

URGENT ACTION

MAN FORCIBLY RETURNED TO UAE FACING NEW TRIAL

Emirati national Abdulrahman Bin Sobeih appeared before the Federal Supreme Court in the United Arab Emirates (UAE) on 28 March. The 15 year prison sentence he previously received in absentia has been cancelled and he will face new unknown charges. The trial will resume on 29 April.

Abdulrahman Bin Sobeih was brought before the State Security Chamber of the Federal Supreme Court on 28 March, 101 days after he was forcibly deported from Indonesia to the UAE and disappeared by Emirati authorities. During this hearing the judge reopened the "UAE 94" case under which he had been convicted in absentia to 15 years' imprisonment. The judge then cancelled the conviction and sentence against him in order that he might be tried again under new charges which are as yet unknown. The judge postponed the trial until 29 April to allow him time to appoint a lawyer.

In July 2013, the State Security Chamber of the Federal Supreme Court sentenced Abdulrahman Bin Sobeih (also known as al-Suwaidi) in his absence to 15 years' imprisonment on charges that he was part of a group that had established an organization seeking to overthrow the UAE government. Over 60 others were also convicted after a grossly unfair mass trial, in which 71 of the 94 defendants had complained of torture and other ill-treatment. They had no right to appeal the verdict and sentences. The real reason for their arrest and conviction appears to have been their known opposition to the UAE government.

Abdulrahman Bin Sobeih was detained by Indonesian authorities on 20 October 2015 for possession of false identity papers in Indonesia. He was made to board a private plane bound for the UAE and forcibly deported on 18 December 2015. His whereabouts after this date were unknown until he appeared in court on 28 March.

Please write immediately in Arabic or your own language:

- Calling on UAE authorities to ensure that Abdulrahman Bin Sobeih is protected from torture and other ill-treatment and given prompt access to a lawyer, his family and any medical attention he may require;
- Calling on them to ensure his trial takes place before an ordinary criminal court in accordance with international fair trial standards, including the right to appeal, and without recourse to the death penalty and to make public the charges he will be facing.

PLEASE SEND APPEALS BEFORE 20 MAY 2016 TO:

Minister of Interior

LT General Sheikh Saif bin Zayed Al Nahyan
Zayed Sport City, Arab Gulf Street, Near to Shaikh Zayed Mosque
Abu Dhabi POB: 398
Fax: +971 2 4414938
+971 2 4022762
+971 2 4415780
Email: moi@moi.gov.ae
Twitter: @SaifBZayed
Salutation: Your Highness

Vice-President and Prime Minister

Sheikh Mohammed Bin Rashid al-Maktoum
Prime Minister's Office
P.O. Box: 212000 Dubai
United Arab Emirates
Fax: +971 4 330 4044
Email: info@primeminister.ae
<http://uaepm.ae/English/Pages/ContactUs.aspx>
Twitter: @HShkMoh
Salutation: Your Highness

And copies to:

Crown Prince of Abu Dhabi
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 first update of UA 4/16. Further information:

<https://www.amnesty.org/en/documents/mde25/3163/2016/en/>

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ADDITIONAL INFORMATION

Starting in March 2012, the UAE authorities arrested scores of people linked to the social organization al-Islah, claiming that they were linked to Egypt's Muslim Brotherhood and that they were conspiring against the UAE's state security.

Between March and July 2013, the UAE tried 94 Emirati nationals, said to be linked to al-Islah, in the State Security Chamber of the Federal Supreme Court. It was an unfair trial. Many of the 94 had been held without access to their families or legal representation, for months, in unknown locations, before they were tried. The court accepted prosecution evidence based on "confessions" in pre-trial detention, when the 94 had not have access to their families or the right to be represented by a lawyer. The court rejected ill-treatment claims by 71 of the defendants but took no action to investigate the claims and concluded the trial by convicting 69 of the accused. Under UAE law, the judgement was final and not subject to appeal, in violation of international law. Amnesty International documented the "UAE 94" trial in its November 2014 report "*There is no freedom here*" – *Silencing dissent in the United Arab Emirates* (<http://www.amnesty.org/en/library/info/MDE25/018/2014/en>).

In November 2013, the United Nations Working Group on Arbitrary Detention declared the detention of 61 of them to be arbitrary as they had been exercising their legitimate right of freedom of opinion, expression, peaceful assembly and association.

Following the arrest of Abdulrahman Bin Sobeih in Indonesia in October 2015, the UAE had sought his immediate extradition. However, extradition was not granted since, under the terms of a 2014 extradition treaty between the UAE and Indonesia, it had to be agreed by the respective countries' courts. In the absence of a court order permitting his extradition, UAE and Indonesian officials oversaw his forced removal from Indonesia.

Abdulrahman Bin Sobeih has visited Indonesia regularly since 1995, where he has been active in a variety of social and religious charities. He taught Arabic at an Islamic boarding school (*pesantren* in Indonesian) in West Java Province and took part in post-tsunami relief efforts in Aceh in 2004-2005. He is understood to have also provided social assistance to people in Pangandian, West Java in 2007 following another tsunami. In 2010 he is said to have helped the al-Khairat Islamic organization in the construction of a mosque in Central Sulawesi Province.

According to Abdulrahman Bin Sobeih's lawyer, in the course of one of his client's prolonged stays in Indonesia he lost various identity papers and resorted to obtaining false versions of his Indonesia identity card the Kartu Keluarga (KK) or family card and his birth certificate. Indonesian authorities arrested him under Articles 264.2, 266.1 and 2 of Indonesia Criminal Code, for procuring false documents. The maximum penalty for the charges is eight years' imprisonment.

Abdulrahman Bin Sobeih's Indonesian lawyer had expected the extradition process to be prolonged since, under Indonesian law, he should have been tried in Indonesia first for the offences he was convicted of in Indonesia, quite apart from a court agreeing to the extradition request. Neither of these requirements was met.

Name: Abdulrahman Bin Sobeih (also known as al-Suwaidi)

Gender m/f: m

Further information on UA: 4/16 Index: MDE 25/3796/2016 Issue Date: 8 April 2016