

UNITED ARAB EMIRATES 2013 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The United Arab Emirates (UAE) is a federation of seven semiautonomous emirates with a resident population of approximately 9.2 million, of whom an estimated 11.5 percent are citizens. The rulers of the seven emirates constitute the Federal Supreme Council, the country's highest legislative and executive body. The council selects a president and a vice president from its membership, and the president appoints the prime minister and cabinet. In 2009 the council selected Sheikh Khalifa bin Zayed al-Nahyan, ruler of Abu Dhabi Emirate, to a second five-year term as president. The emirates are under patriarchal rule with political allegiance defined by loyalty to tribal leaders, leaders of the individual emirates, and leaders of the federation. There are limited democratically elected institutions, but no political parties. A limited appointed electorate participates in periodic elections for the Federal National Council (FNC), a consultative body that can examine, review, and recommend changes to legislation, consisting of 40 representatives allocated proportionally to each emirate based on population. In 2011 the appointed electorate of approximately 129,000 citizens elected 20 FNC members, and the rulers of the individual emirates appointed the other 20. Citizens can express their concerns directly to their leaders through traditional consultative mechanisms such as the open majlis (forum). Topics of legislation can also emerge through discussions and debates in the FNC. While authorities maintained effective control over the security forces, there were some media reports of human rights abuses by police.

The three most significant human rights problems were citizens' inability to change their government; limitations on citizens' civil liberties (including the freedoms of speech, press, assembly, association, and internet use); and arbitrary arrests, incommunicado detentions, and lengthy pretrial detentions.

Other reported human rights problems included police and prison guard brutality. The government continued to interfere with citizens' privacy rights, including increased arrests and detentions following individuals' internet postings or commentary. There were limited reports of corruption; the government lacked transparency and judicial independence. Domestic abuse and violence against women remained problems; however, police and social workers began to address the problems in close coordination. Social workers were present at police stations to communicate in private with victims of violence. The government also conducted programs to raise awareness of sexual assault and other violence against women throughout the year. Noncitizens faced legal and societal discrimination.

Legal and societal discrimination against persons with HIV/AIDS and based on sexual orientation and gender identity remained problems. The government restricted worker rights. Trafficking in persons, mistreatment and sexual abuse of foreign domestic servants and other migrant workers, and discrimination against persons with disabilities remained problems, although the government took steps to prevent them.

During the year the government reported it took steps to investigate allegations of mistreatment and abuse made by detainees.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution prohibits such practices, but there were allegations that government officials employed torture. There were several reports of police and prison guard brutality and additional reports that unidentified members of the security forces mistreated and abused detainees.

In October prisoners on trial for reportedly conspiring to establish a branch of the Muslim Brotherhood (MB) and for sedition provided handwritten letters to human rights organizations alleging abuse and mistreatment while in detention. According to the letters, guards subjected prisoners to beatings, electric shocks, and exposure to extremes of temperature while in solitary confinement. The prisoners also alleged that guards threatened them with HIV infection, sexual abuse, death, or further torture for not admitting to charges.

In 2012 a Syrian national reported abuse prior to and during imprisonment after being arrested in 2011. The court sentenced him to three years in prison on terrorism charges. No further information was available at year's end.

Sharia (Islamic law) courts, which adjudicate criminal and family law, have the option of imposing flogging as punishment for adultery, prostitution, consensual premarital sex, pregnancy outside marriage, defamation of character, and drug or alcohol abuse. For example, local media reported that in March the Sharjah Sharia Court sentenced a Muslim student to receive 80 lashes for consuming liquor. The penal code also requires all individuals to pay diya (blood money) to victims' families in cases where accidents or crimes caused the death of another person. There were reports that courts imposed these punishments during the year.

In June the Abu Dhabi Court of Appeals ruled that a truck driver must pay 4.2 million dirhams (\$1,144,414) in diya after unintentionally causing the death of 21 workers and injuring 23 others in a traffic accident that occurred in February.

Prison and Detention Center Conditions

Prison conditions varied widely among the emirates. Prisons were generally clean and, despite allegations to the contrary, there was generally no evidence of rape, violence, or beatings by prison guards. There were, however, reports that police and prison guards mistreated individuals. In contrast to previous years, there were no reports during the year that lesbian, gay, bisexual, and transgender (LGBT) individuals faced severe mistreatment including physical abuse and rape in prisons (see section 6).

Physical Conditions: The government did not release statistics on prison demographics and capacity. Some prisoners in Dubai reported poor sanitary conditions. Some prisons were reportedly overcrowded, especially in Abu Dhabi and Dubai.

At times authorities treated prisoners arrested for political or security reasons differently from other prisoners. The government often held prisoners and detainees arrested for state security reasons in separate locations.

According to activist groups and international media, at least 20 prisoners participated in a hunger strike beginning July 31 to protest poor prison conditions in addition to alleged mistreatment. Prisoners claimed that prison guards turned off air conditioning and blocked prison windows to prevent natural light. According to activists, guards dislocated the shoulder of one prisoner, which allegedly contributed to the start of the hunger strike. Media sources indicated that the hunger strikers ate dates and drank juice.

There were no reports of prisoners dying while in custody due to physical abuse; however, there were unconfirmed reports that an unidentified number of prisoners died from other causes including prison gang fights.

Prisoners had access to potable water. There was no information available on whether prisoners with HIV received appropriate health care.

Administration: Authorities kept adequate prison records, but did not make records public. Judicial authorities did not use alternatives to sentencing for nonviolent offenders. Ombudsmen cannot serve on behalf of prisoners and detainees. Prisoners had access to visitors, but it was unclear if authorities permitted religious observance. Prisoners had a right to submit complaints to judicial authorities; however, details about investigations into complaints were not publicly available.

Independent Monitoring: The government permitted charitable nongovernmental organizations (NGOs) to visit prisons and provide material support. Members of the government-sanctioned, albeit largely privately funded, Emirates Human Rights Association (EHRA) met with federal Ministry of Interior officials and prisoners during visits to several detention facilities. The EHRA reported that overall treatment of prisoners was “very good” as compared with “good” in 2012. The EHRA also reported it investigated allegations of mistreatment and abuse.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention; however, there were reports that the government held persons in official custody without charge or a preliminary judicial hearing. The Ministry of Interior detained foreign residents arbitrarily at times. The law indirectly permits indefinite, routine, and incommunicado detention without appeal through exceptions for state security and extensions of detention. Authorities determined whether detainees could contact attorneys, family members, or others after an indefinite or unspecified period.

In January, Amnesty International (AI) reported that authorities arrested Umarali Kuvvatov, a Tajik businessman and the leader of a Tajik political opposition group while in transit from Moscow to Brussels. AI reported that authorities held Kuvvatov at an unknown location and on unknown charges, although some media reported that Kuvvatov was accused of committing financial crimes. On September 27, authorities released Kuvvatov from pretrial detention.

Between November 2012 and January 2013 authorities arrested 13 UAE-resident Egyptians for sedition and for allegedly establishing and running a branch of the MB without a permit. Initially authorities denied them consular access. Individuals associated with those arrests and other organizations disputed authorities' claims and alleged that authorities arbitrarily arrested many of the detainees and held them incommunicado (see section 1.e.). As of September 14, the number of MB-associated individuals authorities had arrested and detained had grown to approximately 30 Egyptians and Emiratis, including 14 UAE-resident Egyptians. A trial began on November 5 but had not concluded by year's end.

Beginning in 2012 authorities accused 94 allegedly Islamist Emiratis of sedition and belonging to a secret organization. Their trial began on March 4 and concluded on July 2. The court convicted and sentenced five Emiratis to seven years in prison each, and 56 Emiratis to 10 years in prison each. Authorities convicted another eight Emiratis in their absence and sentenced them to 15 years each. The trial acquitted 25 of the accused, including all the women.

