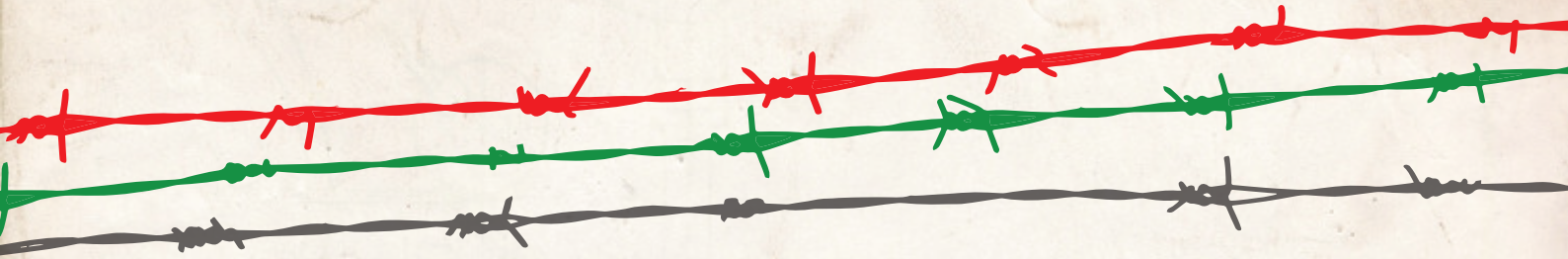




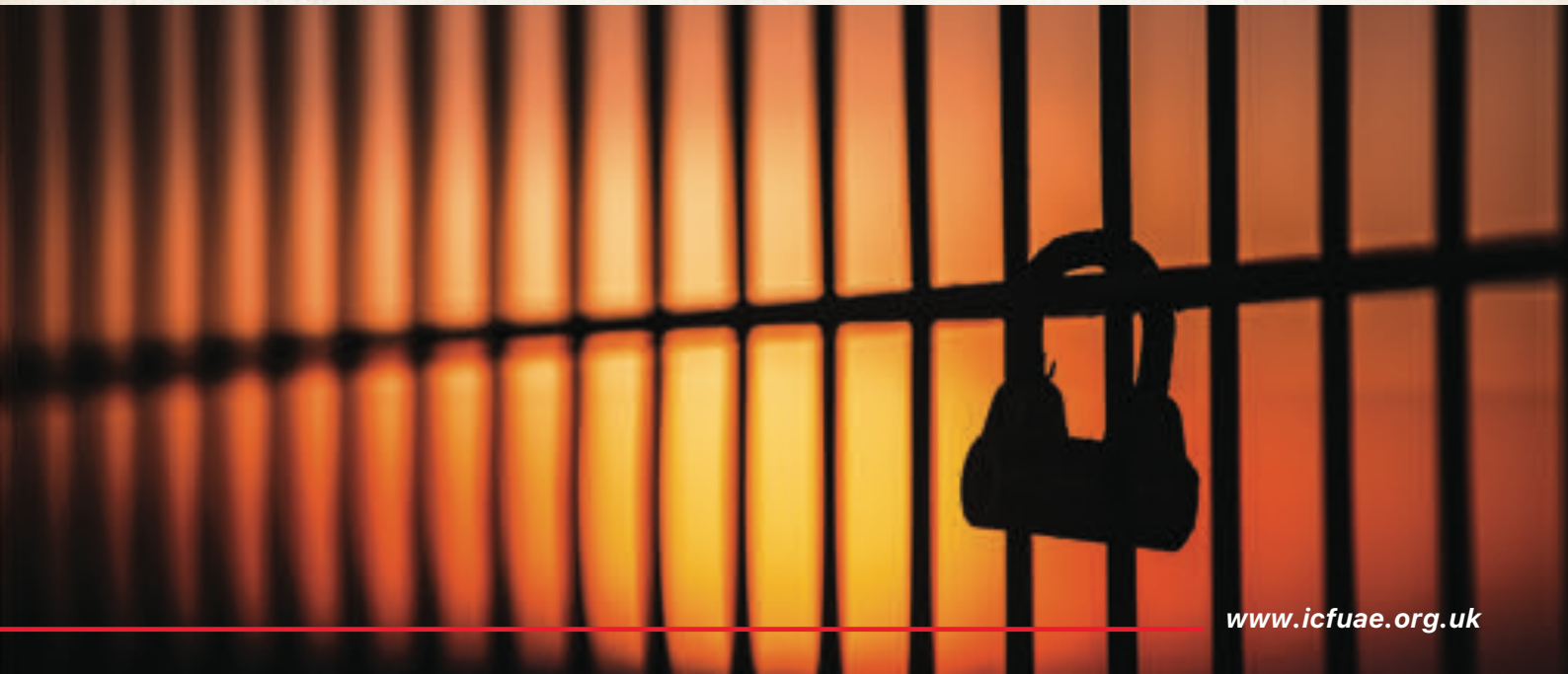
ICF UAE
www.icfuae.org.uk



Munasaha Centres

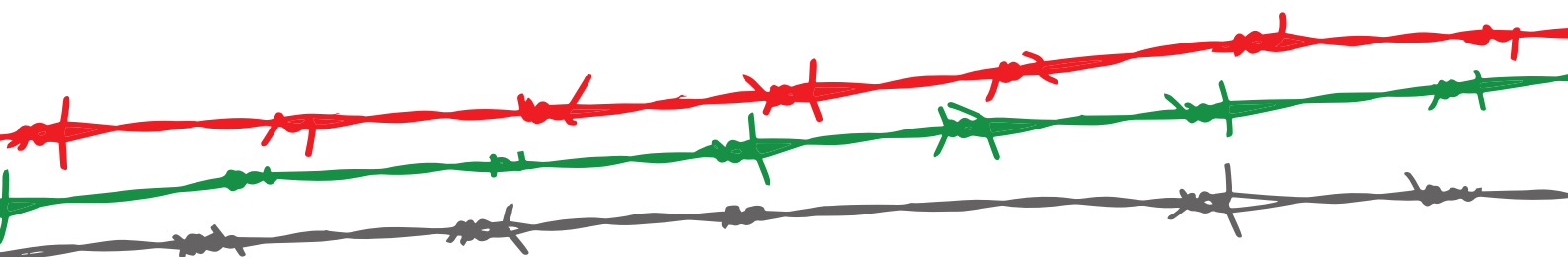
**Indefinite Detention of Prisoners of Conscience
in the United Arab Emirates**

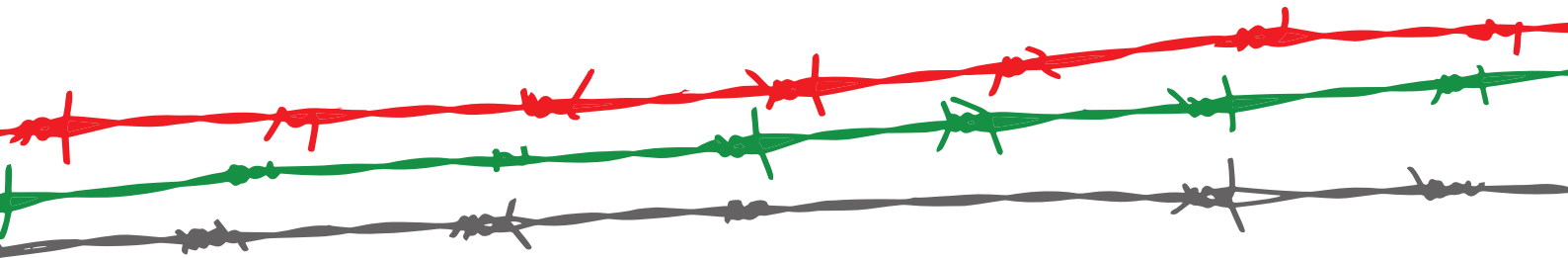
April 2021



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Executive summary

The following pages contain information about 9 Emirati prisoners, including two women, who remain in detention after serving their full sentence. The prisoners were originally convicted in six different cases:

