

URGENT ACTION

PEACEFUL ACTIVISTS FACE PRISON IN OMAN

At least seven activists have been sentenced to imprisonment and over 20 charged with offences related merely to peacefully exercising their rights to freedom of expression and assembly.

On 9 July poet **Hamad al-Kharousi** was sentenced by the Primary Court in the Omani capital Muscat to one year's imprisonment and a fine of 200 Omani riyals (approximately US\$520) after being convicted of insulting the Sultan and using the internet to publish defamatory and insulting materials. **Hamoud al-Rashidi**, a writer, was given a six-month sentence and also a fine of 200 Omani riyals.

On 16 July another five activists were sentenced by the same court to jail terms of between one year and 18 months. They were charged with offences including publicly insulting the Sultan, using the internet to publish defamatory and insulting materials and publishing materials harming public order. Those sentenced were university student **Mona Harden**, who writes on Facebook under the name 'Wardat Dhofar' (Dhofar Rose), fellow student **Mohamed al-Badi**, poet **Abdullah al-'Arimi**, photographer **Mohamed al-Habsi** and **Taleb al-'Ebri**. As well as being sentenced to imprisonment, all five were fined 1,000 Omani riyals (around US\$2,600). All five activists, as well as Hamad al-Kharousi and Hamoud al-Rashidi, have been released on bail pending appeals.

More than 20 other Omani activists face similar prison terms after being charged with a number of offences connected to the exercise of their rights to freedom of expression and assembly. These charges include protesting, inciting protests, insulting the Sultan, and obstructing traffic. **Ahmed al-Ma'ammari**, **Awad al-Sawafi**, **Abdullah al-'Abidi** and **Usama Aal Tawayya** were said to have been charged on 25 July with offences including insulting the Sultan and using the internet to publish materials harming public order.

Trials have begun to take place following a string of arrests of writers, activists and bloggers in late May and early June 2012. A number of those charged and facing trial have been released on bail. On or around 26 June, **Sa'eed al-Hashimi**, **Basimah al-Rajhi** and **Basma al-Kiyumi** were released on bail.

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

- Calling for the immediate and unconditional release of all detainees held solely for peacefully exercising their rights to freedom of expression and assembly as Amnesty International considers them to be prisoners of conscience;
- Calling for all charges to be dropped and convictions to be overturned if they are solely related to the peaceful exercise of the rights to freedom of expression and assembly;
- Calling on the authorities to ensure that any legal proceedings in these cases conform to international fair trial standards.

PLEASE SEND APPEALS BEFORE 5 SEPTEMBER 2012 TO:

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

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:

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

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Fax Fax number Email Email address Salutation Salutation Please check with your section office if sending appeals after the above date. This is the first update of UA 174/12. Further information: <http://www.amnesty.org/en/library/info/mde20/001/2012>

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ADDITIONAL INFORMATION

Protests in Oman in January and February 2011 – sparked by popular unrest across the Middle East and North Africa – led to a number of reforms. On 27 February 2011 Oman's head of state, Sultan Qaboos, ordered the creation of 50,000 jobs and 150 Omani riyals a month (approximately US\$390) in benefits for the unemployed in response to protesters' demands. On 7 March, Sultan Qaboos made a wide-ranging reshuffle and restructuring of the cabinet, sacking a number of ministers.

However, the Omani authorities have continued to maintain strict restrictions on freedom of expression and assembly and protests against the authorities have continued intermittently since March 2011. Protesters have voiced the need for greater freedom of the press and for certain current and former ministers to be held to account for offences they are alleged to have committed while in office. Scores of protesters were arrested and many brought to trial in 2011, while at least one man was reported to have died when police forcibly dispersed protesters in the town of Sohar.

The recent arrests began on 31 May 2012 when 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 were arrested. The three - lawyer Yaqoub al-Kharousi and activists Habeeba al-Hina'i and Ismail al-Muqbali from the newly formed Omani Group for Human Rights - were reportedly charged in connection with inciting a protest. Habeeba al-Hina'i and Yaqoub al-Kharousi were released on bail on 4 June, but Ismail al-Muqbali remains in detention.

Following this, more arrests took place of writers and activists in early June. At least 22 people were arrested on 11 June alone after protesting peacefully outside the police headquarters in Muscat. The protesters were calling for the release of those who had been detained since 31 May.

The Public Prosecution issued a number of statements during this time, one of them on 4 June saying legal action would be taken against anyone who publishes "offensive writing" in the media or online that is deemed to be "inciting" others to action "under the pretext of freedom of expression". On 10 June a public prosecutor confirmed the arrests in the *Times of Oman*, saying "we are keeping a watch on the bloggers who use such platforms". Another statement by the Public Prosecution, which was issued in English on the Oman News Agency website on 13 June, said: "It has been noticed that there are growing participations and negative writings on discussion forums, social networking websites and mobile applications. These writings include libels, spreading rumors, provoking sit-ins and strikes. Such writings are against values and morals of the Omani society, principles of the freedom of expression, as well as objectives of the constructive criticism. Such practice prejudices the national security and public interests. It is also a violation of the laws in force... A number of violators and perpetrators, who have been recently arrested, will be interrogated and referred to the judicial departments as per the legal procedures in force in this regard."

The right to freedom of expression and assembly are guaranteed under international human rights law and standards. Where restrictions are imposed they must be for certain specific purposes, which include the rights and reputation of others, and must be demonstrably necessary and proportionate and must not put in jeopardy the right itself. Political public figures should tolerate a greater degree of criticism, not less, than people generally, and accordingly, criminal or other laws which provide special protection against criticism for public officials are not consistent with respect for freedom of expression.

Name: Hamad al-Kharousi (m), Hamoud al-Rashidi (m), Mohamed al-Badi (m), Mona Hardan (f), Abdullah al-'Arimi (m), Taleb al-'Ebri (m), Mohamed al-Habsi (m), Ahmed al-Ma'ammari (m), Awad al-Sawafi (m), Abdullah al-Abidi (m), Usama Aal Tawayya (m), Sa'eed al-Hashimi (m), Basimah al-Rajih (f) and Basma al-Kiyumi (f)
Gender m/f: both

Further information on UA: 174/12 Index: MDE 20/002/2012 Issue Date: 25 July 2012