AL-RAZEEN PRISON: THE GUANTANAMO OF THE UAE

EXECUTIVE SUMMARY

Al-Razeen Prison is a maximum-security prison often referred to as the Guantanamo of the UAE. It is 120 km from Abu Dhabi, in the middle of the desert where temperatures reach record levels.

Al-Razeen prison holds mostly political prisoners and prisoners of conscience, such as Nasser bin Ghaith. Contrary to what is stated by Emirati authorities the prison conditions are poor, and breaches of human rights, such as torture and ill-treatment, are systematic. The authorities of Al-Razeen Prison violate internationally agreed standards, such as the UN Standard Minimum Rules for the Treatment of Prisoners, as well as relevant Emirati laws on a daily basis.

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INTRODUCTION

Al-Razeen Prison is a maximum-security prison often referred to as the Guantanamo of the UAE. It is 120 km from Abu Dhabi, in the middle of the desert where temperatures reach record levels.

Al-Razeen prison holds mostly political prisoners and prisoners of conscience, such as Nasser bin Ghaith. It has been used extensively since the grossly unfair mass “UAE94 trial”, which led to the imprisonment of 69 prominent human rights lawyers, academics and student leaders who had been engaged in peaceful political debate for many years in the UAE. In 2011, the group signed a petition calling for greater rights and democratic reform in the country. Despite international outrage and the repeated calls from human rights organisations for their immediate and unconditional release, many of those convicted are still languishing in Al-Razeen Prison.

Contrary to what is stated by Emirati authorities the prison conditions are poor, and breaches of human rights, such as torture and ill-treatment, are systematic. Authorities of Al-Razeen Prison violate internationally agreed standards, such as the UN Standard Minimum Rules for the Treatment of Prisoners, as well as relevant Emirati laws on a daily basis.

Very little information is provided on the management of the prison. Security guards are foreign citizens, mostly Nepalese, with no Arabic language skills, leaving prisoners unable to communicate with the guards. Former detainees, including Dr. Hadeef Rashid Abdullah Nasser Al-Owais, Dr. Ibrahim Ismail Mohamed Al-Yassi, Dr. Saif Mohammed Al-Egleh, Abdulrahman Al-Hadidi, Ali Mohammed Bin Hajar Al-Shehhi, Rashid Khalfan Bin Sabt and Abdulsalam Mohammed Darwish, have identified Suhail Matar as the director of the prison.

METHODOLOGY

The human rights violations documented in this report cover different time frames. It focuses particularly on Al-Razeen prison, for which reliable data is available. Depending on where the inmates are detained (other prisons include Al-Sader, Al-Wathba), the level of rights afforded and the treatment they endure may slightly differ.

International observation is not allowed. The UAE authorities have limited and obstructed independent monitoring of human rights, thereby further impairing the ability to obtain detailed assessments of the reported abuses. Requests for visits from the UN Special Rapporteur on Torture and the Committee on Enforced
Disappearances have yet not been accepted. Therefore, the ICFUAE does not seek to provide a comprehensive review of the prison conditions in the UAE. It simply wishes to highlight that torture and ill-treatment are a common practice in the Emirati places of detention, in flagrant violation of the sanctity of basic human rights and in clear breach of the relevant international standards.

THE LEGAL FRAMEWORK

Rights of prisoners under international law

The prohibition against torture is first entrenched under customary international law as ius cogens. This means that it is irrefutably legally binding, regardless of whether or not the State has ratified any international conventions which expressly forbid torture. Furthermore, the prohibition of torture and other ill-treatment is found in a number of human rights and humanitarian treaties.

Article 5 of the Universal Declaration of Human Rights (UDHR) imposes an outright ban on torture. Numerous subsequent international and regional instruments also condemn, including the International Covenant on Civil and Political rights. The UAE have not ratified this treaty despite receiving multiple recommendations to do so in UN Universal Periodic Review sessions, but as a member of the Human Rights Council they are bound by the UDHR.

Other treaties have been drawn up specifically to impose positive obligations on States. Among these, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment provides that effective measures must be taken to prevent acts of torture. It also underlines the non derogable nature of the prohibition and requires State parties to set up an independent authority to investigate complaints of torture.

