

# United Arab Emirates - Human Rights Scorecard <sup>1</sup>

The United Arab Emirates (UAE) is a country situated on the South East end of the Persian Gulf. The capital is Abu Dhabi, however, it's largest city is Dubai. The country is comprised of seven Emirates each ruled by a Hereditary monarch.<sup>2</sup>

**Official language:** Arabic

**Ethnic groups:** 16.6% Emirati, 23% other Arabs, 42.3% South Asian, 12.1% other Asian, 6.0% other ex-patriots.

**Government:** Federation of 7 hereditary monarchies.

- President: Khalifa bin Zayed Al Nahyan
- Prime Minister: Mohammed bin Rashid Al Maktoum.

**Death penalty:** Retentionist

**Population:** 9,346,129

**Life expectancy:** 79.96 years

**Under-5 mortality:** 8 per 1000

**Adult literacy:** 90 percent



## Section 1: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

### Freedom from arbitrary or unlawful deprivation of life



#### Respected <sup>3</sup>

There are no reports that the government ordered or committed unlawful killings.

### Freedom from disappearance



#### Partially Respected <sup>4</sup>

While two Qatari businessmen were allegedly detained in 2014, and apparently remain in custody, there is no acknowledgement of their arrest. Apart from these two individuals, there are no reports of other disappearances, "politically motivated" or otherwise.

### Freedom from torture and other cruel, inhuman or degrading treatment or punishment



#### Largely disrespected <sup>5</sup>

According to the constitution, torture is illegal. Despite this, various human rights reports have condemned the UAE government for its use of torture. Authorities have failed to investigate allegations of ill treatment, beatings, electrocution and other abuses described by victims.

### Freedom from arbitrary arrest or detention



#### Largely disrespected <sup>6</sup>

The constitution prohibits arbitrary arrest and detention, however there are reports of individuals held without charge or preliminary hearings. Arbitrary arrest and detention is indirectly permitted via exceptions allowed for state security.

### Freedom from denial of fair public trial



#### Largely disrespected <sup>7</sup>

The Judiciary is constitutionally separated from the executive, however, politicians frequently involve themselves in court decisions. The judiciary is comprised largely of foreign nationals who live under threat of deportation, thus compromising their independence from the government.

### Freedom from arbitrary interference with privacy, family, home or correspondence



#### Largely disrespected <sup>8</sup>

The constitution provides freedom and protection of correspondence, however there are reports that the UAE government censors international mail, and practices unauthorized surveillance on electronic communications. Entering homes without a warrant is prohibited under the law, but credible reports suggest that security forces often fail to obtain warrants.

## Section 2: Respect for Civil Liberties

Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.

### Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)<sup>9</sup>



**Score: 36.73, Rank: 120/ 179 – Partially-Highly controlled, limited or intimidated**<sup>10</sup>

The constitution provides for freedom of speech and press, although it prohibits criticism of national rulers or speech that may lead to social unrest. The Internet is censored by the government, and authorities have stated that individuals can be arrested for misuse of the internet.

### Freedom from academic censorship



**Largely disrespected**<sup>11</sup>

Speech by educators is restricted both inside and outside classrooms; school curricula are also censored. Additionally, the UAE government requires official permits for conferences that discuss political matters.

### Freedom of peaceful assembly and association



**Largely disrespected**<sup>12</sup>

The UAE government does not provide unlimited freedom of assembly. Public meetings require government-issued permits, and political parties, organizations and trade unions are all illegal.

### Freedom of religion



**Partially Respected**<sup>13</sup>

The constitution guarantees religious freedom as long as it does not conflict with public policies or customs. However, government actions favour the state religion: Islam. There have been some reports of arrests being made based on religious practices.

### Protection of refugees and stateless persons



**Largely disrespected**<sup>14</sup>

At least 20,000 people who lack citizenship (Bidoon) reside in the UAE. Because citizenship is passed through the father, Bidoon children remain stateless. Bidoon are discriminated against in employment and are vulnerable legally. The law does not grant asylum or refugee status.

### Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)<sup>15 16</sup>



**6 / 7 – Not free**<sup>17</sup>

The media and the legal system are controlled by the government, and human rights activists are regularly persecuted. NGOs require a permit to operate. There is widespread repression of speech and any assemblies or associations are either illegal or highly controlled.

## Section 3: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc.

### Overall protection of political rights (*FreedomHouse Political Rights Index*)<sup>18</sup>



**6 / 7 – Not free**<sup>19</sup>

Executive and legislative power is controlled by the federal supreme council: a body composed of the seven hereditary monarchs. Political parties are illegal and there is heavy repression of all opposition and political criticism. There is no legal avenue for citizens to change their government.

## Section 4: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

### Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)<sup>20</sup>



**Score: 70, Rank: 25 / 175 – Some corruption**<sup>21</sup>

The law provides criminal penalties for those accused of government corruption and for the most part this is applied, although isolated cases of corruption do occur. There are no financial disclosure laws and government officials are not required to disclose their income or assets.

## Section 5: Governmental Response to Criticism

*This section deals specifically with the response heads of state have to civil society or international human rights reports.*

### Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



#### Largely disrespected<sup>22</sup>

The government generally prevents organizations from publicizing political issues. International human rights organizations are not allowed to set up shop in the UAE, although on occasion the government permits representatives to visit.

## Section 6: Discrimination and Societal Abuses

*Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.*

### Rights of women (World Economic Forum Gender Gap Index)<sup>23</sup>



#### Score: 64.4%, Rank: 115 / 142 – Very unequal rights<sup>24</sup>

Women in the UAE face legal discrimination whereby men may physically chastise their wives or female children. Rape is criminalized under the law, although spousal rape is not recognized, and sexual abusers of foreign workers are rarely prosecuted. Women may not marry non-Muslims.

### Rights of Children (KidsRights Index Overall Score)<sup>25</sup>



#### Score: 77%, Rank: 35 / 165 – Protected<sup>26</sup>

The rights of children are generally respected under Emirate law. However, because citizenship is derived from the Father, children born to non-Emirati fathers may remain stateless.

### Rights of persons with disabilities



#### Partially respected<sup>27</sup>

The law forbids discrimination or abuse against those with mental or physical disabilities. However, the UAE government was slow to enact these laws and they are only partially enforced.

### Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



#### Largely disrespected<sup>28</sup>

Approximately 89% of the UAE's residents are non-citizens. These non-citizens experience widespread abuse and discrimination in many facets of daily life including education, employment, housing and health care.

### Freedom from abuse and discrimination based on sexual orientation or gender identity



#### Largely disrespected<sup>29 30</sup>

The penalty for consensual same-sex relations under Sharia law is death, while the civil code criminalizes these acts with ten-year prison sentences. Wearing clothing deemed inappropriate for one's gender is a criminal offense.

## Section 7: Workers' Rights

*Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.*

### Rights to freedom of association and to collective bargaining



#### Largely disrespected<sup>31</sup>

UAE law does not permit workers to join labour unions, forbids strikes by public employees and foreign workers, and does not protect the right to organize or bargain collectively.

### Freedom from forced or compulsory labour



#### Largely disrespected<sup>32</sup>

The law forbids forced labour. However, the government has failed to enforce this law. It is common for foreign workers (particularly from Southeast Asia) to have their passports withheld by employers, to go unpaid, or to suffer physical or sexual abuse.

## Freedom from forced labour for children, and a minimum age of employment



### Partially respected<sup>33</sup>

The minimum age of employment and the protection of children from child labour is generally respected. However, these laws are applied unevenly, and do not appear to protect the children of migrant and foreign-born workers.

## Right to acceptable conditions of work



### Largely disrespected<sup>34</sup>

There is no minimum wage for workers in the UAE. Although guaranteed by law, occupational, health and safety standards are not sufficiently monitored by government inspectors.

