

UNITED ARAB EMIRATES

MOHAMMED

AL-ROKEN



Mohammed al-Roken on a winter visit to Turkey, around 2010.
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Dr Mohammed al-Roken is a prominent academic, a former professor of constitutional law, and human rights lawyer. State Security officials arrested him on 17 July 2012. On 2 July 2013, the highest court of the United Arab Emirates (UAE) sentenced him to a 10-year prison sentence following an unfair, mass trial of 94 activists. It became widely known as the “UAE 94” trial.

Amnesty International considers Mohammed al-Roken, who is from Dubai, a prisoner of conscience, imprisoned solely for peacefully exercising his rights to freedom of expression and association, including his work as a human rights lawyer. Amnesty International calls for his immediate and unconditional release.¹

For around two decades before his imprisonment, human rights groups, including Amnesty International, frequently called upon Mohammed al-Roken, who is from Dubai, for analysis and expertise they used to inform their work on the UAE and other Gulf countries.

He was among 69 people, out of the 94 tried, including other lawyers, judges, academics, students

and activists, who were unfairly sentenced to between seven and 15 years’ imprisonment by the State Security Chamber of the Federal Supreme Court in the UAE’s capital, Abu Dhabi in July 2013. The case became known as the “UAE 94” case.

The convictions were a turning point in the UAE’s massive crackdown on freedom of expression and association. It signalled the UAE’s intent to silence calls for democratic reform: the court convicted the 69 on charges of establishing an organization aimed at bringing about the overthrow of the government. Gross flaws in the court’s procedures made it impossible for independent experts to discern who may have truly represented a threat to public order. Most appeared to have been imprisoned in connection with whom they associated and the peaceful expression of their views. It was the UAE’s biggest politically motivated trial for decades, if not ever.

ARREST AND TRIAL

State Security personnel arrested Mohammed al-Roken, former president of the UAE’s Jurists Association, on 17 July 2012, hours after they arrested his son and son-in-law. Mohammed al-Roken, who holds a PhD in Constitutional Law from the UK’s University of Warwick, had been harassed for a number of years because of his human rights work. He is a member of the International Bar Association and has written several books on human rights, counter-terrorism laws and freedom of expression. He also represented the UAE government in several legal conferences.

The “UAE 94” trial was grossly unfair and marred by a catalogue of human rights violations. The authorities denied defendants access to a lawyer while they were detained incommunicado awaiting trial. All were held in solitary confinement in secret detention facilities, some for up to a year; many told the judge they had been tortured; “confessions” obtained while defendants were in secret detention and under torture or other ill-treatment were used in court as evidence of their guilt (which breaches the obligations of the UAE under international law); some defendants said their signatures had been forged on “confession” papers; detainees were only taken out of secret detention after their trial had begun and after the judge had ordered them to be transferred to “official” prisons; and most of the families of those arrested were not informed of their whereabouts for months and the prisoners had no

¹ This appeal is based on the information set out in: Amnesty International, *‘There is no freedom here’: Silencing dissent in the United*

Arab Emirates (Index: MDE 25/018/2014), available at: <https://goo.gl/7l6IUG>

access to the outside world or lawyers while in secret detention.

All the defendants were denied the right to appeal the court's verdict, in contravention of the UAE's obligations under international human rights law.

On 11 November 2015, blaring music awoke Mohammed al-Roken in his cell in Abu Dhabi's al-Razeen Prison. It was being broadcast over the prison's public address system. He rang the emergency bells in his locked cell, but no one responded, and he passed out. Security guards checking the monitoring cameras fitted in the cells came when they saw him on the floor. As he was unconscious, they took him to the prison clinic in a wheelchair. Mohammed al-Roken was found to have high blood pressure. He was later returned to his cell, in which he is locked from 10pm to 5am. In the morning, the prison authorities started to play loud music again. Mohammed al-Roken felt pain in his ear and was transferred back to the prison clinic where he was diagnosed with an ear infection, which the extremely loud music had exacerbated. Such very loud sound, deliberately broadcast, could amount to torture.

Amnesty International understands that Mohammed al-Roken's health has now improved. He and others imprisoned in the "UAE 94" case continue to face – at least occasionally – insulting and degrading conduct by prison officials. Members of his and others' families have faced government-sponsored harassment.



