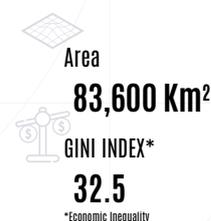
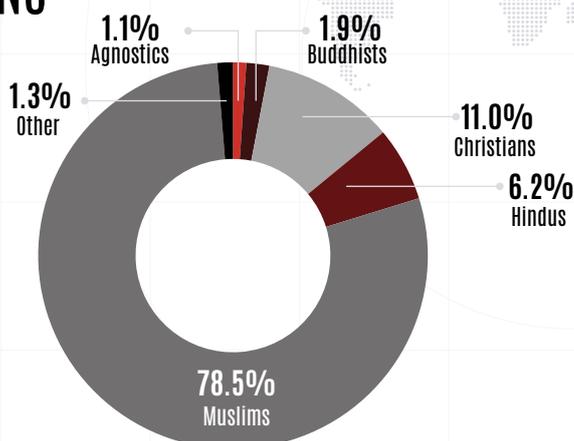




UNITED ARAB EMIRATES

RELIGIONS



LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The United Arab Emirates (UAE) is a federation of seven emirates situated in the Persian Gulf. Dubai is politically and economically the most important of them.

According to the constitution of 1971,¹ Islam is the official religion of the federation. Article 7 reads: “Islam is the official religion of the UAE. Islamic Shari’a is a main source of legislation in the UAE.” Article 25 excludes discrimination based on religion. It states: “All persons are equal in law. There shall be no distinction among the citizens of the UAE on the basis of race, nationality, faith or social status.” Article 32 states: “Freedom to exercise religious worship is guaranteed in accordance with the generally accepted traditions provided that such freedom is consistent with the public policy or does not violate the public morals.”

Muslim citizens cannot change religion, an act that is treated as a capital offence. Apostasy is criminalised as a hudud offence, which is based on Islamic law (Shari’a) and is incorporated in the country’s penal code. Hudud crimes include “adultery, apostasy, murder, theft, highway robbery that involves killing, and a false accusa-

tion of committing adultery.”² Article 1 of the penal code provides that Islamic law applies in hudud cases, including the payment of blood money in cases of murder. Article 66 states that the “original punishments” under the law apply to hudud crimes, including the death penalty. No one, however, has been prosecuted or punished by a court for such an offence.

The law criminalises blasphemy and imposes fines and imprisonment in these cases. Insulting other religions is also banned. Non-citizens face deportation in case of blasphemy.

While Muslims may proselytise, penalties are in place for non-Muslims doing the same among Muslims. If caught, non-citizens may have their residency revoked and face deportation.

Shari’a is applied in matters of personal status for Muslim citizens and residents. Muslim men may marry non-Muslim women “of the book” i.e., Christians or Jews, and the children of such unions will be Muslim. Muslim women can only marry Muslim men. In the case of a mixed marriage between a Muslim man and a non-Muslim woman, child custody is granted to the father. Non-Muslim wives are not eligible for naturalisation.

Muslims and non-Muslims are required by law to respect the hours of fasting during Ramadan.

The government controls content preached in almost every Sunni mosque. Textbooks and curricula in both private and public schools are censored by the Ministry of Education.³

Christian churches may not have bell towers or crosses on the exterior of buildings.

In July 2015, the UAE announced new legislation for crimes related to religious hatred and extremism. Punishments include the death penalty. A presidential decree bans any act that stirs up religious hatred as well as discrimination “based on religion, caste, creed, doctrine, race, colour or ethnic origin.”⁴ According to the decree, offenders risk up to 10 years in prison or the death penalty if convicted of “takfirism” (declaring other Muslims infidels) or Sunni Muslim extremism.

Sheikh Mohammed bin Rashid Al Maktoum, Vice President and Prime Minister of the UAE and Emir of Dubai, said the law “guarantees the freedom of individuals from religious intolerance ... and underpins the UAE’s policy of inclusiveness.”⁵

Non-citizen residents come mainly as guest workers from South and South-East Asia, but also from the Middle East, Europe and North America.