A number of international instruments address other forms of ill-treatment. These are mainly the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, the Basic Principles for the Treatment of Prisoners and the Standard Minimum Rules for the Treatment of Prisoners. Though most are not legally binding, they have been of tremendous importance worldwide to ensure decent and adequate treatment to all prisoners. They contain a number of practical guidelines for prison management and cover a wide range of issues ranging from non-discrimination and healthcare, to contact with the outside world and conditions of detention. They all greatly emphasize that prisoners must be treated with respect for the inviolability of their body and mind.

On top of this, UN General Assembly Resolution 34/169 of 17 December 1979 obliges law enforcement officials "to respect and protect human dignity and maintain and uphold the human rights of all persons."

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1 Article 7, International Covenant on Civil and Political rights
2 Article 2, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. See also Additional Protocol
3 Article 12, Ibid
It is clear that there is an international consensus that prisoners should have the same set of rights than any other citizen. Human rights are universal and inherent to all human beings, without distinction of any kind. It is every nation’s duty to create laws that protect the rights of its citizens, which includes detainees.

**Rights of prisoners under domestic law**

The UAE has taken special care to cultivate the image of a peaceful country, which is respectful of human rights and reliable with regard to honouring its commitments.

Firstly, its Constitution expressly prohibits torture or other mistreatment\(^4\), including physical or mental abuse\(^5\). Additionally, Article 41 asserts the right of every person to submit complaints to the competent authorities regarding the infringement of his rights and freedoms. The UAE Penal Code further criminalises the use of torture under Article 247 and 259.

Yet, the practice of torture in prison has been widespread and predominant. Al-Razeen authorities intimidate prisoners and treat them in a way which is largely derogatory to the dignity of the human person and the rule of law.

**VIOLATIONS OF PRISONERS' RIGHTS**

**Beatings, threats of violence and chaining the prisoners**

Al-Razeen authorities routinely torture detainees using a wide range of methods including beating with whips, sticks and electric cables, removal of nails and hair and threats of rape.

The International Centre for Justice and Human Rights also revealed that the guards often chain the prisoners, leaving them scarred. Some detainees were even forced to sit under the scorching sun with their legs and arms tied.

**Solitary confinement**

The prison staff regularly place the prisoners of conscience in isolation for long periods of time, sometimes exceeding 7 days. The “UAE 94” prisoners in particular have been subjected to this.

The detainees are locked in tiny, lightless cells where the air is unbreathable, with no bed or chair. The psychological effects of solitary confinement are well-documented and terrifying. It damages the brain, possibly with permanent psychological disorders. It can cause psychosis, hallucinations, paranoia and suicidal thoughts. Studies have also found that inmates in solitary confinement often engage in self-mutilation.

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\(^4\) Article 26, UAE Constitution
\(^5\) Article 26, UAE Constitution
Using music as a mean of torture

Music is deliberately played at extreme volumes at day and night, even during the sleeping time, to break and erode the mental health of the prisoners of conscience. This occurs regardless of the state of sick persons and elderly prisoners. On the 11th of November 2015, Dr Mohammed al-Roken, a human rights lawyer, fell unconscious after the authorities of Al-Razeen blasted loud propaganda music for hours. He was later diagnosed with high blood pressure and an ear infection as a result of this.

Other treatments

The time allocated for detainees to go outside is deliberately rescheduled by the prison staff to be during the afternoon hours, when temperatures are excruciatingly high. Prisoners are left in the courtyard without any shade.

Furthermore, detainees have allegedly been banned from sitting and sleeping on a bed from 7.30 am to 2.30 am. The prison staff have not granted any preferential treatment or assistance to sick or elderly prisoners.

In February 2018, the prison staff also reportedly deprived prisoners of conscience from winter clothes and blankets. This puts them at high risk of injury or even death as the weather drops to freezing temperatures at night during the winter months.

Humiliating searches

Al-Razeen authorities often conduct humiliating searches, violating the individual’s rights to privacy and to physical and moral integrity.

In May 2017, Amran Al Radwan started a hunger strike after being beaten and subjected to degrading treatment, described by some as ‘sexual harassment’. At 2am, Nepalese guards forced him, along with other prisoners of conscience, to remove all his clothes. Amran Al Radwan was only allowed a towel to hide his genitalia. As a result, he suffered from psychological shock and fell into a depressive state. He continued his hunger strike despite his weak health.

