

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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NEW YORK UNIVERSITY, UAE AUTHORITIES QUASH CAMPUS FREEDOM

During the 2023–2024 academic year, authorities of the United Arab Emirates (UAE) and the administration of New York University (NYU) both acted to suppress and punish freedom of expression, peaceful assembly and association at the university's Abu Dhabi campus in the UAE. Measures taken by the university included refusal to allow a number of social, cultural, political and educational events on campus; prohibition of a wide range of modes of expression at the year's graduation ceremony; and suggestions to students and faculty seeking to exercise their rights to freedom of expression, peaceful assembly and association that there would be punishment from the Emirati government if they did so. Measures taken by the Emirati government included forcible return of a student and instructor to their country of origin, and arbitrary summons, interrogation and detention of faculty members. In all cases documented by Amnesty International, the repressive actions by the university and the government were based on speech related to the relentless Israeli onslaught and ongoing humanitarian catastrophe in the occupied Gaza Strip.

This public statement is based on accounts Amnesty International obtained from multiple faculty members at the Abu Dhabi and New York campuses of NYU, from a student at the Abu Dhabi campus, from one of the two university members forcibly returned from Abu Dhabi to their country of origin, and from an individual involved in a cancelled campus event, as well as on public reports, including those from the [NYU chapter](#) of the American Association of University Professors, the [Middle East Studies Association](#) of North American university professors, NYU's New York campus newspaper, and [higher education trade journals](#). The events at NYU in Abu Dhabi coincide with repression of protests at a number of campuses in the US,¹ and sources who spoke to Amnesty International described how the university administration in Abu Dhabi at one point invoked the possibility of reprisal by the Emirati government if faculty on the campus there criticized the administration in New York. Amnesty International emailed the New York University administration on 2 July 2024 to solicit its remarks on these events, and as of this publication had not received a reply.

UNIVERSITY SUPPRESSION OF CAMPUS EVENTS

Since intensive Israeli military operations in Gaza began after the attacks of 7 October 2023, the administration of New York University in Abu Dhabi (NYUAD) has acted to prevent university members from freely speaking, organizing and protesting on this issue, which has aroused considerable interest and concern on NYU campuses in both the US and the UAE. Under the operative rules on the NYUAD campus, no extracurricular event may be held, nor fliers for them distributed, without the NYUAD administration's prior approval. Since the current Israel-Gaza conflict began, the NYUAD administration has denied permission to students, faculty and invited speakers to hold at least five events on campus:

- 1) a vigil for Palestinian deaths, which was to be held on 23 October 2023
- 2) three events to be held on 23 November 2023, comprising:
 - a. a roundtable discussion by NYUAD faculty of Palestinian history;
 - b. a workshop with the activist art group Fearless Collective; and
 - c. a Palestinian poetry night; plus
- 3) an invited talk by author Matthew Teller about Jerusalem, on 29 April 2024.

In the case of the Palestinian poetry night, the administration first told the student organizers that they had to postpone the event from 17 November 2023, when it was originally scheduled, and then denied permission for the revised date of 23 November 2023. In addition, the NYUAD administration obstructed and changed the nature of a sixth event, refusing to permit the South Asian student interest group Sahana to hold an open-mic night they had planned for 16 November 2023, apparently because the proposed flier for the event included the words "resistance" and "solidarity". The event had

¹ Amnesty International USA, "Amnesty International Urges University Administrations to Respect and Protect Students' Right to Protest", 24 April 2024, <https://www.amnestyusa.org/press-releases/amnesty-international-urges-university-administrations-to-respect-and-protect-students-rights-to-protest/>

to be postponed to 23 November 2023, with the offending conceptual framing removed from the flier, and could no longer be an open-mic event but had to comprise only performers who had been pre-approved by the administration.

As a student at the campus summarized the situation to Amnesty International, “Throughout the [academic] year they [NYUAD administrators] would call in Palestinian and pro-Palestinian students and try to intimidate them and silence them... It’s pretty common that [Palestine-related] events have been getting cancelled throughout the [academic] year.” According to this person’s account, while students were in many cases called in to meet with administrators due to their attempts to organize Palestine-related events, in one case (at least) a student was called in for no apparent reason other than his/her Palestinian ethnicity, and told by administrators not to engage in any kind of pro-Palestine organizing.