Role of the Police and Security Apparatus

Each of the seven emirates maintains a local police force called a general directorate, which is officially a branch of the federal Ministry of Interior. All emirate-level police general directorates enforce their respective emirate's laws autonomously. The emirate-level police general directorates also enforce the country's federal laws within their emirate in coordination with each other and under the ministry's auspices, but the manner in which they do so varies depending on local operational considerations. The federal government maintains federal armed forces for external security. Civilian authorities maintained effective control over emirate-level police and federal security forces.

The Ministry of Interior has broad authority to investigate abuses. Civilian authorities maintained effective control over the local police forces, and the government had effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving security forces during the year. There were, however, some unresolved cases involving allegations of mistreatment by security forces.

Arrest Procedures and Treatment of Detainees

Police stations received complaints from the public, made arrests, and forwarded cases to the public prosecutor. The public prosecutor then transferred cases to the courts. The law prohibits arrest or search of citizens without probable cause; however,

incidents occurred. There were reports that security forces failed to obtain warrants in some cases. Police must report an arrest within 48 hours to the public prosecutor, who then must determine within 24 hours whether to charge, release, or further detain the suspect. The public prosecutor did not always meet the 24-hour time limit, although police usually adhered to the 48-hour deadline. Prosecutors are required to submit charges to a court within 14 days of the police report and inform detainees of the charges against them; however, this was not always the case.

At the sole discretion of emirate-level prosecutors, foreign nationals had their passports taken during investigations. There were reported cases of foreign nationals who faced significant difficulties because of the seizure of their passports. Some also had travel bans placed on their names in immigration systems. Authorities did not lift travel bans until the completion of a case through the judicial system. In cases of technical and complex violations of the law, particularly in the investigation of financial crimes, travel bans have remained in place for three years or more.

Public prosecutors may order detainees held as long as 21 days without charge or longer with a court order. Judges may not grant an extension of more than 30 days of detention without charge; however, they may renew 30-day extensions indefinitely. Public prosecutors may hold suspects in terrorism-related cases without charge for six months. Once authorities charge a suspect with terrorism, the Supreme Court may extend the detention indefinitely.

There is no formal system of bail; however, authorities can temporarily release detainees who deposit money, a passport, or an unsecured personal guarantee statement signed by a third party. In accordance with the law, authorities may deny release to defendants in cases involving loss of life, including involuntary manslaughter. Authorities released some prisoners detained on charges related to a person's death after the prisoners completed diya payments.

A defendant is entitled to an attorney after police have completed their investigation. Police sometimes questioned the accused for weeks without permitting them access to an attorney. The government may provide counsel at its discretion to indigent defendants charged with felonies that are punishable by imprisonment of three to 15 years. The law requires the government to provide counsel in cases in which indigent defendants face punishments of life imprisonment or the death penalty. Authorities generally granted family members prompt access to those arrested on charges unrelated to state security; however, authorities held some persons incommunicado.

Arbitrary Arrest: The government committed arbitrary arrests, notably in cases that allegedly violated state security regulations.

The government held citizens and noncitizens incommunicado and at undisclosed locations. For example, media reported on April 1 that authorities detained and held Qatari citizen Mahmoud Abdul-Rahman, director of medical services with Qatar Petroleum, without charge for over one month.

On June 28, the government barred Anas Fouda, an Egyptian editor for the MBC media group, from leaving the airport in Dubai. Media reported that the government arrested Fouda without charge on July 3 and detained him until August 4, when authorities released him and permitted his departure.

Pretrial Detention: According to reports, pretrial detention was in some cases arbitrarily lengthy (see section 1.e.). There was no estimate available on the percentage of the prison population in pretrial status.

Amnesty: On religious and national holidays and after returning from long periods of convalescence overseas, rulers of each emirate regularly pardoned and paid the debts of many prisoners. According to press reports, rulers pardoned at least 2,200 prisoners during Ramadan and subsequent national holidays and paid some prisoners' debts during the year. Notable pardons included three British men convicted for possessing synthetic cannabis and a Norwegian woman sentenced for consensual sex outside of wedlock, illegal alcohol consumption, and making false statements to police after initially reporting being raped (see section 6).

The government issued a visa amnesty for illegal residents from December 4, 2012, to February 4, 2013. Authorities issued 61,826 exit permits during the amnesty, providing illegal residents an opportunity to leave the country and avoid prosecution, fines, and deportation.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary; however, court decisions remained subject to review by the political leadership and suffered from nepotism. There were reports that the State Security Department intervened in judicial affairs. The judiciary consists largely of contracted foreign nationals subject to potential deportation, further compromising its independence from the government. There was no functional separation between the executive and judicial branches.

By tradition the local rulers' offices, or diwans, maintained the practice of reviewing criminal and civil offenses before they referred cases to prosecutors. They also reviewed sentences judges passed, returned cases to the court on appeal if they did not approve of the verdicts, and had to approve the release of every prisoner who had completed a sentence. The diwans' involvement – usually in cases between two citizens or between a citizen and a noncitizen – led to lengthy delays prior to and following the judicial process and lengthened the time defendants served in prison. Authorities considered a diwan's decision in any court case as final. If a judge and a diwan disagreed, the diwan's decision prevailed.

Trial Procedures

The law presumes defendants innocent until proven guilty. According to law a defendant enjoys the right to be informed promptly and in detail of the charges and enjoys the right not to be compelled to testify or confess. The constitution provides the right to a public trial, except in national security cases or cases the judge deems harmful to public morality. As in other countries that follow civil rather than common law systems, there are no jury trials. Defendants have the right to be present at their trials and have a limited right to legal counsel in court. While awaiting a decision on official charges at the police station or the prosecutor's office, a defendant is not entitled to legal counsel. In all cases involving a capital crime or possible life imprisonment, the defendant has a right to government-provided counsel. The government may also provide counsel, at its discretion, to indigent defendants charged with felonies punishable by imprisonment of three to 15 years. The law provides prosecutors discretion to bar defense counsel from any investigation. Defendants and their attorneys can present witnesses and question witnesses against them, but this did not always happen. Defense counsel has access to relevant government-held evidence, but this did not always occur, especially in state security cases.

In April the Arab Network for Human Rights Information alleged that authorities prevented Abdulhameed al-Kumaiti, a lawyer representing several of the 94 Emiratis on trial for sedition, from visiting his clients. According to the network, the government claimed al-Kumaiti failed to obtain advance permission from the prosecution to meet with his clients. Ultimately al-Kumaiti received limited access to his clients.

Each court system has an appeals process. Convicted defendants may appeal death sentences to the ruler of the emirate in which the offense is committed or to the president of the federation. In murder cases, consent of the victim's family is required to commute a death sentence. The government normally negotiated with victims'

families for the defendant to offer diya in exchange for forgiveness and a commuted death sentence. In cases that end in acquittals, the prosecutor may appeal and provide new or additional evidence to a higher court. An appellate court must reach unanimous agreement to overturn an acquittal.

The law requires all court proceedings to be conducted in Arabic. Despite the defendant's procedural right to an interpreter, in some cases involving deportation of illegal residents, the court provided interpretation only at sentencing. Defense counsel often used an interpreter to communicate with the defendant. In cases involving foreign defendants, especially for crimes of moral turpitude, authorities sometimes deported the defendants immediately based solely on allegations.

Foreigners charged with financial crimes are, in some cases, permitted to defend their cases under bail status at the judge's discretion.

Political Prisoners and Detainees

During the year there were persons reportedly held incommunicado and without charge for unknown reasons (see section 1.d.).

In the aftermath of the Arab Spring, the government restricted the activities of organizations and individuals allegedly associated with Dawat Al Islah and individuals critical of the government. Starting in 2012 authorities charged 94 Emiratis with sedition. On July 2, the government concluded the trial of the 94 Emiratis (including charges of belonging to a secret organization). The government began another trial on November 5 involving 10 Emiratis from the 94 Emiratis sedition trial and 20 Egyptians on charges of ties to the MB and Islamist extremism (see section 1.d.). The trial had not concluded at year's end.

Civil Judicial Procedures and Remedies

Citizens and noncitizens had access to the courts to seek damages for, or cessation of, human rights violations. In some cases, however, courts delayed such proceedings. The civil courts, like all courts, lacked independence. Administrative remedies were available for labor complaints and were particularly common in cases regarding physical abuse of domestic workers.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution prohibits entry into a home without the owner's permission, except when police present a lawful warrant, but there were credible reports that security forces occasionally failed to obtain warrants. Officers' actions in searching premises were subject to review by the Ministry of Interior, and officers were liable to disciplinary action if authorities judged their actions irresponsible.

The constitution provides for freedom and confidentiality of correspondence by mail, telegram, and all other means of communication. There were reports, however, that the government censored some incoming international mail, wiretapped telephones, and monitored outgoing mail and electronic forms of communication without legal process.

Local interpretation of sharia prohibits Muslim women from marrying non-Muslims and Muslim men from marrying women "not of the book," meaning adherents of religions other than Islam, Christianity, and Judaism. The law provides for corporal punishment for sexual relations and pregnancy outside of marriage.

In February the Gulf Centre for Human Rights (GCHR) alleged that authorities targeted family members of the 94 Emiratis on trial for sedition. The report claimed authorities judicially harassed the daughter of Mohammed al-Mansoori and intimidated the son of Saleh al-Dhufairi. GCHR alleged that Moza al-Mansoori faced fabricated charges and 10 hours of interrogation. Authorities allegedly monitored Hassan al-Dhufairi by following him in cars for more than two weeks.

The country employs judicial supervision for individuals considered at risk from relatives committing honor crimes against or otherwise harming them. Judicial supervision typically included housing individuals to ensure their well-being and providing for family mediation and reconciliation.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and of the press; however, the law prohibits criticism of rulers and speech that may create or encourage social unrest, and the government restricted the freedoms of speech and press.

Freedom of Speech: After the onset of the Arab Spring in 2011, authorities severely restricted public criticism of the government and ministers. During the year the government continued to make arrests or impose other restrictions reportedly related to Islamist political activities and calls for democratic reforms.

According to the Emirates Center for Human Rights (ECHR), the government arrested Salah Yafai at the Dubai airport on April 26 and held him incommunicado. Authorities allegedly held him for tweets in support of jailed dissidents in the country and for involvement in the Bahrain Al Islah group with links to the MB. Authorities released Yafai on June 15.

On July 18, Dubai police arrested an Indian citizen who posted a video of an Emirati official apparently assaulting a foreign truck driver in a case of road rage. The son of the Emirati suspect claimed defamation and breach of privacy because the videographer made it publicly available online. (Photographing or recording another person without express permission is a crime.) Authorities released all parties after they all waived charges. According to a statement by the Dubai government, the Emirati official was dismissed from employment.

Press Freedoms: Except for media outlets located in Dubai and Abu Dhabi's free trade zones and media targeted at foreign residents, most newspapers and television and radio stations were government-owned and conformed to unpublished government reporting guidelines. The government also influenced the privately owned media, particularly through the National Media Council (NMC), which directly oversaw all media content. Satellite receiving dishes were widespread and provided access to international broadcasts without local censorship.

International media and human rights organizations, including Freedom House, stated the government banned certain journalists from entering the country. Media stated that in February authorities prevented Mansoor al-Jamri, an editor of Bahraini newspaper *al-Wasat*, and Reem Khalifa, a journalist with the Associated Press, from entering the country at Dubai International Airport. They intended to attend a conference on newspapers in the country. Also in February, authorities reportedly prevented Abdul Aziz al-Mahmoud, Qatari writer and former editor of newspapers *Al Sharq*, *Al Arab*, and *The Peninsula*, from entering the country.

Censorship or Content Restrictions: By law the NMC, appointed by the president, licenses and censors all publications, including private association publications. The law authorizes censorship of domestic and foreign publications to remove criticism of the government, ruling families, or friendly governments; statements that "threaten social stability"; and materials considered pornographic, excessively violent, derogatory to Islam, or supportive of certain Israeli government positions. According to the NMC and Dubai police officials, authorities did not give journalists specific publishing instructions; however, government officials reportedly warned journalists

when they published material deemed politically or culturally sensitive. Journalists commonly practiced self-censorship regarding the issues they cover due to fear of government retribution, particularly since most journalists were foreign nationals and could be deported. Some books perceived as critical of the government, Islam, and Emirati and tribal culture were banned.

In April authorities arrested a U.S. citizen, along with two Indian and three Emirati nationals, for posting a satirical “mockumentary” YouTube video in October 2012. Authorities charged the defendants with jeopardizing public order and violating provisions of the cyber-crimes law. Authorities also charged three other foreign nationals who reportedly fled the country. The U.S. citizen, Indians, and two of the Emirati arrestees remained incarcerated during a lengthy investigation and trial. On December 23, the U.S. citizen and one of the Indians were sentenced to one year in prison, a 10,000-dirham fine (\$2,725), and deportation. The two detained Emiratis and the other Indian detainee were each sentenced to eight months in prison and a 5,000-dirham fine (\$1,362) and later released. A court acquitted the third Emirati on a charge of failure to report. The Ministry of the Interior credited the remaining defendants with time served and expected the defendants to complete their sentence, pending good behavior, and be deported in January 2014.

Libel Laws/National Security: The government used libel laws to suppress criticism of its leaders and institutions. While the government detained, indicted, and accused journalists, it had not imposed prison sentences for defamation since 2007.

The law criminalizes acts that defame others through online or information technology means. Those who commit libel can face up to two years in prison; the maximum penalty for those who commit libel against the family of a public official is three years in prison.

Other punishments for violations of libel laws remained in force, including suspension of publishing for a specified period and penalties of five million dirhams (\$1.32 million) for disparaging senior officials or royal family members and 500,000 dirhams (\$136,250) for misleading the public and harming the country’s reputation, foreign relations, or economy.

Internet Freedom

The government restricted access to some websites and monitored chat rooms, instant messaging services, and blogs. The government stated individuals could be imprisoned for the misuse of the internet. Self-censorship was apparent in many chat rooms and

blogs, and there were reports that the Ministry of Interior monitored internet use in cyber cafes.

The country's two internet service providers used a proxy server to block materials deemed inconsistent with the country's values, as defined by the Ministry of Interior. Blocked material included pornographic websites and a wide variety of other sites deemed indecent, including those that dealt with dating and matrimony; lesbian, gay, bisexual, and transgender (LGBT) issues; Baha'is, Judaism, and atheism; negative critiques of Islam; testimonies of former Muslims who converted to Christianity; those that explained how to circumvent the proxy servers; and some that originated in Israel. The proxy servers occasionally blocked broad categories of websites. The service providers populated their list of blocked sites primarily from lists purchased from private companies, although individuals could also report offensive ones to be blocked. Social and politically oriented sites remained either blocked or modified during the year. International media sites accessed using UAE internet providers contained filtered content. The government also blocked some sites that contained content that was critical of ruling families. The NMC was responsible for creating lists of blocked sites. Service providers did not have the authority to remove sites from blocked lists without government approval. The government also at least partially blocked Voice over Internet Protocol websites, such as Skype and Facetime, by restricting downloads of the program and preventing Skype-to-telephone calls and Facetime computer-to-computer calls. On April 9, the Telecommunications Regulatory Authority (TRA) stated that the government did not restrict Skype. The authorities, however, stated only an Emirati telecommunications provider (Etisalat or Du) could provide Skype services, and that these companies needed to apply for permission to deliver Skype.