## Right to employment



### 4.17% - Reasonable unemployment<sup>35</sup>

<sup>1</sup> A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

<sup>2</sup> Commonly-known information on the country is drawn from various Internet sources, including Google country pages, and Amnesty International. For death penalty see: "Death sentences and executions in 2013." Amnesty International. March 24, 2014. Accessed October 5<sup>th</sup>, 2015.

<https://www.amnesty.org/en/documents/act50/001/2014/en/>.

<sup>3</sup> "Country Reports on Human Rights Practices for 2014 UAE." U.S Department of State. January 1, 2013. Accessed October 5<sup>th</sup>, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>4</sup> Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

<sup>5</sup> Ibid. U.S Department of State.

<sup>6</sup> Ibid. U.S Department of State.

<sup>7</sup> Ibid. U.S Department of State.

<sup>8</sup> Ibid. U.S Department of State.

<sup>9</sup> The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.

<sup>10</sup> "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2014. Accessed October 5th, 2015. <http://rsf.org/index2014/en-index2014.php>.

<sup>11</sup> "Country Reports on Human Rights Practices for 2014 UAE." U.S Department of State. January 1, 2013. Accessed October 5th, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>12</sup> "United Arab Emirates." World Report 2014: United Arab Emirates. January 1st, 2014. Accessed October 5th, 2015. <https://www.hrw.org/middle-east/n-africa/united-arab-emirates>.

<sup>13</sup> "United Arab Emirates." International Religious Freedom Report for 2013. January 1, 2013. Accessed October 5th, 2015.

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>.

<sup>14</sup> "UAE." World Report 2014: United Arab Emirates. January 1, 2014. Accessed October 5<sup>th</sup>, 2015. <https://www.hrw.org/middle-east/n-africa/united-arab-emirates>

<sup>15</sup> Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

<sup>16</sup> Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed October 5th, 2015

<https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>17</sup> "United Arab Emirates." Freedom in the World 2014: United Arab Emirates. January 1, 2014. Accessed October 5th, 2015.

<https://freedomhouse.org/report/freedom-world/2012/united-arab-emirates>

<sup>18</sup> See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed October 5th, 2015 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>19</sup> "United Arab Emirates." Freedom in the World 2014: United Arab Emirates. January 1, 2014. Accessed October 5th, 2015

<https://freedomhouse.org/report/freedom-world/2012/united-arab-emirates>.

<sup>20</sup> Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

<sup>21</sup> "United Arab Emirates." Corruption by Country. January 1, 2014. Accessed October 5th, 2015. <https://www.transparency.org/country/#idx99> .

<sup>22</sup> "Country Reports on Human Rights Practices for 2013 United Arab Emirates." U.S Department of State. January 1, 2013. Accessed October 5th, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>23</sup> This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

<sup>24</sup> "United Arab Emirates." World Economic Forum. January 1, 2014. Accessed October 5th, 2015. <http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=ARE>

<sup>25</sup> This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

<sup>26</sup> "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed October 5th, 2015. <http://www.kidsrightsindex.org/>

<sup>27</sup> "Country Reports on Human Rights Practices for 2013 United Arab Emirates." U.S Department of State. January 1, 2014. Accessed October 5<sup>th</sup> 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>28</sup> Ibid. U.S Department of State.

<sup>29</sup> Ibid. U.S Department of State.

<sup>30</sup> Ibid. U.S Department of State.

<sup>31</sup> "Country Reports on Human Rights Practices for 2013 United Arab Emirates." U.S Department of State. January 1, 2013. Accessed October 5th, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>32</sup> Ibid. U.S Department of State.

<sup>33</sup> Ibid. U.S Department of State.

<sup>34</sup> Ibid. U.S Department of State.

<sup>35</sup> "Global Employment Trends." International Labour Organization. January 1, 2013. Accessed October 5th, 2015. [http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS\\_233936/lang--en/index.htm](http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm).