

# United Arab Emirates

UAE is a federation of seven states formed in 1971. It is governed by a Supreme Council of Rulers made up of the seven emirs, who appoint the prime minister and the cabinet. Islam is the country's official religion. UAE is a member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC). An estimated 89 percent of residents are noncitizens, largely from the Indian subcontinent. Of the citizens, more than 85 percent are Sunni Muslims and an estimated 15 percent or fewer are Shia Muslims.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<p><u>State legislation is largely or entirely derived from religious law or by religious authorities</u>  <u>The non-religious are barred from holding government office</u></p>		<p><u>It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities</u></p>	<p><u>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</u>  <u>'Apostasy' or conversion from a specific religion is outlawed and punishable by death</u>  <u>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</u>  <u>It is illegal or unrecognised to identify as an atheist or as non-religious</u></p>

Constitution and government

Education and children’s rights

Family, community, society, religious courts and tribunals

Freedom of expression advocacy of humanist values

<p><u>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</u>  <u>State legislation is partly derived from religious law or by religious authorities</u></p>	<p><u>Religious or ideological instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</u></p>	<p><u>Systemic religious privilege results in significant social discrimination</u>  <u>Government authorities push a socially conservative, religiously or ideologically inspired agenda, without regard to the rights of those with progressive views</u>  <u>Prohibitive interreligious social control (including interreligious marriage bans)</u>  <u>Religious control over family law or legislation on moral matters</u>  <u>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</u></p>	<p><u>‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with a prison sentence</u></p>
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Legend

## Constitution and government

The preamble to the constitution establishes that the document is as an announcement “to Allah, the Supreme and Almighty, and to all the people”. The constitution designates Islam as the official religion.

The constitution establishes that: “Freedom to exercise religious worship is guaranteed”, but not non-religious views, and only “in accordance with the generally-accepted traditions provided that such freedom is consistent with the public policy or does not violate the public morals” — broad qualifications.

Citizens have limited rights under the constitution to participate in elections.

## Education and children’s rights

The government does not permit instruction in any religion other than Islam in public schools; however, religious groups may conduct religious instruction for their members at their dedicated religious facilities. Private schools found to be teaching subjects that offend Islam, defame any religion, or contravene the country’s morals and beliefs face potential penalties including closure.

Islamic studies are mandatory in public schools and in private schools serving Muslim children.

## **Family, community and society**

The government regulates activities and messaging of most Sunni mosques with the stated purpose of combating violent extremism, and requires all religious groups to adhere to general restrictions on freedom of assembly and association, including for religious purposes.

Otherwise, a good degree of tolerance within society is reported for non-Muslim religious groups.

However, the law and social attitudes deter conversion from Islam.

## **Presumption of Islam and death for Apostasy**

All citizens of the UAE are deemed to be Muslims. Conversion to other religions (and by implication, advocacy of atheism) is forbidden and the legal punishment for conversion from Islam is death, although there have been no known prosecutions or legal punishments for apostasy in court.

*"The United Arab Emirates criminalizes apostasy through the incorporation of the concept of hudud crimes under Islamic Sharia'a into its Penal Code. Those crimes include adultery, apostasy, murder, theft, highway robbery that involves killing, and a false accusation of committing adultery. Article 1 of the Penal Code provides that Islamic law applies to hudud crimes, the acceptance of blood money, and homicide. In addition, article 66 states that among the "original punishments" under the law are the punishments of hudud crimes, including by imposing the death penalty. However, "there have been no known prosecutions or legal punishments for apostasy in court."*

[loc.gov/law/help/apostasy/index.php#uae](http://loc.gov/law/help/apostasy/index.php#uae)

## **Sharia for everyone**

In practice the UAE tolerates the practice of other religions by non-citizens (who are foreign workers), provided they do not proselytise. Non-citizens have few rights under the constitution and are subject to the Islamic Shari'a which is a main source of legislation in the UAE.

The judicial system applies two types of law, depending on the case. Courts apply sharia (Islamic law) for most family law matters, e.g., marriage, divorce, and inheritance, and on rare occasions for criminal matters. Courts apply civil law, based on the French and Egyptian legal systems, for all other matters. Shia Muslims in Dubai may pursue Shia family law cases through a special Shia council rather than the regular judicial system. When Islamic law courts try non-Muslims for criminal offenses, crimes are generally not punishable by Islamic law penalties. In cases punishable by an Islamic law penalty, non-Muslims generally receive civil penalties at the discretion of the judge. Higher courts may overturn or modify Islamic law penalties imposed on non-Muslims.