The law explicitly criminalizes use of the internet to commit a wide variety of offenses and provides fines and prison terms for internet users who violate political, social, and religious norms. The law also criminalizes acts commonly associated with "cybercrimes," such as hacking, "phishing," and financial fraud. The law provides penalties for using the internet to oppose Islam, proselytize Muslims to join other religions, "abuse" a holy shrine or ritual of any religion, insult any religion, incite someone to commit sin, or contravene "family values" by publishing news or photographs pertaining to a person's private life or family.

A cybercrime decree includes provisions that clarify existing limitations on freedom of speech extended to online communication, including social media. Prohibitions on expression include criticism or defamation of the government, its officials, and religion, as well as insulting neighboring countries or calling for protests and demonstrations. The decree also specifies increased punishments for violations.

According to international media and the ECHR, the government arrested a number of individuals for violation of these laws. On March 22, authorities arrested and detained Abdullah al-Hadidi and sentenced him to 10 months in prison for allegedly disseminating false information, after he tweeted updates from the courtroom where authorities tried his father and sentenced him to 10 years in prison as part of the UAE 94 sedition trial. Authorities released al-Hadidi in November after he served his sentence. On May 11, authorities arrested and detained human rights activist Waleed al-Shehhi. Reporters Without Borders stated that authorities charged and sentenced al-Shehhi to two years in prison and fined him 500,000 dirhams (\$136,250) under the cybercrime law for using information technology in a way that “endangered national security and defamed the government” while tweeting about the UAE 94 sedition trial.

Academic Freedom and Cultural Events

The government restricted academic freedom, including speech both inside and outside the classroom by educators and censored academic materials for schools. The government required official permission for conferences that discussed political issues, and organizations found it difficult to secure meeting space for public events that dealt with contentious issues.

On February 25, organizers of an academic conference hosted by the American University of Sharjah on the theme of the Arab Spring abruptly cancelled the event when UAE authorities denied one of the speakers, a specialist on Arab politics at the London School of Economics, entry into the country based on his critical views.

Cultural institutions typically continued to avoid displaying artwork or programming that critiqued the ruling regime or religion. Self-censorship among cultural and other institutions, especially for content presented to the public, was pervasive and generally directed at preventing the appearance of works illegal under UAE law, including those deemed to promote blasphemy or addressing controversial political issues. The UAE embarked on a program to bring modern and contemporary art to the country, including to the Louvre Abu Dhabi, which is currently under construction. New art works included progressive images, including nudity.

In contrast with previous years, UAE representatives did not provide official guidance regarding the content of the Art Dubai art fair or remove paintings from the exhibition.

b. Freedom of Peaceful Assembly and Association

The constitution provides for freedoms of assembly and association; however, the government did not respect these rights.

Freedom of Assembly

The law provides limited freedom of assembly. The government imposed some restrictions.

The law requires a government-issued permit for organized public gatherings. During the year authorities dispersed impromptu gatherings or protests and, at times, arrested participants. While there was no uniform standard for the number of people that could gather, civil society representatives reported that authorities could ask groups of four or more to disperse if they did not have a permit. The government did not interfere routinely with informal, nonpolitical gatherings held without a government permit in public places unless there were complaints. The government generally permitted political gatherings that aligned with its policies.

During the year there were no reports that authorities dispersed protest gatherings.

Freedom of Association

The law provides limited freedom of association. The government imposed some restrictions.

Political organizations, political parties, and trade unions are illegal. All associations and NGOs are required to register with the Ministry of Social Affairs, and many received government subsidies. Registration rules require that all voting organizational members, as well as boards of directors, must be Emirati; this excluded almost 90 percent of the population from fully participating in such organizations. At the end of 2012 there were approximately 130 domestic NGOs, mostly citizens' associations for economic, religious, social, cultural, athletic, and other purposes, registered with the ministry. The EHRA, however, noted that most of these organizations were inactive. There were approximately 25 unregistered local NGOs that focused on nonpolitical topics and operated with little to no government interference. Associations must follow the government's censorship guidelines and receive prior government approval before publishing any material.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law generally provides for freedom of movement within the country, emigration, and repatriation, and the government generally respected these rights; however, the government imposed certain legal restrictions on foreign travel. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations.

Their lack of passports or other identity documents restricted the movement of stateless persons, both within the country and internationally.

Foreign Travel: Authorities generally did not permit male citizens involved in legal disputes under adjudication and noncitizens under investigation to travel abroad. Custom dictates that a husband can prevent his wife, minor children, and adult unmarried daughters from leaving the country by taking custody of their passports. Without passports, persons without citizenship or proof of citizenship (known as Bidoon) could not travel internationally.

Citizenship: The government may revoke naturalized citizens' passports and citizenship status for criminal or politically provocative actions. There were no reported cases of authorities revoking citizenship during the year.

Protection of Refugees

The UNHCR lacked formal legal status in the country separate from the UN Development Program (UNDP), however, the government worked closely with the UNHCR to address refugee issues. While the government did not formally grant refugee status or asylum to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern, the government allowed refugees to remain in the country temporarily, but often for considerable periods, until the UNHCR was able to find an alternate solution.

In October 2012 a commercial ship traveling to the UAE rescued 45 Sri Lankan nationals, seeking asylum in Australia, from their sinking vessel. Some were political activists who feared returning to Sri Lanka. While the government did not grant asylum or refugee status, it allowed the UNHCR time to coordinate resettlement in

other countries. According to a UNHCR representative, authorities appropriately housed and provided services to the refugees. As of October 3, of the 46 Sri Lankans (one born in the UAE), six had returned to Sri Lanka, 13 remained in the UAE, and 27 resettled elsewhere.

Access to Asylum: The law does not provide for the granting of asylum or refugee status, and the government had not established a transparent, codified system for providing protection to refugees.

Refoulement: There is no dedicated refugee office in the government, but a number of offices work together to address refugee issues. In coordination with the UNHCR representatives working in the country, the government provided protection in some cases against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion.

Refugee Abuse: The government continued to detain persons seeking refugee status while they awaited resettlement in other countries. While the UAE extended informal protection from return to refugees in some cases, any such persons lacking legal residency status were technically subject to local laws on illegal immigrants and could be detained.

Access to Basic Services: As access to employment, education, and other public services is based on an individual's status as a legal resident, persons with a claim to refugee status were generally not eligible for such benefits. The government provided or allowed access to some services on a case-by-case basis often upon the intervention of the UNHCR representatives.

Stateless Persons

Estimates suggested that 20,000 to 100,000 Bidoons resided in the country. Most Bidoon lacked citizenship because they did not have the preferred tribal affiliation used to determine citizenship when the country was established. Others had entered the country legally or illegally in search of employment. Children derive citizenship generally from one's father; thus, Bidoon children born within the country's territory remained stateless. The government has a naturalization process, and individuals can apply for citizenship. For example, children of female citizens married to noncitizens do not acquire citizenship automatically at birth, but their mothers can obtain citizenship for the children after submitting an application, which the government generally accepts. A foreign woman may receive citizenship through marriage to a

citizen after 10 years of marriage, and anyone may receive a passport by presidential fiat.

