

Get clearance for mass gatherings in the UAE



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The UAE has emerged as a symbol of diversity with its leaders graciously welcoming and accepting expatriates from all over the world. All expatriates are governed by the laws of the UAE that safeguard their beliefs, respect their customs, and assure them that no discrimination on the basis of beliefs, customs, or opinion shall be made.

The UAE's endeavour to raise awareness and recognise global heritage has resulted in a deeper level of understanding and tolerance among the residents from more than 200 countries.

The UAE model of governance is a testament of how forward-looking interaction and tolerance among cultures, languages, races, and beliefs can result in harmony and peaceful co-existence.

However, this harmony and peaceful co-existence that has been achieved with great effort by the visionary leadership of the UAE may get disturbed when expatriates rally support for issues taking place in their home countries or issues that may or may not have a connection with the UAE. Campaigning by resident expatriates who may assemble together and hold demonstrations, protests, or public gatherings without the prior approval from the government can disturb the calm. Unauthorised demonstrations, protests or public gatherings are strictly prohibited and are unlawful in the UAE.

It must be noted that Article 30 of the UAE's Constitution of 1971 provides for the freedom of opinion and guarantee of the means to express. It states: "Freedom of opinion and expressing it verbally, in writing or by other means of expression shall be guaranteed within the limits of law."

Moreover, the freedom of assembly and establishing associations is provided for under Article 33 of the constitution. The article affirms: "Freedom of assembly and establishing associations shall be guaranteed within the limits of law."

Rights must be exercised within the permitted limits determined by the law

Therefore, while the right to expression of opinion and the right to assembly are guaranteed, such rights must be exercised within the permitted limits as determined by the law. For an assembly to be legal, official permission must first be taken from the government. However, if an assembly of individuals endangers public peace by the individuals' participation in demonstrations and/or protests, and where such gathering refuses to disperse even when it is ordered by the police, then the participation of an individual in such a demonstration, protest or public gathering may be considered an offence in accordance with Article 197 (1) of the Federal Law No. (3) of 1987 on the Issuance of the Penal Code (the "UAE Penal Code") which reads as follows: "Shall be sentenced to detention or a fine, whoever participates in a gathering in order to prevent or obstruct implementation of the laws or statutes, should this endanger public peace, despite the fact that the members of this gathering have been ordered by the police to disperse but they refused to obey or to follow the order.

"The penalty shall be imprisonment for a maximum period of five years if the purpose of the gathering is to perpetrate a crime. The penalty shall be imprisonment for a minimum period of five years if one or more of the individuals constituting the gathering are in possession of arms, apparent or hidden, even if they are licensed.

"Shall be sentenced to the same penalty, whoever instigates to perpetrate one of the crimes provided for in this article."

It must also be noted that if the expression of an opinion results in the dissemination of false, controversial, or provocative news, information or rumours that causes disturbance of public security, panic among people or is prejudicial to the public interest, such expression of opinion will be considered as a criminal offence and shall attract criminal proceedings in accordance with Article 198 (1) of the UAE Penal Code.

Based on the aforesaid provisions of the Constitution, mainly Article 30 and Article 33, it must be noted that while the rights mentioned therein are guaranteed, they have to be exercised within limits as determined by the law. The UAE provides equal opportunity to all. However, all unauthorised demonstrations, protests or public gatherings are prohibited and illegal. For any unauthorised demonstration, protest or public gathering, the law shall strictly take its course.

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