

**Mandates of the Chair-Rapporteur of the Working Group on Arbitrary Detention; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the situation of human rights defenders; and the Special Rapporteur on the independence of judges and lawyers**

REFERENCE: UA  
OMN 1/2014:

30 June 2014

Excellency,

We have the honour to address you in our capacity as Chair-Rapporteur of the Working Group on Arbitrary Detention; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the situation of human rights defenders; and Special Rapporteur on the independence of judges and lawyers pursuant to Human Rights Council resolutions 24/7, 25/2, 25/18, and 17/2.

In this connection, we would like to bring to your Excellency's Government's attention information we have received concerning the arrest and arbitrary detention of **Mr. Ibrahim Abdullah Juma Al Balushi**, **Mr. Nasser Soulayman Al-Yahyai** and **Mr. Talal Mohammed Ahmed Al-Mamari**.

Mr. Ibrahim Abdullah Juma Al Balushi is an independent trader who resides in the United Arab Emirates. Mr. Nasser Soulayman Al-Yahyai is a staff of the Ministry of Manpower. Mr. Talal Mohammed Ahmed Al-Mamari is a teacher.

Mr. Al Balushi, Mr. Al-Yahai and Mr. Al-Mamari have advocated for the release of the Parliamentarian Mr. Talib Al-Mamri since his arrest in August 2013. They have also expressed support to him on social media. Furthermore, they have provided information about the case of Mr. Al-Mamari and other detainees to human rights organisations.

According to the information received:

On 6 May 2014, Mr. Ibrahim Abdullah Juma Al Balushi was travelling from the United Arab Emirates to Oman when he was arrested and transferred to the Internal Security Prison in Muscat. During several months previous to his arrest,

he had been systematically searched by Omani border officers while crossing the border and was often forced to wait for several hours before being allowed to enter the country without receiving any reason for this treatment other than that the border officers were carrying out “orders”.

On 7 May 2014, Mr. Nasser Soulayman Al-Yahyai and Mr. Talal Mohammed Ahmed Al-Mamari were summoned by the Internal Security in Muscat. They were both arrested upon arrival at the special section of the Internal Security headquarters.

Mr. Al Balushi, Mr. Al-Yahai and Mr. Al-Mamari are currently being detained at the special section of the Internal Security headquarters in Muscat. To date, no charges have been brought against them. Furthermore, they have not been allowed access to a lawyer or their family while in detention.

Grave concerns are expressed regarding the allegations of arbitrary arrest and detention of Mr. Ibrahim Abdullah Juma Al Balushi, Mr. Nasser Soulayman Al-Yahyai and Mr. Talal Mohammed Ahmed Al-Mamari and regarding the allegations of their denied access to a lawyer. Further concern is expressed that their arrest and detention might be linked to their cooperation with human rights organisations.

While we do not wish to prejudge the accuracy of these allegations or to express an opinion on whether or not the detention of Mr. Ibrahim Abdullah Juma Al Balushi, Mr. Nasser Soulayman Al-Yahyai and Mr. Talal Mohammed Ahmed Al-Mamari is arbitrary, the above allegations appear to be in contravention of the right not to be deprived arbitrarily of their liberty, as set forth in article 9 of the Universal Declaration of Human Rights (UDHR).

The allegations also appear to contravene the prime responsibility and duty of the State to protect, promote and implement all human rights and fundamental freedoms set forth in 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, 2 which state that everyone has the right 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.

We also wish to draw the attention of your Excellency's Government to article 5, paragraph c) of the Declaration which states that in order to promote and defend human rights and freedoms fundamental everyone has the right, individually or collectively, both nationally and internationally, “c) to communicate with non-governmental or intergovernmental organizations.” Similarly, Article 9, paragraph 4, states that “(a) (...) everyone has the right, individually or collectively, in conformity with applicable international instruments and procedures, to unhindered access to and communication

with international bodies with general or special competence to receive and consider communications on matters of human rights and fundamental freedoms.”

Moreover, we would also like to make reference to article 19 of the Universal Declaration of Human Rights, which guarantees the right to freedom of opinion and expression.

The above allegations also appear to be in contravention with the right to be informed of charges, as set forth in the article 14(3) of the International Covenant on Civil and Political Rights, and with the right to be assisted by a lawyer, as set forth in the Principle 1 of the Basic Principles on the role of lawyers.

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) /can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency’s Government to safeguard the rights of the above-mentioned persons in compliance with international instruments.

As 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 be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above mentioned allegations.
2. Please provide the details, and where available the results, of any investigation, and judicial or other inquiries carried out in relation to this case. If no inquiries have taken place, or if they have been inconclusive, please explain why.
3. Please provide information concerning the legal grounds and charges for the arrest and detention of Mr. Ibrahim Abdullah Juma Al Balushi, Mr. Nasser Soulayman Al-Yahyai and Mr. Talal Mohammed Ahmed Al-Mamari and how these measures are compatible with international norms and standards.
4. Please provide information about their access to independent medical professionals, independent legal representation and family members while in detention.
5. Please explain what measures have been taken to ensure that all human rights defenders in Oman can carry out their peaceful and legitimate activities and cooperate with human rights organisations without fear of harassment, intimidation or restrictions of any sort.

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 responsible of 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.

Mads Andenas  
Chair-Rapporteur of the Working Group on Arbitrary Detention

Frank La Rue  
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

Gabriela Knaul  
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