Children of Emirati mothers married to foreigners have the right to apply for citizenship, and the government has a committee to review such applications. In July 2012 the government expanded the committee's mandate to review the applications of those Bidoon who could satisfy certain legal conditions to be eligible for naturalization and subsequently could gain access to education, health care, and other public services. There were no reports, however, of stateless persons receiving citizenship during the year. Stateless persons were known to have taken another country's citizenship, namely that of the Republic of Comoros, to gain a passport and legal identification. Nevertheless, if they were deported, the Republic of Comoros would not accept these persons, and would have to find refuge in another country.

Bidoon reportedly faced harassment by governing officials and were vulnerable because of their lack of legal status. They faced discrimination in employment and had restricted access to medical care and education. Without passports or other forms of identification, their movement was restricted, both within the country and internationally.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The law does not provide citizens the right to change their government. Federal executive and legislative power is in the hands of the Federal Supreme Council, a body composed of the hereditary rulers of the seven emirates. It selects from its members the country's president and vice president. Decisions at the federal level generally represented consensus among the rulers, their families, and other leading families. The ruling families, in consultation with other prominent tribal figures, also choose new rulers of the emirates.

Citizens can express their concerns directly to their leaders through traditional consultative mechanisms such as the open majlis. Women attended some majlises, but male proxies reportedly voiced concerns of women in majlises closed to them. There were reports that authorities occasionally held women-only majlises.

Elections and Political Participation

Recent Elections: While there were no democratic general elections, in 2011 an appointed electorate of nearly 130,000 members elected 20 members of the FNC, a 40-

member consultative body with increasing legislative authority. Each emirate receives seats in the FNC based on population. Each emirate's ruler appoints that emirate's portion of the other 20 FNC members. The electorate appointment process lacked transparency. Approximately 28 percent of eligible voters participated, electing one woman among the 20 FNC members, with another six appointed by their respective rulers. There were more than 460 candidates, some of whom publicly lobbied for greater legislative authority without retaliation from the government.

Political Parties: Citizens did not have the right to form political parties. There were no reports of citizens attempting to form political parties during the year.

In 2012 several citizens led by Ahmed al-Dakki announced the formation of the country's first political party, called "Al Umma." There were no updates on Ahmed al-Dakki or the "Al Umma" organization at the end of the year.

Participation of Women and Minorities: Although some traditional practices discouraged women from engaging in political participation, the government prioritized women's participation in the 2011 FNC elections and in other areas. Women constituted 46 percent of the electoral pool, appointed by the emirates' rulers, and 18 percent of FNC candidates. There were four women in the 24-member cabinet, two of whom held ministerial portfolios, and seven women, one elected, who served in the FNC.

Except in the judiciary, religious and racial minorities including Shia did not serve in senior federal positions. Many judges were contracted foreign nationals.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption, and the government generally implemented the law effectively. There were isolated reports of government corruption.

Corruption: Nepotism and corrupt financial and legal practices existed. The Ministries of the Interior and Justice and the state audit institutions were responsible for combating government corruption.

Whistleblower Protection: There is no specific law that provided protection for public and private employees for making internal disclosures or lawful public disclosures of evidence of illegality.

Financial Disclosure: There are no financial disclosure laws, regulations, or codes of conduct requiring officials to disclose their income and assets.

Public Access to Information: The law provides for public access to government information, but the government followed this provision selectively. Requests for access usually went unanswered. There were no reports of public outreach activities or training for public officials to encourage the effective use of the law to access public information.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The government generally did not permit organizations to focus on political issues. Two recognized local human rights organizations existed at the beginning of the year: the EHRA, which focused on human rights issues and complaints such as those concerning labor rights, stateless persons' rights, and prisoners' well-being and humane treatment; and the government-subsidized Jurists' Association Human Rights Administration, which focused on human rights education and conducted seminars and symposia subject to government approval. A government prosecutor headed the EHRA, and other EHRA members worked at lower levels of the local and federal government. It received limited government funding. Nevertheless, the EHRA viewed itself as operating independently and with neutrality without government interference, apart from the requirements that apply to all associations in the country.

The government directed, regulated, and subsidized participation by NGO members in events outside the country. All participants had to obtain government permission before attending such events, even if they were not speakers.

UN and Other International Bodies: The government did not allow international human rights NGOs to be based in the country but on a limited basis allowed representatives to visit. There were no transparent standards governing visits from international NGO representatives. The UNHCR had a productive informal working mechanism with the government and had both airport and prison access when requested.

In March 2012 authorities shuttered three foreign-funded NGOs: the Abu Dhabi Gallup Center, the Konrad Adenauer Stiftung, and the National Democratic Institute (NDI). Authorities accused the Gallup Center and the Konrad Adenauer Stiftung of operating illegally without, or allegedly misusing, a business license. In November

2012 authorities also closed the Abu Dhabi office of the RAND Corporation, which conducted research and reporting on topics considered sensitive by the government.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution provides for equality of citizens without regard to race or social status, and the law prohibits discrimination based on disability; however, legal and cultural discrimination existed and went unpunished. The constitution does not specifically prohibit discrimination based on gender, sexual orientation, or gender identity; however, the constitution states that all persons are equal before the law. The government took some steps to advance the rights of women and promote the role of Emirati women in all sectors of society. Recognizing Arabic as the country's official language, the constitution does not prohibit discrimination concerning language, nor does it provide for equality for noncitizens.

Women

Rape and Domestic Violence: The law criminalizes rape and it is punishable by death under the penal code. The penal code does not address spousal rape. The penal code allows men to use physical means, including violence, at their discretion against female and minor family members. Authorities sometimes filed domestic abuse cases as assault without intent to kill, punishable by 10 years in prison if death results, seven years for permanent disability, and one year for temporary injury.

In general the government did not enforce such laws effectively. Domestic abuse against women, including spousal abuse, remained a problem. There were reports that employers raped or sexually assaulted foreign domestic workers. These cases rarely went to court, and those that did had a low conviction rate. In sharia courts, which are primarily responsible for civil matters between Muslims, the extremely high burden of proof for a rape case contributed to a low conviction rate. In addition, female victims of rape or other sexual crimes faced the possibility of prosecution for consensual sex instead of receiving assistance from government authorities. Victims of domestic abuse may file complaints with police units stationed in major public hospitals. Social workers and counselors, usually female, also maintained offices in public hospitals and police stations. Women, however, often were reluctant to file formal charges of abuse for social, cultural, and economic reasons. There were domestic abuse centers in Abu Dhabi, Dubai, and Sharjah.

The government, in coordination with social organizations, undertook efforts to increase awareness about domestic violence throughout the year, conducting seminars,

educational programs, symposiums, and conferences. The Dubai Foundation for Women and Children increased awareness about domestic violence by hosting workshops in schools and universities and sponsoring radio advertisements about the services the organization offers to all those residing in or transiting the country.

Marte Dalelv, a Norwegian tourist, asserted in a media interview in July that a colleague raped her while in Dubai on a business trip. Although she reported the alleged rape to the police in March, she later withdrew her rape allegation based on advice from a colleague, as she told media outlets, but she did not deny that sexual contact had taken place. In July, Dubai courts sentenced her to one year in jail for consensual sex outside of wedlock, in addition to convicting her of illegal alcohol consumption and making false statements to the police because she withdrew her initial rape allegation. The ruler of Dubai pardoned Dalelv in July.

Sexual Harassment: The government prosecutes harassment via the penal code. “Disgracing or dishonoring” a person in public is punishable by a minimum of one year in prison and up to 15 years if the victim is under age 14. “Infamous” acts against the rules of decency are punishable by a penalty of six months in prison and the law can punish “dishonoring a woman by word or deed on a public roadway” by up to one year in prison and a fine of up to 10,000 dirhams (\$2,725). The government did not enforce the law consistently.

