

United Arab Emirates – UPR Info Pre-session

3rd April 2023

Human Rights & Counterterrorism



Recommendations made during UPR III

Supported: 141.124 (Switzerland) - **Noted :** 141.123 (Sweden)

Suggested recommendation for UPR IV:

- Guarantee that the fight against terrorism is not used as a ground to repress public dissent and amends its laws on counter-terrorism with a view to respect the principle of legality in criminal law and provide for clear, precise, and predictable offences.
- Publish and amend the SSA law to ensure the SSA is subject to independent judicial oversight and that the fundamental rights of suspects are respected.
- Amend the Counter-Terrorism Law to adopt a terrorism definition in line with international standards.
- Ensure procedural guarantees to all those subjected to the Munasaha regime, including by allowing them to challenge their detention and by establishing maximum periods of detention.

Fair trial

Recommendations made during UPR III:

Supported: 141.134 (Czechia)

Noted : 141.143 (United States)

Suggested recommendation for UPR IV:

- We recommend that the UAE respect the international legal standards of fair trial and ensure procedural guarantees and reject evidence obtained under torture
- Amend the relevant legislation to ensure that:
 - everyone detained in criminal procedures has access to a lawyer from the moment of arrest;
 - free legal counsel is provided to all those who cannot afford it; o detainees can meet with their lawyers in private;
 - confessions alone are not sufficient to justify a conviction.

Independence of the judiciary



Recommendations made during UPR III:

Supported: 141.134 (Czechia), 141.133 (Ghana)

Suggested recommendations for UPR IV:

- We recommend that the UAE expressly ensures the independence of its judiciary from the executive branch
- Amend the Emirati constitution to include the separation of powers between the executive branch and the judiciary.
- Guarantee the independence of the judiciary.
- Ensure the executive does not exercise effective control over the appointment and dismissal of judges.