

The International Campaign for Freedom
in the United Arab Emirates



QUARTERLY BRIEFING

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Abstract

The last quarter in the UAE has been marked by continued infringement on the basic freedoms of prisoners and free citizens alike. It has also seen, however, important international developments regarding the UAE's violation of human rights in Yemen.

Six years on from the trial of the UAE 94, only one prisoner has been released. Those who remain incarcerated are routinely subject to torture and other mistreatment. Female detainees are especially susceptible to mistreatment, having culminated in the death of Alia Abdel Nour earlier this year.

The past three months have also seen increased scrutiny of the UAE's involvement in Yemen. The UN and multiple international NGOs have condemned both the UAE's actions, as well as their international and corporate allies that facilitate their continued violation of international humanitarian law. Consequently, a criminal complaint has been filed regarding the 2016 attack on a funeral in Yemen that left 137 civilians dead.

Finally, on a positive note, prisoner of conscience Osama Al-Najjar was released in August, two years after completing his original sentence, along with two other prisoners.



Six years on from the 'UAE 94' trial, only one prisoner has been released

Six years on from the show trial of the UAE 94 that resulted in the detention of sixty-nine of the ninety-four accused, many of whom showed visible signs of torture and ill-treatment, only one has been released.

Abdul Rahman Bin Sobeih Al-Suwaidi, previously sentenced to ten years imprisonment, was released on May 16th after being forced to deny the torture he endured in prison and condemn his reform group on Sharjah TV, Abu Dhabi TV, and Emirates TV.

The UAE 94 were a disparate group of political activists who advocated increased democratic reform in the Gulf state in the wake of the Arab Spring. Loosely associated with political group Al-Islah, however, they were branded a national security threat and charged with attempting to overthrow the government. The UN Working Group on Arbitrary Detention has criticised the trial for its use of arbitrary detention, signalling that these detentions were motivated by “the exercise of their rights to freedom of opinion and expression and to freedom of assembly and association.”

According to the Index on Censorship, “At one stroke, the authorities removed from the public arena their most prominent critics [...] while signalling to other potential dissenters that they will not tolerate open political debate [...] or any form of criticism of the government.”





Female detainees continue to be tortured and mistreated

Female prisoners in the UAE's notorious Al-Watbha prison continue to be subject to ill-treatment at the hands of a prison system that has become increasingly repressive since the death of Alia Abdel Nour in detention in May this year.

Testimonies from female prisoners have detailed appalling conditions in which they are deprived of health care and clean drinking water, despite having serious medical conditions and requiring urgent medical assistance. Reports have also shown that inmates regularly have their cells searched, private items confiscated, and are randomly denied family visits.

Not only are female prisoners kept in appalling living conditions, they are also routinely subjugated to humiliation, harassment and torture. Detainee Mariam Al Baloushi has stated that she has been threatened, kept in solitary confinement and endured the notorious aggressive treatment from prison wardens who have physically and verbally abused her.

Another detainee, Amina Al Abdouli, began a three-week hunger strike after enduring psychological torture and rape threats from prison authorities in addition to being denied visitation rights to see her children.

Due to the clamp-down on free speech within the Emirati state, it has been difficult for reporters to document the cases of other female detainees who have been subject to the same harassment as Abdel Nour, Al Baloushi and Al Abdouli. Nevertheless, it is evident from these cases that the UAE have failed to uphold international and domestic laws regarding human rights, torture and treatment of prisoners.

Following the death of Abdel Nour, an open letter published by the ICF UAE on July 28th received cross-party support from thirty members of the UK Parliament, who jointly called for an independent investigation into her death, thus marking a significant development in international attitudes to human rights in the UAE.



The arms trade and the Saudi-UAE led coalition in Yemen

In July, an investigation by ABC documented evidence of UAE armed-forces using Australian made weapons in Yemen. This drew criticism from Oxfam who called on the Australian government to cease exporting arms to the UAE-Saudi led coalition. This report followed a US Senate resolution to block the sale of \$8bn worth of arms to Saudi Arabia and the United Arab Emirates, as well as a Court of Appeal ruling on 20 June 2019 that ruled against the UK government's eligibility to grant licenses for exported equipment if there is a clear risk of it being used for internal repression and violation of international humanitarian law. Evidence of a British made bomb used to destroy a civilian building, killing one, was revealed by Amnesty International in 2015, and though Britain has given £770m in food, medicines and other assistance to civilians in Yemen over the past half decade, over the same period it has made £6.2bn of arms sales to members of the Saudi-UAE led coalition.

