

URGENT ACTION

SIX ACTIVISTS' APPEALS REJECTED

Five men and a woman who were sentenced in August are to be sent to jail for insulting the Sultan. At least 14 more activists are also likely to be jailed when their cases go to an appeal court in Muscat over the next two weeks.

An appeal court in Muscat rejected on 5 December the appeals lodged by five men and a woman convicted of insulting the Sultan and using the internet to publish defamatory material. The five men, **Bassam Abu Qasida**, **Hilal al-Busa'idi**, **Issa al-Mas'udi**, **Abdullah al-Abdali** and **Muhammad al-Kiyumi**, had been sentenced to one year's imprisonment and a fine of 1,000 riyals (around US\$2,600) by Muscat's court of first instance on 6 August 2012. The court had imposed the same sentence on **Maymouna al-Badi** on 26 August, but reduced her prison term to 20 days. Yesterday's court of appeal ruling upheld all convictions.

Three other men convicted on the same charges and similarly sentenced on 6 August are expected to receive the decision of the court of appeal in the next two weeks. Decisions on the appeals of 11 other activists who were sentenced to one year's imprisonment on 8 August for protesting are expected next week.

Trials began after numerous writers, activists and bloggers were arrested in late May and early June. So far at least 35 people have been sentenced or are standing trial in relation to the peaceful exercise of their rights to freedom of expression and assembly.

If, as it appears, the six activists have been convicted solely for the peaceful exercise of their right to freedom of expression, Amnesty International would consider them to be prisoners of conscience and call on the authorities in Oman to release them immediately and unconditionally.

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

- Calling on the authorities to release, immediately and unconditionally, 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 on them to drop all charges, and overturn all convictions, related solely to the peaceful exercise of the rights to freedom of expression and assembly;
- Urging them to ensure that any legal proceedings in these cases conform to international fair trial standards.

PLEASE SEND APPEALS BEFORE 17 JANUARY 2013 TO:

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

Minister of the Interior
His Excellency Hamoud bin Faisal bin
Said Al Busaidi
Minister of the Interior
Ministry of Interior
P.O. 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 check with your section office if sending appeals after the above date. This is the fourth update of UA 174/12. Further information:

<http://www.amnesty.org/en/library/info/mde20/004/2012>

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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. In response to protesters' demands, on 27 February 2011 Oman's head of state, Sultan Qaboos, ordered the creation of 50,000 jobs and 150 Omani riyals a month (about US\$390) in benefits for the unemployed. 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 maintained 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 were arrested when they tried to travel to Fohoud oil field (about 250km south-west of Muscat), to document an oil workers' strike that had started a week earlier. 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 is one of those still detained and facing trial.

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. Basma al-Kiyumi, who was one of those detained on 11 June, had been arrested on 14 May 2011 during a peaceful protest in front of the Shura Council in Muscat, along with 14 others, and was released on bail two days later after being charged with participating in an unlawful gathering.

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 published "offensive writing" in the media or online that was deemed to be "inciting" others to action "under the the pretext of freedom of expression". On 10 June a public prosecutor confirmed the arrests in the *Times of Oman* newspaper, 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 rights 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 protection of 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.

Names: Bassam Abu Qasida (m), Hilal al-Busa'idi (m), Issa al-Mas'udi (m), Abdullah al-Abdali (m), Muhammad al-Kiyumi (m), Maymouna al-Badi (f)

Further information on UA: 174/12 Index: MDE 20/005/2012 Issue Date: 6 December 2012