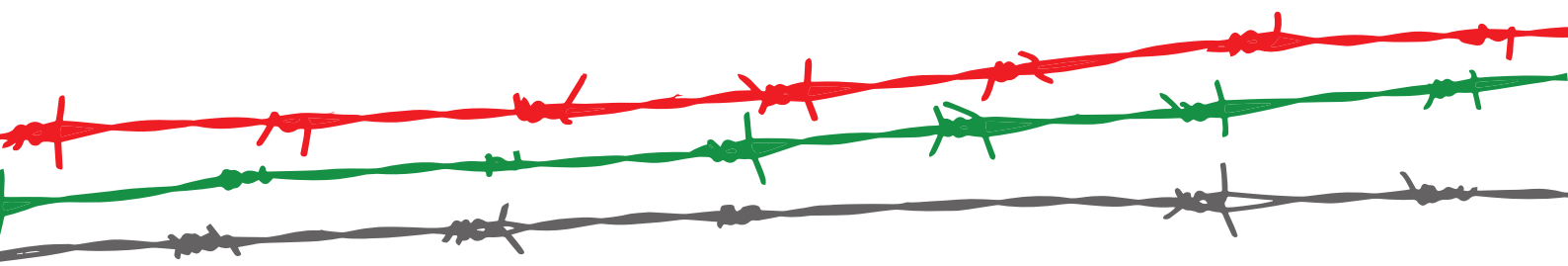
- **Five were convicted in the UAE94 case**

- ▶ Omran Al Radwan Alharathi
- ▶ Mahmoud Hasan Alhosani
- ▶ Abdullah Abdulqader Al Hajiri
- ▶ Fahd Abdulqader Al Hajiri

- **Khalifa Al-Rabia was convicted on a charge related to online activism**

- **Abdullah Ibrahim Al-Hilo was convicted for being a member of Al Islah Charity Committee**
- **Abdullwahid Hasan Alsihi was convicted on charges of association with the Al Islah Group**
- **Amina Mohammed al-Abdouli was convicted on a charge relating to online activism**
- **Maryam Suliman al-Balushi was convicted on a charge relating to online activism**





Introduction

The UAE authorities have increasingly continued to silence prisoners of conscience through a tactic known as indefinite detention: the failure to free prisoners after their release dates. The use of indefinite detention highlights the UAE authorities' continuous systemic oppression of political dissent.

Prisoners are usually placed in 'Munasaha Centres', or counselling centres, within the prisons themselves. As defined in Article 1 of the UAE's counterterrorism law, the centres are aimed at 'enlightenment and reform' of prisoners who are deemed to pose a terrorist threat or those who have been convicted of terrorist acts. Munasaha centres are not separate facilities, but instead part of the prisons in a different ward. As a result, regulation of prisoners' rights regarding calls and visits apply to prisoners placed in Munasaha centres.

The individuals identified below continue to be arbitrarily held in these centres, either through a court order or through an administrative decision. There are 9 individuals known to be indefinitely detained, two of which are women who have not been transferred to a Munasaha centre but remain in the ward where they served their sentence.

Usually, the public prosecution obtains a court ruling from the Abu Dhabi Federal Appeals Court to place a prisoner in a Munasaha centre for six months, which can be extended infinitely. The court rulings are based on Federal Law No. (7) of 2014 on Combating Terrorism Offences Article 40. In some instances, prisoners are not even brought before a judge and their indefinite detention is an administrative decision.

When a prisoner is brought before a judge, the typical characteristics of a trial are not present: the hearing occurs over the course of a single day and the prisoner is unable to hire a lawyer. In essence, the public prosecution requires the prisoner to give evidence that he no longer has a 'terrorist ideology'.





Legal Commentary: Federal Law No. (7) of 2014 on Combating Terrorism Offences

Article 40 (1) of the counterterrorism law stipulates that “a person shall be deemed as posing a terrorist threat if said person adopts extremist or terrorist ideology to the extent that he/she seems likely to commit a terrorist offence”. Article 40 (2) mandates that those seen to pose a terrorist threat shall by court order, upon the request of the state security prosecution, be placed in counselling, or Munasaha, centres, which article 1 defines as “administrative units aimed at enlightenment and reform of persons deemed to pose a terrorist threat or those convicted of terrorist offences”.

