

AMNESTY INTERNATIONAL PUBLIC STATEMENT

Date 15 August 2023 MDE 25/7095/2023

JOINT STATEMENT: UAE: RELEASE ALL THOSE UNJUSTLY IMPRISONED BEFORE COP28

Authorities in the United Arab Emirates (UAE) should release all those unjustly imprisoned in the country before the start of COP28, which will be held at Expo City Dubai between 30 November and 12 December 2023. UAE authorities continue to detain dozens of people who completed their prison sentences some years ago, including 55 dissidents, lawyers and other people convicted in a mass trial known as the “UAE94” case. The UAE also continues to detain prominent human rights defenders, including **Ahmed Mansoor** and Dr. **Nasser bin Ghaith**, and to retaliate against people, including **Amina Al-Abdouli** and **Maryam Al-Balushi**, for speaking out about abuses in prison.

The authorities should also put an end to other human rights violations, including: monitoring government critics with sophisticated surveillance technology to stifle dissent; using repressive laws to imprison human rights defenders and dissidents; effectively denying the right to freedom of peaceful assembly through draconian legal restrictions and practices; and denying migrant workers, who suffer a range of violations linked to the abusive *kafala* system, the right to form unions.

DETAINING PEOPLE LONG AFTER THEY HAVE SERVED THEIR SENTENCES

There are at least 58 people being held past the end of their sentences in the UAE. (See detailed list in the appendix below.)

The authorities appear to have used Article 40 of Federal Law No. 7 of 2014 on Combating Terrorism Offences, which includes a vague and overbroad definition of terrorism, to indefinitely detain people who have completed their sentences.

In its first paragraph, Article 40 states: "A terrorist danger exists in a person if he has adopted extremist or terrorist thinking, such that it is feared that he will commit a terrorist crime." The second paragraph states: "If a terrorist danger is present in a person, he shall be put in a counselling centre by a court judgment based on a request from the prosecution."

The process of detaining people beyond the completion of their sentences is not transparent and lacks minimum standards of fairness and due process. The Federal Court of Appeal in Abu Dhabi, at the request of the State Security Prosecution, issues referral orders to counseling centers without any fair trial guarantees. Such detention for "counselling" can apparently be extended indefinitely.

Authorities argue that many of the people held beyond their sentences pose a threat to state security and are in need of rehabilitation. Although the law speaks of "counselling centres," people whose detention is extended in this way often continue to be held in the same prison where they served their regular sentence. Prisoners scheduled for release are transferred from Al-Razeen Prison to the Munasaha (“Counselling”) Centre which is often just another building in the same prison that is isolated from the other wings.

The majority of the people being held beyond their completed sentences are part of the “UAE94”, a group of government critics who were arrested in 2012 and sentenced to between seven and ten years in prison after a grossly unfair mass trial in 2013. Among the “UAE94” group, 55 of them have completed their sentences, yet remain in prison. They include human rights lawyers Dr. **Mohammed Al-Roken** and Dr. **Mohammed Al-Mansoori**. In addition, **Khalifa Rabia** was arrested in July 2013 and sentenced to five years in prison on charges related to a tweet he wrote after the verdicts of the UAE94 case were issued, yet he remains in prison.

One of the main catalysts for the “UAE94” arrests and subsequent mass trial was a reform petition launched on 03 March 2011. The reform petition was signed by hundreds of men and women from across the Emirati intellectual, legal and political spectrum and had two main demands: democratic elections for the UAE’s Federal National Council and constitutional amendments to shore up the Federal National Council’s legislative and oversight powers. More than 30 petition signatories were charged as defendants in the UAE94 trial.

In addition to holding many beyond their sentences, UAE authorities have obstructed contact between some UAE94 prisoners and their families by only allowing calls or visits months apart, and have denied all calls between UAE94

prisoners and their immediate family members who are outside the UAE. This is a violation of the UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

NO TOLERANCE FOR HUMAN RIGHTS DEFENDERS AND DISSIDENTS

The UAE has a Ministry for Tolerance but insists on charging, sentencing, detaining and mistreating human rights defenders and dissidents. The UAE should immediately release prominent human rights defenders, including **Ahmed Mansoor**, who has been held in prolonged solitary confinement since his arrest on 20 March 2017 for his human rights activities, and academic Dr. **Nasser bin Ghaith**, who was sentenced to 10 years in prison for tweeting about a previous imprisonment.