Mohammed al-Roken visiting Turkey, around 2010. © Private

BACKGROUND

Independent political activity in the UAE is restricted. In the wake of the large demonstrations since 2011 across the Middle East and North Africa region, in March 2011, 133 UAE citizens petitioned the

² At the time of writing, the petition has 358 signatories. See: goo.gl/2BOZdB

³ Amnesty International, *United Arab Emirates: Summary trial observation briefing paper on the UAE5 case* (Index: MDE 25/008/2011), 3 November 2011, available at: <https://goo.gl/37CJX6>

government for greater democratization in line with constitutional provisions. They called for the UAE's Federal National Council (FNC), an advisory body that reviews legislation,² to be fully elected rather than part elected and part appointed. The signatories included Mohammed al-Roken and other lawyers; jurists working for the government; a large number of academics and students; education professionals and journalists.

Following its circulation, the UAE's intelligence services started harassing human rights and political activists across the country as part of a widespread crackdown on peaceful dissent.

Six UAE nationals were stripped of their citizenship. The authorities ordered four NGOs, including the Jurists' and Teachers' Associations, to be shut down.

In April 2011, five individuals, including the prominent human rights activists Ahmed Mansoor (see photo, below), one of the petition's signatories, were arrested and charged in connection with articles posted on al-Hewar (Dialogue), an on-line discussion forum promoting political debate. Mohammed al-Roken represented him in court. They were sentenced to varying prison terms in November 2011 following an unfair trial but were later released under a presidential pardon.³

In 2012 the government enacted a cybercrime law. It makes many activities commonplace on social media illegal and punishable by imprisonment and fines.

Throughout 2012-2013, people who criticized the UAE's government or those of friendly states increasingly faced arrest. Those detained included both UAE nationals and others. Scores were held for months in pre-trial detention and faced torture or other ill-treatment. From 2012 onwards, the government charged detainees with vaguely worded offences relating to national security or defamation.

At least two mass trials conducted in 2013, including the "UAE 94" trial, resulted in scores of unfair convictions, such as that of Mohammed al-Roken. Mass trials continued to be held into 2016.⁴

In 2014 the government enacted an anti-terrorism law. The government relied on it and the 2012 cybercrime law, as well as the Penal Code, to arrest, prosecute and imprison an increasing number of activists.

⁴ Amnesty International, "United Arab Emirates: Further Information – Mass trial ends amid serious fair trial concerns" (Index: MDE 25/3753/2016), 1 April 2016, available at: <https://goo.gl/fp8SMv>

Since the start of the crackdown in 2011, human rights defenders, including Mohammed al-Roken – prior to his arrest – and Ahmed Mansoor, who is free, have been harassed, threatened, faced intimidation and undergone smear campaigns on social media networks. Government officials or supporters have stigmatized activists. Some, especially in the public sector, have been arbitrarily dismissed from their jobs or faced restrictions on obtaining other jobs or bank support to start or expand businesses, been subject to travel bans or even arrested and charged. Others have been threatened with deportation and in 2012 one was



Mohammed al-Roken meeting former President of South Africa, Nelson Mandela, in Dubai, 2001. © Alkhaleej

deported.⁵ Some, including Ahmed Mansoor, have received death threats, been physically attacked and beaten by government supporters.

OTHER “UAE 94” PRISONERS OF CONSCIENCE

Although Mohammed al-Roken is the face of this appeal case Amnesty International is also campaigning on seven other prisoners of conscience convicted in the same mass trial. They have all been imprisoned solely for peacefully exercising their rights to freedom of expression and association, including their right to peacefully form and join in associations with others.

Mohammed al-Mansoori, a human rights lawyer, former head of the UAE Jurists' Association, and member of the International Bar Association, was arrested on his birthday, 16 July 2012. During the trial, when a signed “confession” purportedly by Mohammed al-Mansoori was used in court as evidence against him, he stood up and

testified that he had never signed any documents in detention. In August 2013, he began a hunger strike to protest against the conditions of his detention, including beatings by prison guards. Mohammed al-Mansoori had been harassed for a number of years after criticizing the human rights situation in the UAE. He is serving 11 years and three months' imprisonment following convictions in the “UAE 94” trial and a separate mass trial of 20 Egyptian and 10 UAE nationals, which began in November 2013 and ended in January 2014. The second trial was also marred by human rights violations. Mohammed al-Mansoori holds a PhD in International Law from Glasgow Caledonian University in Scotland.

University professor **Ahmed al-Zaabi**, a former judge, was arrested on 26 March 2012 and is serving a 10-year prison sentence following his conviction in the “UAE 94” trial. He was tortured and otherwise ill-treated in secret detention. He was hung upside down and beaten: his feet became swollen and he was left with bruises all over his body. His fingernails were pulled out and, in court, he recalled that the beatings had made him urinate blood.