With no path to citizenship possible, religious minorities are not allowed to own land. “This makes building houses of worship difficult but not impossible. Several religious groups have been granted land by government officials, but the expansion of non-Muslim houses of worship is tightly controlled.”⁶

The Catholic Church is present through the Apostolic Vicariate of Southern Arabia (AVOSA) with its representation office in Abu Dhabi, and is currently headed by Bishop Paul Hinder.⁷ Nine Catholic parishes⁸ and 10 schools operate in the UAE.⁹ In total, more than 40 churches operate as well as two Hindu temples, a small Sikh gurdwara¹⁰ and a small synagogue.¹¹

The authorities have also provided land for non-Islamic cemeteries and cremation facilities, used mainly by the country’s large Hindu community.

Islamist movements and activists are heavily targeted as threats to national security, especially in the wake of the 2011 Arab Spring uprisings. The Muslim Brotherhood remains officially banned since 2014 and blasphemy and

anti-terrorism laws in the UAE are presented by officials as being effective at stopping the progress of extremist Islamism, whichever form it takes.¹²

The UAE imposes strict state control on the practice of Islam. Preachers and imams must carefully word their sermons during Friday prayers. According to the Associated Press, organising Qur’anic study circles, collecting Islamic donations, distributing books or audio tapes in mosques or preaching outside mosques, requires a permit.¹³

INCIDENTS AND DEVELOPMENTS

The UAE declared 2019 as the “Year of Tolerance”¹⁴ which was symbolised among other events by the historic visit of Pope Francis to Abu Dhabi in February 2019.¹⁵ The “Ministry of Tolerance” was created in 2017 to promote the country’s model of tolerance in the region.¹⁶

The three-day historic visit by Pope Francis to the UAE in February 2019 – the first time a Catholic pope set foot on the Arabian Peninsula – was highly symbolic of a desired greater understanding among religions and faiths in this part of the world. As media outlets reported, the first ever Mass celebrated by the pontiff on Emirati soil was historic and “complicated”, given the controversy it raised between hard-line Islamists and more tolerant public figures.¹⁷

During the visit, the Pope and Sheikh Ahmed al-Tayeb, Grand Imam of al-Azhar, Sunni Islam’s most prestigious seat of learning, signed the “Abu-Dhabi Declaration”. The latter states: “We resolutely declare that religions must never incite war, hateful attitudes, hostility and extremism, nor must they incite violence or the shedding of blood.”¹⁸

Since early 2019, the stance of the UAE in favour of the Chinese government against the Uyghurs remains in line with that of many Muslim countries.¹⁹ The silence of these Muslim governments in the face of Chinese oppression of Muslim Uyghurs has received widespread international criticism. In July 2019, the UAE – along with a number of other Muslim nations – blocked a UN motion asking for “independent international observers” to be sent to the Xinjiang region.²⁰ The UAE silence over the breaches of human rights in Xinjiang has been heavily criticised by much of the international community as “providing cover for this persecution”.²¹ On 21st August 2019, only Qatar broke ranks with the decision taken by other Muslim nations and the Gulf Cooperation Council (GCC) to ignore the oppression of Uyghurs in China.²² This is in stark contrast with the

outcry of the Muslim world against the persecution of Rohingya in Myanmar, which reached the UN Human Rights Council in Geneva.²³

In December 2019, a joint UAE-UN counterterrorism conference held in Abu Dhabi titled “Empowering Youth and Promoting Tolerance: Practical Approaches to Preventing and Countering Violent Extremism Conducive to Terrorism” provided fresh insight into ways to prevent violent extremism, also focusing on the role of “community and religious actors to promote the values of tolerance and strengthen resilience to terrorist narratives.”²⁴ The final press release spoke of working on two important elements: a “more meaningful and action-oriented engagement between governments and civil society” and further involvement of the community, religious, and non-traditional actors in “promoting dialogue, mutual understanding, and peaceful co-existence in ‘full respect’ of human rights.”²⁵