RECOMMENDATIONS

The undersigned organisations call on the international community, especially governments that have influence with the United Arab Emirates, such as the United States, the United Kingdom, Canada and the members of the European Union, in addition to all United Nations mechanisms including concerned special rapporteurs, to urgently call for and take steps to obtain the immediate and unconditional release of the prisoners listed in this appeal and to seek an end to grave human rights violations in the UAE. We also call on the international community to demand that independent monitors be granted permission to visit these prisoners in order to ensure their physical and mental health and safety.

We call on the UAE authorities to:

1. Release all human rights defenders and dissidents who were arrested, detained, charged or sentenced for exercising their rights to freedom of expression, or other human rights including Ahmed Mansoor, Dr. Nasser bin Ghaith, Amina Al-Abdouli, Maryam Al-Balushi, and members of the “UAE94” case;
2. Release all detainees who are being held past the end of their sentences, in flagrant violation of their human rights, and end the practice of arbitrarily detaining human rights defenders and dissidents in Munasaha (Counselling) Centres after they have served their full sentences;
3. Repeal the text of Article 40 of Federal Law No. 7 of 2014 on Combating Terrorism Offences, which allows people to be detained indefinitely;
4. Protect human rights in the country, including freedom of expression, assembly and association, and ensure nobody is arrested in violation of these rights; and
5. End restrictions on civic space and uphold human rights, including freedom of expression and assembly, during the COP28 and beyond.

Signed,

Access Now

ALQST for Human Rights

Amnesty International

Cairo Institute for Human Rights Studies (CIHRS)

CIVICUS

Emirates Detainees Advocacy Centre (EDAC)

FEMENA

Front Line Defenders

Gulf Centre for Human Rights (GCHR)

Human Rights First

Human Rights Sentinel

Human Rights Watch

IFEX

International Federation for Human Rights (FIDH), in the framework of the Observatory for the Protection of Human Rights Defenders
International Service for Human Rights (ISHR)
MENA Rights Group
Project on Middle East Democracy (POMED)
Rights Realization Centre
Salam for Democracy and Human Rights
SMEX
Stand up for UAE Detainees (SANID) Campaign
Vigilance for Democracy and the Civic State
World Organisation Against Torture (OMCT), within the framework of the Observatory for the Protection of Human Rights Defenders

APPENDIX WITH ADDITIONAL INFORMATION ON THOSE UNJUSTLY DETAINED

This list has been compiled by the Gulf Centre for Human Rights and the Emirates Detainees Advocacy Centre (EDAC)

PROMINENT HUMAN RIGHTS DEFENDERS CURRENTLY DETAINED

Ahmed Mansoor, recipient of the 2015 Martin Ennals Award for Human Rights Defenders, is a member of the Gulf Centre for Human Rights (GCHR)'s advisory board and the Human Rights Watch advisory committee of the Middle East and North Africa division. He was arrested on 20 March 2017 and sentenced to 10 years in prison in May 2018 after being unfairly convicted on charges which include insulting the "status and prestige of the UAE and its symbols," including its leaders in reprisal for his peaceful human rights activism, including through his posts on social media. He has been held in dire conditions in solitary confinement since his arrest.

Dr. **Nasser bin Ghaith** is a prominent economist and human rights defender who was convicted and sentenced on 29 March 2017 to ten years in prison on charges including "posting false information" about UAE leaders and their policies. These charges were based on comments he made on Twitter stating that a previous trial, which included charges against him, Ahmed Mansoor and three other Emiratis, was unfair.

LIST OF PRISONERS WHO CONTINUE TO BE HELD BEYOND THE EXPIRY OF THEIR SENTENCE

1. Abdullah Ibrahim Al-Helou

He was arrested on 22 April 2014, and on 13 June 2016, he was sentenced to three years in prison on charges including belonging to Al-Islah movement. His sentence expired on 22 April 2017.

2. Abdulwahed Hassan Al-Badi Al-Shehhi

He was arrested on 26 March 2013, and on 03 March 2014, he was sentenced to five years in prison on charges including belonging to Al-Islah movement. His sentence expired on 26 March 2018.

3. Khalifa Rabia

He was arrested on 23 July 2013, and on 10 March 2014, he was sentenced to five years in prison and fined 500,000 AED (US \$136,127) on charges related to a tweet he wrote after the verdicts of the UAE94 case were issued. His sentence expired on 23 July 2018.

