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PROCEDURES SPECIALES DU
CONSEIL DES DROITS DE L'HOMME

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

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Excellency,

I have the honour to address you in my capacity as Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression pursuant to General Assembly resolution 60/251 and to Human Rights Council resolution 16/4.

In this connection, I would like to draw the attention of your Excellency's Government to information I have received concerning the alleged detention and ongoing harassment of Messrs. **Faisal Al Zaidi** and **Rashed Mohamed Ali Abbad**. Mr. Al Zaidi is the former Head of the Aerospace Cluster at the Abu Dhabi Airport Company (ADAC), a public company. Mr. Ali Abbad is a retired Air Force Lieutenant-Colonel and air traffic controller, who previously worked for the ADAC. Messrs. Al Zaidi and Ali Abbad have spoken out about alleged corruption and misuse of public funds at the ADAC.

According to the information received:

From 2010 onwards, Messrs. Al Zaidi and Ali Abbad raised concerns of alleged corruption and misuse of public funds at the ADAC with the United Arab Emirates authorities. On 3 and 25 January 2011 respectively, Messrs. Ali Abbad and Al Zaidi lost their jobs with the ADAC, following their criticism of the company. On 19 June 2011, Mr. Al Zaidi posted a video on the internet, which allegedly contained evidence of corruption within the ADAC.

On 1 August 2011, at approximately 2:00 a.m., a group of men in civilian clothes and one woman in a police uniform without a name badge reportedly broke into the home of Mr. Al Zaidi, handcuffing and arresting him in a violent manner without producing an arrest warrant. The individuals allegedly searched the apartment, taking compact discs, three personal computers, and documents related to the ADAC. They reportedly took Mr. Al Zaidi away in a car. Mr. Al Zaidi allegedly noted that the individuals were travelling in three black GMC pick-up trucks and six smaller cars. Mr. Al Zaidi reportedly remained in detention until 25 August 2011. He was allegedly informed that his place of detention was the Criminal Investigation Department (CID) headquarters in Abu Dhabi. He was reportedly kept in incommunicado detention, blindfolded most of the time, beaten, and poked in the back with metal objects. He was allegedly instructed to sign a fax to his lawyer to cancel his right to legal representation. Apart from one telephone call to his family, he was reportedly allowed no contact with anybody outside his place of detention. During his first week of detention he was allegedly questioned about his former employer. Following his release from detention, his computers and some compact discs were returned to him. However, his documents, some of which were related to his criticism of the authorities, were reportedly not returned to him. Mr. Al Zaidi and his family have also

allegedly been followed on several occasions, both by foot and by car, most recently on 13 September 2011, at a shopping mall.

Meanwhile, on 14 August 2011, Mr. Ali Abbad was reportedly arrested at Abu Dhabi International Airport when returning home from Doha, Qatar. After passing through immigration control, Mr. Ali Abbad was allegedly stopped and questioned by alleged CID agents in civilian clothing. He was reportedly arrested without a warrant and detained in the CID office at the airport for three hours before being transferred to the CID headquarters, next to Zayed Hospital, in Abu Dhabi. He was reportedly detained incommunicado without access to a lawyer. He was also allegedly insulted, shouted at and denied food for two days. He was reportedly informed that he had been arrested in relation to the royal family, and was questioned about his relationship with Mr. Al Zaidi and his contribution to Mr. Al Zaidi's Youtube video. On 18 August 2011, Mr. Ali Abbad was released from detention. However, on 18 September 2011, he was again reportedly stopped by agents of the CID in Abu Dhabi airport when returning from Switzerland. The agents allegedly confiscated his mobile telephone before allowing him to leave.

In September 2011, the Abu Dhabi Labour Court ruled that both Messrs. Al Zaidi and Ali Abbad had been unfairly dismissed from their jobs at the ADAC, without specifying why. However, according to the information received, neither individual has been allowed to return to work at the ADAC. The telephones of both individuals, as well as that of a family member of Mr. Al Zaidi, have reportedly been tapped and continue to be subjected to surveillance.

Concern is expressed that the alleged detention and ongoing harassment of Messrs. Al Zaidi and Ali Abbad may be related to their legitimate exercise of their right to freedom of expression, particularly in relation to alleged corruption within the ADAC. Further concern is expressed for the physical and psychological integrity of Mr. Al Zaidi and his family, as well as Mr. Ali Abbad, given that they reportedly continue to be subjected to surveillance.

While I do not wish to prejudge the accuracy of these allegations, I wish to draw your Excellency's attention to the right to physical and mental integrity of Messrs. Al Zaidi and Ali Abbad.

Without in any way implying any determination on the facts of the case, I would like to appeal to your Excellency's Government to take all necessary steps to secure the right to freedom of opinion and expression in accordance with fundamental principles as set forth in article 19 of the Universal Declaration of Human Rights which provides that "[e]veryone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

I urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of Messrs. Al Zaidi and Ali Abbad are respected and, in the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. I also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

In view of the urgency of the matter, I would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of Messrs. Al Zaidi and Ali Abbad in compliance with the above international instruments.

Moreover, it is my responsibility under the mandate provided to me by the Human Rights Council, to seek to clarify all cases brought to my attention. Since I am expected to report on these cases to the Human Rights Council, I would be grateful for your cooperation and your observations on the following matters, when relevant to the case under consideration:

1. Are the facts alleged in the summary of the case accurate?
2. Has a complaint been lodged by the victims or on their behalf?
3. Please provide the details, and where available the results, of any judicial investigation, or any criminal charges, medical examinations, and other inquiries carried out in relation to the alleged treatment of Messrs. Al Zaidi and Ali Abbad while in detention, and the acts of surveillance to which both they and a family member of Mr. Al Zaid reportedly continue to be subjected.
4. Please provide the details of the alleged detention of the abovementioned individuals, as well as their dismissals from their jobs, and how these actions are compatible with the international norms and standards of the right to freedom of opinion and expression.

I undertake to ensure that your Excellency's Government's response to each of these questions is accurately reflected in the report I will submit to the Human Rights Council for its consideration.

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

Frank La Rue
Special Rapporteur on the promotion and protection of the right to freedom of opinion and
expression