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**Title: US-UAE Relations: A Partnership Threatened by
Differences Regarding Human Rights**

by

John M. Newton, Major, USAF

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Advisor: LTC Thomas M. Weaver

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Abstract

Beginning with Iraq's invasion of Kuwait in 1991, the relationship between the US and the United Arab Emirates (UAE) has grown stronger based on mutual objectives associated with regional stability and security, anti-terrorism/anti-extremism, and economic improvement. Both nations benefit from their relationship with one another. The 1994 signing of a defense cooperation agreement now allows the US to position military forces within UAE territory. The availability of UAE territory not only bolsters US military capability in executing its Iraq and Afghanistan missions but also facilitates improved response to other potential regional threats. The presence of US forces provides the UAE with much needed security support. In addition to security-related links, US-UAE relations are also bolstered by increasing trade, business, and other professional connections.

However, allegations of human rights abuses within the UAE produce an increasing level of tension between the US and UAE governments. If not resolved, this tension could potentially derail a partnership that both nations cannot afford to squander. Therefore, this essay examines important aspects of current US-UAE relations and then explores each nation's views of the human rights situation within the UAE. The two main human rights issues discussed are related to women's rights and the treatment of foreign workers. By formulating a basis of understanding regarding human rights, these nations can successfully collaborate to minimize their differences while still maintaining their strong partnership along the way.

Introduction

As the US grapples with complexities of its diplomatic and military operations in Iraq and Afghanistan it also seeks to advance other Middle East foreign policy initiatives by strengthening its ties with regional partners. The relationship with the United Arab Emirates (UAE) is one of these partnerships the US relies upon to accomplish its Middle East foreign policy objectives. Friendly US-UAE relations began in 1971 through private commercial oil sector dealings. However, Iraq's 1990 invasion of Kuwait and the subsequent military operations to drive Iraq's forces out of Kuwait provided the impetus for increased diplomatic and military partnership between the two countries.¹ From that point forward, US-UAE relations have grown stronger based on mutual objectives associated with regional stability and security, anti-terrorism/anti-extremism, and economic improvement.²

Nevertheless, allegations of human rights abuses within the UAE produce an increasing level of tension between the US and UAE governments. If not resolved, this tension could potentially derail a partnership that both nations cannot afford to squander. Therefore, this essay examines important aspects of current US-UAE relations and then explores each nation's views of the human rights situation within the UAE. This approach helps formulate a basis of understanding upon which these nations can successfully collaborate to minimize their differences while still maintaining their strong partnership along the way.

US-UAE partnership – regional stability and security

Bordered by Saudi Arabia and Qatar to its south and west and Oman to its east, the UAE sits on the southern portion of the Persian Gulf directly across the water from Iran. The seven separate emirates that make up the UAE total approximately 32,278 square miles which is no

bigger than the State of South Carolina. Although fairly small in size, the UAE is both an economic powerhouse and a rather strong US military ally in the Middle East.³

Both nations benefit from their relationship with one another. First and foremost, since signing a defense cooperation agreement in 1994, the UAE allows the US to position military forces within its territory. The availability of UAE territory not only bolsters US military capability in executing its Iraq and Afghanistan missions but also facilitates improved response to other potential regional threats. Accordingly, the presence of US forces provides the UAE with much needed security support.⁴ The importance of this support is amplified when evaluated against the Iranian threat.

There are two principal security concerns between the UAE and Iran. The first concern involves the 3-decade long dispute over the three islands of Greater Tunb, Lesser Tunb and Abu Musa.⁵ Situated in the Strait of Hormuz, these islands provide their occupier with the ability to potentially control all movement into and out of the Persian Gulf.⁶ Backed by support from the European Union [EU] and the Gulf Cooperation Council [GCC],⁷ the UAE adamantly claims these islands as sovereign territory while Iran continues to occupy them with military forces. While the dispute over these islands has remained peaceful thus far, the threat of Iran using the islands to disrupt vital UAE oil exports remains a major security dilemma.

In addition to the island territorial dispute, another principal concern for the UAE is Iran's regional hegemonic ambitions. The Iranian regime seeks to widen its influence throughout the Middle East by creating a wedge between the US and the Gulf States. Furthermore, Iran's declaration purporting that there is no regional state that has the capability of standing up to it lends credence to the notion that Iran's frustration will ultimately lead to aggressive action against one of its Arab neighbors.⁸ Moreover, Iran's nuclear weapons

ambitions further exacerbate UAE's security situation. Although Iran's efforts to obtain nuclear weapons capabilities were previously recognized as generally a US-specific issue, "the impact of such a development would be primarily regional, making the issue of direct concern to the Arab states."⁹ Thus, to counter the Iranian threat, the UAE collaborates with the other five GCC states in addition to relying heavily on US support.