Article 48 of the same law allows the public prosecutor to place someone convicted of a terrorist offence in a Munasaha centre, which would be implemented in the same detention centre the prisoner already is serving his sentence in. While in the counselling program, the centre is required to submit periodic reports on the prisoner to the prosecution, of which the prosecution then issues an opinion to the court. This is subject to Article 40(3) of the counterterrorism law, which asserts that the court is able to release the prisoner ‘should it find that his/her conditions so allows’.

The vague nature of the UAE’s anti-terrorism laws and its utility of the counselling centres is profoundly concerning, as expressed by a coalition of UN Special Procedures mandate holders in November 2020. The law fails to clearly define a terrorist threat and sets no time limit for continued detention. It is unclear if the defendant has any right to attend the court hearing of the prosecution’s report or see or challenge the evidence used to justify his detention.





Omran Al Radwan Alharathi

Date of Birth: 11 October 1983

Original Conviction:

Date of Arrest: 16 July 2012

Charge: Forming an association

The Case: Al Islah organisation (UAE94)

Case No: 2012/79

Law: Charged on Article 180 of the Federal Penal Code

Trial Start Date: 4 March 2013

Ruling Date: 2 July 2013

Sentence: 7 years

Court Type: State Security in the Federal Supreme Court (One-tier trial – no rights to appeal)

Sentence Completion Date: 16 July 2019

Victim Status: In arbitrary detention in Al Razeen prison, Abu Dhabi

Previous report: UNHRC Working Group on Arbitrary Detention 2013 Report

Detention History:

16 July 2012 – 9 March 2013: Secret Prison

A government news agency reported on 3 March 2013 that the judge requested the public prosecution to transfer the defendant to a “lawful prison”. This request comes after the trial began and after eight months of Omran’s detention date.

9 March 2013 – to date: Al Razeen Prison

UAE authorities took him to Al Wathba for few months in 2013

Omran is currently held in a Munasaha centre in Al Razeen prison, Abu Dhabi

He currently has no access to legal counsel





Mahmoud Hasan Alhosani
Date of birth: 20 April 1980

Original Conviction:

Date of Arrest: 16 July 2012

Charge: Forming an association

The Case: Al Islah organisation (UAE94)

Case No: 2012/79

Law: Charged on Article 180 of the Federal Penal Code

Trial Start Date: 4 March 2013

Ruling Date: 2 July 2013

Sentence: 7 years

Court Type: State Security in the Federal Supreme Court (One-tier trial – no rights to appeal)

Sentence Completion Date: 16 July 2019

Victim Status: In arbitrary detention in Al Razeen prison, Abu Dhabi

Previous report: UNHRC Working Group on Arbitrary Detention 2013 Report

Detention History:

16 July 2012 – 9 March 2013: Secret Prison

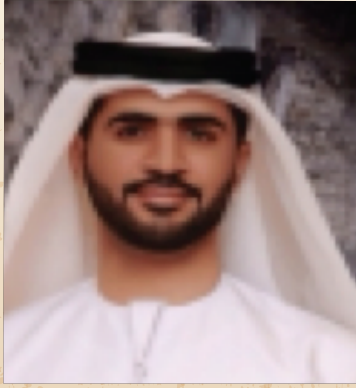
A government news agency reported on 3 March 2013 that the judge requested the public prosecution to transfer the defendant to a “lawful prison”. This request comes after the trial began and after eight months of Omran’s detention date.

9 March 2013 – to date: Al Razeen Prison

UAE Authorities took him to Al Wathba for few months in 2013

Mahmoud is currently held in a Munasaha centre in Al Razeen prison, Abu Dhabi

He currently has no access to legal counsel



Abdullah Abdulqader Al Hajiri
Age: 37 years old

Original Conviction:

Date of Arrest: 17 July 2012

Charge: Forming an association

The Case: Al Islah organisation (UAE94)

Case No: 2012/79

Law: Charged on Article 180 of the Federal Penal Code

Trial Start Date: 4 March 2013

Ruling Date: 2 July 2013

Sentence: 7 years

Court Type: State Security in the Federal Supreme Court (One-tier trial – no rights to appeal)

Sentence completion date: 12 July 2019

Victim Status: In arbitrary detention in Al Razeen prison, Abu Dhabi

Previous Report: UNHRC Working Group on Arbitrary Detention 2013 Report

Detention History:

12 October 2012 – 9 March 2013: Secret Prison

A government news agency reported on 3 March 2013 that the judge requested the public prosecution to transfer the defendant to a “lawful prison”. This request comes after the trial began and four months after Abdullah’s detention date.

