



28 March 2017

## **United Arab Emirates: Stop paying lip service to human rights and release Dr Nasser Bin Ghaith**

A coalition of ten human rights organizations today urged the United Arab Emirates (UAE) authorities to immediately and unconditionally release Dr Nasser Bin Ghaith, a prominent economist, academic and human rights defender, who faces a verdict in his case on 29 March 2017. He has been imprisoned in solitary confinement since his arrest in August 2015.

The coalition further appeals to the UAE authorities to end the criminalization of peaceful expression, including dissent, and to respect the rights to freedom of expression, association and assembly.

Bin Ghaith is facing five charges based solely on his peaceful activities, including his posts on Twitter expressing peaceful criticism of the human rights records of the UAE and Egyptian governments and calls for greater respect for human rights, freedoms and accountability in both countries. His charges also relate to unplanned meetings that he had during his travels in the region with political activists whom the UAE government has claimed are members of banned “terror” organizations. The charges were brought under vague and broad provisions in the Penal Code, 2012 cybercrime law, and the 2014 counterterror law.

If convicted of these charges, Bin Ghaith could face a sentence of up to life imprisonment or even the death penalty when the Federal Criminal Court of Appeal issues its verdict on 29 March. Under legislation in force since November 2016, the conviction and sentence can be appealed to the State Security Chamber of the Federal Supreme Court.

Bin Ghaith was arrested without a warrant on 18 August 2015 and neither he nor his family were informed of the reason for his arrest. The authorities held him in solitary confinement in an undisclosed location for nine months. He was allowed only intermittent contact with his family through telephone calls, which were monitored by officials, and he was not permitted to say where he was held. This treatment amounts to enforced disappearance and is absolutely prohibited under international human rights law.

He was not allowed visits with his family until after the start of his trial when he was moved to Al-Sadr Prison in Abu Dhabi until 18 May 2016, and his whereabouts became known.

During the first hearing on 4 April 2016, Bin Ghaith told the judge that he had been subjected to torture and other ill-treatment including beatings and sleep deprivation but, instead of ordering an independent investigation into his torture allegations, the judge turned off his microphone, silencing him.

Bin Ghaith was also denied access to a lawyer during his entire pre-trial detention period, despite repeated interrogations. He was only allowed to meet his lawyer for the first time at his second trial session on 2 May 2016, and, in the months that followed, officials restricted communication with his lawyer both inside and outside of court, further denying him the right to an adequate defence. Bin Ghaith's trial has clearly failed to meet international standards for fair trial.

Since 2011, the UAE authorities have gone to great lengths to silence criticism of government conduct, mounting an unprecedented crackdown on peaceful dissent and closing groups perceived as being critical of the government. State Security officials have subjected activists and human rights defenders to harassment, arbitrary detention, torture and other ill-treatment, unfair trials and long prison sentences.

The actions of the UAE authorities at home contradict their rhetoric abroad. In a speech made at the 34<sup>th</sup> session of the UN Human Rights Council on 28 February 2017, the UAE's Minister of State for Foreign Affairs Dr Anwar Gargash said that "the UAE remains deeply committed to promoting respect for human rights and fundamental freedoms...[and]...to promoting tolerance and acceptance."

However, by continuing their prosecution of Bin Ghaith and by ignoring recommendations from independent human rights organizations and UN human rights experts, including those of the Working Group on Arbitrary Detention and the UN Special Rapporteur on the independence of judges and lawyers, the UAE authorities are displaying complete disregard for their obligations under international human

rights law and standards, including under the UN Convention against Torture, to which the UAE is a state party.

If the UAE authorities are serious about their commitment to human rights, they will immediately and unconditionally release Bin Ghaith and all other human rights defenders and respect their right to freedom of expression, association and peaceful assembly. The international community must stop looking the other way and hold the UAE authorities to their word.

**The undersigned human rights organizations:**

- Call on the UAE authorities to immediately and unconditionally release Dr Nasser Bin Ghaith and all other prisoners of conscience and respect their right to freedom of expression, association and assembly;
- Call on the UAE authorities to, pending his release, remove Dr Nasser Bin Ghaith from solitary confinement, as prolonged and indefinite solitary confinement amounts to torture or other cruel, inhuman or degrading treatment or punishment under international law; and
- Call on its allies to use their influence to urge the UAE authorities to release Dr Nasser Bin Ghaith and all other prisoners of conscience.

**Background:**

Dr Nasser Bin Ghaith was previously arrested in April 2011 alongside four other activists and human rights defenders (collectively known as the “UAE5”) for calling for economic, political and social reforms in the UAE. In November 2011, after an unfair trial, he was convicted of “insulting officials” and sentenced to two years’ imprisonment. Following an international outcry, the UAE President pardoned Bin Ghaith and the others, and he was released.

For more background on Bin Ghaith’s case, see:

- UAE: Rights groups call on UN to help free academic Dr Nasser Bin Ghaith, 04 October 2016, <http://www.gc4hr.org/news/view/1394>
- Amnesty International, UAE: Economist's Next Trial on 22 February: Dr Nasser Bin Ghaith, Amnesty International, 21 February 2017, <https://www.amnesty.org/en/documents/mde25/5738/2017/en/>

**Signed:**

Amnesty International

Arabic Network for Human Rights Information (ANHRI)

Cairo Institute for Human Rights Studies (CIHRS)

FIDH, under the Observatory for the Protection of Human Rights Defenders

Front Line Defenders

Gulf Centre for Human Rights (GCHR)

Human Rights First

International Service for Human Rights (ISHR)

Scholars at Risk

World Organisation Against Torture (OMCT), under the Observatory for the Protection of Human Rights Defenders