



**MENA
Rights
Group**

Intimidation and reprisals for cooperation with the UN

Submission to the Secretary- General

Report submitted to the Secretary-General in the context of the preparation of the annual report on intimidation and reprisals for cooperation with the UN in the field of human rights

1 May 2020

1 Introduction

The present submission provides information on several individuals who were subjected to continued acts of reprisals – between 1 June 2019 and 30 April 2020 – in Djibouti, Mauritania, Egypt, Saudi Arabia and the United Arab Emirates.

Furthermore, we also share our concerns over an alarming pattern of intimidation and reprisals faced by members of civil society during sessions of the Human Rights Council (HRC) and Treaty Bodies, which continue to occur.

The cases included in this report are only ones for which we have direct contact with the victims and/or their relatives, and who have all given their consent to be featured in this submission and have their case raised by the United Nations Secretary-General (UNSG) in his annual report.

Cases of reprisals

1.1 Human Rights Council and Treaty Bodies

This year, there has been an alarming pattern of intimidation and reprisals faced by members of civil society during sessions of the HRC and Treaty Bodies.

During the 41st session of the HRC, several individuals, working with UN Member and Observance States, attended side-events. These individuals, who were wearing non-diplomatic badges at the time, acted in a threatening manner, recording conversations, taking photos, and making menacing gestures and comments. Likewise, there have been several instances in which governmental non-governmental organisations have registered for confidential and closed briefings with Treaty Bodies members, providing them with knowledge of the attendees.

In addition, we believe there is discrimination within the UN system, as government support of governmental non-governmental organisations means that they are often granted consultative status with the UN, whilst independent NGOs continue to be denied the ECOSOC status. This contributes to the proliferation of governmental non-governmental organisations both at the HRC and Treaty Bodies, allowing them to influence the discourse about human rights and minimise the real issues at stake.

On August 23, 2019, Mena Rights Group was amongst 23 NGOs which wrote to the United Nations Assistant Secretary-General for Human Rights, the President of the HRC, and the Special Rapporteur on the situation of human rights defenders, to raise concerns over an alarming pattern of intimidation and reprisals faced by members of civil society during sessions of the HRC and Treaty Bodies.¹

¹ The letter is available here: <https://menarights.org/en/articles/ngos-alarming-trend-intimidation-and-reprisals-un-premises-must-be-addressed-urgently-0> (accessed 30 April 2020).

1.2 Djibouti

The case of Mr Kadar Abdi Ibrahim was included in the 2018 and 2019 reports of the UNSG (A/HRC/39/41; A/HRC/42/30).

Mr Kadar is a Djibouti-based human rights defender and journalist. Between 9 and 12 April 2018, Mr Kadar travelled to Geneva to carry out advocacy activities ahead of Djibouti's third Universal Period Review (UPR). Notably, he presented the recommendations included in a joint Defend-Defenders/CIVICUS/FIDH report and took part in a pre-session meeting organised by the NGO UPR Info on 10 April. During his stay, he also met with representatives of a dozen States as well as the Office of the UN High Commissioner for Human Rights. On 15 April 2018, just two days after coming back from Geneva, he was briefly detained and had his passport confiscated by eight members of the Information and Security Service (SDS), Djibouti's secret service, who raided his home.² Although he was released shortly after his arrest, he was unable to retrieve his passport, preventing him from leaving the country. He was therefore unable to participate in the review of Djibouti by the Working Group on the UPR, held on 10 May 2018. On 2 September 2018, he sought the assistance of the Mediator of the Republic and the president of the National Council for Human Rights, to no avail. During that same period, he also sent letters to the head of the SDS as well as Djibouti's public prosecutor.

Update

Mr Kadar Abdi Ibrahim's passport is still retained at the SDS headquarters, preventing him from leaving the country and carrying out his human rights activities. In August 2019, he sent another letter to the SDS, to no avail. A week later, he went to the SDS headquarters to discuss the matter with the head of the SDS, Mr Hassan Saïd Khaireh, who refused to meet with him. He was later informally informed that the SDS's director was willing to return Mr Kadar's passport, but could not follow through due to "pressure from the Presidency".

