

## AMNESTY INTERNATIONAL PUBLIC STATEMENT

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# SIX MONTHS AFTER HER CAPTURE AT SEA, SHEIKHA LATIFA AL MAKTOUM STILL HELD INCOMMUNICADO

Today marks six months since Sheikha Latifa Mohammed bin Rashid Al Maktoum and five other people were detained at sea by Indian and United Arab Emirates (UAE) security forces. According to information obtained by Amnesty International, Sheikha Al Maktoum, a daughter of Sheikh Mohammed bin Rashid Al Maktoum, the Vice President and Prime Minister of the UAE and Ruler of the Emirate of Dubai, has been held incommunicado in an undisclosed location by the UAE since she was forcibly returned there on 4 March. The five non-Emirati people who were on board at the time the boat was seized were severely beaten, and then held in incommunicado detention in the UAE for around two weeks before they were released. Amnesty International considers this incident to have possibly entailed multiple violations of international human rights law by both India and the UAE, including arbitrary detention, torture, and enforced disappearance.

Amnesty International calls on the UAE to immediately disclose Sheikha Latifa Al Maktoum's whereabouts. If she is deprived of her liberty, she should have contact with lawyers and loved ones and access to all fair trial guarantees. If she is only held for having tried to flee the country or for any other reason incompatible with human rights standards, she should be immediately and unconditionally released and her right to freedom of movement, including travel abroad, should be respected. The UAE – a federal state of which Dubai is a constituent member – should act to ensure that Dubai respects the human rights of its citizens and all those under its jurisdiction. Amnesty International also calls on India to investigate the incident and the role of its security forces, including the allegations of beatings which could amount to torture or other cruel, inhuman, and degrading treatment, and ensure those responsible are held to account.

## BACKGROUND

Sheikha Latifa Al Maktoum, born in 1985, is one of three daughters named Latifa among the many children of Sheikh Mohammed bin Rashid Al Maktoum. According to media reports, in [summer 2000](#), one of Latifa's sisters, Sheikha Shamsa Al Maktoum, briefly ran away from her family to live independently before being snatched off a street in Cambridge, UK, by retainers of the Dubai royal court, an incident which surfaced in the [British press](#). Motivated in part by her sister's experience, Sheikha Latifa Al Maktoum attempted to flee to Oman in 2002 but was turned back at the border, arbitrarily detained and held incommunicado and without legal process, and tortured. She was not released until more than three years later, and her movements were thereafter tightly restricted by the royal court.

According to the witnesses Amnesty International spoke with, Sheikha Al Maktoum decided to try to flee Dubai again in 2017, and set out by sea on 24 February 2018. She was traveling with her close friend Tiina Jauhiainen, from Finland, aboard a yacht, the *Nostramo*, captained by French-U.S. national Hervé Jaubert, along with three Filipino crew members. Amnesty International has interviewed Tiina Jauhiainen, Hervé Jaubert, and Christian Elombo, a French national living in Oman at the time who helped coordinate logistical details of Latifa's flight; verified key background information in an interview with Kristen Cotton, an instructor at the site in Dubai where Sheikha Al Maktoum used to go skydiving; looked at satellite imagery tracking the *Nostramo's* course; and reviewed an INTERPOL document and an Omani court decision including details corroborating some of the events. Amnesty International wrote to the UAE Foreign Ministry on 1 August 2018 to inquire about the case, and to the Embassy of India in Abu Dhabi on 31 August 2018, but has received no response to date.

## THE RAID ON THE *NOSTROMO* AND ITS AFTERMATH

On 4 March 2018, the *Nostramo* was approaching Goa at a distance of over 20 nautical miles off the coast of India when Indian Coast Guard vessels forcibly boarded and commandeered the boat in international waters. According to the witnesses onboard, a squad of commandos deployed from the Coast Guard vessels beat Jaubert and the *Nostramo* crew members until they collapsed, destroyed equipment aboard the boat, threatened everyone aboard with guns, and dragged Sheikha Al Maktoum away as she screamed that she was claiming political asylum. The Indian forces continued to beat Jaubert and the crew members after they had been handcuffed, and despite the fact that they put up no resistance to the heavily armed boarding party at any point. Jaubert was beaten until he was unconscious and left in a puddle of his own

blood. The Filipino crew members were beaten until they collapsed and could not move; the commandoes continued kicking them on the ground as the victims sobbed and one clutched his ribs. The vessels used in the raid were clearly and prominently marked as Indian Coast Guard ships. India is a party to the International Covenant on Civil and Political Rights, which bars torture and ill-treatment.