4. Abdullah Abdulqader Al-Hajri

He was arrested on 16 July 2012. On 02 July 2013, he was sentenced to seven years in prison at the end of the unfair UAE94 mass trial. His sentence expired on 16 July 2019.

5. Mahmoud Hassan Al-Hosani

He was arrested on 16 July 2012. On 02 July 2013, he was sentenced to seven years in prison at the end of the unfair UAE94 mass trial. His sentence expired on 16 July 2019.

6. Imran Ali Al-Radwan Al-Harthy

He was arrested on 16 July 2012. On 02 July 2013, he was sentenced to seven years in prison at the end of the unfair UAE94 mass trial. His sentence expired on 16 July 2019. Authorities have also revoked his wife, Asmaa Al-Siddq's, Emirati citizenship.

7. Fahad Abdulqader Al-Hajri

He was arrested on 02 March 2013. On 02 July 2013, he was sentenced to seven years in prison at the end of the unfair UAE94 mass trial. His sentence expired on 02 March 2020.

8. Ahmed Ghaith Al-Suwaidi

He was arrested on 26 March 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 26 March 2022.

9. Ahmed Youssef Al-Zaabi

He was arrested on 26 March 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 26 March 2022.

10. Ibrahim Hassan Al-Marzooki

He was arrested on 9 April 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 9 April 2022.

11. Dr. Shaheen Abdullah Al-Hosani

He was arrested on 9 April 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 9 April 2022.

12. Sheikh Mohammed Abdulrazzaq Al-Siddiq

He was arrested on 09 April 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 09 April 2022.

13. Hassan Munif Al-Jabri

He was arrested on 09 April 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 09 April 2022.

14. Hussain Munif Al-Jabri

He was arrested on 09 April 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 trial. His sentence expired on 09 April 2022.

15. Dr. Ali Hussain Al-Hammadi

He was arrested on 09 April 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 09 April 2022.

16. Dr. Sultan bin Kayed Al-Qasimi

He was arrested on 20 April 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years on probation, at the end of the unfair UAE94 mass trial. His sentence expired on 20 April 2022.

17. Salem Abdullah Al-Suwaidi

He was arrested on 30 April 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 30 April 2022.

18. Abdulrahman Ahmed Al-Hadidi

He was arrested on 15 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 15 July 2022.

19. Khalifa Hilal Al-Nuaimi

He was arrested on 16 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 16 July 2022.

20. Dr. Ibrahim Ismail Al-Yasi

He was arrested on 16 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 16 July 2022.

21. Dr. Mohammed Abdullah Al-Roken

He was arrested on 17 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 17 July 2022.

22. Salem Ali Suleiman Al-Shehhi

He was arrested on 17 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 17 July 2022.

23. Eisa Ma'adad Al-Seri

He was arrested on 17 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 17 July 2022.

24. Dr. Essa Khalifa Al-Suwaidi

He was arrested on 19 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 19 July 2022.

25. Jumaa Saeed Al-Falasi

He was arrested on 19 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 19 July 2022.

26. Saif Mohammed Al-Attar

He was arrested on 30 July 2012. On 02 July 2013, he was sentenced to ten years in prison, followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 30 July 2022.

27. Abdulsalam Mohammed Darwish Al-Marzooqi

He was arrested on 24 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 24 July 2022.

28. Dr. Saif Mohammed Al-Ajla

He was arrested on 24 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 24 July 2022.

29. Mosbeh Darwish Jumaa Al-Rumaithi

He was arrested on 24 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 24 July 2022.

30. Abdulrahim Mohammed Al-Zarooni

He was arrested on 25 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 25 July 2022.

31. Saeed Nasser Al-Wahidi

He was arrested on 25 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 25 July 2022.

32. Ali Abdullah Al-Manei

He was arrested on 25 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 25 July 2022.

33. Tariq Hassan Al-Qattan Al-Harmoudi

He was arrested on 25 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 25 July 2022.

34. Ahmed Saqr Al-Suwaidi

He was arrested on 30 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 30 July 2022.

35. Ahmed Saif Al-Matari

He was arrested on 30 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 30 July 2022.

36. Khaled Mohammed Al-Yamahi

He was arrested on 30 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 30 July 2022.

37. Najeeb Ahmed Al-Amiri

He was arrested on 30 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 30 July 2022.