1.3 Egypt

1.3.1 Ebrahim Abdelmonem Metwally Hegazy

The case of Mr Ebrahim Abdelmonem Metwally Hegazy was included in the 2018 and 2019 reports of the UNSG (A/HRC/39/41; A/HRC/40/30).

Mr Ebrahim Abdelmonem Metwally Hegazy is the co-founder and coordinator of the Association of the Families of the Disappeared. He provides the relatives of those forcibly disappeared in Egypt with legal counselling both at the domestic and international level, including through the submission of cases to the United Nations Working Group on Enforced or Involuntary Disappearances (WGEID). He is the father of Mr Amr Ibrahim Abdel Metwally Hegazy, who remains missing since his arrest on 7 August 2013, and whose case has been submitted by his father to the WGEID.

On 10 September 2017, Mr Hegazy was about to board a flight to Geneva to attend a meeting with the WGEID when he was arrested by members of the Egyptian security forces and the airport police, at Cairo International Airport, and taken to an unknown place of detention. He

² For more information : Fédération internationale des ligues des droits de l'homme, *Djibouti: Reprisals against human rights defender Kadar Abdi Ibrahim upon his return from an advocacy mission in Geneva*, 18 April 2018, <https://www.fidh.org/en/issues/human-rights-defenders/djibouti-reprisals-against-human-rights-defender-kadar-abdi-ibrahim> (accessed 27 April 2020).

reappeared on 12 September 2017 before the State Security Court, which extended his detention for 15 days pending investigation by the Egyptian State Prosecution on charges of “establishing an illegal organisation”, “conspiracy with foreign entities to harm the security of the state” and “spreading false information”. A letter from the WGEID inviting Mr Hegazy for a meeting in Geneva was used by the prosecutor as inculpatory evidence. Mr Hegazy was held in Al Aqrab maximum security section of Tora prison. He reported having been subjected to torture, including being electrocuted while naked, and being held in solitary confinement.

The case, State Security Case 900/2017, was addressed by the Assistant Secretary-General for Human Rights in September 2017, and several Special Procedures mandate holders submitted a joint urgent appeal (JUA EGY 14/2017) the following month. On 8 November 2017, Egypt replied that Mr Hegazy was arrested “pursuant to a warrant issued by the Public Prosecution [...] on the basis of investigations conducted by the security services”. They accused him of being a member of the banned Muslim Brotherhood and of being instructed by “fugitive leaders [...] living abroad [...] to contact a number of human rights organizations in and outside the country for the purpose of securing their support through false or misleading reports concerning the security and political situations in the country with a view to harming its interests” (HRC/NONE/2017/141).

On 31 July 2018, Egypt provided a further update on the case, confirming that he had been charged with “leading a terrorist group” and “spreading false news”, and that he was still being investigated (A/HRC/39/41). For at least two of the proceedings, Mr Hegazy’s lawyers were notified with adjournment dates that differed from the days in which Mr Hegazy was physically present in the courtroom, affecting both his right to prepare his defence and the possibility for the lawyers to enquire into the treatment he was receiving in detention.

Update

Throughout the reporting period, Mr Hegazy has continued to be held *incommunicado* and in solitary confinement in the Al Aqrab maximum security section of Tora prison. In addition to being subjected to prolonged solitary confinement which amounts to torture, he has also been subjected to systematic physical and psychological abuse amounting to torture and ill-treatment. His detention conditions remain extremely poor and he continues to be held in a dark infested cell that lacks basic hygiene.

On 14 August 2019, the Working Group on Arbitrary Detention (WGAD) issued Opinion No. 41/2019, stating that Mr Hegazy’s detention was arbitrary under categories I, II, III and V. On 10 September 2019, the Criminal Court of Cairo rejected an appeal against his detention under State Security Case 900/2017 and renewed it for an additional 45 days, thereby exceeding the maximum pre-trial detention period permissible under Egyptian law. The Supreme State Security Prosecution ordered his release on 14 October 2019, however, he was not released by the authorities. On 5 November 2019, a new case was brought against Mr Hegazy (State Security Case 1470/2019) and he was charged with “joining a terrorist group” and “funding terrorism”.

