

URGENT ACTION

SENTENCES UPHELD FOR EIGHT OMANI ACTIVISTS

The Omani Supreme Court has upheld sentences against eight activists, while referring the cases of eight others for retrial. On the basis of information received by Amnesty International, all 16 activists appear to be held solely for peacefully exercising their rights to freedom of expression and assembly and therefore to be prisoners of conscience.

On 25 February the Supreme Court in Oman upheld the sentences of five activists: **Ali al-Muq̄bali, Mohammed al-Habsi, Abdullah al-Siyabi, Hilal al-Busa'idi** and **Abdullah al-Abdali**. The latter four were charged with insulting the Sultan and breaching the internet law, and now face one year's imprisonment and fines amounting to 1,000 Omani riyals (around US\$2,600) each. Ali al-Muq̄bali faces one year's imprisonment for breaching the internet law.

On 4 March, eight of the 11 activists that were sentenced for unlawful gathering in August 2012 had their appeals accepted by the Supreme Court, and their cases were sent back to the Muscat Appeal Court for retrial. These eight activists are **Sa'eed al-Hashemi**, lawyer **Basma al-Kiyumi**, **Basimah al-Rajih**, **Nasser al-Ghilani**, **Abdullah al-Ghilani**, **Badr al-Jabri**, **Mukhtar al-Hina'i** and **Mahmoud al-Jamoudi**. The appeals of the other three – **Mohammed al-Fazari**, **Mahmoud al-Ruwahi** and **Khaled al-Nofali** – were rejected, and their sentences of six months' imprisonment and a fine of 200 Omani riyals upheld. Some activists believe that their appeals may have been rejected on technical grounds and, as such, they may be able to resubmit their appeals to the Supreme Court. The eight are currently detained, but are to apply for release on bail in the meantime.

The 16 activists were among the 31 people who went on hunger strike in February 2013 in protest at the delay by the Supreme Court in hearing some of their appeals. They suspended their hunger strike on or around 24 February 2013 after they were informed that some of their appeals would be heard. In separate trials between 26 June and 16 September 2012, at least 36 activists had been convicted on charges such as insulting the Sultan, using the internet to publish defamatory material, unlawful gathering and publishing harmful and provocative material. Most began serving their sentences immediately after they were upheld.

Please write immediately in Arabic, English or your own language:

- Expressing concern that the 16 activists whose cases were reviewed by the Supreme Court in February and March appear to be held solely for peacefully exercising their rights to freedom of expression and assembly and therefore to be prisoners of conscience;
- Calling on the authorities to release, immediately and unconditionally, all those held solely for peacefully exercising their rights to freedom of expression and assembly, to drop the charges against those awaiting trial and to overturn the convictions of those already sentenced.

PLEASE SEND APPEALS BEFORE 18 APRIL 2013 TO:

Head of State and Prime Minister

His Majesty Sultan Qaboos bin Sa'id
Diwan of the Royal Court
The Palace
Muscat 113
Sultanate of Oman
Fax: +968 24 735 375
Salutation: Your Majesty

Minister of the Interior

His Excellency Hamoud bin Faisal bin
Said Al Busaidi
Minister of the Interior
Ministry of Interior
PO Box 127, Ruwi 112, Muscat
Sultanate of Oman
Salutation: Your Excellency

And copies to:

Chairman, National Human Rights
Commission
Mr Mohammed bin Abdullah Al Riyami
P.O. Box 29, Postal Code: 103
Bareq A' Shati
Muscat, Sultanate of Oman
Fax: +968 24 648 801

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date. This is the sixth update of UA 174/12. Further information:

<http://amnesty.org/en/library/info/MDE20/005/2012/en>

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ADDITIONAL INFORMATION

Dozens of Omani activists have been sentenced or are standing trial in relation to the peaceful exercise of their rights to freedom of expression and assembly. The trials began in 2012 after numerous writers, activists and bloggers were arrested in Oman in late May and early June 2012. During this time, Oman's Public Prosecution issued a number of statements threatening to take legal action against anyone who publishes "offensive writing" in the media or online deemed to incite others to action "under the pretext of freedom of expression".

