

URGENT ACTION

DR NASSER BIN GHAITH CHARGED, CASE ADJOURNED

Dr Nasser bin Ghaith appeared before the State Security Chamber of the Federal Supreme Court in Abu Dhabi on 2 May. His case has been adjourned until 23 May. He is a prisoner of conscience and faces charges relating solely to the peaceful exercise of his right to freedom of expression and association.

Dr Nasser bin Ghaith appeared before the State Security Chamber of the Federal Supreme Court on 2 May. This was his second court appearance since his enforced disappearance on 18 August 2015. During the court session Dr Nasser bin Ghaith raised the issue of his enforced disappearance and ongoing secret detention, as he had done at his previous hearing on 4 April. He told the court that over nearly eight months, UAE officials held him in secret detention and tortured him by both beating and depriving him of sleep. The judge dismissed these allegations and did not order an independent investigation into his allegations of torture and other ill-treatment. His case has been adjourned until 23 May.

Dr Nasser bin Ghaith faces several charges including: "committing a hostile act against a foreign state" in relation to comments he made on Twitter criticising the Government of Egypt; "posting false information in order to harm the reputation and stature of the State and one of its institutions" based on comments he made on Twitter stating that he had not been given a fair trial in the "UAE 5" case; "posting false information" about UAE leaders and their policies; "offensively criticizing the construction of a Hindu temple in Abu Dhabi and inciting UAE citizens against their leaders and government" in reference to a Twitter posting that he told the court had been misinterpreted and had been intended to promote tolerance. Finally, he is charged with "communicating and cooperating with members of the banned al-Islah organization" because of meetings he had with individuals who were tried in the "UAE 94" case; and with "communicating and cooperating with the banned Emirates Ummah Party".

Please write immediately in Arabic or your own language:

- Urging the authorities to immediately and unconditionally release Dr Nasser bin Ghaith as he is detained solely for peacefully exercising his right to freedom of expression, association, and assembly;
- Urging them to order a full and independent investigation into his enforced disappearance and the allegations of torture, and that any proceedings against him exclude statements extracted under torture and other-ill-treatment or while he was subjected to enforced disappearance;
- Ensure that while he is detained, Dr Nasser bin Ghaith is protected from torture and other ill-treatment, and that he has regular access to a lawyer of his choice and his family.

PLEASE SEND APPEALS BEFORE 1 JULY 2016 TO:

Vice-President and Prime Minister

HH Sheikh Mohammed Bin
Rashid al-Maktoum
Prime Minister's Office
PO Box: 212000
Dubai, United Arab Emirates
Fax: +971 4 330 4044
Email: info@primeminister.ae
Twitter: @HShkMoh

Salutation: Your Highness

Minister of Interior

Sheikh Saif bin Zayed Al Nahyan
Zayed Sport City, Arab Gulf Street, Near
to Shaikh Zayed Mosque
POB: 398, Abu Dhabi
United Arab Emirates
Fax: +971 2 402 2762/ +971 2 441 5780
Email: moi@moi.gov.ae

Salutation: Your Highness

And copies to:

Crown Prince of Abu Dhabi
HH Sheikh Mohamed bin Zayed Al
Nahyan
Crown Prince Court
King Abdullah Bin Abdulaziz
Al Saud Street,
P.O. Box: 124
Abu Dhabi, United Arab Emirates
Fax: +971 2 668 6622
Twitter: @MBZNews

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

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the second update of UA 183/15. Further information:

<https://www.amnesty.org/en/documents/MDE25/3923/2016/en/>

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ADDITIONAL INFORMATION

In November 2013 Dr Nasser bin Ghaith was invited by the Emirates Ummah Party to give a speech on Islamic economy to its members. Dr Nasser bin Ghaith has no formal affiliation to this party, which was designated by the UAE as a “terrorist organisation” in November 2014. On 1 May 2016 the Emirates Ummah Party announced that he had been named as the Chairman of the party. The family of Dr Nasser immediately issued a statement on his behalf refuting this announcement. During his detention, Dr Nasser bin Ghaith told his interrogators that the Ummah party had offered him the chairmanship of the party and that he had declined this offer.

Amnesty International has reviewed a selection of Nasser bin Ghaith’s tweets prior to his arrest. Originally in Arabic, one is translated as follows, for example: *“My stance against the system in Egypt doesn’t mean that I don’t wish progress and revival for the country, even under his leadership [Sisi’s]; it’s the opposite, because the system will disappear and Egypt will remain. #A mere clarification”*. In another he states: *“Fighting injustice is not a choice but an inevitable destiny, when it affects lives. #Rabaa Square, the painful memory”*. None of the tweets reviewed by Amnesty International advocated violence or hatred.

In 2011, Dr Nasser bin Ghaith and four Emiratis (known as the “UAE 5”) were tried for statements they had made on the UAE Hewan website, which was an online political discussion forum. The authorities prosecuted the men on charges of “publicly insulting” the UAE’s President, Vice-President and Crown Prince in comments posted on the online discussion forum. Amnesty International designated all five men as prisoners of conscience as the UAE unlawfully prosecuted them for exercising their legitimate right to free speech, thereby violating international human rights law. Amnesty International also stated that the case, having no legitimate legal or factual basis, was brought to suppress and/or deter political dissent and therefore the trial, including its basis and procedures, was fundamentally unfair. See: <https://www.amnesty.org/en/documents/mde25/008/2011/en/>

In December 2011, the Secretary General of Amnesty International met with Nasser bin Ghaith.

Since 2011, the UAE authorities have mounted an unprecedented crackdown on freedom of expression and association in the country. The space for dissent has shrunk and many people, both Emiratis and non-Emiratis who have criticised the UAE government, its policies, or the human rights situation in the country have been harassed, arrested, tortured, or subjected to unfair trial and imprisonment. The authorities have arrested, detained, and prosecuted more than 100 activists and critics of the government, including prominent lawyers, judges, and academics, on broad and sweeping national security-related or cybercrimes charges and in proceedings that fail to meet international fair trial standards.

Name: Dr Nasser bin Ghaith
Gender m/f: m

Further information on UA: 183/15 Index: MDE 25/4069/2016 Issue Date: 20 May 2016