For nearly one year, beginning in February 2019, the prison administration barred family visits, despite permission being granted by the prosecution to allow visitation. In February 2020, four months after Mr Hegazy was added to State Security Case 1470/2019, visits were permitted once again. Currently, the prison only permits ten visits from families per day. Families of detainees need to register a request to visit and selection is arbitrary.

Despite suffering from acute prostatitis and serious vision problems that have resulted from the lack of lighting in the solitary confinement cell, Mr Hegazy continues to be denied access to medical care and the opportunity to be examined by medical specialists. On 16 March 2020, his pre-trial detention was renewed *in absentia*, followed by a further two-week extension. On 25 March 2020, Mr Hegazy's son filed a complaint with the public prosecutor, requesting Mr Hegazy's release.

1.3.2 Ahmed Shawky Abdelsattar Mohamed Amasha

The case of Dr Ahmed Shawky Abdelsattar Mohamed Amasha was included in the 2017, 2018 and 2019 reports of the UNSG (A/HRC/36/31; A/HRC/39/41; A/HRC/40/30).

Dr Amasha is a veterinarian and human rights defender, who helped the families of those forcibly disappeared and arbitrarily detained in Egypt both at a domestic and international level, including by submitting cases to the WGEID. He is also a member of the opposition and a trade unionist.

On 10 March 2017, he was arrested by police officers at the Nasr City checkpoint and taken to an unknown location. He reappeared on 1 April 2017 before the Public Prosecutor of Tagamo' El Khames (District 5) in Cairo, where he was interrogated without the presence of a lawyer. On 13 April 2017, Dr Amasha was again brought before the prosecutor, this time in the presence of his lawyer, and charged with "belonging to a banned group". He was then transferred to Tora Prison in Cairo.

Dr Amasha reported that, during his enforced disappearance, he was held at the central police station of Abbasiya in the Cairo governorate. There, he was subjected to torture and ill-treatment for several consecutive days by State Security officers to force him to sign a pre-written confession that declared that he was a member of a "banned group". The officers blindfolded and handcuffed him, electrocuted him on different parts of his body, raped him with a stick and threatened to rape his wife and daughters. On 3 May 2017, several Special Procedures mandate holders sent an urgent appeal to the Egyptian authorities (UA EGY 5/2017).

Whilst held in pre-trial detention in Tora prison, Dr Amasha was kept in poor conditions and was not allowed to receive visits from his family and lawyer. The prison authorities failed to provide him with adequate medical care by not allowing him the medicine and medical examinations he urgently required. Furthermore, his lawyers were only able to see him when he is presented to the prosecutor for the renewal of his pre-trial detention, during which time he is held in a glass cage. In these instances, the lawyers were allowed to speak with him for brief periods of time and only in the presence of the prosecutor.

Update

On 10 September 2019, the Cairo Criminal Court ordered the provisional release of Dr Amasha. Despite this, he remained in detention at Damietta Prison until 4 October 2019, when he was released on bail. The conditions of his bail agreement require that he report to the police station twice a week.

1.4 Mauritania

Human rights defenders in Mauritania face practical obstacles in their work, especially when working on certain sensitive human rights issues including ethnic and caste discrimination,

slavery and the need for accountability for a campaign of atrocities perpetrated against large segments of the Afro-Mauritanian population between 1986 and 1991. Associations campaigning on these issues are regularly denied approval from the authorities undermining their ability to operate.

Laws on criminal defamation, discrimination, the spread of “false information”, and blasphemy are regularly used to prosecute and jail human rights defenders, activists, bloggers, and political dissidents.

1.4.1 Attacks against members of IRA

The cases of 13 members of Initiative pour la résurgence du mouvement abolitionniste (IRA), an anti-slavery movement, were included in the 2017 report of the UNSG (A/HRC/36/31).