The public prosecution does recognise his detention between 17 July 2012 to 23 December 2012

9 March 2013 – to date: Al Razeen Prison

UAE authorities placed him in Al Wathba for few months in 2013

Abdullah is currently held in a Munasaha centre in Al Razeen prison, Abu Dhabi

He currently has no access to legal counsel





Fahd Abdulqader Al Hajiri
Age: 45 years old

Original Conviction:

Date of Arrest: 2 March 2013

Charge: Forming an association

The Case: Al Islah organisation (UAE94)

Case No: 2012/79

Law: Charged on Article 180 of the Federal Penal Code

Trial Start Date: 4 March 2013

Ruling Date: 2 July 2013

Sentence: 7 years

Court Type: State Security in the Federal Supreme Court (One-tier trial – no rights to appeal)

Sentence completion date: 2 March 2020

Victim Status: In arbitrary detention in Al Razeen prison, Abu Dhabi

Previous Report: UNHRC Working Group on Arbitrary Detention 2013 Report

Detention History:

2 March 2013 – 6 July 2013: Al Wathba Prison

6 July 2013 – to date: Al Razeen Prison

Fahd is currently held in a Munasaha centre in Al Razeen prison, Abu Dhabi

He currently has no access to legal counsel



Khalifa Al-Rabia

Age: He is in his early 40s

Original Conviction:

Date of Arrest: 23 July 2013

Charge: Online activism

Case No: Unknown

Law: Charged on the ground of Federal Legal Decree No. 5 of 2012 Combating Cybercrime and Article 180 of the Federal Penal Code

Trial Start Date: 27 January 2014

Ruling Date: 10 March 2014

Sentence: 5 years plus a fine of 500,000 AED (\$131,000)

Court Type: State Security in the Federal Supreme Court (One-tier trial – no rights to appeal)

Sentence Completion Date: 23 July 2018

Victim Status: In arbitrary detention in Al Razeen prison, Abu Dhabi

Detention History:

23 July 2013 - Unknown: Secret Prison

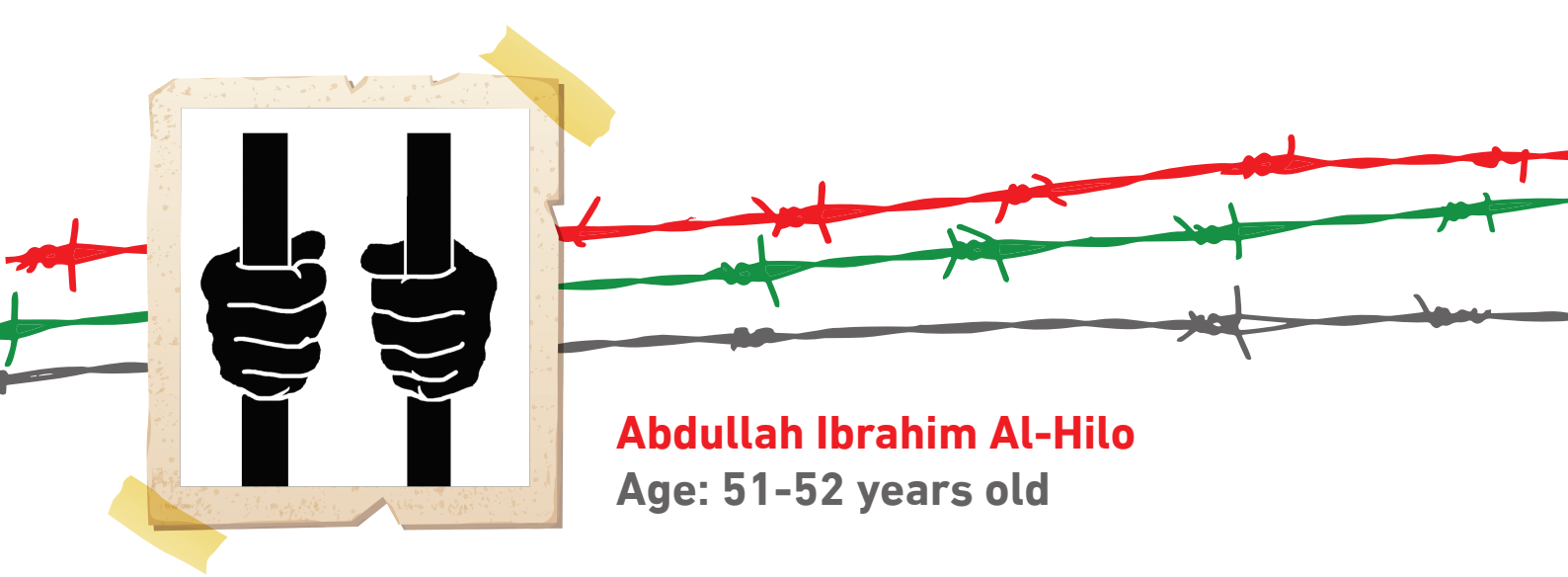
Khalifa was held in an undisclosed location in solitary confinement for months before his trial