University administrators imposed highly restrictive rules against verbal and symbolic expression at the graduation (“commencement”) ceremony held on 22 May 2024. In an email sent on 17 May 2024, and [reproduced](#) in NYU’s New York campus student newspaper, the *Washington Square News*, NYUAD Vice Chancellor Mariët Westermann, Provost Arlie Petters and Associate Vice Chancellor of Student Affairs Baishakhi Taylor announced a ban on all “bags”, “signs, pins, shirts, scarves, symbols, or inscriptions”, “banners, ... posters, flyers, flags, flag-like attire”, or any other “items not required for the ceremony”, for both students and guests. The university also had security staff make students remove their ceremonial gowns before entering the venue, and then search them again as they entered the line of diploma recipients, to make sure no such expressive items were present.²

These measures, although very broadly framed, appear to have targeted specifically expression related to Palestine. An NYUAD student with direct knowledge of the issue told Amnesty International that, prior to the university announcement that all such expressive items would be banned, a number of students had discussed plans in public university forums open to students and administrators alike to wear kuffiyehs in significant numbers at the graduation ceremony. (The kuffiyeh is a traditional Arab headscarf now popularly associated with Palestine). The *Washington Square News* article quotes Jacqueline Hennecke, a student who was present during the ceremony and during preparations for it, relaying that on 21 May 2024 Vice Chancellor Westermann made a speech justifying the banning of kuffiyehs specifically.

Amnesty International has reviewed footage of the 2023 graduation ceremony a year prior, which shows multiple students wearing kuffiyehs, so the choice to suppress this particular form of expression was clearly made in the current academic year, that is, since the current crisis in the Gaza Strip began. During the graduation ceremony, which was attended by NYU President Linda Mills, the university’s official filming and editing of the events was done in such a way as to exclude footage of actions of symbolic protest, for example by cutting away from students who gave a thumbs-down gesture or made statements in support of the Palestinian people in sign language or had illustrations expressing such sentiments drawn on their hands, and blurring out the hands of these students if their signs or symbols did happen to be captured in the camera frame.³

According to faculty sources, during May 2024, NYUAD Provost Petters orally told an Abu Dhabi faculty meeting that criticizing NYU’s leadership (over arrests of student demonstrators on the New York campus) could lead to prosecution under Emirati law. While Emirati law is highly repressive, and therefore certain warnings about its effects could be intended to protect the person addressed, Amnesty International is unaware of any case in which Emirati authorities have prosecuted criticism of foreign nationals outside the UAE who are not government leaders of states allied with the UAE. In context, Provost Petters’s statement appears to have been intended not to protect faculty members but rather to prevent them from criticizing the university administration.

REPRESSIVE GOVERNMENT ACTIONS AGAINST MEMBERS OF THE UNIVERSITY COMMUNITY

In addition to the actions of the university administration, the Emirati government has intervened against the rights to freedom of expression, peaceful assembly and association on the NYU campus in Abu Dhabi through arbitrary summons, interrogations, detentions and the forcible return of members of the university community based on their public stances on issues relating to Palestine and the ongoing war in Gaza. Amnesty International’s research shows that repressive government actions have affected at least ten members of the university community, both faculty and students.

² Washington Square News, “‘Extremely disturbing’: Concerns over academic freedom at NYU Abu Dhabi surface following policies restricting attire at graduation”, 9 June 2024, <https://nyunews.com/news/2024/06/09/nyu-abu-dhabi-free-speech/>; Chronicle of Higher Education, “Protests add a new wrinkle to overseas-campus debate”, 20 June 2024, <https://www.chronicle.com/newsletter/latitudes/2024-06-20>

³ Washington Square News, “Concerns over academic freedom at NYU Abu Dhabi” (previously cited).

In October 2023, Emirati authorities summoned at least eight NYUAD staff, including faculty members, for interrogation by the Ministry of Interior after they held a teach-in and attempted to organize a vigil on campus relating to the conflict in Gaza and Israel. Some of those interrogated were held overnight by the Ministry of Interior, for upwards of 10 hours.

As the NYU chapter of the American Association of University Professors first [reported](#) in May 2024, the Emirati government has arbitrarily and forcibly returned at least one student and one instructor at NYUAD to their countries of origin in 2024. Amnesty International has confirmed these events, in one case directly with the victim, and in the other case with people on the NYUAD campus at the time of the incident, including confirmation of the fact that in both cases the forcible return was based on the victims' positions relating to Palestine.

In April 2024, an instructor of Palestinian nationality at NYUAD was orally ordered by Emirati authorities to leave the country under a one-year ban, without any explanation or legal recourse. The NYUAD administration secured one extra week for this person to conclude their affairs before leaving the country, but was otherwise unable or unwilling to protect its staff member from being coerced into departure from the country. Dean of Students Michael Martinez told students on the Abu Dhabi campus that the reason the instructor was ordered to leave the country was their political opinion on issues relating to Palestine, about which s/he had spoken with colleagues openly.

