

**Mandates of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the situation of human rights defenders**

REFERENCE: AL  
ARE 1/2016:

20 April 2016

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Special Rapporteur on the situation of human rights defenders pursuant to Human Rights Council resolutions 25/2 and 25/18.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning alleged arbitrary detention of human rights defender, Mr. **Obaid Yousef Al-Zaabi**, despite the formal acquittal, as well as alleged revocation of citizenship of the children of another human rights defender, Mr. **Mohammed Abdul Razzaq Al-Siddiq**.

Mr. Obaid Yousef Al-Zaabi is a human rights defenders and online activist. Through his *Twitter* account, he advocated for reform in the United Arab Emirates (UAE) and he was a critic of authorities with regard to the 2013 trial of 94 persons accused of various charges, including conspiracy to overthrow the state, also known as "UAE 94". Mr. Al-Zaabi was the subject of a previous communication sent by various Special Procedures dated 6 August 2013 (see A/HRC/25/74 case no. ARE 4/2013). We acknowledge your Excellency's Government's response on 20 November 2013. However, we remain concerned given allegations below.

Mr. Mohammed Abdul Razzaq Al-Siddiq is a human rights defender and online activist, who called for legislative reforms to ensure a fair election of the National Council. Mr. Al-Siddiq was one of the UAE 94 and is currently serving a ten-year sentence in Al Razeen prison.

According to the information received concerning:

*Mr. Obaid Yousef Al-Zaabi*

On 2 July 2013, Mr. Obaid Yousef Al-Zaabi was arrested after posting a series of tweets criticizing a mass trial of the UAE 94, one of whom included his brother, a former judge. On 4 August 2013, he was released on bail due to his poor health.

On 12 December 2013, Mr. Al-Zaabi was arrested again by State Security officers, after Cable News Network (CNN) had aired his interview, in which he reportedly stated he had been using Twitter to express his political opinions, denounce torture, defend human rights and raise awareness about individuals arbitrarily detained by security forces. He was consequently charged with “harming public peace and violating public order”, “offending the Supreme Court”, “offending the State Security apparatus by accusing it of torture”, “accusing rulers of UAE of injustice” and “instigating people against the rulers and the security of the State”, all on the basis of the Cybercrimes Law 2012. In the weeks that followed his arrest, he was held in an unknown location, without access to his lawyer or family.

On 23 June 2014, the State Security Chamber of the Federal Supreme Court in Abu Dhabi acquitted Mr. Obaid al-Zaabi of all charges. However, he remains in the prison ward of Sheikh Khalifa Medical City Hospital in Abu Dhabi as he suffers from advanced arthritis, rheumatism and has difficulty walking. He and his family have not been informed about the legal basis for his continued detention.

*Mr. Mohammed Abdul Razzaq Al-Siddiq's children*

On 7 March 2016, the three children of Mr. Mohammed Abdul Razzaq Al-Siddiq, aged twenty-nine, twenty-five and twenty-three were called to report to the Department of Migration in the Emirate of Sharjah. They were allegedly ordered to bring all official documents with them including passports, driver's licenses and medical cards. They were reassured that no harm would come if they complied.

On 8 March 2016, when they arrived at the Department of Migration, they were informed of a decree to revoke their citizenship. Thus, they were no longer citizens of UAE and should look for a new nationality. Despite requests to receive a copy of this decree, they have not been provided with one.

Their father, Mr. Al-Siddiq also had his citizenship revoked in December 2011.

Serious concern is expressed at the alleged arbitrary detention of Mr. Obaid Yousef Al-Zaabi, despite his acquittal by the court. We reiterate our concern at the allegation that the detention of Mr. Al-Zaabi is in direct relation to his legitimate human rights work and exercise of the right to freedom of expression. Concern is also expressed

at the revocation of the citizenship of the three children of Mr. Razzaq Al-Siddiq, which appears to be directly related to his peaceful human rights activities.

In connection with the above alleged facts and concerns, please refer to the **Reference to international law Annex** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

It is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention. We would therefore be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.

2. Please provide information on the legal grounds for the deprivation of liberty of Mr. Al-Zaabi, despite the acquittal by the court on 23 June 2014. Please explain how the continued detention is compatible with the decision of the Federal Supreme Court of Abu Dhabi of 23 June 2014, as well as with the norms of international human rights law, including the prohibition against arbitrary detention.

3. Please provide details of the legal basis for revoking the citizenship of Mr. Razzaq Al-Siddiq's three children, and how this action is in line with the obligations of the United Arab Emirates under international human rights law, in particular the prohibition against arbitrary deprivation of citizenship. Please also provide information about the justification for denying the three individuals a copy of the decree revoking their citizenship.

4. Please kindly indicate what measures have been taken to ensure that human rights defenders in the United Arab Emirates are able to carry out their legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any sort.

We would appreciate receiving a response within 60 days.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

David Kaye  
Special Rapporteur on the promotion and protection of the right to freedom of opinion  
and expression

Michel Forst  
Special Rapporteur on the situation of human rights defenders

**Annex**  
**Reference to international human rights law**

In connection with above alleged facts and concerns, we would like to take this opportunity to draw your attention to relevant international norms and standards that are applicable to the issues brought forth by the situation described above.

We would like to refer to the articles 1 and 2 of the Universal Declaration of Human Rights (UDHR), which provide that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, as well as article 9 that provides that and no one shall be subjected to arbitrary detention.

We also wish to draw the attention of your Excellency's Government to the obligation to respect the right to freedom of opinion and expression in accordance with fundamental principles as set forth in article 19 of the UDHR and article 26 of the Arab Charter of Human Rights (ACHR). This right applies to expression offline as well as online and cannot be limited unless the strict conditions established under international human rights standards, hereunder article 29(2) of the UDHR, are met.

We would also like to refer to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders, in particular articles 1 and 2 which state that "everyone has the right individually or in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels" and that "each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, inter alia, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice".

Furthermore, we would like to bring to the attention of your Excellency's Government the following provisions of the UN Declaration on Human Rights Defenders:

- article 6 (a), which provides for the right to know, seek, obtain, receive and hold information about all human rights and fundamental freedoms; and
- article 6 (b) and c), which provides for the right to freely publish, impart or disseminate information and knowledge on all human rights and fundamental freedoms, and to study, discuss and hold opinions on the observance of these rights.