10 March 2014 – to date: Al Razeen Prison

Khalifa is currently held in a Munasaha centre in Al Razeen prison, Abu Dhabi

He currently has no access to legal counsel





Abdullah Ibrahim Al-Hilo
Age: 51-52 years old

Original Conviction:

Date of Arrest: 22 April 2014

Charge: Membership of an association

Case No: Unknown

Law: Charged on Article 180 of the Federal Penal Code

Trial Start Date: 25 January 2016

Ruling Date: 13 June 2014

Sentence: 3 years

Court Type: State Security in the Federal Supreme Court (One-tier trial – no rights to appeal)

Sentence Completion Date: 22 April 2017

Victim Status: In arbitrary detention in Al Razeen prison, Abu Dhabi

Detention History:

10 March 2014 – to date: Al Razeen Prison

Abdullah is currently held in a Munasaha centre in Al Razeen prison, Abu Dhabi

He currently has no access to legal counsel



Abdullwahid Hasan Alsihi

Date of Birth: 24 October 1980

Original Conviction:

Date of Arrest: 26 March 2013

Charge: Membership of an association

Case No: 49-2013

Law: Charged on Article 180 of the Federal Penal Code

Trial Start Date: 3 November 2013

Ruling Date: 3 March 2014

Sentence: 5 years

Court Type: State Security in the Federal Supreme Court (One-tier trial – no rights to appeal)

Sentence Completion Date: 26 March 2018

Victim Status: In arbitrary detention in Al Razeen prison, Abu Dhabi

Detention History:

26 March 2013 – 3 November 2013: Secret Prison

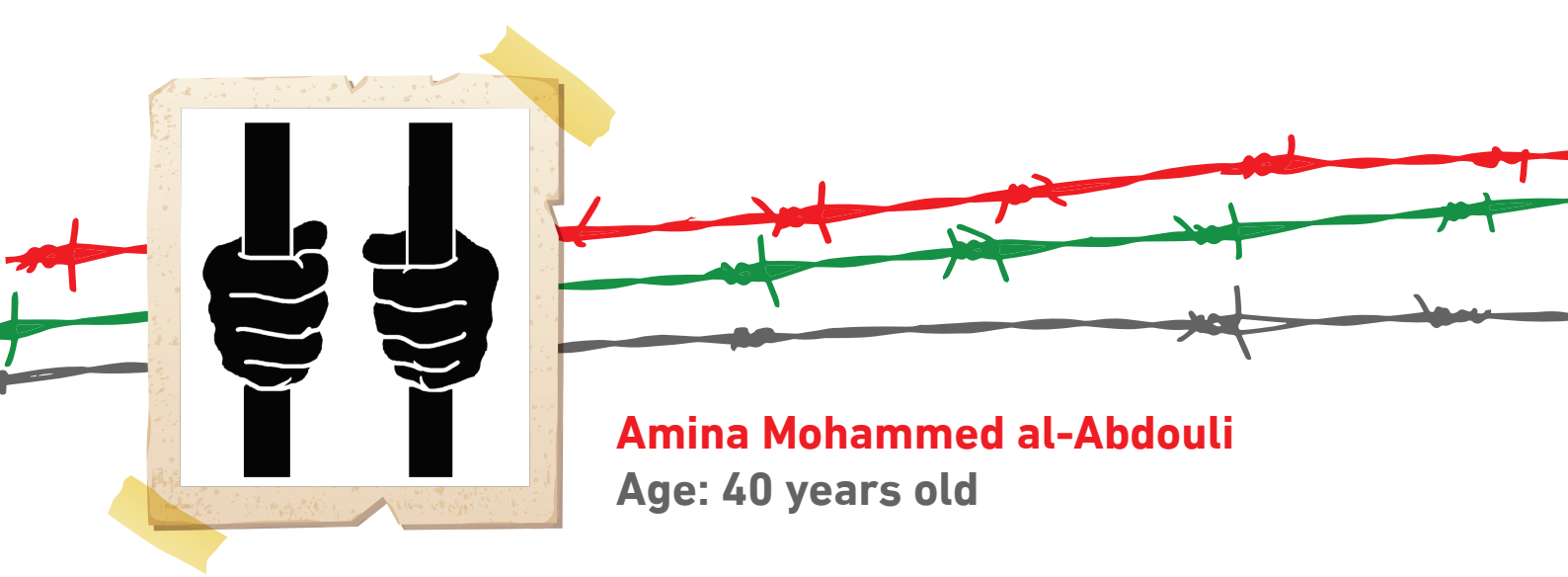
3 November 2013 – to date: Al Razeen Prison

