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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Written statement* submitted by Institut International pour les Droits et le Développement, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[28 May 2023]

* Issued as received, in the language of submission only.



The Issue of Political Prisoners in the United Arab Emirates

The International Institute for Rights and Development Geneva (IRDG) welcomes the opportunity in the 53rd session of the UN Human Rights Council to highlight the continued problem of the arbitrary arrest and detention of political dissidents in the United Arab Emirates as well as their treatment while being political prisoners of the state. Recently, over 50 of these dissidents were scheduled to be released after completing their jail terms. However, the state has continued to detain these people without any just cause or reason. This issue constitutes violations of international law and international humanitarian law whereby, the gravity of the situation calls for urgent action.

Overview

In recent years, the United Arab Emirates has projected itself to be a rising power and champion of economic and social prosperity. However, disguised under all of this, there has been a rise in the constriction of freedom of speech and freedom of the media. Fear of state persecution, arbitrary arrests, unlawful detention, torture, forced disappearances and deportation has become widespread amongst political opposition groups and socio-political minorities such as migrant workers. According to the 2014 Terrorism Law, the state is allowed to arrest anybody who “antagonises the government,”¹ Such vague wording in the legal framework has provided the state with the liberty to suppress opposing voices and, in turn, the basic human rights of the people. Currently, the country is estimated to have around 200 political prisoners, but the actual figure is unconfirmed. In 2017, the arrest of Ahmed Mansoor and his consequent solitary confinement, torture and unlawful denial of access to legal defence drew attention to this issue globally. Nevertheless, the issue continues to persist due to a lack of reform of legal and political systems.

The United Arab Emirates 94

In 2013, a case commonly known as the United Arab Emirates 94 took place in the United Arab Emirates which led to the arrest and imprisonment of 94 political opponents of the state on the baseless reasoning of counterterrorism². The arrest and detention of this group of people explicitly violated their access to basic human rights including free speech, expression, association and assembly. In July 2013, 56 of those arrested were convicted of their alleged crimes and sentenced to 10 years in jail. As of March 2023, 51 of these prisoners have completed their sentences despite which the state continues to hold them. Many of these prisoners were arrested solely due to association with peaceful political and social groups that engaged in political discourse and the advocacy of greater adherence to Islamic values³.

Ahmed Al-Nuaimi

The case of Ahmed Al-Nuaimi is one that highlights the excuse of “counselling” used by the United Arab Emirates to justify the continued imprisonment of political prisoners. With no access to legal resources and contact with his family, Al-Nuaimi has been accused of terror related activities and has been put in counselling for his sentencing period. According to the 2014 Terrorism Law, such methods can be used until the court determines that the individual in question is no longer “adopting extremist or terrorist thought”. Citing this law, the legal system argues that Al-Nuaimi, amongst others, require further “counselling” and must remain in prison. It is however clear that this vague and unclear legal phrasing is a mask for the suppression of political voices. With no legal framework ensuring the access to legal resources, lawyers are reluctant to take on the cases of these prisoners, like Al-Nuaimi who is now in his 70s, thus leaving them in inhumane and unjust situations⁴.

Ghazi Ezzeldin

The case of Ghazi Ezzeldin highlights the inhumane conditions under which political prisoners are kept in the United Arab Emirates. Ezzeldin, passed away at 55 years old while under imprisonment but details of his passing are unclear. Preliminary information indicates that he died on the 4th of May 2023 as a result of torture and inhumane interrogation techniques only two months after his arrest. As the United Arab Emirates government refused his son to see his body before his burial, the suspicion of torture increased sparking demands for transparency and accountability. The Lebanese national was one amongst many living in the United Arab Emirates who have had allegations of terror relations such as connections to Hezbollah levied against him 5. Two Lebanese nationals who were released earlier have further testified to such inhuman treatment and the use of torture techniques against them 6. Such disregard for human rights by the United Arab Emirates extending to foreign nationals is a matter of grave concern that should not be ignored by the international community. There still remain seven Lebanese nationals under imprisonment and concern over their treatment must be a high priority.

Khalaf Abdul Rahman al-Romaithi

One of the United Arab Emirates 94, al-Romaithi is a 58 year old man who was extradited by Jordanian authorities on May 17th to the United Arab Emirates. Human Rights Watch reports that the circumstances through which his extradition occurred is suspected to have circumvented the regular procedures used to do so, thus potentially violating the constitution of Jordan. Al-Romaithi's whereabouts are currently unknown and the United Arab Emirates government is once again suspected of using torture while being completely opaque about their treatment of political prisoners 7. Al-Romaithi was one of the 15 people in the United Arab Emirates 94 case who was convicted and sentenced in absentia after which the Turkish-Emirati national was living in Türkiye. After this conviction on the alleged connection to the non-violent political group, the Reform and Social Guidance Association (al-Islah), all the prisoners of the United Arab Emirates 94 have been unable to appeal the verdict which is evidently a violation of international law 8.

Conclusions and Recommendations

As the inhumane treatment and arbitrary arrest of political prisoners continues to increase in the United Arab Emirates, it is imperative to recognise the continued and overt violations of international humanitarian law and human rights. It is important that this issue is addressed, and a precedent is set in guiding all states to respect their international obligations and the human rights of the people.

Keeping this in mind, The International Institute for Rights and Development Geneva (IRDG) puts forth the following recommendations.

To the government of the United Arab Emirates:

1. Unconditionally release the 51 unjustly detained prisoners who have completed their jail sentence.
2. Immediately end the systemic persecution of political opponents and dissenting voices.
3. Immediately stop the inhumane treatment of political prisoners such as arbitrary arrests, unlawful detention, torture, forced disappearances, deportation, solitary confinement, torture.
4. Ensure the provision of access to legal resources to political prisoners.
5. Amend the legal framework and provide more detailed guidance on its interpretation and application so as to prevent arbitrary persecution of political opponents.
6. Allow for the impartial, neutral and objective investigation into the facts in order to ensure transparency of law, politics and governing instruments that facilitate human rights.

7. Ensure the provision of basic human rights to all including the freedom of expression, association and assembly.

To the Human Rights Council:

1. Ensure the implementation of the recommendations made in the 43rd session of the UPR for the United Arab Emirates to secure Human Rights in the country.
2. Allow this issue to be highlighted without prejudice and interference so as to set a precedent for free speech.
3. Take the concerns of political voices and civil society into account in order to make tangible progress in the upkeep of human rights both in the United Arab Emirates and globally.

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7. Jordan: Emirati/Turkish man facing forced return (2023) Human Rights Watch. Available at: <https://www.hrw.org/news/2023/05/12/jordan-emirati/turkish-man-facing-forced-return> (Accessed: 23 May 2023).

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