After they removed Sheikha Al Maktoum and violently subdued the others onboard, the Indian force turned the ship over to Emirati officers, who arrived by helicopter. The Emirati force eventually began to pilot the ship to the UAE. Some of the boat's tracking functions were not disabled, and so several days of the voyage back through the Indian Ocean were recorded in satellite-service provider databases. The *Nostramo* was eventually left docked on the coast of the emirate of Fujairah (northeast of Dubai), at a naval facility. On 20 March, Jaubert and his crew were released, brought there, put back on board the damaged vessel, and allowed to leave the UAE. Tiina Jauhiainen was released two days later, on 22 March, and flew home to Finland. In the intervening days all five individuals were held incommunicado, without legal process, in solitary confinement at an unknown prison in the UAE. Jaubert was threatened with torture and death while in detention but was not further physically tortured. Following their release, the UAE has sought extradition via INTERPOL of several of the foreign nationals who helped Sheikha Al Maktoum flee, leading to travel bans and, in one case, a period of detention in Europe.

Though the whereabouts and physical wellbeing of the five non-Emiratis aboard the *Nostramo* are now confirmed, there has been no official information as to Sheikha Al Maktoum's whereabouts since that time. On 17 April Agence France Presse reported that a "source close to the [Dubai] government" had acknowledged that Sheikha Al Maktoum had been "taken back" to Dubai. Subsequently, the advocacy group Detained in Dubai, which had been contacted by Sheikha Al Maktoum during the sea voyage, [posted](#) a YouTube video which she had purportedly pre-recorded for dissemination in the event that her escape attempt failed, and in which she expresses her fear, saying: "Either I'm dead or I'm in a very, very, very bad situation." Given that she was last seen under the authority of state agents and that unofficial information indicates that she is being arbitrarily and secretly detained by the Emirate of Dubai, Amnesty International remains concerned that Sheikha Al Maktoum may be subject to enforced disappearance and fears for her safety.

## **GENDER EQUALITY & THE UAE'S INTERNATIONAL LEGAL OBLIGATIONS**

The case of Sheikha Latifa Al Maktoum, in addition to the grave concerns it raises about the violation of her rights and her own individual wellbeing, also highlights issues of gender inequality in the UAE. The underlying motive for Dubai's abduction, and its reported previous torture of Sheikha Al Maktoum between 2002 and 2005, appears to be retribution for her transgression of the royal family's gender norms, which do not allow daughters to live independently of the male-led household.

Restrictive traditional gender roles are codified in UAE law, making gender discrimination not just a social problem but a matter of state policy. Federal Law No. 28 of 2005, for instance, lays out under Article 56 "a husband's rights over his wife," including "[her] courteous obedience to him" (Art. 56.1) and the woman's obligation "to look after the house" (Art. 56.2). The UAE adopted this law just a year after it had acceded to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), by which it formally committed itself "[t]o embody the principle of the equality of men and women in ... appropriate legislation" and "[t]o adopt appropriate legislative and other measures ... prohibiting all discrimination against women," in the language of the treaty. Article 72.1 of the 2005 Federal Law makes a married woman's right to leave the house conditional ("A wife may leave the house under the conditions granted by [Islamic] canon law, or custom, or by dint of necessity"); Art. 72.2 does the same for a wife's right to work, which is allowed if she worked before marriage, if the husband agrees, or if it is stipulated as allowed in the marriage contract. Marriage can be contracted only between two men – the father (or other male relative) of the bride, and the groom (Arts. 32, 33, and 38.1). As a party to CEDAW, the UAE is bound not to impose "any ... restriction made on the basis of sex" which impairs the exercise of social or cultural rights "on a basis of equality of men and women." It is also a party to the Convention Against Torture, which bans all conduct amounting to cruel or inhuman treatment of detainees, including enforced disappearance and incommunicado detention.

## **CALLS ON THE UAE AND INDIAN GOVERNMENTS**

Amnesty International calls on India to investigate and hold to account all officials implicated in unlawful acts in the course of its raid on the *Nostramo*, including arbitrary detention and physical abuse which may rise to the level of torture. The organization calls on the UAE to grant Sheikha Al Maktoum full and unrestricted freedom of movement and communication with the outside world; to investigate allegations of her mistreatment in detention, from 2002 to present; and to take measures to hold accountable officials at any level who may be complicit in holding her incommunicado. If warranted her situation should be investigated as a case of enforced disappearance. More generally, Amnesty

International calls on the UAE to respect and uphold women's rights as legal co-equals with men and, accordingly, to eliminate discriminatory legislation and related social practices.