

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### United Arab Emirates: Release prisoners of conscience and stop attacks on freedom of expression

Today, on the second anniversary of the “UAE 94” trial that convicted 69 government critics and reform activists in the United Arab Emirates (UAE), Amnesty International renews its call on the government to release immediately and unconditionally all prisoners of conscience imprisoned following the grossly unfair trial.

Amnesty International urges the UAE, currently a member of the UN Human Rights Council, to honour its obligations to uphold human rights at home, including respecting the rights to freedom of opinion and expression, and the freedoms of association and peaceful assembly.

The UAE 94 trial began on 4 March 2013 before the State Security Chamber of the Federal Supreme Court in Abu Dhabi. The proceedings saw a total of 94 defendants stand trial, including eight *in absentia*, on the charge of establishing an organization that aimed to overthrow the government, a charge which they all denied.

The proceedings failed to meet international fair trial standards. Most defendants had been held for months, some for up to a year, in secret detention facilities with little or no access to the outside world and with no access to lawyers. Many told the court during the trial that they had been tortured or otherwise ill-treated in pre-trial secret detention but the presiding judge failed to order an independent investigation into these allegations. “Confessions” obtained under conditions of duress were accepted as evidence against them by the court. On 2 July 2013, 69 of the defendants, including prominent lawyers, judges, academics and former government advisors, were convicted and denied their right to appeal.

In November 2013, the UN Working Group on Arbitrary Detention found that their arrest and detention had resulted from the exercise of their rights to freedom of opinion and expression, and to freedom of peaceful assembly and association. The UN Working Group declared their detention arbitrary and called on the UAE authorities to release them and afford them appropriate reparation.<sup>1</sup>

However, two years on, the government is still refusing to release the men, who include prominent academic and human rights lawyer **Dr Mohammed al-Roken**, law professor and former judge **Dr Ahmed al-Zaabi**, and blogger and student **Khalifa al-Nuaimi**. Despite the widespread condemnation of the trial by UN bodies and human rights organizations, and their calls to investigate torture allegations, the UAE authorities also continue to deny the prevalence of torture in its secret detention facilities.

In the last few years the government has persisted in crushing any form of dissent by continuing its pattern of harassment, arbitrary arrest and detention, torture and other ill-treatment, and unfair trials targeting government critics, pro-reform activists and human rights defenders.

The authorities have also harassed prisoners’ families by taking measures such as arresting those who have expressed their criticism of the trial and the human rights situation in the country through social media platform Twitter. Relatives of the prisoners have been subjected to enforced disappearance, torture and other ill-treatment, or placed on travel bans. In February 2015, the State Security

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<sup>1</sup> United Nations General Assembly, Human Rights Council, Working Group on Arbitrary Detention, Opinions adopted by the Working Group on Arbitrary detention at its 68th Session (13-22 November 2013), UN Doc A/HRC/WGAD/2013/60.

apparatus arrested and held in secret detention three sisters, Asma Khalifa al-Suwaidi, Maryam Khalifa al-Suwaidi and Alyaziyah Khalifa al-Suwaidi, who had campaigned peacefully on Twitter for the release of their brother, **Dr 'Issa al-Suwaidi**, a prisoner of conscience sentenced to 10 years' imprisonment following the UAE 94 trial. In a 3 March reply to a Communication sent by various UN Special Rapporteurs expressing concern at the enforced disappearance of the women,<sup>2</sup> the UAE government said they had been arrested on charges of belonging to a terrorist organization and that they had been allowed to appoint a lawyer.<sup>3</sup> Amnesty International has received contrary information that the women had no access to the outside world for three months until they were released on 15 May, and were never informed of any charges against them.

Repression in the UAE has been entrenched with the enactment of the counter-terror law in 2014 and the cybercrime law in 2012, which the government has used to silence peaceful dissent, including Twitter activists.