Sheikh Dr Sultan Kayed Mohammed al-Qassimi, a prominent member of the Ras al-Khaimah ruling family and founder of Ittihad University in the UAE, is serving a 10-year prison sentence following his conviction in the “UAE 94” trial. He holds a PhD in Political Education and Development from the UK's University of Manchester, and had for a number of years been vocal in calling for peaceful dialogue within UAE society. He is the head of the board of directors of al-Islah (Reform and Social Guidance Association), a well-known UAE-based association legally established in 1974 which has been engaged in peaceful social and political debate.

Mohammed al-Mansoori's brother-in-law, **Saleh Mohammed al-Dhufairi**, a former teacher, was first arrested in the northern emirate of Ras al-Khaimah on 6 March 2012 and detained for two weeks. A Dubai police spokesperson said he had been arrested for spreading ideas by speech, writing and other means that provoke strife and hurt national unity and social peace. He was arrested again on 29 April 2012. Before his arrest, Saleh Mohammed al-Dhufairi kept both a blog and a Twitter account, in which he had written posts criticizing the UAE's State Security forces for suppressing peaceful demonstrations and had called for greater respect for human rights. He is serving over 14 years in prison following convictions in the “UAE 94” trial and the trial of 20 Egyptian and 10 UAE nationals.

University student **Khalifa al-Nuaimi** is serving a 10-year prison sentence following his conviction in the “UAE 94” trial. Before his arrest, he kept an active blog and Twitter

⁵ Amnesty International: “United Arab Emirates: Bidun blogger forced to leave country, raising alarm after wave of arbitrary arrests”, 16 July 2012, available at: <https://goo.gl/HHBZan>

account, in which he criticized the human rights situation in the UAE.

Graduate student **Abdulla al-Hajri** was arrested on 16 July 2012, a few hours before Mohammed al-Roken, who is his father-in-law. He is serving a seven-year prison sentence following his conviction in the “UAE 94” trial. He was tortured and otherwise ill-treated for eight months by his interrogators, who were Egyptian: they beat him, forced him to sit on an electric chair and threatened to electrocute him if he refused to “co-operate” with them and “confess” to whatever was dictated to him. Abdulla al-Hajri was the head of the UAE’s National Union of Students and was told to leave his post as a trainer for the UAE boy scouts.

Science teacher **Hussain Ali Alnajjar al-Hammadi** was arrested on 16 July 2012. He was sentenced to 10 years’ imprisonment in the “UAE 94” trial and a further 15 months in the trial of 20 Egyptian and 10 UAE nationals. His son, an activist on Twitter, was arrested in March 2014 after tweeting about the human rights abuses against his father and other prisoners of conscience in the UAE. He remains in prison.

By April 2015, more than 2,000 children had campaigned for the release of Mohammed al-Roken.⁶

RECOMMENDED ACTION

Please send appeals by post, e-mail and Twitter messages and letters in English or Arabic. Amnesty International urges you to:

- Call on the UAE authorities to release Mohammed al-Roken, Mohammed al-Mansoori, Hussain Ali Alnajjar al-Hammadi, Saleh Mohammed al-Dhufairi, Sheikh Sultan Kayed Mohammed Al-Qassimi, Ahmed al-Zaabi, Khalifa al-Nuaimi and Abdulla al-Hajri immediately and unconditionally, as they are prisoners of conscience, held solely for peacefully exercising their right to freedom of expression and association;
- Urge them to ensure that the men are given immediate and regular access to their families and lawyers, and that they receive any medical attention they may require;
- Calling on them to ensure that they are protected from torture and other ill-treatment, and that they are held in adequate conditions of detention in line with the Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

⁶ After 1,000 days in prison, Amnesty International again appealed for the release of Mohammed al-Roken (see <https://goo.gl/OWkrNd>), accompanied by a video: <https://goo.gl/c0gvEm> (English), <https://goo.gl/yXd8E5> (Arabic) and <https://goo.gl/tmg1ba> (French).

PLEASE SEND YOUR APPEALS TO:

His Highness Sheikh Mohammed bin Zayed Al Nahyan

Crown Prince of Abu Dhabi and Deputy Supreme Commander of the UAE Armed Forces
POB 124, Abu Dhabi
United Arab Emirates
Twitter: @MBZNews
Salutation: Your Highness

His Highness Sheikh Mohammed Bin Rashid al-Maktoum

Vice-President and Prime Minister
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Salutation: Your Highness

Please copy appeals to:

His Excellency Obaid Salem Saeed Al Zaabi

Ambassador Extraordinary and Plenipotentiary
Permanent Representative of the UAE to the United Nations, Geneva
Email: geneve@mofa.gov.ae
Salutation: Your Excellency



Mohammed al-Roken with human rights activist, Ahmed Mansoor, in Dubai, November 2011. Mohammed al-Roken had represented Ahmed Mansoor in court (see above) and the photograph was taken the day the authorities released Ahmed Mansoor. © Private