At the graduation ceremony on 22 May 2024, one student held up a kuffiyeh and shouted "Free Palestine!". Emirati authorities detained him as soon as he left the venue, and after one week forcibly returned him to his country of origin. Amnesty International has independently confirmed this incident, which has also been [reported](#) by the Associated Press.

INCREASED CLIMATE OF FEAR

All universities operating in the UAE face constraints on freedom of expression and peaceful assembly due to the repressive laws and actions of the national government. The government outlaws expression "by speech, writing, or in any other way" that "propagates" opposition to "the fundamental principles on which the system of rule in the state is based", and imposes a mandatory minimum prison sentence of 15 years on anyone who "damages the reputation or prestige" of President Mohamed bin Zayed.⁴ Authorities continue to imprison scores of dissidents convicted by [mass trial](#), including dozens who signed a pro-democracy petition in 2011. This environment poses a challenge to any university's commitment to academic freedom and freedom of expression, as well as its responsibility to protect human rights in line with global human rights standards. In the case of the Abu Dhabi campus of New York University, the university administration itself has also taken actions to suppress freedom of expression and association.

The combination of university and state action has led to greater fear and reduced space for expression and peaceful assembly on the Abu Dhabi campus. The shrinking of the space for free expression, and the specific targeting of views related to Palestine, are apparent in the facts that kuffiyehs went from widely present to banned during the graduation ceremony from one academic year to the next, and that the university imposed the ban at an event on campus even while kuffiyehs are still commonly sold and worn in the country at large.

The deteriorating climate is reflected in new fears among students of surveillance on campus and of being identified saying anything critical of the university in press reports. On 18 May 2024, a member of NYUAD's student government, according to a text message to a WhatsApp group reproduced by the *Washington Square News*, informed others in the student community of "increased surveillance on campus". The student who wrote this text requested anonymity from the paper due to "safety concerns", and witnesses to campus events who spoke with the *Chronicle of Higher Education* also "asked not to be named because of fears about the consequences of speaking out". A student at NYUAD and faculty from both the New York and Abu Dhabi campuses who spoke to Amnesty International expressed fears of reprisal from both the government and the university administration.

INTERNATIONAL HUMAN RIGHTS LEGAL STANDARDS

The UAE is not a party to either of the International Covenants on human rights. However, the prohibition of arbitrary detention is considered to be part of customary international law and is therefore binding on all states.⁵ The UN Working Group on Arbitrary Detention has found that expulsion of migrants without "legal guarantees", including review by a court

⁴ UAE, Federal Act No. 31 of 2021 Issuing the Law on Crimes and Punishments, Articles 189, 188 and 183.

⁵ UN Human Rights Committee, General Comment 24: Issues Relating to Reservations Made upon Ratification or Accession to the Covenant or the Optional Protocols thereto, or in Relation to Declarations under Article 41 of the Covenant, 4 November 1994, UN Doc. CCPR/C/21/Rev.1/Add.6, para. 8, stating that certain "provisions in the [International] Covenant [on Civil and Political Rights]... represent customary international law" and that these include the rule that a state may not "arbitrarily arrest and detain persons".

or other “impartial body”, is arbitrary.⁶ Thus the UAE’s arbitrary detention of at least eight faculty members in October 2023, and the subsequent detention and forcible return of two legally resident members of the university community to their countries of origin in spring 2024 were not in compliance with international human rights standards.

THE HUMAN RIGHTS RESPONSIBILITIES OF UNIVERSITIES

Unlike state authorities that have an obligation to respect, protect and fulfil human rights, universities do not automatically have directly binding human rights obligations under international law. Nonetheless, international human rights law and standards recognize that universities – whether as state actors (that is, publicly run colleges and universities) or private actors – play a key role in protecting and promoting the human rights of members of their communities.⁷ Furthermore, both the UN Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression have outlined a range of responsibilities that universities and higher education institutions owe to their staff and students, drawn from international law and statements of intergovernmental bodies.