Reproductive Rights: Married couples have the right to decide freely the number, spacing, and timing of their children, and to have the information and means to do so free from discrimination, coercion, and violence. There was no information on whether men and women were treated and diagnosed equally for sexually transmitted infections, including HIV. If a woman is married, the government provides access to contraception, obstetrical and, gynecological services, prenatal care, and delivery care. Birth control pills were available with a physician’s prescription. The government provides antenatal care for all pregnant women; consequently, nearly 100 percent of births occurred in hospitals.

Discrimination: Women faced legal and economic discrimination. The government’s interpretation of sharia applied in personal status cases and family law. The law forbade Muslim women to marry non-Muslims. Unlike men, female citizens married to noncitizens did not automatically pass citizenship to their children. The law permits a man to have as many as four wives. Women normally inherited less than men under the government’s interpretation of sharia. For example, a son may inherit double what a daughter inherits when their parent dies.

For a woman to obtain a divorce with a financial settlement, she must prove that her husband had inflicted physical or moral harm upon her, had abandoned her for at least three months, or had not maintained her upkeep or that of their children. Alternatively, women may divorce by paying compensation or surrendering their dowry to their husbands. Sharia no longer applies to child custody cases because courts have applied “the best interests of the child” standard since 2010.

Fornication outside of marriage is a crime, and the government may imprison and deport noncitizen women if they bear children out of wedlock. Authorities arrested some individuals who were victims of sexual assault for engaging in sexual relations outside of marriage; authorities usually commuted prison sentences or fined the victims for other less serious offenses.

Paternity denial was an emerging phenomenon in the courts. In several instances, despite DNA tests proving paternity, the courts could not force a man to accept paternal responsibility. In the absence of an acknowledged father, the mothers of these children faced potential legal charges of adultery, for which the punishment can be lashing. There were no reports of such lashings during the year.

No law prohibits women from working or owning businesses, and a man has no right under the government’s interpretation of sharia to ban his wife from working if employed at the time of their marriage; however, anecdotal reports suggested that some husbands did so. Women who worked in the private sector regularly did not receive equal benefits and reportedly faced discrimination in promotions and equality of wages. While foreign men working in the country could obtain residency permits for their families for three years, a foreign woman could obtain permits for her family only if she was working in a job deemed rare or with a specialty such as medicine, engineering, or teaching. Such a permit was available for a renewable one-year period.

Seventy-seven percent of women continued to higher education after high school, and women constituted more than 75 percent of university students. Federal law prohibits coeducation in public schools and universities except in the United Arab Emirates University’s Executive MBA program, and in certain graduate programs at Zayed University. A large number of private schools, private universities, and institutions were coeducational.

The government often excluded women from certain social benefits including land grants for building houses because tribal family law often designates men as the heads of families.

The General Women's Union (GWU) is a government organization responsible for overseeing and promoting women's societies. It championed the rights of women, children, and families by introducing seminars, workshops, and conferences aimed at educating and empowering women. In December 2012 authorities issued a decree requiring female participation on the boards of government agencies and companies.

The treatment of Emirati and noncitizen women differed. The treatment of Emirati women showed some signs of improvement while noncitizen women continued to face women's rights abuses.

Children

Birth Registration: Children derive citizenship generally from one's parents. The children of Emirati mothers married to foreigners, however, did not receive citizenship automatically (see section 2.d.). The government registered births of Bidoon, but it did not automatically grant citizenship to them (see section 2.d.).

Education: Education is compulsory through the ninth grade; however, compulsory education was not enforced, and some children did not attend school, especially children of noncitizens. Noncitizen children could enroll in public schools only if they scored more than 90 percent on entrance examinations administered only in Arabic. The government provided primary education free to citizens but not to noncitizens. Public schools were not coeducational after kindergarten. Women were generally more likely to continue to higher levels of education than were men.

Child Abuse: The law prohibits child abuse. The government reported that child abuse was not prevalent, but there was some evidence that societal influences prevented reporting cases. The government established a new policy to prevent child abuse; however, mechanisms to implement the policy were reportedly weak. The government provided some shelter and help for child victims of abuse or sexual exploitation. Newspapers frequently advertised the Ministry of Interior's child abuse reporting hotline.

The Dubai Foundation for Women and Children reported providing services to 358 clients in 2012; approximately 20 percent of the victims were children. In April the foundation held its annual child protection campaign, which aims to educate parents and empower the public to take action against child abuse. The Community Development Authority of Dubai also carried out public awareness campaigns during the year to improve awareness of children's rights in elementary schools. In 2012 the Ministry of Social Affairs implemented stricter punitive measures against child

abusers, and the government enacted a law designed to organize a foster care system and thereby provide health, psychological, social, recreational, and educational care for abandoned children or children of unknown parentage.

Forced and Early Marriage: The legal age of marriage for both men and women is 18. Some reports indicated that marriages occurred before the legally permissible age. There were press reports of Emirati men traveling abroad, especially to other Arab countries, to seek underage girls for marriage.

Harmful Traditional Practices: The law does not address female genital mutilation/cutting (FGM/C), which some Somali, Omani, and Sudanese foreign residents practiced. Overall, the practice was rare. The Ministry of Health prohibits hospitals and clinics from performing FGM/C.

Sexual Exploitation of Children: The law criminalizes the sexual exploitation of children, with a minimum penalty of 10 years in prison. Consensual sex is illegal outside of marriage, carrying a minimum penalty of one year in prison. Observers estimated that the frequency of reported sexual abuse was less than the frequency of actual abuse. The penalty for sex with children under age 14 is life imprisonment. Distribution and consumption of child pornography is illegal.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

There were no synagogues for the small foreign Jewish population. Some news articles and editorials, primarily in daily newspapers, contained anti-Semitic remarks.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/.

Persons with Disabilities

The law prohibits discrimination against persons who have physical and mental disabilities in employment, education, air travel and other transportation, access to health care or the provision of other state services; however, the government was slow to implement and enforce the law. In November, Dubai launched an initiative called "My Community...A City for Everyone" with the goal of helping individuals with

disabilities overcome social barriers and prevent them from being targets of discrimination and abuse. Elements of the initiative were underway at year's end.

More than 4,500 individuals with disabilities were enrolled in public and private facilities that provided education, health services, sports, and vocational rehabilitation. Capacity was insufficient, but the government made efforts to increase support for those with disabilities. Approximately 2,000 persons with disabilities and learning difficulties attended special education classes in public schools.

The Ministry of Social Affairs is the central body dealing with the rights of persons with disabilities and raising awareness at the federal and local level.

Most public buildings provided some form of access for persons with disabilities in accordance with the law.

Health care provided in the Ministry of Social Affairs' seven federal rehabilitation centers, as well as in private centers, reportedly was inadequate. The rehabilitation centers lacked a sufficient number of qualified individuals who specialized in physical and other medical therapies and they focused almost exclusively on medical rehabilitation for persons with disabilities. Some centers offered vocational workshops, but failed to address adequately the need for vocational rehabilitation. Rehabilitation centers considered persons with disabilities as subjects of medical care and medical "cures," which impeded social and economic integration and the recognition of the individuals' human rights and human dignity.

Various departments within the Ministries of Labor, Education, and Social Affairs were responsible for protecting the rights of persons with disabilities, and the government enforced these rights in areas related to employment, housing, and other entitlement programs. While enforcement was effective for jobs in the public sector, the government has not sufficiently encouraged hiring in the private sector. The emirate of Abu Dhabi reserved 2 percent of government jobs for citizens with disabilities, and other emirates and the federal government included statements in their human resources regulations emphasizing that priority be given to hiring citizens with disabilities in the public sector. Public sector employers provided reasonable accommodations, defined broadly, for employees with disabilities. The employment of persons with disabilities in the private sector remained a significant challenge due to a lack of training and opportunities, a lack of public awareness, and prevalent societal discrimination.