On 11 October 2016, seven special procedure mandate holders expressed their concern about grave violations in Mauritania relating to the judicial process, including allegations of torture after 13 members of the IRA were arrested, arbitrarily detained and sentenced to prison. Mandate holders expressed their concerns about the possible link between the violations suffered by the members and their cooperation with the Special Rapporteur on extreme poverty and human rights during his visit to the country in May 2016 (MRT 2/2016).

Update

Attacks against members of IRA have continued since the issuance of the 2017 reprisals report. On 13 April 2020, Ms Marième Cheikh, a founding member of IRA, was arrested by members of the intelligence after she published a post on social media criticising the white Moor community. She was prosecuted under the Cybercrime law of 2016 before being released on 21 April 2020. At the time of writing, the charges pressed against her have not been dropped.

1.4.2 Obstacles faced by NGOs working on past violations

The cases of 5 activists working on the violations committed during the *Passif humanitaire* were included in the 2019 report of the UNSG (A/HRC/42/30).

In July 2018, five NGO representatives, namely Ms Maimouna Alpha Sy, Ms Aissata Anne and Ms Aissata Diallo of Collectif des veuves, Mr Sy Yaya Ousmane of Collectif des orphelins and Mr Baba Traoré of Collectif des rescapés were not allowed to embark to Geneva, despite having visas duly issued by the Swiss Embassy. They intended to cooperate with the Committee against Torture (CAT) during its consideration of the State party’s second periodic report in July 2018. On 27 August 2018, special procedures mandate holders addressed the confiscation of their passports and the travel ban applied to them, which had prevented their travel to Geneva to participate in the session of the CAT (MRT 2/2018). In its Concluding Observations, the CAT also raised concern over reports indicating that, on the pretext of checking their visas, the authorities detained five human rights defenders who intended to cooperate with the Committee (CAT/C/MRT/CO/2, para. 26).

Update

The aforementioned organisations remain deprived of an official accreditation allowing them to carry out their activities freely. They are still not allowed to hold any public event, whether indoor or outdoor, impacting their right to peaceful assembly. In its Concluding Observations on the second periodic report of Mauritania, the Human Rights Committee raised concerns

that non-governmental organisations and associations for the defence of human rights are required to obtain prior authorisation and that some face administrative obstacles in doing so, which forces them to operate underground (CCPR/C/MRT/CO/2, para. 42).

1.5 Saudi Arabia

1.5.1 Mohammad Fahad Al Qahtani

The case of Mohammad Fahad Al Qahtani was included in the 2012, 2013 and 2019 reports of the UNSG (A/HRC/21/18; A/HRC/24/29; A/HRC/40/30).

Mohammad Fahad Al Qahtani, lawyer and co-founder of the Saudi Association for Civil and Political Rights (ACPRA), was sentenced on 9 March 2013 by the Criminal Court in Riyadh to 10 years of imprisonment and a 10-year travel ban for several charges including “accusing the judicial and legal system of lack of independence and questioning their integrity”; “antagonising the international organisations against the Saudi government by disseminating false information”; and “using the Internet to disseminate opinions, petitions, and statements against the government.”

On 17 December 2018, Mr Al Qahtani started a hunger strike and was subsequently punished with solitary confinement for two days. On 20 March 2019, Mr Al Qahtani was moved from the political prisoners wing of Al Hai'r Prison to the wing hosting regular criminals. He complained about the circulation of drugs and requested to be transferred back. To date, his request has not been granted.

Update

In February 2020, Mr Al Qahtani was denied contact with his family for several days, during which he was transferred from one prison ward to another.

1.5.2 Essa Al Nukheifi

The case of Mr Essa Al Nukheifi was included in the 2018 and 2019 reports of the UNSG (A/HRC/39/41; A/HRC/40/30).

Mr Essa Al Nukheifi is a human rights defender and anti-corruption activist, who has been subjected to reprisals for his human rights activism and cooperation with international civil society and the United Nations. He was consulted during the preparation for the Special Rapporteur on extreme poverty's visit to Saudi Arabia in January 2017, and he agreed to meet and further assist them on the ground.

