

## AMNESTY INTERNATIONAL PUBLIC STATEMENT

Date 12 November 2019 AI index: MDE 25/1374/2019

### OPEN LETTER TO THE UNITED ARAB EMIRATES CALLING FOR THE RELEASE OF PROMINENT LAWYER AND HUMAN RIGHTS DEFENDER DR MOHAMMED AL-ROKEN

Excellencies,

We, the undersigned, call on the United Arab Emirates (UAE) to immediately and unconditionally release prominent human rights defender Dr Mohammed Al-Roken, arbitrarily detained since 2012 solely for peacefully exercising his rights to freedom of expression and association, including through his work as a human rights lawyer.

Dr Al-Roken is an Emirati lawyer, academic and human rights defender from Dubai. He was a member of the International Association of Lawyers (UIA) and the International Bar Association, and the president of the UAE's Jurists Association before its arbitrary dissolution by the authorities in 2011. Dr Al-Roken has authored books on human rights, constitutional law, and counterterrorism among other legal and political topics. He dedicated his career to providing legal assistance to victims of human rights violations in the UAE.

Dr Al-Roken has played a central role in the human rights work in the UAE, for which he was nominated and selected for different human rights awards. The latest he won was the Ludovic Trarieux International Human Rights Prize in 2017.

While being internationally acclaimed, Dr Al-Roken faced under constant pressure in the UAE. In 2011, Dr Al-Roken and 132 others, including lawyers, judges, academics and journalists, signed a petition for political reform, calling on the UAE government to grant legislative authority to the Federal National Council, and to ensure universal and free elections of its members. Later that year, he represented a group of five activists, known as the "UAE 5", including human rights defenders Ahmed Mansoor and Dr Nasser Bin Ghaith, whom the authorities arrested and charged with "insulting the heads of the State", in reference to their online activism and criticism of the government's policy. This was one of the countless cases Dr Al-Roken took up despite the serious risks he was facing in doing so.

Among other human rights cases he took on, was that of a group of seven Emirati activists, later known as the "UAE 7", who were arbitrarily stripped of their nationality, as a form of reprisal for their peaceful activism. Dr Al-Roken was arrested shortly after he publicly announced his intention to appeal the presidential decree stripping them of their Emirati citizenship. His arrest was in clear violation of UN Basic Principles on the role of Lawyers which provides that "*Governments shall ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference [and] shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.*"

On 17 July 2012, State Security officers arbitrarily arrested Dr Al-Roken while he was driving to a Dubai police station to inquire about his son and his son-in-law whom they arrested hours earlier. Following his arrest, Dr Mohammed Al-Roken was detained in solitary confinement at an undisclosed location for 3 months, without access to his lawyer and his family. He was tried alongside 93 other activists, in the case that became known as the "UAE 94".

The group faced severe charges including "plotting to overthrow the government". During this grossly unfair trial, Dr Al-Roken continued his activism by highlighting flaws in the administration of justice and pleaded the case of his co-defendants before the court. On 2 July 2013, the Federal Supreme Court convicted and sentenced Dr Al-Roken to 10 years in prison. The court also handed down prison terms between seven and 15 years to 68 other defendants, including eight in absentia. In stark contrast to the international standards the UAE asserts it upholds, defendants did not have the right to appeal their sentences.

Human rights organisations and UN Special Procedures condemned the "UAE 94" mass trial for failing to uphold minimal fair trial guarantees. On 22 November 2013, the Working Group on Arbitrary Detention issued an opinion recognising the arbitrary nature of the detention of Dr Al-Roken and 60 other defendants in the "UAE 94" trial. The Working Group further raised concerns about the flagrant breaches of fair trial guarantees and urged the government to release them and provide them with adequate reparation.

Despite the repeated requests from international human rights bodies, Dr Al-Roken continues to be held in appalling conditions at the notorious Al-Razeen prison in Abu Dhabi. He faces arbitrary disciplinary measures, such as solitary confinement, deprivation of family visits, and random body searches. In July 2019, the WGAD, the Special Rapporteur on

the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the situation of human rights defenders, and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, addressed a communication to the Emirati government expressing concerns about the situation of Dr Al-Roken and his current detention conditions at Al-Razeen prison.

Over the past years, the UAE has claimed to be a model of tolerance and created institutions to promote the value of tolerance. Last year, the UAE President, Sheikh Khalifa bin Zayed Al Nahyan, proclaimed 2019 to be the “Year of Tolerance”. However, Dr Al-Roken and other prisoners of conscience continue to be arbitrarily detained and mistreated in complete contravention of the international standards that the UAE government asserts that it upholds.. Mohammed Al-Roken is not only a dedicated lawyer but also a proud Emirati citizen who has defended the UAE’s national interests and devoted his life to promoting and defending tolerance in his country.

In light of the above, we urge the UAE government to release Dr Al-Roken immediately and unconditionally.

The signatories:

1. International Centre for Justice and Human Rights
2. International Campaign for Freedom in the UAE
3. Association for Victims of Torture in the UAE
4. Toby Cadman, lawyer and international law specialist
5. Noam Chomsky, linguist and academic
6. Norman Finkelstein, professor and political scientist
7. Geneva Bar Association (ODAGE)
8. Rights Realization Centre
9. Fadi Al-Qadi, author and MENA human rights expert
10. Amnesty International
11. Americans for Democracy & Human Rights in Bahrain (ADHRB)
12. European Centre for Democracy and Human Rights (ECDHR)
13. Emirates Centre for Human Rights
14. Detained International
15. Free Latifa Campaign
16. David Haigh, human rights lawyer
17. Front Line Defenders
18. Alkarama
19. Bertrand Favreau, lawyer and president of the European Bar Human Rights Institute
20. FIDH, in the framework of the Observatory for the Protection of Human Rights Defenders
21. World Organisation Against Torture (OMCT), in the framework of the Observatory for the Protection of Human Rights Defenders
22. MENA Rights Group
23. ACLU of Southern California
24. Jennie Pasquarella, attorney and director on Immigrants’ Rights at ACLU of Southern California
25. Gulf Centre for Human Rights (GCHR)
26. Lawyers for Lawyers
27. Julia Legner, MENA human rights expert
28. Stéphane Bonifassi, lawyer and member of the UIA

29. European Gulf Institute for Development and Human Rights (EGEM)
30. International Association of Lawyers (UIA)