



# General Assembly

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## Human Rights Council

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Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Institut International pour les Droits et le Développement, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[24 May 2021]

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\* Issued as received, in the language(s) of submission only.



## **The Right to freedom of opinion and expression: Why we should boycott Dubai Expo 2020**

Institut International pour les Droits et le Développement (IRDG) takes this opportunity at the 47th Session of the United Nations Human Rights Council (UNHRC) to raise concerns over the ongoing human rights situation in United Arab Emirates (UAE). The government continues to systematically suppress the right to expression of human rights defenders, political opponents, activists, journalists and civil society organizations. In the following, this presents cases of harassed activists, the suppression of civil society organizations and the independent press simply because they made use of their fundamental human right to free expression.

### **Put human rights on the agenda of security discussions ahead of Dubai Expo 2020**

On 16 Jan 2020, Diana Eltahawy, Gulf Programme Manager, BHRRC from Business and human rights center refers to the conspicuously absence of human rights considerations from the agenda of the Intersec Future Security Summit in Dubai to discuss 'Disrupting Technologies: Integrating Physical and Digital Security'<sup>1</sup>. This is despite UAE's troubling record of abusing technology to launch attacks on human rights defenders and other critics of the government. A significant part of the event is dedicated to discussing security preparedness for Expo 2020, the six-month international fair set to bring some 25 million visitors to the emirate. Amid the official promotion for Expo 2020 - designed to showcase Dubai as a hub of technological innovation, cultural tolerance, and visionary leadership - it is important to remember the UAE's record of crushing any form of dissent expressed offline or online, frequently in the name of security.

Human rights organizations have long raised concerns about the UAE's aggressive acquisition of cyber-surveillance technology<sup>2</sup> and its misuse to target journalists, human rights defenders, and other perceived critics. An investigation by Reuters revealed how the UAE's spying programme dubbed 'Project Raven' used powerful tools to hack into the accounts of individuals considered threats, including foreign journalists and a 16-year-old boy whose tweets were deemed offensive. According to Reuters<sup>3</sup>, in 2016, the spy operation moved to a domestic cyber-security company, Dark Matter, which also happens to be the Expo's official cyber-security provider. The company denies<sup>4</sup> taking part in the hacking operation. In addition, Citizen Lab investigations revealed how prominent Emirati human rights defender Ahmed Mansour had been subjected to several hacking attempts<sup>5</sup>, including by Pegasus spyware linked to Israeli company NSO. He is currently serving a ten-year prison term for posts on Twitter and Facebook, illustrating the UAE's draconian approach to freedom of expression and digital rights.

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<sup>1</sup> The Tahrir institute for Middle East Policy, Timep brief: Export of surveillance to MENA countries: <https://timep.org/reports-briefings/timep-brief-export-of-surveillance-to-mena-countries/>.

<sup>2</sup> Business and human rights resource center, Put human rights on the agenda of security discussions ahead of Dubai Expo 2020: <https://www.business-humanrights.org/en/blog/put-human-rights-on-the-agenda-of-security-discussions-ahead-of-dubai-expo-2020/>.

<sup>3</sup> Reuters, Inside the UAE's secret hacking team of American mercenary: <https://www.reuters.com/investigates/special-report/usa-spying-raven/>.

<sup>4</sup> Cyber security company, DarkMatter : <https://apnews.com/article/ap-top-news-international-news-abu-dhabi-technology-united-arab-emirates-e6c2cb4445b5464b8b9548f7d314e9b8>.

<sup>5</sup> Munkschool of Global Affairs and Public Policy, University of Toronto, The Million Dollar DissidentNSO Group's iPhone Zero-Days used against a UAE Human Rights Defender: <https://citizenlab.ca/2016/08/million-dollar-dissident-iphone-zero-day-nso-group-uae/>.

In addition to targeted surveillance, the UAE authorities heavily monitor social media<sup>6</sup>, instant messaging and blogs, as well as block access to thousands of websites deemed inappropriate. UAE residents also report increasing difficulties in accessing these via VPN – an act which is also criminalized. Expo 2020 visitors should be aware of the draconian cyber-security laws in the UAE, used in the past against foreigners.

An investigation by the NYT<sup>7</sup> published on Dec. 22, 2019- updated Aug. 14, 2020, alleged that a popular app, ToTok - developed and widely used in the UAE due to bans of VoIP including Skype and WhatsApp - has been used as a spying tool by the government. While ToTok vehemently denied the allegations, further questions were raised regarding its alleged links<sup>8</sup> to a senior UAE official

According to the UAE's Telecommunications Regulatory Authority<sup>9</sup> 12,734 websites have been blocked since 2016, many for "pornographic" or "immoral" content. In the past two years, 135 websites were blocked for "offenses against the UAE and public order". Dozens of others have also been blocked on vague grounds of "illegal activities", insult and defamation or by order from the judicial authorities for unspecified reasons.

Surveillance and monitoring and other technology products will be showcased at the Interc security, safety and fire protection fair running concurrently with the Summit. Companies participating in the Summit and/or showcasing their products at the security fair, as well as those expected to flock to the UAE for Expo 2020, need to be mindful of the risk that their technology could be used and abused by the Dubai government to track or target activists.