Denial of the right to health

Essential medicines, medical equipment and medical supplies are lacking. Prisoners are not provided with basic health care, increasing the risk of the spread of disease.

Furthermore, prisoners with HIV do not receive proper treatment. This compromises their already weakened immune system, leading to incredibly poor health.
Poor prison conditions

Inmates live in appalling conditions as a form of additional punishment. This includes overcrowded and tiny cells, dirt, lack of appropriate bedding and facilities, intense heat or cold, lack of ventilation, lack of daylight or excessive artificial lighting, non-potable water, food shortages or expired food, causing nausea and diarrhoea. These poor living conditions greatly affect the prisoners' mental and physical health.

Preventing contact with the outside world

Al-Razeen authorities often prohibit family visits, especially in the cases of prisoners of conscience. This is allegedly what happened to the hunger striker Nasser Bin Ghaith.

Family visits are crucial for prisoners' mental health.

Detainees are also denied their right to meet with legal counsel, which undermines the fairness of their trial.

Unfair confiscations

The guards often search personal property without justification and unfairly seize personal effects and clothing.

A large number of detainees claimed that the prison staff confiscated their eyeglasses, causing headaches and making these prisoners susceptible to substantial harm as well as the feeling of extreme isolation.

Furthermore, they deprive the detainees from accessing newspapers, books, pens, papers, or even the Quran. Al-Razeen authorities intentionally sever their ties with the outside world and thereby jeopardise their rehabilitation and reintegration in society.

Denial of the right to hold prayers

Prisoners are not allowed to pray in congregations or give Friday sermons. Amran Radwan, for example, gave a speech during a Friday sermon. He was later put in solitary confinement and deprived from family visits.

The worrying situation of prisoners' families

Detainees' families are continuously exposed to cruel treatments such as humiliating body searches or long hours of wait in the blistering heat.
Family members are also denied access to the prison without legitimate reason. The mother of Dr. Mohammed al Roken was, for example, arbitrarily prevented from seeing her son on a regular visiting day, after a long and arduous journey under the desert sun.

The ICJHR also reported in 2016 that the prison staff had unfairly forbidden family visits on the first day of Eid, an important religious celebration.

**Denial of the right to appeal and to complain**

Inmates are deprived of their right to appeal a disciplinary sanction.

The competent authorities have also repeatedly failed to investigate allegations of torture, ill-treatment and human rights violations. No action has been taken in any cases. Al-Razeen authorities are therefore free from the injurious consequences of their actions. In other words, impunity is largely encouraged. The lack of attention paid in these grievances clearly shows that the highest authorities are complicit in the commission of serious violations of International law.

**RECOMMENDATIONS**

The International Campaign for Freedom in the UAE urges UAE authorities to:

1) Put an end to any acts of torture and other cruel, inhuman or degrading treatment or punishment

2) Put an end to all forms of ill-treatment

3) Improve the detention conditions in Al-Razeen Prison

4) Immediately release all the prisoners of conscience

5) Set up an independent body to investigate the complaints of torture and ill-treatment

6) Take appropriate sanctions against law enforcement officials liable for torturing and abusing the prisoners of conscience and their families

7) Allow international observation and monitoring by International Organisations

8) Ratify the Optional Protocol to the Convention against Torture

9) Ratify the International Covenant on Civil and Political Rights
Main sources

Report on the Prison Conditions in the United Arab Emirates, the International Centre for Justice and Human Rights

Behind the High-rise towers: double standards of human rights in the UAE

Torture and Abuse in Prisons in the United Arab Emirates, the Gulf Centre for Human Rights

UAE: serious abuses in al-Rezin prison, Emirates Centre for Human Rights

UAE authorities deny winter clothing to prisoners of opinion in Al-Razeen prison, Emirates Centre for Human Rights

The Universal Declaration of Human Rights

International Covenant on Civil and Political rights

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Additional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Treatment or Punishment

Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment

Basic Principles for the Treatment of Prisoners

The Standard Minimum Rules for the Treatment of Prisoners

UAE Constitution

UAE Penal Code