Also, in light of regional instability and the threat of possible Iranian aggression, the UAE continues signing "deals with U.S. arms manufactures to upgrade its air- and missile-defense systems"¹⁰ and its military capability overall. According to the Stockholm International Peace Research Institute, the UAE was the recipient of 31% of all US arms exports for 2004-2008.¹¹ The Patriot Missile Air Defense system, the F-16 fighter, and mobility aircraft were just some of the items purchased. More recent purchases included Hellfire missiles for its US-made Apache helicopters and technologically advanced precision-attack missile systems for its F-16 fighter aircraft.¹² Also, the UAE purchased the US's Terminal High Altitude Air Defense System for approximately \$7 billion. This transaction "was the first sale ever of that sophisticated missile defense system."¹³ On the whole, military sales agreements enhance US-UAE security relations and provide a solid foundation for continued military cooperation. However, security against a conventional military assault is not the only factor influencing US-UAE relations. Another critical element of this partnership involves combating terrorism by Muslim extremist groups.

US-UAE partnership – anti-terrorism/anti-extremism

Shortly after the September 11, 2001 terrorist attacks on the US, officials investigating the incident revealed that at least two of the attackers were UAE citizens who "reportedly used UAE-based financial networks in the plot."¹⁴ However, since this devastating incident, UAE

officials have vehemently denounced terrorist attacks and have significantly increased their efforts to control Muslim extremism within their country. For example, according to US State Department's 2008 Country Reports on Terrorism, the UAE has taken great strides to "prevent extremist preaching" in their mosques and to keep their "education system free of radical influences."¹⁵ Furthermore, through its legal system, the UAE cracked down on terrorists using the internet to plan and coordinate operations, spread extremist ideologies, and recruit members. Moreover, the UAE directly supports US efforts to protect its homeland by collaborating with US Customs and Border Protection. In doing so, the UAE bolstered its inspection criteria on material headed for US ports.¹⁶ Generally speaking, the US is pleased with UAE's anti-terrorism/anti-extremism efforts to date. However, both nations acknowledge that additional measures, especially with regard to the control of money laundering and terrorism financing, can and must be implemented in order to defeat this threat.¹⁷

US-UAE partnership – economic improvement

In addition to working together on security-related issues, the US and the UAE are committed to strengthening their economic partnership. Trade, business, and other professional connections comprise a significant piece of the US-UAE relationship. In 2009, US companies exported \$12.1 billion worth of goods to the UAE making it the leading importer of US products within the GCC.¹⁸ Furthermore, UAE's approach to opening its markets to foreign companies continues to attract US investors and businesses alike. Over 750 US companies to include Microsoft, Exxon Mobil, Lockheed Martin, United Airlines, and Starbucks currently maintain a presence in the UAE.¹⁹

An additional indicator of increasing professional relations between the two nations is the rise in the number of US higher education institutions taking up residence within the UAE. New

York University, Boston University, The Massachusetts Institute of Technology, and Michigan State University are all but a few of the US colleges and universities that have initiated satellite programs in the UAE.²⁰ Ultimately though, disagreements between the US and the UAE over human rights abuses continue to threaten these partnerships. Thus, a careful analysis of both nations' views may provide the means for lessening the impact of discord.

Human rights issues within the UAE

In its most recent *Human Rights Report*, the US State Department asserts that within the UAE, “[t]rafficking in persons continued, and legal and societal discrimination against women and noncitizens was pervasive.”²¹ The report also stated that “[t]he government severely restricted the rights of foreign workers” and that “abuse of foreign domestic servants was common.”²² As dire as these issues may sound, the US report also acknowledges that the UAE government is moving in the right direction in several aspects of human rights issues. Nevertheless, the human rights situation in the UAE has continued on the same path for many years and may be related to the country’s patriarchal culture and its over reliance on foreign workers. The most prevalent human rights issues involve the inequities between Emirati men and women and the treatment of foreign workers.