The crackdown began on 31 May 2012, with the arrest of three activists who tried to travel to Fohoud oil field – approximately 250km south-west of Muscat – to document an oil workers' strike that had started a week earlier. The three –Yaqoub al-Kharousi, Habeeba al-Hina'i and Ismail al-Muqbali – were reportedly charged in connection with inciting a protest. In June several dozen more writers and activists were arrested – at least 22 people were detained on 11 June alone after protesting peacefully outside Muscat's police headquarters, where they were calling for the three arrested on 31 May to be set free.

On 5 December the Muscat Appeal Court upheld convictions against five men and a woman for insulting the Sultan and using the internet to publish defamatory material. Abdullah al-Abdali, Bassam Abu Qasida, Hilal al-Busa'idi, Issa al-Mas'udi, and Muhammad al-Kiyumi received sentences of one year's imprisonment and a fine of 1,000 riyals (around US\$2,600) each. The woman, Maymouna al-Badi, left the court with a sentence of 20 days' imprisonment.

On 12 December the Muscat Appeal Court upheld the Court of First Instance's convictions of 11 men and one woman for insulting the Sultan and using the internet to publish defamatory material. Ten of the men – Abdullah al-Arimi, Abdullah al-Siyabi, Ali al-Muqbali, Hamad al-Kharousi, Mahmoud al-Rawahi, Mohamed al-Badi, Mohamed al-Habsi, Nabhan al-Hanashi, Rashed al-Badi and Taleb al-Ebri – and the woman, Mona Harden, were sentenced to one year's imprisonment and a fine of ranging from 200 to 1,000 riyals (around US\$520 to US \$2,600). The 12th defendant, Hamoud al-Rashidi, received a suspended six-month prison sentence.

Verdicts against 11 other activists, nine men and two women, who had been sentenced to six months in prison and a fine of 200 riyals for unlawful gathering, were also upheld by the Appeal Court on 12 December. The 11 activists are Abdullah al-Ghilani, Badr al-Jaberi, Basimah al-Rajihhi, Basma al-Kiyumi, Khaled al-Nawfali, Mahmoud al-Jamoudi, Mahmoud al-Rawahi, Mohamed al-Fazari, Mukhtar al-Hina'i, Nasser al-Ghilani and Sa'eed al-Hashimi.

On 16 January 2013, the Muscat Appeal Court upheld the sentences against seven activists for insulting the Sultan and violating Oman's internet laws of between 12 and months' imprisonment and a fine of 1,000 riyals. The seven are Usama al-Tawayyah, Ahmed al-Mu'ammari, Awadh al-Sawafi, Mukhtar al-Hina'i, Mohammed al-Jamoudi, Ismail al-Muqbali and Hassan Raqishi. Mohammed al-Jamoudi and Mukhtar al-Hina'i were already serving sentences that were upheld on 12 December. Two others tried in the same case, Ishaq al-Aghbari and Ali al-Hajji, had their sentences reduced to three and six months' imprisonment respectively.

Name: Ali al-Muqbali (m), Mohammed al-Habsi (m), Abdullah al-Siyabi (m), Hilal al-Busa'idi (m), Abdullah al-Abdali (m), Sa'eed al-Hashemi (m), Basma al-Kiyumi (f), Basimah al-Rajihhi (f), Nasser al-Ghilani (m), Abdullah al-Ghilani (m), Badr al-Jabri (m), Mukhtar al-Hina'i (m), Mahmoud al-Jamoudi (m), Mohammed al-Fazari (m), Mahmoud al-Ruwahi (m) and Khaled al-Nofali (m)

Gender m/f: both

Further information on UA: 174/12 Index: MDE 20/002/2013 Issue Date: 7 March 2013