38. Fouad Mohammed Al-Hammadi

He was arrested on 31 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 31 July 2022.

39. Ahmed Rashid Al-Tabour Al-Nuaimi

He was arrested on 18 May 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial, and a further three months in a separate case. His sentences expired on 18 August 2022.

40. Ali Salem Al-Zaabi

He was arrested on 30 August 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 30 August 2022.

41. Abdulaziz Ali Al-Muhairi

He was arrested on 27 August 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 27 August 2022.

42. Abdullah Nassib Al-Jabri

He was arrested on 27 August 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 27 August 2022.

43. Rashid Khalfan bin Sabt Al Ali

He was arrested on 28 August 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 28 August 2022.

44. Ali Abdullah Al-Khaja

He was arrested on 28 August 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 28 August 2022.

45. Dr. Hadeef Rashid Al-Owais

He was arrested on 11 September 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 11 September 2022.

46. Mohammed Saeed Mohammed Al-Abdoui

He was arrested on 11 October 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 11 October 2022.

47. Abdulrahim Abdullah Naqi Al-Bastaki

He was arrested on 12 October 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 12 October 2022.

48. Ahmed Hassan Mohammed Al-Rostamani

He was arrested on 01 March 2013. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 01 March 2023.

49. Salem Mousa Farhan Al-Halyan

He was arrested on 02 March 2013. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 02 March 2023.

50. Ahmed Haji Sakhir Al-Qubaisi

He was arrested on 02 March 2013. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 02 March 2023.

51. Ahmed Kneid Al-Muhairi

He was arrested on 02 March 2013. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 02 March 2023.

52. Ismail Abdullah Al-Hosani

He was arrested on 02 March 2013. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 02 March 2023.

53. Khaled Fadhl Ahmed Jassim

He was arrested on 02 March 2013. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 02 March 2023.

54. Ali Mohammed bin Hajar Al-Shehhi

He was arrested on 02 March 2013. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial. His sentence expired on 02 March 2023.

55. Dr. Mohammed Ali Saleh Al-Mansoori

He was arrested on 16 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial, and a further one-year imprisonment in another case. His sentence expired on 16 July 2023.

56. Rashid Omran Ali Al-Shamsi

He was arrested on 16 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial, and a further one year imprisonment in a separate case. His sentence expired on 16 July 2023.

57. Hussain Ali Abdullah Al-Najjar

He was arrested on 16 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial, and a further one year imprisonment in a separate case. His sentence expired on 16 July 2023.

58. Tariq Ibrahim Al-Qasim

He was arrested on 19 July 2012. On 02 July 2013, he was sentenced to ten years in prison followed by three years' probation, at the end of the unfair UAE94 mass trial, and a further one year of imprisonment in a separate case. His sentence expired on 19 July 2023.

NEW CONVICTIONS AS REPRISALS FOR SPEAKING OUT ABOUT PRISON CONDITIONS

Two women, who are listed below, have received further prison sentences in reprisal for speaking out about their detention, according to the UN Working Group on Arbitrary Detention and the annual report of the UN Secretary-General on reprisals against individuals seeking to cooperate with the UN.

1. Amina Al-Abdouli

She was arrested on the night of 19-20 November 2015, and on 31 October 2016, she was sentenced to five years in prison. Her first sentence expired on 20 November 2020. However, in July 2019, she was charged by the federal state security prosecutor under the 2012 law on cybercrimes due to her "efforts to raise awareness about" her case, according to a UN Secretary-General's report (para. 136). She was sentenced to an additional three years in prison, which was upheld by the Federal Court of Appeal on 28 April 2021. The UN Working Group on Arbitrary Detention concluded in November 2020 that her continuing detention is arbitrary (para. 97).

2. Maryam Al-Balushi

She was arrested on the night of 19-20 November 2015, and on 22 February 2017, she was sentenced to five years in prison. Her sentence expired on 20 November 2020. However, in July 2019, she was charged by the federal state security prosecutor under the 2012 law on cybercrimes due to her "efforts to raise awareness about" her case, according to the UN Secretary-General's report (para. 136). She was sentenced to an additional three years in prison, which was upheld by the Federal Court of Appeal on 28 April 2021. The UN Working Group on Arbitrary Detention concluded in November 2020 that her continuing detention is arbitrary (para. 97).

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