

Cop28 officials fail to clarify if protesters are safe to protest in Dubai

Thousands of activists attending climate conference in UAE, which has a poor record for demonstrations

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- Demonstrations within the venue will be allowed in designated areas, with one managed by the UN and another administered by the Emirati authorities. Photograph: Joshua A Bickel/AP

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Cop28 organisers and the UN body that oversees the annual climate conference have failed to clarify whether activists in Dubai are safe to demonstrate outside the conference area, putting civil society at risk in a country where protest is normally prohibited.

At least 80,000 people are registered to attend the conference, including thousands of activists and members of civil society, who normally hold protests around the conference area.

Some protests have already taken place, including to call for a ceasefire in Gaza, but the demonstrations have mostly been small and not disruptive. It has been reported that the UAE organisers have declined permission for some protests, including one singling out the airline Emirates as a polluter.

The conference is taking place in Dubai's Expo City, a sprawling conference centre built to host the World Exhibition two years ago, which houses a series of pavilions but little to no public space.

Despite mounting pressure on the UAE authorities and the UN framework convention on climate change (UNFCCC), the body which administers the conference, both have declined to clarify how they are handling dissent, particularly protests that occur outside the venue, gatherings organised without express permission from the authorities, or political protests, particularly those addressing the war in Gaza.

The US state department's annual country report on the Emirates stated: "The law provides limited freedom of assembly, although in practice the government imposed significant restrictions, including criminal penalties. Protests and demonstrations are prohibited."

Emirati law bans gatherings without prior authorisation by the government, while the US state department said authorities "generally permitted political gatherings that supported government policies", while imposing penalties including a potential life sentence for those leading gatherings that "[disturb] public security". Fines for breaking laws on public assembly have a minimum penalty equivalent to £107,280 and a maximum of £215,000.



The poor record of workers' rights in the UAE has put many would-be attendees of Cop28 in an uncomfortable position. Photograph: Ali Haider/EPA

The Emirates' restrictions on free expression, coupled with the risk of detention or fines, has led some activists and members of civil society to stay away from the conference, citing potential risks to their safety.

“You should not be in a situation where, at an international conference on the climate crisis, you need assurances around safety. It shows that it shouldn't be held in that environment in the first place,” said Mustafa Qadri, the founder and chief executive of the workers' rights organisation Equidem, which has released several reports detailing labour violations among migrant workers in the Emirates, including those staffing the Expo2020 conference centre.

Qadri, along with members of his organisation based outside Dubai, said he did not feel it was safe for them to attend Cop28.

Despite the Emirates' existing laws around protest, in early August the Emirati authorities released a joint statement with the UNFCCC focusing on what they termed an “inclusive” conference. “There will be space available for climate activists to assemble peacefully and make their voices heard,” they said.

A Cop28 spokesperson told the Guardian that demonstrations would be permitted in the UN-administered blue zone at the conference and within the “Voice for Action hub” in the green zone, which is administered by the Emirati authorities.

The hub requires anyone hoping to host an event there, including speeches, debates, workshops or demonstrations, to obtain permission from the conference organisers to protest by filling out an online form and providing detailed information about their plans. This includes selecting the theme of the potential demonstration from a list that reads: “technology and innovation, inclusion, frontline communities, finance, other”.

“Cop28 has developed specialised security protocols in line with international processes and our security teams have received advanced training to enable them to respond to issues effectively, efficiently and with wider cultural contexts in mind,” said the spokesperson. “The UAE protects the right to protest in line with relevant international agreements.”

Qadri said the vast majority of the security officials enforcing the ban on protest are likely to be migrant workers, meaning they could face repercussions including losing their visas for failing to enforce a harsh crackdown on dissent.

This also makes workers additionally vulnerable amid confusion about what kinds of dissent are authorised. Qadri said: “Workers might be too scared to raise complaints, but what [the authorities] are relying on are standards and policies that we support in principle, but how security guards are treated is a totally different situation.

“This is a society where trade unions and peaceful assembly are criminalised, so you can have the most sophisticated complaints systems but in a repressive environment that comes to very little. People are right to be worried about going there as delegates,” he said.

The Cop28 administration requires participants to sign a code of conduct on arrival, which includes a demand to “refrain from using UNFCCC venues for unauthorised demonstrations”.

Representatives for the conference declined to respond to other questions about protests, particularly whether demonstrating outside the designated areas in the blue and green zones is permitted, details of who administered the security training, what the training covered or what would happen to those who protest without prior permission.

The UNFCCC did not respond to multiple requests for comment on the issue of protests, including questions about whether it had assessed the risk to participants’ safety if they chose to protest in Dubai.

Joey Shea, an Emirates expert at Human Rights Watch, said: “We are deeply alarmed for the safety and security of Cop28 participants ... due to the lack of clarity around what kinds of expression and protest will be allowed and where they will be permitted.

“We are expecting that in the green zone, UAE national law will apply, but we are not sure what mitigating steps will be taken to protect participants expressing themselves in a way that’s normal for a conference about climate change. We are deeply concerned about the lack of clarity.”

Shea added that the Emirati authorities permitting protests about less sensitive issues should not be taken as an indication that the UAE is softening its line on protests overall.

Shea said: “I think there is a risk that Cop28 will be very effective in whitewashing the Emirates’ reputation if some protests on less sensitive issues

are allowed to go ahead, while they take a harder line against protests on issues like political prisoners, harms linked to the UAE's own fossil fuel production or rights for migrant workers. Just because there's an opening on some issues during Cop doesn't mean there is rights-respecting tolerance in the UAE."