

URGENT ACTION

ECONOMIST'S NEXT TRIAL ON 22 FEBRUARY

The trial of Dr Nasser bin Ghaith before the Federal Appeal Court in Abu Dhabi in the United Arab Emirates (UAE) began anew on 18 January. His next hearing is scheduled for 22 February. He is a prisoner of conscience at risk of torture and ill-treatment.

Dr Nasser bin Ghaith, a prominent academic and economist, appeared before the State Security Chamber of the Federal Supreme Court on 5 December 2016 and was informed that his case had been transferred to the recently established Federal Appeal Court in Abu Dhabi, the United Arab Emirates (UAE) capital. The trial began on 18 January and the next session has been scheduled for 22 February.

Dr Nasser bin Ghaith was subjected to enforced disappearance on 18 August 2015 after he was arrested by UAE State Security at his place of work. He was seen for the first time since his disappearance on 4 April 2016, when he was brought before the State Security Chamber of the Federal Supreme Court for his first trial. Both on this occasion, as well as in his second hearing on 2 May 2016, he told the court that he had been kept in secret detention and subjected to beatings and deliberate sleep deprivation for nearly eight months. The judge dismissed his claims and refused to order an independent investigation be carried out into his allegations of torture and ill-treatment. In June 2016 he was transferred to al-Sadr Prison in Abu Dhabi, where he remains held.

Dr Nasser bin Ghaith faces several charges including: "posting false information" about UAE leaders and their policies; "posting false information in order to harm the reputation and stature of the State and one of its institutions", based on comments he made on Twitter stating that he had not been given a fair trial in a case known as the "UAE 5" case; "communicating and co-operating with members of the banned al-Islah organization" based on the meetings he had had with individuals who were tried in the "UAE 94" case; and, "communicating and co-operating with the banned Emirates Ummah Party".

Please write immediately in Arabic, English or your own language:

- Urging the authorities to immediately and unconditionally release Dr Nasser bin Ghaith as he is detained solely for peacefully exercising his rights to freedom of expression, association, and assembly;
- Calling on them to order a full and independent investigation into his allegations of enforced disappearance and torture and other ill-treatment;
- Urging them to ensure that, pending his release, he is protected from torture and other ill-treatment, and has regular access to a lawyer of his choice, his family and any medical care he may require.

PLEASE SEND APPEALS BEFORE 4 APRIL 2017 TO:

Vice-President and Prime Minister

HH Sheikh Mohammed Bin
Rashid al-Maktoum
Prime Minister's Office
PO Box: 212000
Dubai, United Arab Emirates
Fax: +971 4 330 4044
Email: info@pmo.gov.ae
Twitter: @HSHkMoh
Salutation: Your Highness

Minister of Interior

Sheikh Saif bin Zayed Al Nahyan
Zayed Sport City, Arab Gulf Street, Near
to Shaikh Zayed Mosque
POB: 398, Abu Dhabi
United Arab Emirates
Fax: +971 2 402 2762/ +971 2 441 5780
Email: moi@moi.gov.ae
Salutation: Your Highness

And copies to:

Crown Prince of Abu Dhabi
HH Sheikh Mohamed bin Zayed Al
Nahyan
Crown Prince Court
King Abdullah Bin Abdulaziz
Al Saud Street,
P.O. Box: 124
Abu Dhabi, United Arab Emirates
Fax: +971 2 668 6622
Twitter: @MBZNews

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR ABDULRAHMAN GHANEM
ALMUTAIWEE CVO, Embassy of the United Arab Emirates, 30 Prince's Gate, London SW7 1PT, 020 7581 1281, email pressuk@mofa.gov.ae

Please check with your section office if sending appeals after the above date. This is the fourth update of UA 183/15. Further information:
www.amnesty.org/en/documents/mde25/4328/2016/en/

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ADDITIONAL INFORMATION

Dr Nasser bin Ghaith was subjected to enforced disappearance on 18 August 2015, kept in secret detention and subjected to torture and other ill-treatment. He raised this with the judge at two hearings on 4 April and 2 May 2016.

In addition to those listed above, Dr Nasser bin Ghaith has also been charged with: "committing a hostile act against a foreign state", in relation to comments he made on Twitter criticizing the government of Egypt; "offensively criticizing the construction of a Hindu temple in Abu Dhabi and inciting UAE citizens against their leaders and government", in reference to a Twitter posting that he told the court had been misinterpreted and had been intended to promote tolerance.

In November 2013, Dr Nasser bin Ghaith was invited by the Emirates Ummah Party to give a speech on Islamic economics to its members. Dr Nasser bin Ghaith has no formal affiliation to this party, which was designated by the UAE as a "terrorist organization" in November 2014. On 1 May 2016, the Emirates Ummah Party announced that Dr Nasser bin Ghaith had been appointed as the party Chairman. The family of Dr Nasser immediately issued a statement on his behalf rejecting this appointment. Dr Nasser bin Ghaith in detention told his interrogators that the Ummah Party had previously offered him the position of chairman and that he had declined this offer.

In 2011, Dr Nasser bin Ghaith and four Emiratis (in a case known as the "UAE 5") were tried for statements they had made on the UAE Hewan website, which hosts an online political discussion forum. The authorities prosecuted the men on charges of "publicly insulting" the UAE's President, Vice-President and Crown Prince in connection to comments posted on the discussion forum. Amnesty International considered all five men as prisoners of conscience as the UAE unlawfully prosecuted them for exercising their right to freedom of expression, thereby violating international human rights law. Amnesty International also argued that the case, having no legitimate legal or factual basis, was brought to suppress and/or deter political dissent and therefore the trial, including its basis and procedures, was fundamentally unfair. See Amnesty International, *United Arab Emirates (UAE): Summary trial observation briefing paper on the UAE5 case* (Index: MDE 25/008/2011), 3 November 2011, available at <https://www.amnesty.org/en/documents/mde25/008/2011/en/>

Between March and July 2013, the UAE tried 94 Emirati nationals, said to be linked to al-Islah, in the State Security Chamber of the Federal Supreme Court. The proceedings in the trial, which became known as the "UAE 94" trial, violated international fair trial standards. One of the "UAE 94", Dr Mohammed al-Roken, a prominent human rights lawyer from the emirate of Dubai, and former president of the UAE's Jurists Association is serving a 10-year sentence for "attempting to overthrow the government". He is a prisoner of conscience. Amnesty International documented the UAE 94 trial in its November 2014 report "*There is no freedom here*" – *Silencing dissent in the United Arab Emirates* (<http://www.amnesty.org/en/library/info/MDE25/018/2014/en>).

On 29 November 2016, Federal Law No.11/ 2016 concerning the Federal Judicial Authority came into force. The law introduced an appeals procedure for cases relating to state security. Trials held before the State Security Chamber of the Federal Supreme Court fail to meet international fair trial standards. Amnesty International has voiced its concern in particular about the State Security Chamber of the Federal Supreme Court's lack of an appeals procedure, which prevents defendants from challenging the court's decision. Amnesty International welcomes the new law but expresses concern that unless the new law is accompanied by amendments to the Code of Criminal procedure, specifically with regards to the administration of cases relating to national security and related cases, the introduction of the appeal process will not address the problem of unfair trial in respect of such cases.

Further information on UA: 183/15 Index: MDE 25/5738/2017 Issue Date: 21 February 2017