To combat societal discrimination, one of the primary objectives of the General Authority of Sports and Youth Welfare was to promote the inclusion of persons with disabilities in their sports programs. There was a Disabled Sports Federation designed to support these initiatives.

Officials overseeing the 2011 FNC election assisted voters with disabilities, and polling stations had wheelchair ramps at both the men's and women's entrances, as well as specific voting machines dedicated to persons with disabilities. Moreover, a blind candidate from Sharjah ran in the FNC election.

National/Racial/Ethnic Minorities

Approximately 89 percent of the country's residents were noncitizens originating primarily from the Indian subcontinent. Societal discrimination against noncitizens was prevalent and occurred in most areas of daily life, including employment, education, housing, social interaction, and health care.

The law criminalizes commercial disputes and bankruptcy, which led to discrimination against foreigners. Authorities enforced these laws selectively and allowed Emiratis to threaten noncitizen businesspersons and foreign workers with harsh prison sentences to assure a favorable outcome in commercial disputes. National media reported that a 2012 presidential decree gave Emiratis immunity from prosecution for bounced checks, and the government released Emiratis serving time for such offenses.

Media reported that noncitizen businessmen in Dubai, jailed for writing checks returned for insufficient funds, participated in a hunger strike in September to protest their continued imprisonment. Their debts ranged from thousands to millions of dirhams.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Both civil law and sharia criminalize consensual same-sex sexual activity. Under sharia individuals who engage in consensual same-sex sexual conduct are subject to the death penalty. Article 177 of Dubai's penal code allows for up to a 10-year prison sentence for consensual sex. There were prosecutions for consensual same-sex activity during the year. At times the government subjected persons against their will to psychological treatment and counseling for consensual same-sex activity. Cross-dressing is a punishable offense. The government deported cross-dressing foreign residents and referred citizens to public prosecutors. Due to social conventions

and potential persecution, LGBT organizations did not operate openly, nor were gay pride marches or gay rights advocacy events held. Information was not available on official or private discrimination in employment, occupation, housing, statelessness, or access to education or health care based on sexual orientation and gender identity. There were no government efforts to address potential discrimination.

There were reports that the government took action against cross-dressing individuals, and transsexuals. In June, Kenyan press alleged that authorities in Dubai arrested a gay Kenyan by entrapping him through an on-line gay dating service. According to the claims, the Kenyan communicated with an undercover officer through the online dating service and authorities arrested him after arranging for a meeting.

Other Societal Violence or Discrimination

Persons with HIV/AIDS and other diseases faced discrimination. There were credible reports that government officials discriminated against prisoners with HIV by not granting commuted sentences or parole that other prisoners with similar records had received, and that HIV-positive prisoners did not have access to appropriate health care in detention. Authorities denied all health benefits to noncitizen residents infected with HIV, hepatitis B and C, tuberculosis, and leprosy; authorities quarantined and deported them.

There were also reports that authorities cancelled the residency permits of some Shia and deported them and closely scrutinized, and sometimes refused, the granting of entry permits to individuals of Lebanese, Syrian, Egyptian, and Libyan origin, or to those from other countries the government perceived as politically unstable. The government on occasion instructed noncitizen Shia to leave, sometimes within 24 hours, without clear reason for the expulsion. On February 26, media reported authorities informed approximately 125 Lebanese citizens, a majority of them Shiites, that they must leave the country. According to the report, officials did not provide the deportees a reason behind their expulsion and informed the individuals they had one week to settle their affairs, after which the government would expropriate all property registered in their names.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law does not protect the right to organize, strike, or bargain collectively. The law does not permit workers to form or join unions. The labor law forbids strikes

by public sector employees, security guards, and migrant workers. The law does not entirely prohibit strikes in the private sector, but allows an employer to suspend an employee for striking. In the private sector, the Ministry of Labor must approve and register individual employment contracts. The labor law does not apply to domestic and agricultural workers, or most workers in export processing zones.

Private sector employees may file collective employment dispute complaints with the Ministry of Labor, which acts as mediator between the parties under the labor law. Employees may then file unresolved disputes with the labor court system, which forwards disputes to a conciliation council. In 2012 of 74,038 complaints workers filed at labor relations offices, 74 percent were settled by the labor relations offices, 24 percent were moved to judicial authorities, and 2 percent were still under review at year's end. Most cases were resolved through direct negotiation. Labor care offices resolved 2,200 of the 3,811 complaints workers registered during the year. Labor care offices referred 181 cases to the courts for prosecution, and courts accepted 172 referred cases. Public sector employees may file an administrative grievance or a case in the civil courts to address a labor-related dispute or complaint. There was no publicly available information on cases filed.

All foreign workers have the right to file labor-related grievances with the Ministry of Labor. The ministry sometimes intervened in foreign workers' disputes with employers and helped negotiate a private settlement. The law, however, provides that employers may request the government to cancel the work permit of, and deport for up to one year, any foreign worker for unexcused absences over seven days or for participating in a strike.

The government generally enforced relevant laws. The government granted some professional associations with majority citizen membership a limited ability to raise work-related issues, petition the government for redress, and file grievances with the government. Professional associations were not independent, and the Ministry of Labor had broad powers to interfere in their activities. For example, the Ministry of Labor had to license and approve professional associations, and they were required to receive government approval for international affiliations and travel by members.

Foreign workers may belong to these professional associations; however, they do not have voting rights and cannot serve on the organizations' boards. Apart from these professional associations, in a few instances, some foreign workers came

together to negotiate with their employers on issues such as housing conditions, nonpayment of wages, and conditions of work.

The threat of deportation discouraged noncitizens from voicing work-related grievances. Nonetheless, protests and strikes took place. Most of them were illegal and related to unpaid wages and hazardous or abusive working conditions. The government did not always punish workers for nonviolent protests or strikes, but it dispersed such protests during the year, sometimes deporting the demonstrators involved. For example, in June local media announced the firing and deportation of more than 1,000 construction workers who demanded higher wages during a three-day high-profile strike in May. Following the strike Dubai authorities held approximately half of the deported workers in custody until their deportation.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor; however, the government did not effectively enforce the law.

The government took some steps to prevent forced labor during the year through the Wages Protection System (WPS) (see section 7.d.). The government continued to enforce fines for employers who entered incorrect information into the WPS, did not pay workers for over 60 days, made workers sign documents falsely attesting to benefits, and made workers pay recruitment fees issued by the Ministry of Labor or recruitment agencies. The ministry referred 377 companies to the courts due to nonpayment of wages for over two months. Workers who were not paid for over 60 days were eligible to find work with another company without the consent of their current employer. The Ministry of Labor made 200 inspection and follow-up visits to recruitment agencies. The Ministry's Combatting Human Trafficking department conducted 474 inspection visits.

It was relatively common for employers to subject migrant workers, predominantly from South and East Asia and employed in construction and domestic work, to conditions indicative of forced labor, such as nonpayment of wages, withholding passports, threats, and physical or sexual abuse.

Employers routinely subjected domestic workers to physical, sexual, and emotional abuse; in a few cases, such abuse led to death. For example, media reported that in February Al-Qassimi Hospital admitted a 23-year-old Ethiopian housemaid with first and second-degree burns to her face, back, and foot. The housemaid's

employer, a Moroccan woman, allegedly poured hot cooking oil over her housemaid. On July 28, an Emirati woman was sentenced to three years in jail for the premeditated murder of her Ethiopian housemaid. Media reported that the Emirati woman abused her housemaid by pouring boiling water on her, beating her, and putting pepper in her eyes.