[refworld.org/docid/53d906f53.html](http://refworld.org/docid/53d906f53.html)

Under Islamic law, Muslim men may marry non-Muslim women who are "people of the book," generally meaning those who are either Christian or Jewish. Muslim women are not permitted to marry non-Muslim men, however. Because Islam does not consider marriage between a non-Muslim man and a Muslim woman valid, both parties to such a union are subject to arrest, trial, and imprisonment on grounds such as fornication outside of marriage, which carries a minimum of one year in jail. The law grants custody of children of non-Muslim women who do not convert to Islam to the Muslim father in the event of a divorce. By law, a non-Muslim woman who fails to convert is also ineligible for naturalization as a citizen and cannot inherit her husband's property unless named as a

beneficiary in his will.

## Broader human rights issues

*“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.”*

— 2013 Country Reports on Human Rights Practices – United Arab Emirates, US Dept.of State

## Freedom of expression, advocacy of humanist values

The law provides limited freedom of assembly, on which the government has imposed some restrictions. The law requires a government-issued permit for organized public gatherings. In 2014 the authorities dispersed impromptu gatherings or protests and, at times, arrested participants. The law provides limited freedom of association but has, again, imposed restrictions. Political organizations, political parties, and trade unions are illegal.

<[refworld.org/docid/53284a5310.html](http://refworld.org/docid/53284a5310.html)>

## Highlighted cases

In January 2012, **Mahmoud Khaled**, an Egyptian citizen residing and working as a Graphic Designer in Abu Dhabi, was arrested at his working place for defaming religion on his personal Facebook page (under the name Tony Marc). Mahmoud Khaled had there openly declared his atheism and posted comments and pictures critical of society, patriarchy and religious dogma. The prosecutor accused him of insulting religion and Mahmoud Khaled was jailed in the Wathba prison in the desert of Abu Dhabi. The court however aimed to check the mental health of Mahmoud Khaled and sent him a few months later to the psychiatric clinic of the prison, where he was attested with schizophrenia and medically treated, although Mahmoud Khaled was mentally healthy. Mahmoud Khaled, seeing the opportunity to escape a long prison term of maximum seven years, started to pretend being ill in the clinic and feeling better after medication. After one month of treatment and a few months back in prison, the court released him in June 2012 on insanity defense due to schizophrenia. Mahmoud Khaled was advised to undergo a mental health treatment and authorities kept his passport, keeping him unable to leave the country. Mahmoud Khaled returned to work. The following year, in February 2013, authorities called him in order to come to take his passport, but arrested him again once he arrived. He spent several weeks in the same prison again, before being deported, in hand and feet cuffs, to Egypt.

## Testimonies

*“The believers around me never allowed themselves to think about their God’s negative points and deficiencies... they quietly believe they are going to Paradise and the rest are infidels. This is widespread, among every group. The society where all blindly say we are believers of the only God, whom they fear, and make efforts to bless the younger generations by entrapping them in the same belief, is idiotic to me.*

*“Now I have released myself from the bonds of this belief, it seems to me like I was an object not human, the reason why I became an unbeliever was that if I knew there is a God, he doesn’t need what the clergymen are recommending us to do for him, the holy books and prophets coming one by one with new rules all supposedly from the same God yet with a distinctly human slant on them! We see most rules in a religious society do not have any relation to God.*

*"Yet I can't express my view freely because it contradicts their faith and they will not permit damage to their beliefs, or to tell them that in my view their thoughts are false. I tried to express my free thought and I was abused, I was treated as inhuman, and some others said I was neurotic and stricken with mental disorder..."*

*"The first time, I was with some other guys, we were talking about a religious matter, upon saying the name of Mohammad I was cursed, because I had said only "Mohammad", they were saying to say "Mohammad" you must include "Peace Be Upon him", and moreover you must send salute while saying his name, and for a long time they did not talk to me.*

*"Another time I was watching a clip of satire, in this clip a person was complaining from God about some unpleasant thing in this world, upon reaching this point all who were hearing the voice rushed to me and broke the laptop and even told me not to be seen here again. Most who knew me were disconnecting the relationship with me, calling me an Atheist, saying that Jew is better than you, you are not human, you will be in hell forever..."*

*"After that I feel this world is only for religious people and every time I was humiliated because I was not accepting what you are telling, that was my sin. The issue is, if I keep soundless it really hurts me, and there remains all this wrong in world. It is everyone's right to live a life free of any pious, ethnic and color prejudice. I want to see the world with love, passion, fraternity and affection only, and instead of fighting assist each other to have a future without any abomination and condemnation."*

— Anonymous