Such companies should carry out due diligence to assess and mitigate human rights risks associated with their presence, starting by being more transparent in disclosing their business operations.

Efforts are ongoing to hold surveillance companies to account for complicity in human rights abuses. A group of activists have taken legal action<sup>10</sup> in Israel to revoke NSO's export license to prevent future sale of its spyware to regimes spying of peaceful critics.

WhatsApp is seeking a court injunction in the United States of America to block NSO<sup>11</sup> from accessing its computer systems. NSO has denied all allegations of wrongdoing, including in responses to the Business & Human Rights Resource Centre.

Recognizing the human rights risks of surveillance companies globally, the UN Special Rapporteur on freedom of opinion and expression noted<sup>12</sup> that: "Companies appear to be operating without constraint. It is critical that companies themselves adhere to their human rights responsibilities, including by disclosing their transfers, conducting rigorous human rights impact assessments, and avoiding transfers to States unable to guarantee their compliance with their human rights obligations."

<sup>6</sup> U. S. Department of States, 2018 Country Reports on Human Rights Practices: United Arab Emirates: <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/united-arab-emirates/>.

<sup>7</sup> The New York Times, It Seemed Like a Popular Chat App. It's Secretly a Spy Tool: <https://www.nytimes.com/2019/12/22/us/politics/totok-app-uae.html>.

<sup>8</sup> Bill Marczak, A breej too far: How Abu Dhabi's Spy Sheikh hid his Chat App in Plain Sight: <https://medium.com/@billmarczak/how-tahnoon-bin-zayed-hid-totok-in-plain-sight-group-42-breej-4e6c06c93ba6?>.

<sup>9</sup> UAE- Telecommunications and digital government regulatory authority: <https://www.tdra.gov.ae/en/about-tra/information-and-e-government-sector/internet-guidelines/details.aspx#pages-67185>.

<sup>10</sup> Amnesty International, Israel: Amnesty International engages in legal action to stop NSO Group's web of surveillance: <https://www.amnesty.org/en/latest/news/2019/05/israel-amnesty-legal-action-stop-nso-group-web-of-surveillance/>.

<sup>11</sup> The Guardian, Whatsapp sues Israeli firm, accusing it of hacking activists phones: <https://www.theguardian.com/technology/2019/oct/29/whatsapp-sues-israeli-firm-accusing-it-of-hacking-activists-phones>.

<sup>12</sup> OHCHR, UN expert calls for immediate moratorium on the sale, transfer and use of surveillance tools: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24736&LangID=E>.

He recommended a moratorium on the sale, transfer and use of surveillance tools until human rights-compliant regulatory frameworks are in place.

Despite some limited efforts <sup>13</sup> at regulating the surveillance trade, a lot more needs to be done by companies themselves currently turning a blind eye to how their technology might be used by governments like the UAE to silence independent voices. Participating in events on security in the UAE without addressing human rights concerns serves to promote the UAE's brand as modern, tech-savvy and open for business and investment.

Expo 2020 Website:

"Expo 2020" website<sup>14</sup> documents the UAE's human rights violations on May 9, 2021, published new files documenting the UAE's human rights violations and Abu Dhabi's internal and external crimes. The site's administrators announced the addition of new sections exposing the grave violations the UAE is witnessing, such as abuse of women's rights, slavery and discrimination against expatriates. The site displays with evidence the UAE's violations of freedom of opinion and expression and the crushing of dissent, including arbitrary detention, torture and ill-treatment of prisoners. The site highlights the exposures of migrant workers to violations during the construction of exhibitions for the "World Expo 2020". The site presents the dangers of visiting the UAE in light of the arbitrary arrests that tourists are exposed to, especially if they publicly express their views.

Why we should say no to Dubai Expo 2020:

For the above mentioned points, IRDG strongly believes that Expo 2020 is a whitewashing Human Rights Violations in UAE. Dubai's ruler, Sheikh Mohamed bin Rashid Al-Maktoum has done a great deal by himself to harm the image of the UAE by kidnapping and holding his own daughter Latifa against her will. Arguably though, it has been the aggressive foreign policy of Mohamed bin Zayed that has caused most harm to the UAE's reputation in recent years. With few months until Dubai Expo 2020, there is still time for trade delegations to reconsider their attendance and for businesses to consider their human rights policies. There is also time for the UAE to stop violating the rights of their own citizens, enforce protections for migrant workers and cease the harmful interventions in Yemen, Libya and the Sudan.

The UAE must take concrete measures to improve the situation in the country and allow for fundamental freedoms and protection for all. Innovation and creativity has to be used as a tool of peace and security not a tool for aggressivity.

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<sup>13</sup> Maaïke Goslinga, International Editor Correspondent, How European spy technology falls into the wrong hands: <https://thecorrespondent.com/6257/how-european-spy-technology-falls-into-the-wrong-hands/2168866237604-51234153>.

<sup>14</sup> Dubai Expo 2020, <https://dubaexpo2020.com>.