Yet, on 17 December 2016, Mr Al Nukheifi was summoned to the Criminal Investigation Department and immediately arrested upon reporting to the police station the next day. Mr Al Nukheifi's trial before the SCC commenced on 21 August 2017. The charges brought against him included “seeking to destabilise the social fabric and national cohesion”; “communicating with and receiving money from foreign groups considered to be enemies of the state” and “using a personal cell phone and the internet to store and transfer information that is harmful to the public order”.

On 28 February 2018, the SCC sentenced Mr Al Nukheifi to six years in prison, and imposed a six-year travel and social media ban on him upon his release. On 7 April 2018, in a decision that cannot be further appealed, the Court of Appeal confirmed Mr Al Nukheifi's sentence.

On 8 April 2019, Mr Al Nukeifi requested to be transferred to Jizan prison in order to be closer to his 80-year-old mother, who struggles to visit him at Makkah General Prison, which is over 700 km away from their usual residence.

Update

In August 2019, instead of his request being granted, Mr Al Nukheifi was transferred to Al Ha'ir prison in Riyadh for re-trial. It appears that this trial is no longer going ahead and may have been used as a punitive measure against him in order to cause fear and place him further from his mother and family.

Information disclosed in July 2019 revealed that Mr Al Nukheifi has been subjected to on-going ill-treatment, including being stripped of his clothes and having his hands and feet shackled.

On 21 November 2019, the WGAD adopted Opinion No. 71/2019, in which the WGAD stated that Mr Al Nukheifi was being detained arbitrarily, and called on the authorities for his immediate release.

1.5.3 Abdullah Al Hamid

The case of Mr Abdullah Al Hamid was included in the 2013 report of the UNSG (A/HRC/24/29).

Mr Al Hamid was co-founder of the ACPRA. On 9 March 2013, the Riyadh Specialised Criminal Court sentenced him to six years of imprisonment on charges of having provided false information to external sources, including human rights mechanisms of the United Nations.

Update

Throughout the reporting period, Mr Al Hamid was denied phone calls and visits on several occasions and the prison authorities refused to let him inform his family, or anyone else outside the prison, about his state of health, impacting his psychological wellbeing.

In January 2020, a doctor advised Mr Al Hamid that he urgently needed a heart catheterisation operation. However, the prison administration delayed the operation by several months and it was eventually decided that the operation would take place in late May or early June 2020. Despite his request, Al Hamid was not allowed to remain in hospital whilst awaiting the operation. He was not provided with medical care in prison.

On 9 April 2020 Mr Al Hamid suffered a stroke, whilst in prison, and entered into a coma. He was subsequently hospitalised at the King Saud Medical City Hospital (KSMC) and died on 23 April 2020.

1.5.4 Issa Al Hamid

The case of Mr Issa Al Hamid was included in the 2017 and 2018 reports of the UNSG (A/HRC/36/31; A/HRC/39/41).

On 21 November 2013, Mr Al Hamid, a member of the ACPRA, was summoned for interrogation for the first time. On 3 July 2014 he was officially informed of the charges against him, which included “incitement to demonstrate”, “harming the credibility of religious authorities”, “contempt of a state constituent body” and “contacting foreign organisations and providing false information”.

On 24 April 2016, Mr Al Hamid was sentenced to nine years in prison, followed by a nine-year travel ban upon his release. On 13 December 2016, three special procedures mandate holders

raised concerns over allegations of reprisals against Mr Al Hamid for cooperating with the United Nations (SAU 8/2016).

Following an appeal, on 1 December 2016 Al Hamid's sentence was increased to 11 years in prison, an 11-year travel ban upon his release, and a fine of 100,000 Saudi Riyals. Mr Al Hamid began serving his sentence on 16 September 2017 and has been held in Onazya Prison ever since.

Update

On 21 November 2019, the WGAD adopted Opinion No. 71/2019, wherein the WGAD stated that Mr Al Hamid was being detained arbitrarily and called on the authorities for his immediate release.

In April 2020, Mr Al Hamid was placed in solitary confinement for approximately ten days, including the time during which his brother Abdullah Al Hamid's was in hospital.

1.5.5 Samar Badawi

The case of Ms Samar Badawi was included in the 2015 and 2019 reports of the UNSG (A/HRC/30/29; A/HRC/40/30).