An Amnesty International report published on September 10th condemned arms companies for 'outsourcing responsibility' for war crimes. Of the 22 companies contacted, 14 did not respond, while the remaining 8 were unable to demonstrate evidence of due diligence. Many of the companies investigated have profited exponentially from supplying arms and services to the Saudi-UAE led campaign in Yemen that has been accused of committing war crimes and violating international human rights law through airstrikes, torture, and the targeting of civilians "in a widespread and systematic manner", according to the UN. This includes a Saudi-coalition strike on a school bus in 2018 that left 40 children dead.

Moreover, a report by the Group of Eminent Experts on Yemen was published in early September condemning the UAE and Saudi Arabia as complicit in human rights violations and potential war crimes, concluding that the parties involved "bear enormous responsibility" and "must take action against those within their ranks who are responsible."



Finally, on September 16th, lawyers submitted a complaint to the UK Metropolitan Police Counter Terrorism Command (SO15) and the US Department of Justice under the powers of Universal Jurisdiction, the first criminal complaint filed in response to the attack on a funeral in Sana'a, Yemen in 2016 that left 137 civilians dead and a further 695 wounded.

A statement released by one of the deceased's uncles, Mr Nabeel Gubari, said: "They bombed a funeral. There is no excuse that can be given for what they did." The lead prosecutor on the case, Rodney Dixon QC, meanwhile, announced: "There is cogent evidence that the Saudi officials who planned and carried out the attack on the community hall where the funeral was being held should be investigated for committing war crimes and torture."



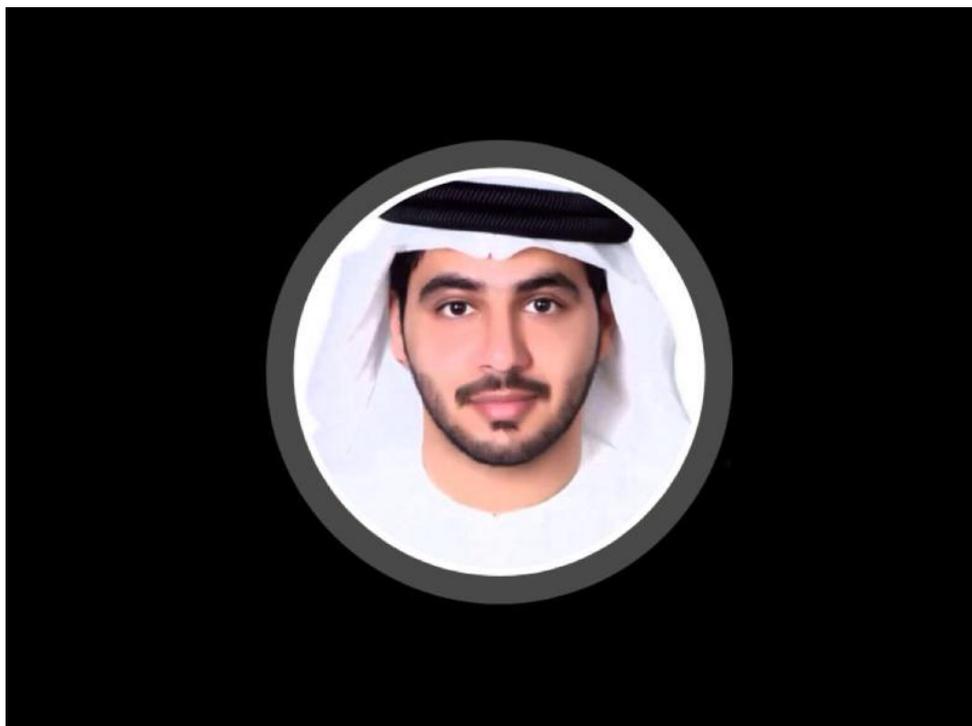


The release of Osama Al-Najjar

Two years after completing his sentence, Osama Al-Najjar was finally released on August 8th along with two other detainees, Badr Al-Bahri and Othman Al-Shehi.

Osama Al-Najjar was officially due for release in March 2017 after serving a three-year sentence under the Counter Terrorism Law for posting a series of Tweets critical of the government that showed contempt of his father's imprisonment as a member of the UAE 94. However, after the court deemed him a "threat" to national security, he was transferred instead to a so-called counseling centre within Abu Dhabi's al-Razeen prison.

As there is no trial proceeding this form of detention, those transferred to such facilities can be held indefinitely with the government - rather than the judiciary - handing down punishment. Nine other detainees continue to be held at al-Razeen despite completing their sentences. Al-Najjar's father is also yet to be released.





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