Both UNESCO and the UN Special Rapporteur have stipulated in respective recommendations that universities and all higher education institutions should:

- provide “effective support for academic freedom and fundamental human rights” to students and staff;⁸
- ensure that students are treated fairly and without discrimination;⁹
- adopt policies and procedures to ensure equitable treatment of students and to eliminate sexual and racial harassment;¹⁰
- ensure that higher education personnel are not impeded in their work in the classroom or in their research capacity by violence, intimidation or harassment;¹¹
- ensure access, without censorship, to modern teaching, research and information resources, including providing information required by students for scholarship or research;¹²
- design and implement appropriate systems of accountability, including quality assurance mechanisms, to achieve these goals;¹³ and
- ensure that members of academic communities have protection against coercion by third parties, whether the state or groups in society, which requires, in particular, institutions to stand up for members of their communities who face attack or restriction owing to the exercise of their academic freedom.¹⁴

The responsibilities of universities to respect human rights are also assessed using the framework of the UN Guiding Principles on Business and Human Rights (the “UN Guiding Principles”).¹⁵ These emphasize that such entities should engage in ongoing due diligence efforts to “prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services ... even if they have not contributed to those impacts”.¹⁶ According to the UN Guiding Principles, this responsibility is independent of a state’s own human rights obligations and exists over and above

⁶ UN Working Group on Arbitrary Detention, Report, 15 December 2003, UN Doc. E/CN.4/2004/3, para. 86.

⁷ Report of the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, 28 July 2020, UN Doc. A/75/261, para. 12. Also, UN Human Rights Committee, General Comment No. 37 (2020) on the Right of Peaceful Assembly (Article 21), 17 September 2020, UN Doc. CCPR/C/GC/37, para. 31.

⁸ UN Educational, Scientific and Cultural Organization, Recommendation Concerning the Status of Higher-Education Teaching Personnel, 11 November 1997, para. 22(c).

⁹ UNESCO (previously cited), para. 22(f).

¹⁰ UNESCO (previously cited), para. 22(g).

¹¹ UNESCO (previously cited), para. 22 (h).

¹² UNESCO (previously cited), para. 22(o).

¹³ UNESCO (previously cited), para. 24.

¹⁴ UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (previously cited), para. 58(b).

¹⁵ There is a growing understanding that the UN Guiding Principles are an appropriate standard for assessing the human rights responsibilities of organizations that are not “businesses”. For example, see Domenico Carolei, Nadia Bernaz, “Accountability for Human Rights: Applying Business and Human Rights Instruments to Non-Governmental Organizations”, November 2021, *Journal of Human Rights Practice*, Volume 13, Issue 3, <https://doi.org/10.1093/jhuman/huab042>, pp. 507–528.

¹⁶ UN Guiding Principles on Business and Human Rights, Implementing the United Nations “Protect, Respect and Remedy” Framework (UN Guiding Principles), 21 March 2011, A/HRC/17/31, Principle 13(b).

compliance with national laws and regulations protecting human rights.¹⁷ The application of the UN Guiding Principles also makes clear that such institutions, whether they are state or privately-owned, have a due diligence responsibility to identify and prevent any human rights violations by foreign state actors, to carry out their own independent monitoring and investigation of any alleged rights violations, and to put in place appropriate mechanisms to enable students and staff to exercise their rights on campus and in relation to their academic activities without external interference.¹⁸

CONCLUSION AND RECOMMENDATIONS

Given that there have now been public accounts of these incidents from two academic bodies, the New York campus's student newspaper, two journals in the higher education trade press, and the [Associated Press](#), the NYU administration should be well aware of the suppression of freedom of expression and association on its Abu Dhabi campus. To the best of Amnesty International's knowledge, the administration has not yet taken remedial actions, either to mitigate and redress the harm done to those whose rights have been violated or to prevent recurrence. Amnesty International accordingly makes the following recommendations.

TO THE NYU ADMINISTRATION

- Publicly state that it accepts and affirms the right of members of the university community on all its campuses, including its Abu Dhabi campus, to express their views, join together in association to champion their views, and peacefully assemble to discuss and demonstrate in support of their views, including specifically with respect to Palestine and Israel;
- Take administrative action at the highest levels to instruct the local administration at the Abu Dhabi campus not to suppress or censor events organized by members of the university community on campus; and
- Refrain from any acts of reprisal against students, faculty and other staff involved in the expression of their opinions on the war in Gaza or the university's reaction to student protests against it, noting particularly the need to protect the two members of the Abu Dhabi campus community who were forcefully returned to their home countries and those students who engaged in verbal or symbolic expression at the 22 May 2024 graduation ceremony.

TO UAE AUTHORITIES

- Cease arbitrarily detaining, forcibly removing from the country, and/or otherwise punishing residents and citizens of the UAE for the expression of their opinions;
- Accede to the International Covenant on Civil and Political Rights; and
- Annul all laws criminalizing the exercise of the rights to freedom of expression, peaceful assembly and association.

¹⁷ UN Guiding Principles (previously cited), Principle 11 including Commentary.

¹⁸ Amnesty International, *"On My Campus, I Am Afraid": China's Targeting of Overseas Students Stifles Rights* (Index: ASA 17/8006/2024, <https://www.amnesty.org/en/documents/asa17/8006/2024/en/>, p. 54.