The vague and overly broad definition of “terrorism” in the 2014 law treats a wide range of activities as amounting to terrorism, including the exercise of human rights protected by international law. The law may be used to imprison or sentence to death human rights defenders and peaceful activists who are critical of the government. Under this law, for example, an individual can be sentenced to a “temporary imprisonment” term for declaring “his opposition to the State, or to the ruling system therein or his non-allegiance to its leadership.” The law also provides life imprisonment or capital punishment for whoever commits an action or inaction “prejudicing the national unity.”

The authorities have also become increasingly hostile to independent human rights organizations reporting on the government's human rights violations from outside the country. In stark contrast to the glamorous, cosmopolitan, open society that the UAE government has invested in portraying to the international community, the UAE has become a country in which there is no tolerance for the peaceful exercise of freedom of expression and political dissent – a country that is open to business and tourism but closed to independent human rights researchers.

In May 2015, the government barred Amnesty International expert James Lynch from entering the country.<sup>4</sup> James Lynch, the organization's Acting Head of Business and Human Rights, was refused entry upon arrival at Dubai airport on 26 May and forced to return to the UK. He had been invited to attend a Middle East Economic Digest Construction Leadership Summit (MEED) to speak about the responsibility of corporations to ensure migrant workers' rights are respected in the massive construction boom across the Gulf region. A deportation order held by an official at the airport said he was “Prevented from entering the country for reasons of security”. In March 2015, Professor Andrew Ross from New York University (NYU) was also denied entry. He had been working on labour rights issues around the NYU campus in Abu Dhabi. In January 2014, staff from Human Rights Watch were told they were barred from entering the country. In March 2013, the government denied entry to an Amnesty International trial observer and other independent experts who wanted to attend the UAE 94 trial proceedings that the government insisted was “open”. A number of international journalists have also been deported from the UAE for their critical reporting of migrant rights issues in the country.

Not only is the government refusing to allow independent human rights monitors in, it is also refusing local human rights defenders to travel abroad. The UAE government has refused to lift the illegal travel ban they have placed on prominent human rights defender Ahmed Mansoor and to return his passport, which they confiscated in 2011. There is no legal justification, even under UAE law, for the authorities to deny him his passport and restrict his freedom of movement. Ahmed Mansoor is one of the “UAE 5”

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<sup>2</sup> Joint Communication sent from Working Group on Arbitrary Detention; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the independence of judges and lawyers; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, 20 February 2015, UA ARE 1/2015, [https://spdb.ohchr.org/hrdb/29th/public - UA UAE 20.02.15 \(1.2015\).pdf](https://spdb.ohchr.org/hrdb/29th/public - UA UAE 20.02.15 (1.2015).pdf)

<sup>3</sup> Reply of the UAE Government, 3 March 2015, Ref: 2/3/32/76, [https://spdb.ohchr.org/hrdb/29th/UAE\\_03.03.15 \(1.2015\).pdf](https://spdb.ohchr.org/hrdb/29th/UAE_03.03.15 (1.2015).pdf)

<sup>4</sup> Amnesty International, UAE denies entry to Amnesty International expert, 27 May 2015 <https://www.amnesty.org/en/latest/news/2015/05/uae-denies-entry-to-amnesty-international-expert/>

activists who, in 2011, was convicted of “publicly insulting” officials following a trial that failed to meet international fair trial standards. He later received a presidential pardon. Ahmed Mansoor continues to face repeated intimidation and harassment. He was the target of a vicious smear campaign via social media and SMS messages that circulated throughout the UAE, labelling him a “traitor.” He has received death threats because of his activism, was physically assaulted twice, and continues to be subject to strict physical and electronic surveillance.

He is a finalist for the prestigious Martin Ennals Award for Human Rights Defenders this year but will be unable to attend the ceremony in Geneva in October due to his travel ban. Amnesty International believes that the continuing harassment and intimidation of Ahmed Mansoor is linked to his activism and is an attempt by the authorities to stop him from being able to peacefully exercise his rights to freedom of expression and association, and to hinder his work as a human rights defender.

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