UAE authorities placed him in Al Wathba for few months in 2013

Abdullwahid is currently held in a Munasaha centre in Al Razeen prison, Abu Dhabi

He currently has no access to legal counsel





Amina Mohammed al-Abdoui
Age: 40 years old

Original Conviction:

Date of Arrest: 19 November 2015

Charge: Online activism

Case No: Unknown

Law: Charged on the ground of Federal Legal Decree No. 5 of 2012 Combating Cybercrime

Trial Start Date: 27 June 2016

Ruling Date: 31 October 2016

Sentence: 5 years plus a fine of 500,000 AED

Court Type: State Security in the Federal Supreme Court (One-tier trial – no rights to appeal)

Sentence Completion Date: 19 November 2020

Additional Charge:

Charge: Disseminating false information relating to her video testimonies and letters smuggled out of Al Wathba prison

Law: Charged on the ground of Federal Legal Decree No. 5 of 2012 Combating Cybercrime

Charge Date: 30 July 2019

Trial Start Date: Has not begun

Victim Status: In arbitrary detention in Al Wahba prison, Abu Dhabi

Previous report: UNHRC Working Group on Arbitrary Detention 2021 Report

Detention History:

19 November 2015 – 30 June 2016: Secret Prison

30 June 2016 – to date: Al Wathba Prison

Amina has not had access to legal counsel in relation to her second charge





Maryam Suliman al-Balushi
Age: 24 years old

Original Conviction:

Date of Arrest: 19 November 2015

Charge: Online activism

Case No: Unknown

Law: Charged on the ground of Federal Law No. 2014 on Terrorism Law and Cybercrime Law

Trial Start Date: 24 October 2016

Ruling Date: 22 February 2017

Sentence: 5 years plus a fine of 500,000 AED

Court Type: Criminal Chamber of the Abu Dhabi Federal Appeal Court

Original Sentence Completion Date: 19 November 2020

Appeal Ruling: Upheld

Appeal Ruling Date: 5 June 2017

Appeal Court: She appealed to the State Security Chamber in the Federal Supreme Court

Additional Charge:

Charge: Disseminating false information relating to her video testimonies and letters smuggled out of Al Wathba prison

Law: Charged on the ground of Federal Legal Decree No. 5 of 2012 Combating Cybercrime

Charge Date: 30 July 2019

Trial Start Date: Has not begun

Victim Status: In arbitrary detention in Al Wathba prison, Abu Dhabi

Previous report: UNHRC Working Group on Arbitrary Detention 2021 Report

Detention History:

19 November 2015 – 12 April 2016: Secret Prison

12 April 2016 – to date: Al Wathba Prison

Amina has not had access to legal counsel in relation to her second charge