In February 2020, Pope Francis called for an end to terrorism reminding the world of the Abu Dhabi Declaration on Human Fraternity signed during his 2019 visit to the UAE.²⁶

In April 2020, the Church of Jesus Christ of Latter-day Saints opened its first temple in Dubai.²⁷ For the US Embassy, “The presence of the temple in the Dubai District 2020 is an outstanding legacy of Expo 2020.”²⁸

On 22nd April, the UAE held an unprecedented virtual online interfaith conference in cooperation with the World Muslim Communities Council on the theme of “Protecting Humanity. Interfaith Solidarity and Joint Action to Combat Coronavirus”. The final declaration ended on a positive note.²⁹

On 13th May 2020, senior UAE diplomatic and cultural officials joined Emirati and US faith leaders for an online free discussion on faith and community.³⁰

Also in May, the US Ambassador to the UAE praised the noticeable progress in freedom of religion achieved by the UAE in the wake of the COVID-19 pandemic: “I would like to commend the Government of the United Arab Emirates for leading in this time of crisis, and for its close partnership with the United States of America.”³¹

After closing places of worship to help stem the COVID-19 pandemic on 16th March 2020, the UAE reopened them on 1st July,³² but only at 30 percent of capacity.³³ Intense efforts by all religious communities have been made to maintain social distancing, impacting religious gatherings and sometimes delaying the reopening date.³⁴

Ramadan and rituals related to fasting and Bairam feast celebrations were heavily impacted by the COVID-19 pandemic. Although curfew times were reduced, these were maintained during Ramadan in order to avoid large family gatherings.³⁵ Mosques remained closed. From the beginning of Ramadan, the Emirates Fatwa Council stated that both COVID-19 patients and medical workers were not required to fast if it “could lead to weakening their immunity or to losing their patients.”³⁶

On 1st August 2020, the UAE witnessed their first ever virtual celebration of the Adha Feast, an unexpected event in the history of the nation. Exceptionally, no public prayers were held and only home prayers took place.³⁷

Due to the suspension of air travel and an increasing demand for cremations because of COVID-19 deaths, there were increasing calls for more crematoriums in the UAE.³⁸ Meanwhile, the different faiths had to adapt their last rites to fit the new circumstances.³⁹

On 6th August 2020, Pope Francis extended the jurisdiction of the Eastern Catholic Patriarchs over the entire Arabian Peninsula, which includes the Apostolic Vicariates of Northern and Southern Arabia. It concerns six Eastern Catholic Patriarchal Churches: Alexandria of the Copts, Antioch of the Maronites, Antioch of the Syrians, Antioch of the Greek-Melkites, Babylon of the Chaldeans and Cilicia of the Armenians.⁴⁰

On 8th August 2020, the UAE government marked another first by helping a Jewish family with members in Yemen and the UK to meet. The family reunion has been lauded by the world press and the West as the realisation of an “impossible dream”.⁴¹

PROSPECTS FOR FREEDOM OF RELIGION

With social inclusion efforts towards non-Muslim believers in the UAE dating back to the founding of the state in 1971, the UAE continues to be a relative haven for freedom of worship among GCC countries. Laws curbing religious hatred and uncompromising efforts to counter extremism, as exemplified by the renewal in 2020 of the 2013 anti-extremism regulations, have helped institutionalise deeper changes supporting limited religious freedoms.⁴²

Internationally too, the UAE – notwithstanding its principal interest to curb threatening Islamist movements and to project a moderate face to the West – has taken, and continues to take, important steps towards greater religious tolerance. In the period under review, these have been

exemplified by the 2019 Year of Tolerance, unprecedented diplomatic openings including the first ever papal Mass on the Arabian Peninsula (in the face of hardline criticism), the signing of the “Abu-Dhabi Declaration” and the presence of an Israeli pavilion at Expo 2020.⁴³

Despite these, the constitution only guarantees freedom of worship “provided that such freedom is consistent with the public policy”⁴⁴ – “a vague designation that critics say

gives the government wide berth to interpret what acceptable forms of worship are.”⁴⁵

The prospect for religious freedom in the United Arab Emirates remains positive.

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