Women’s rights

UAE patriarchal culture affords men and women unequal rights and opportunities throughout most aspects of their lives. For example, in accordance with the UAE penal code, Emirati men are permitted “to use physical means, including violence, at their discretion against female and minor family members.”²³ Thus, “[d]omestic abuse of women, including spousal abuse”²⁴ is judged by the US as a serious problem within the UAE. Furthermore, women involved in legal disputes with men are often less likely to emerge victorious. For instance,

although the UAE passed a law in 2005²⁵ allowing Emirati women to divorce their husbands, present UAE culture places the women's burden of proof excessively high. Women must either prove physical abuse, moral harm, abandonment or they can "divorce by paying compensation or surrendering their dowry to their husbands."²⁶ On the other hand, in accordance with Shari'a law, Emirati men are allowed to retain up to four wives at any one time and divorce is quite easily obtained through the act of repudiation (stating "I divorce you" three consecutive times).²⁷

UAE's views regarding the rights of women were recently captured in a January 26, 2010, speech delivered by the UAE's Minister of State, Her Excellency Reem Al Hashemi, to the United Nation's (UN's) Committee on the Elimination of Discrimination against Women. In her remarks, Al Hashemi asserted that the country was moving forward on many fronts and at all levels of government to bolster the rights and opportunities of women in the UAE. More specifically, Al Hasemi pointed out that since its creation in 1971, UAE's "Founding Fathers have never overlooked the importance of women's rights in society."²⁸ The Minister further declared that while there misunderstandings regarding women's roles in the UAE, women are at the "forefront of both government and private sectors, and their prominent role in the society is seen as a normal almost expected developmental process and not as an exceptional event."²⁹ Although UAE's past record does not correlate with such rosy statements, recent actions regarding women's rights certainly demonstrate a move in the right direction.

The US 2008 Human Rights Report does recognize the uptick in the UAE's efforts to allow women to progress down career paths usually reserved for men. For instance, on January 16, 2008, "the first female pilots graduated from Khalifa bin Zayaed Air College"³⁰ and in September of the same year, the UAE "appointed its first two female ambassadors."³¹ What's even more promising is the integration of women in government. Currently, four women are

ministers within the Council of Ministers of the Federation cabinet while nine others are Federal National Council (FNC) members.³²

Foreign workers' rights

While women's rights in the UAE are of great concern to the US, the overall treatment of foreign workers is another major human rights point of contention. Although the UAE has a long history of relying on foreign workers to conduct business, the sharp rise in construction over the last seven years brought hundreds of thousands of foreign workers into the country. As a matter of fact, foreign workers now account for more than 80% of the total population and over 90% of UAE's private-sector workforce.³³ In real numbers, that boils down to the presence of approximately 900 thousand UAE citizens and over 4.7 million foreigners. The majority of foreign workers "are recruited from India, Bangladesh, Pakistan, Nepal, Sri Lanka, Indonesia, Ethiopia, Eritrea, China and the Philippines."³⁴ The US's major concerns regarding these workers involve the situation upon which they migrated to the UAE and the conditions they face while working in the country.

Since 2001, the US has produced an annual *Trafficking in Persons (TIP) Report* in accordance with the Trafficking Victims Protection Act of 2000 (TVPA).³⁵ This report, which places countries into a certain "tier" based on a variety of TIP criteria, is used as a "diplomatic tool...to encourage continued dialogue and to help focus resources on prosecution, protection, and prevention programs and policies"³⁶ In the 2009 report, UAE was placed in the *Tier 2-watch list* category. This meant that the UAE ranked only one rung up from the bottom of the list, *Tier 3*. This rating also meant that over the course of 2009, the UAE failed to make a concerted effort on TIP initiatives in order to maintain its prior year rating of *Tier 2* or better yet, move up into the *Tier 1* category.

The narrative portion of the TIP report outlines a number of paramount concerns the US has with how the UAE is dealing with its TIP issues. One of those concerns relates to how foreign workers are “often subjected to conditions of involuntary servitude and debt bondage...as they struggle to pay off debts for recruitment fees that sometimes exceed the equivalent of two years’ wages.”³⁷ Furthermore, the report asserts that while there was progress in regard to ending sexual exploitation trafficking, the UAE made little effort to combat trafficking of foreign labor workers and domestic servants.³⁸

As a tool to apply diplomatic pressure on nations to take action against their human trafficking issues, the US’s TIP reports seem to spur the UAE government into action. In its own *Combating Human Trafficking in the UAE* report, the UAE outlines that it confronts human trafficking through a “four-pillar action plan” that includes “legislation, enforcement, victim support; as well as bilateral agreements and international cooperation.”³⁹ Since passing its first anti-human trafficking law in 2006, however, the speed in which the UAE has taken action has been rather slow. For example, although the UAE implemented additional enforcement measures, only 20 cases of human trafficking were prosecuted on 2008.⁴⁰ The UAE declares this number as progress. Whereas, the US maintains that these 20 cases represent a scant reflection of the true problem regarding the human trafficking of foreign labor workers.⁴¹ Nevertheless, in addition to the concerns regarding the manner in which foreign workers enter the UAE, the US is also troubled by the conditions these workers face while there.