Ms Samar Badawi is a human rights defender who has been targeted repeatedly by the Saudi authorities for her peaceful activism. She advocates for women's rights; civil and political rights; and the release of her brother, Raif Badawi, as well as her ex-husband, Waleed Abu Al Khair.

In September 2014, Ms Badawi delivered a statement to the HRC at its 27th session. On 3 December 2014, Ms Badawi was prevented from boarding a flight to Belgium, to participate in a human rights forum, by security officials at King Abdulaziz International Airport. Ms Badawi was informed that a travel ban had been issued against her for an indefinite period.

In January 2016, Ms Badawi was arrested and interrogated, before being released a few hours later. She was again called in for questioning in February 2017 and was held for several hours before being released. On 30 July 2018, members of the Mabahith Intelligence service arrested Ms Badawi from her house in Jeddah without an arrest warrant and without informing her of the reasons for her arrest. They took her to an unknown location, where she remained in *incommunicado* detention for approximately one month before being allowed contact with her family.

Ms Badawi was among the women who faced sexual harassment, torture and other forms of physical and psychological ill-treatment during interrogation. Throughout the investigation period, Ms Badawi was denied her right to legal counsel.

Update

On 27 June 2019, Ms Badawi was brought to trial before the Criminal Court, alongside several other women's rights activists, in relation to charges under the Cybercrime Law. Her appearance before the court was the first since her arrest and there is no indication that legal representation was present.

The charge sheets relating to Ms Badawi and other women included "undermining public order, religious values, good morals and private life" and "communicating with journalists, UN human rights bodies and human rights organisations" including Amnesty International, Human Rights Watch and ALQST, groups described as "hostile to the state".

The legal charges being brought against the activists have not been publicly released, but the punishments being sought by prosecution indicate the nature of the charges. The prosecution is calling for the maximum penalty under Article 6 of the Cybercrime Law. Article 6 prescribes a prison term of up to five years and/or a fine of three million riyals as punishment for “any person who produces, prepares, transmits or stores by means of the Internet or a computer anything that might breach public order, religious values or personal privacy”.

Throughout the trial, Ms Badawi’s hearings have been regularly postponed. Most recently, Ms Badawi was scheduled to attend a hearing on 18 March 2020. However, her hearing date was indefinitely postponed due to the COVID-19 outbreak.

1.5.6 Loujain Al Hathloul

The case of Ms Loujain Al Hathloul was included in the 2019 report of the UNSG (A/HRC/40/30).

On 27 February 2018, Ms Al Hathloul attended the session of the Committee on the Elimination of Discrimination against Women (CEDAW) during its consideration of Saudi Arabia. In early March 2018, shortly after returning from Geneva, she was arrested in Abu Dhabi by Emirati authorities and taken to Riyadh by Saudi authorities for interrogation. After three days she was released and a travel ban was imposed.

On 15 May 2018, Saudi police forces raided Ms Al Hathloul’s home, arrested her and held her *incommunicado* for three months. The charges against her included promoting women’s rights, calling for the end to the male guardianship system and contacting foreign organisations including the media, other activists and human rights organisations. The case of Ms Al Hathloul was raised by several special procedures mandate holders (SAU 15/2014; SAU 7/2018 SAU 1/2019).

In 2018 the CEDAW Chair and Focal Point on Reprisals wrote confidential letters to the Government related to the allegations of arbitrary detention and degrading treatment and punishment, to which the Saudi authorities responded.

On 13 March 2019 her trial began before the Criminal Court. Similarly, all of her subsequent court sessions have been closed, with diplomats and journalists prevented from attending.

Update

On 13 August 2019, Ms Al Hathloul’s family advised that Saudi state security had recently visited her in prison in order to negotiate a deal whereby Ms Al Hathloul would be released from prison in return for making a video statement denying that she was tortured. However, it is reported that she rejected this proposal.

Ms Al Hathloul appeared before the Criminal Court in Riyadh on 30 January and 12 February 2020. In mid-March, Ms Al Hathloul was due to appear in court again. However, her hearing date has been indefinitely postponed due to the COVID-19 outbreak.

