislation to control online communications, and failed to address the systematic exploitation of migrant workers.

We welcome that the UAE took note of the recommendation to release from custody Emiratis who have been held solely on the basis of peaceful expression of political views – and look forward to its genuine implementation. In its submission to the UPR, the government referred to its "application of the rule of law," but the rule of law has been absent throughout the Emirati dissident mass trial, which is expected to conclude in July. The government has held the 94 defendants, whom it has accused of attempting to overthrow the government, at unknown locations and denied them legal representation for up to a year. Human Rights Watch has documented credible allegations of torture at UAE state security facilities, where it is believed the government has held many of the detainees. There has been no investigation, to our knowledge, of the defendants' claims that they endured mistreatment during detention.

The fact that the UAE accepted recommendations to repeal provisions contrary to its international obligations, including the 1980 Law on Publication and took note of the recommendations to review the recent Cybercrime Law, are positive steps. But we regret some other related recommendations to repeal these laws were rejected. The government's claim that it has "successfully handled situations in which it had been crucial to reconcile national security with an open society and freedom of expression" is untrue. In addition to the repression of its critics, a new federal decree on cybercrime has placed further restrictions on Emiratis' right to free expression. Authorities have invoked the provisions of the cybercrime decree to prosecute one relative of the 94 defendants, and to charge another. Both individuals had publicly criticized the trial on social media. UAE authorities prevented international observers and the international media from attending trial sessions.

We stress the importance for the UAE to swiftly act upon the recommendations to withdraw its reservations and declarations made upon accession to the Convention Against Torture, which it took note of. International treaty law does not permit the invocation of national law as a justification for failure to observe treaty obligations; we urge the UAE to withdraw its declaration to that effect. Authorities have also failed to properly investigate allegations of torture and meaningfully prosecute those responsible, in spite of having accepted related recommendations.

Finally, we remain concerned by the failure of the UAE authorities to make concrete pledges during the UPR to address the serious shortcomings in the legal and regulatory framework that are directly responsible for the serious exploitation of its migrant workforce. The government has failed to abolish the abusive sponsorship system, which concentrates undue power in employer hands, or to meaningfully enforce restrictions on passport confiscation or the payment of recruiting fees by employers.

As a member of the Human Rights Council, the UAE is expected to uphold the highest standards in the promotion and protection of human rights. We regret that the UAE authorities have missed the important opportunity created by the UPR to make concrete pledges to address important human rights shortcomings raised by many states during the UPR debate. Finally, the UAE should return the passport of prominent rights activist and member of HRW's advisory board, Ahmed Mansoor, whose criminal conviction in 2011 was based on nothing more than his legitimate right to free expression.