Looking back to January 2010, news reports from the UAE illustrated the grand opening of the world’s tallest manmade structure. Centered in the middle of Dubai’s seemingly endless sprawl of super luxurious buildings, the \$1.5 billion skyscraper, named Burj Khalifa, captures the essence of wealth within the UAE.⁴² It is also touted by some as a portrayal of “economic

excess.”⁴³ An excess, as some posit, that was built on the backs of thousands of foreign laborers who were exposed to unacceptable living and working conditions while being paid “starvation wages”⁴⁴ of approximately \$200 a month.

The US contends UAE’s foreign workers are not being provided adequate government protection against unscrupulous business owners who consistently break established labor laws.⁴⁵ In line with this point of view, Human Rights Watch found that foreign workers were being compelled to work in “environments that contribute to avoidable illnesses and deaths.”⁴⁶ Furthermore, the US also identified that domestic workers are not provided any protection under UAE’s labor laws. Thus, these workers are subjected to “long work days and underpayment.”⁴⁷

The UAE contends that although there are human rights abuses within its foreign labor work force, both the federal government and the individual emirate governments are taking action. This proclamation is supported by an October 8, 2009 statement issued by UN Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, Mr. Githu Muigai. Following his visit to the UAE, Mr. Muigai acknowledged that while he was informed of “numerous allegations of human rights violations,” he also was told that due to the UAE government implementing various initiatives, the “situation had much improved in recent years.”⁴⁸ Furthermore, even Human Rights Watch acknowledges in their 2009 report that the UAE government implemented new standards regarding working conditions and living standards for domestic workers and foreign laborers respectively.⁴⁹ Nevertheless, the US continues to assert that the UAE government is moving much too slow on enforcing the labor standards they’ve put forth.

Concluding thoughts on US-UAE relations and human rights collaboration

The goal of maintaining a strong US-UAE relationship while also dealing with differences regarding human rights issues is best accomplished by minimizing finger pointing and further opening communications channels. The typical previous method of the US studying the human rights issues and submitting a report and then the UAE reviewing that report and subsequently submitting its own report to counter US proclamations is simply not an effective way to resolve the problem. Rather, the goal must be to continue to cultivate a solid partnership that respects one another's point of view and credits human rights advances while continually exploring further opportunities to improve the overall situation. If not approached in a collaborative manner, the enormity of disagreement may potentially push the situation to the point where human rights issues overshadow the security and economic incentives of maintaining a strong, lasting US-UAE partnership. This should not be allowed to occur. Both countries rely heavily on one another to not only fulfill their mutually derived regional security and anti-terrorism/anti-extremism objectives but also for achieving economic prosperity. These strategic objectives, therefore, must remain at the forefront of any US-UAE relationship discussion.

¹ Daniel L. Byman and John R. Wise, *The Persian Gulf in the Coming Decade: Trends, Threats, and Opportunities*, RAND Project Air Force (Santa Monica, CA, 2002) 4-10.

² Kenneth Katzman, *The United Arab Emirates (UAE): Issues for U.S. Policy*, CRS Report RS21852 (Washington DC, April 2009), 3-8.

³ U.S. Central Intelligence Agency, "The World Factbook: United Arab Emirates," 26 January 2010, http://www.cia.gov/library/publications/the-world-factbook/goes/countrytemplate_ae.html (accessed 8 February 2010).

⁴ Kenneth Katzman, *The United Arab Emirates (UAE): Issues for U.S. Policy*, 6.

⁵ Sunil K. Vaidya, "UAE gets strong backing in island dispute with Iran," Gulfnews.com, 30 April 2009, <http://gulfnews.com/news/gulf/oman/use-gets-strong-backing-in-island-dispute-with-iran-1.1934> (accessed 11 February 2010).

⁶ James R. Lee, "ABU MUSA: Island Dispute Between Iran the UAE," American University, School of International Service, <http://www1.american.edu/ted/abumusa.htm#r0> (accessed 11 February 2010).

⁷ Gulf Cooperation Council, "The Cooperation Council for the Arab States of the Gulf," GCC-SG.org, <http://www.gcc-sg.org> (accessed 11 February 2010). Note: The GCC is comprised of six Arab states: Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the UAE.

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- ¹⁵ U.S. Department of State, "Country Reports on Terrorism 2008," April 2009, <http://www.state.gov/documents/organization/122599.pdf> (accessed 11 February 2010), 138.
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- ²⁴ Ibid.
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