The charge sheets relating to Ms Al Hathloul and other women included “undermining public order, religious values, good morals and private life” and “communicating with journalists, UN human rights bodies and human rights organisations” such as Amnesty International, Human Rights Watch and ALQST, groups described as “hostile to the state”.

Charges being brought against the women’s rights activists have not been publicly released, but the punishments being sought by prosecution indicates the nature of the charges. The

prosecution is calling for the maximum penalty under article 6 of the Cybercrime Law. Article 6 prescribes a prison term of up to five years and/or a fine of three million ryals as punishment for “any person who produces, prepares, transmits or stores by means of the Internet or a computer anything that might breach public order, religious values or personal privacy”.

Ms Al Hathloul has been subjected to long spells in solitary confinement. In April 2020, Ms Al Hathloul’s family had a call cut off and were denied their weekly call. Physical visits have been suspended in light of the COVID-19 outbreak.

1.5.7 Yahya Al Assiri

The case of Mr Yahya Al Assiri was included in the 2019 report of the UNSG (A/HRC/40/30).

In March 2019, Mr Yahya Al Assiri, director of the Saudi human rights organisation ALQST, delivered a statement on behalf of the International Federation for Human Rights (FIDH), during the adoption of the UPR outcome of Saudi Arabia, and spoke as a panellist at a side-event on Saudi Arabia organised by MENA Rights Group, Right Livelihood Foundation, World Organisation Against Torture (OMCT) and the Gulf Centre for Human Rights (GCHR). As a result of his engagement, Mr Al Assiri received threats on social media. In addition, some of the women human rights defenders detained in 2018 were reportedly interrogated about Mr Al Assiri, including explicitly regarding his engagement with the UN HRC.

Update

The charge sheets relating to Ms Hathloul, Ms Badawi and other women’s rights activists included contacting Mr Al Assiri personally, as well as journalists, UN bodies and human rights organisations.

1.6 United Arab Emirates

1.6.1 Ahmed Mansoor

The case of Mr Ahmed Mansoor was included in the 2014, 2017, 2018 and 2019 reports of the UNSG (A/HRC/27/38; A/HRC/36/31; A/HRC/39/41; A/HRC/40/30).

Mr Mansoor is a prominent human rights defender who has experienced physical assaults, death threats, government surveillance, and since 2011, has been subject to a travel ban to prevent him from engaging in person with United Nations human rights mechanisms. On 20 March 2017 Mr Mansoor was arrested without a warrant by Emirati security forces, who searched his home and confiscated laptops and other equipment. He was subsequently disappeared by the authorities and, on 27 March 2017, three UN special procedures mandate holders urged the authorities to immediately reveal his whereabouts.³ During this period he was detained at Al Wathba prison, where he suffered ill-treatment.

On 29 May 2018, Mr Mansoor was sentenced to ten years imprisonment, a fine of 1,000,000 UAE Dirhams, and three years of probation after completion of his sentence. His sentencing related to the vague charges of “insulting the status and prestige of the UAE and its symbols, including its leaders”, “publishing false information to damage the UAE’s reputation abroad”

³ The UN Working Group on Arbitrary Detention and others, “UN rights experts urge UAE: Immediately release Human Rights Defender Ahmed Mansoor”, OHCHR, 28 March 2017, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21449&LangID=E> (accessed 30 April 2020).

and “portraying the UAE as a lawless land.” On 12 June 2018, seven UN special procedures mandate holders called on the Emirati authorities for Mr Mansoor’s immediate release.⁴ On 31 December 2018, the State Security Chamber of the Federal Supreme Court upheld his conviction and sentence.

Since the beginning of his trial, Mr Mansoor was subjected to long periods of solitary confinement in Al Sadr prison in Abu Dhabi. He was detained with no bed or water in his cell and with no access to a shower. Visits were rarely offered and he failed to receive adequate medical attention. On 17 March 2019, Mr Mansoor began a hunger strike against his prison conditions and unfair trial. The hunger strike lasted one month, during which his health deteriorated significantly. On 7 May 2019, seven UN Special Procedures mandate holders condemned Mr Mansoor’s prison conditions and called for his immediate release.⁵

Update

Ahmed Mansoor continues to be held in solitary confinement, in an isolation ward, for prolonged periods. The conditions in which he is held are dire, lacking basic necessities, such as a bed with a mattress, exercise and sunshine. He has only been permitted to leave his small cell for a handful of family visits and has not received adequate medical care.