In violation of the law, employers routinely held employees' passports, thus restricting their freedom of movement. In some cases employers reportedly prevented domestic workers from leaving the country by withholding their passports. Upon arrival in the country, employers required some foreign workers to sign contracts that had lower salaries or involved a different type of work than was stated in the original contracts signed in their country of origin, a practice known as "contract switching."

Employers required some foreign workers in the domestic and agricultural sectors to provide unpaid labor to compensate their employers for hiring expenses. In some cases employers illegally withheld wages requiring workers to repay visa and other expenses that were the legal responsibility of the employers and not that of the workers. Some employers did not pay their employees even after they satisfied these debts. Workers who had loaned money to pay labor recruiting fees in their home countries, spent most of their salaries trying to pay back either the labor recruiters or loan sharks. Workers often were trapped by these debts in unpleasant and exploitive work conditions.

Also see the Department of State's annual *Trafficking in Persons Report* at www.state.gov/j/tip/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits employment of persons younger than 15 and has special provisions for employing persons between the ages of 15 and 18. The law, however, excludes domestic and agricultural work, leaving underage workers in these occupations unprotected. There are separate provisions regarding foreign resident children 16 or older. The Ministry of Labor is responsible for enforcing the regulations and generally did so effectively. In contrast with previous years, robots replaced children as camel jockeys. It is uncommon to have child labor violations.

d. Acceptable Conditions of Work

There is no minimum wage. Authorities estimated average salaries, which depended on the occupation and employer, at approximately 400 dirhams (\$110) per month for domestic or agricultural workers and 600 dirhams (\$164) per month for construction workers. There was little information on public sector salaries.

According to the UNDP, the country's multidimensional poverty index is 0.002 percent. The percentage of the country's population in poverty is 0.6 percent.

The law prescribes a 48-hour workweek and paid annual holidays. The law states daily working hours must not exceed eight hours in the morning or night shifts and that companies should pay overtime to employees working additional hours in a 24-hour period.

The government establishes occupational health and safety standards. The law requires that employers provide employees with a safe work and living environment. The law also provides for minimum rest periods and limits the number of hours worked, depending on the nature of the work. For example, the law mandates a two-and-a-half-hour midday work break, from 12:30 p.m. to 3:00 p.m., between June 15 and September 15, for laborers who work in open areas such as construction sites.

Wage and hour, overtime, and other protections with regard to working conditions do not apply to workers in domestic services, agriculture, and other categories administered by the Ministry of Interior. These workers were more vulnerable to unacceptable conditions of work.

The Ministry of Labor was responsible for enforcing laws governing acceptable conditions of work for workers in semiskilled and professional job categories but did not do so effectively in all sectors, including the informal sector. As of February the ministry had 364 inspectors divided as follows: 224 in the inspection department (the enforcement arm), 56 in the occupational and health and safety department, 29 in the wage protection department, 30 in the combating human trafficking department, and 25 in the orientation department. There was no information available on the informal economy or an estimate of its size.

The Ministry of Labor conducted inspections of workplaces – primarily construction sites – throughout the year. According to local media, the Supreme Committee for Labor Crises Management conducted 1,609 labor inspections on labor accommodations. Through September the ministry conducted 105,185 inspections of companies and 4,483 inspections of housing compounds. The

government routinely fined employers for violating the midday break rule and published compliance statistics. In at least one case, the government imposed a significant fine for negligence on an employer following the permanent injury of a worker at his workplace. During July and August (the hottest months of the year), however, the government exempted oil, asphalt, and cement companies from following the law, and construction workers were at risk of heat stroke and subsequent death due to extreme heat conditions. On July 27, the local press reported that, according to Ministry of Labor statistics, 99.41 percent of 25,248 companies inspected in the country complied with the midday break rule and only 148 companies failed to do so.

The government took action during the year to address wage payment issues. The government's vigorous implementation of the WPS and fines for noncompliance discouraged some employers from not paying salaries to foreign workers under the jurisdiction of the Ministry of Labor. The WPS, an electronic salary transfer system that allowed institutions to pay workers via approved banks, exchange bureaus, and other financial institutions, is intended to ensure timely and full payment of agreed wages. More than 300,000 "smart pay" cards were in use with an additional 8,000 to 10,000 new cards issued and used each month. Penalties for companies implemented by the Ministry of Labor included a 5,000 dirhams (\$1,362) fine per worker for wages delayed 60 days. The law subjects companies that did not pay multiple workers their wages within 60 days to a maximum fine of 50,000 dirhams (\$13,623). There were 284,442 private sector companies registered with WPS and 3,213,577 workers enrolled in the program. The WPS, however, did not apply to foreign workers under the authority of the Ministry of Interior, including domestic and agricultural workers. The Ministry of Labor settled 702 of 2,409 complaints made to the "My Salary" hotline. The ministry dismissed approximately half of the complaints because they did not fit the required criteria for salary complaints.

The government increased its efforts to provide adequate health standards and facilities in the labor camps, including food safety. The Ministry of Labor conducted regular inspections of health and living conditions at labor camps. According to the ministry, it provided labor camps with written documentation on issues to be addressed. The ministry reviewed these issues in subsequent inspections. During some inspections of labor camps, the ministry employed interpreters to assist foreign workers in understanding employment guidelines. The Ministry of Labor operated a toll-free hotline in Arabic, English, and Urdu through which workers were able to report companies that violated break rules or delayed wage payments. Ministry of Labor mobile van units also visited some

labor camps through which ministry officials informed workers of their rights. The 12 units conducted 56 events and activities for 31,640 laborers.

Since 2010 the government has allowed foreign workers to switch jobs without a letter of permission from their employer. Labor regulations provided foreign employees the option to work without an employment contract or, in cases in which a contract was in force, to change employer sponsors after two years as well as within the first two years in certain cases. The government designed this regulation to improve job mobility and reduce the vulnerability of foreign workers to abuse. The regulation, however, did not apply to day laborers, construction workers, or domestic servants.

Violations of wage, overtime, and other labor regulations were common in sectors employing migrant workers, such as construction. Foreign workers frequently did not receive their wages from employers on time, and sometimes for extended periods. The absence of protections for domestic and agricultural workers left them vulnerable to long work hours, non- or underpayment of wages, and otherwise abusive or exploitative work conditions.

Each emirate enforced its own standards for housing accommodations. Dubai emirate requires construction companies and industrial firms to appoint safety officers accredited by authorized entities to promote greater site safety. Some low-skilled and foreign workers faced substandard living conditions, including overcrowded apartments or unsafe and unhygienic lodging in labor camps, some of which lacked electricity, potable water, and adequate cooking and bathing facilities. At year's end authorities were constructing newer worker accommodations.

Occupational health and safety conditions remained inadequate for many workers, particularly migrants. Following a 2012 audit by PricewaterhouseCoopers (PwC), contracted by the Tourism Development Investment Company (TDIC) to report on workers' conditions on Saadiyat Island, which found certain minimum labor standards to be lacking, TDIC took steps to rectify issues such as withholding of passports and illegal deductions from salaries. PwC conducted a second follow-up audit scheduled for public release in December.

There were several cases during the year in which workers were injured or killed on job sites due to inadequate safety measures. Although the law requires the government to monitor job-related injuries and deaths, the government registered the cases but did not consistently follow-up on them. In at least one case, the

government significantly fined a company following the permanent injury of a worker at his workplace.

Reports of migrant worker suicides or attempted suicides continued; the reports frequently linked suicides to poor working conditions, fear of abusive employers, heavy debts caused by exploitative labor recruitment agencies, and low wages relative to high living costs. The Dubai Foundation for Women and Children, a quasigovernmental organization, conducted vocational training programs with some elements aimed at decreasing suicidal behavior.