

URGENT ACTION

TWO SIBLINGS SENTENCED TO 5 AND 7 YEARS IN PRISON

On 31 October, the Supreme Federal Court in the United Arab Emirates issued its verdict against Amina ‘Abdouli and her brother Mos’ab ‘Abdouli, sentencing them to five and seven years in prison respectively. The verdicts are final and cannot be appealed.

On 31 October, siblings **Amina ‘Abdouli** and **Mos’ab ‘Abdouli** appeared before the State Security Chamber of the Supreme Federal Court in the United Arab Emirates (UAE) to hear their verdict. Amina ‘Abdouli was sentenced to a five-year prison sentence and a 500,000 dirham fine (about US\$ 136,000). She was convicted of creating and running two Twitter accounts and publishing information with the aim of inciting hatred against the State and disturbing public order; mocking and damaging the reputation of State institutions; publishing false information about Saudi Arabia and making derogatory remarks about an Egyptian official with the aim of endangering the State’s relations with Saudi Arabia and Egypt. Her brother, Mos’ab ‘Abdouli, was convicted of joining the non-state armed group Ahrar al-Sham in Syria prior to June 2013 and receiving military training, charges he denies. He has been sentenced to seven years in prison. No judgements from the State Security Chamber of the Federal Supreme Court can be appealed, denying the right to an effective remedy and to have the conviction and sentence reviewed.

Amina and Mos’ab ‘Abdouli were arrested on 19 November 2015 at their home in the north eastern Emirate of Fujairah, by State Security members along with their younger sister **Moza ‘Abdouli** and taken to an unknown location. On 29 November, their older brother **Waleed ‘Abdouli** was also arrested after speaking out against the arrest of his siblings. All four were held in detention in a secret location. Waleed was released without charge on 14 March 2016. Moza ‘Abdouli was acquitted on 30 May by the State Security Chamber of the Supreme Federal Court of the charge of insulting the UAE, its leaders and its institutions in tweets she posted in March 2013, and released. The trial of Amina and Mos’ab ‘Abdouli before the same court began on 27 June, followed by two more hearings on 19 September and 10 October.

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

- Calling on the UAE authorities to ensure that Amina ‘Abdouli’s conviction is quashed and she is accordingly released, in regard to the charges she has been convicted of, which relate solely to the peaceful exercise of her right to freedom of expression;
- Urging the UAE authorities to respect and protect the right to freedom of expression, including by repealing or amending all legislation that criminalizes the peaceful exercise of this right;
- Urging the UAE authorities to ensure Mos’ab ‘Abdouli has a right to appeal his conviction in accordance to international law and standards, or else order a retrial before an ordinary criminal court that respects fair trial guarantees, and without recourse to the death penalty.

PLEASE SEND APPEALS BEFORE 15 DECEMBER 2016 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@primeminister.ae
Twitter: @HHShkMoh
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 third update of UA 125/16.

Further information: <https://www.amnesty.org/en/documents/mde25/4473/2016/en/>

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ADDITIONAL INFORMATION

Waleed 'Abdouli, Amina 'Abdouli, who is a teacher and mother of five, Moza 'Abdouli, a former high school student, and their brother Mos'ab 'Abdouli are the children of Mohammed Ahmed 'Abdouli who was the head of the banned Emirati Umma Party and a former Colonel of the UAE army. Mohammed Ahmed 'Abdouli was arrested in 2005 and detained for about two years without trial. He later travelled to Syria where he was the military adviser to the commander of operations of the non-state armed group, Ahrar al-Sham, and was killed on 3 March 2013 in the town of al-Raqqa.

According to media reports, Moza, Amina and Mos'ab 'Abdouli were taken from their home in the village of al-Tayba, on 19 November 2015, in the north eastern Emirate of Fujairah, by plain clothed State Security members who did not show warrants and who searched the house before detaining them. On 29 November, Amina and Moza 'Abdouli were allowed to phone their family but not to reveal their whereabouts. The same day, Waleed 'Abdouli was arrested by State Security members. Two days earlier he had made a speech during Friday prayers in which he criticised the detention of his three siblings. They were all detained in undisclosed locations.

On 4 April 2016, Moza 'Abdouli appeared before the State Security Chamber of the Federal Supreme Court for the first time since her arrest and was officially charged with insulting the UAE, its leaders, and its institutions in tweets she posted in March 2013 following her father's death in Syria. In her tweets, Moza 'Abdouli, aged 15 at the time, mourned the loss of her father. Two other trial sessions took place on 2 and 16 May. During her trial, she has stated that nothing she posted was intended to discredit any person, government or institution. She should not have been brought before an adult court as her alleged offences took place when she was under the age of 18. She was acquitted on 30 May and released.

Since 2011, the UAE authorities have mounted an unprecedented crackdown on freedom of expression and association in the country. The space for dissent has shrunk and many people, both Emiratis and non-Emiratis, who have criticised the UAE government, its policies, and the human rights situation in the country have been harassed, arrested, tortured, or subjected to unfair trial and imprisonment. The authorities have arrested, detained, and prosecuted more than 100 activists and critics of the government, including prominent lawyers, judges, and academics, on broad and sweeping national security-related or cybercrimes charges in proceedings that fail to meet international fair trial standards.

Despite certain safeguards in the UAE Constitution and laws, the rights of detainees upon arrest are routinely disregarded, especially in cases where the State Security Agency (SSA) is involved. SSA officials generally arrest people without warrants, then take them to unofficial secret detention facilities where they are kept for weeks or months without charge or access to legal representation. Detainees are often tortured or otherwise ill-treated. Amnesty International has found that officials often ignore for months families' attempts to find out where detainees are held. Detainees held incommunicado or in undisclosed places of detention are at heightened risk of torture and other ill-treatment. Such deprivation of liberty by state authorities who conceal an individual's whereabouts, placing them outside the protection of the law, is enforced disappearance, which is a crime under international law.

Trials before the Federal Supreme Court cannot be appealed to a higher court, though international human rights law requires that everyone convicted of a criminal offence has the right to have their conviction and sentence reviewed by a higher tribunal. Article 101 of the UAE Constitution and Article 67 of the law concerning the Federal Supreme Court declare that its judgements are final, binding and not open to challenge.

Further information on UA: 125/16 Index: MDE 25/5088/2016 Issue Date: 3 November 2016