In early September 2019, in protest against his conditions, Mr Mansoor began his second hunger strike. At the beginning, he was forced by the guards to eat every few days, however, from 14 September 2019 onwards, he began a continuous hunger strike, taking only juice and mineral water. As of mid-January 2020, five months later, Ahmed Mansoor was still on hunger strike. His current state of wellbeing is unknown.

1.6.2 Maryam Soulayman Al Balushi and Amina Al Abdouli

The cases of Ms Amina Al Abdouli and Ms Maryam Soulayman Al Balushi were included in the 2019 report of the UNSG (A/HRC/40/30).

Ms Al Abdouli and Ms Al Balushi were both arrested in 2015 on state security charges and subsequently sentenced to five years in prison. In 2018, Ms Al Abdouli and Ms Al Balushi raised international awareness of the human rights violations which they had suffered. As set out in the 2019 report of UNSG, on 12 February 2019, several UN mandate holders sent an urgent appeal to the Emirati authorities (UA ARE 2/2019). As a result, each woman suffered reprisals.

Update

During the reporting period, Ms Al Abdouli and Ms Al Balushi have been subjected to further reprisals. On 30 July 2019 they were brought before the Federal State Security prosecution and three new charges were brought against them relating to their endeavours to raise public awareness of their cases, namely “leaking wrong information”, “affecting the reputation of the

⁴ The UN Special Rapporteur on the situation of human rights defenders and others, “UAE: UN experts call for immediate release of jailed human rights defender Ahmed Mansoor”, OHCHR, 12 June 2018, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23195&LangID=E> (accessed 30 April 2020).

⁵ The UN Special Rapporteur on the situation of human rights defenders and others, “UAE: UN experts condemn conditions of detention for jailed activist Ahmed Mansoor”, OHCHR, 7 May 2019, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24571&LangID=E> (accessed 30 April 2020).

UAE and Al Wathba prison negatively”, and “causing problems between countries.” It is reported that these charges fall under Federal Law No.5 of 2012 on Combating Cybercrimes, a broad and vaguely worded law which enables the UAE authorities to punish the exercise of freedom of speech online. Neither woman has had access to legal counsel in relation to these charges and trial has not yet begun.

At the beginning of February 2020, Ms Al Abdouli and Ms Al Balushi began to be placed in solitary confinement every Sunday, Monday and Thursday. These were the days on which they were previously authorised to contact their families, meaning that they were effectively denied contact. It is reported that both women were placed in solitary confinement in reprisal for refusing to provide the authorities with a recorded false confession intended for broadcasted on Emirati TV in relation to the latest charges. On 23 February 2020, despite their poor health, Ms Al Abdouli and Ms Al Balushi began a hunger strike in protest against their solitary confinement and exposure to humiliating and degrading treatment.

On 8 March 2020, Ms Al Balushi attempted suicide in Al Wathba prison by cutting a vein in her hand and was subsequently taken to the prison clinic to have it treated. Ms Al Abdouli’s solitary confinement ended on 12 March 2020 and, on 5 April 2020, she made a recording public wherein she stated that she has not received any medical care since her solitary confinement, despite her deteriorating health.⁶

⁶ We Record, Twitter Post, 5 April 2020, 12:21pm,
<https://twitter.com/werecordar/status/1246759841911246849>.

MENA Rights Group is a Geneva-based legal advocacy NGO, focusing on the protection and promotion of fundamental rights and freedoms in the Middle East and North Africa. Adopting a holistic approach, we work at both the individual and structural level. We provide legal counselling to victims of human rights violations through recourse to international law mechanisms. In addition, we assess the human rights situation on the ground and bring key issues to the attention of relevant stakeholders to call for legal and policy reform.