

Mandates of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; and the Special Rapporteur on the situation of human rights defenders

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Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; and Special Rapporteur on the situation of human rights defenders pursuant to Human Rights Council resolutions 25/2, 24/5, and 25/18.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **acts of intimidation and reprisals committed against human rights defender Mr. Said Ali Said Jadad, for his cooperation with the Special Rapporteur on the rights to freedom of peaceful assembly and of association, during his country visit to Oman between 8 and 13 September 2014.**

Mr. Jadad is an Omani human rights defender advocating for democratic reforms in the country. According to reports, he played an instrumental role in organizing and leading the peaceful pro-reform protests in the region of Dhofar in 2011. Mr. Jadad has also been an active blogger and signed several petitions calling for democratic reform in Oman.

Another reported case concerning acts of intimidation and reprisals related to the visit of the Special Rapporteur on the rights to freedom of peaceful assembly and of association to Oman in September 2014, was the subject of an earlier communication sent by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, and the Special Rapporteur on the situation of human rights defenders, on 26 September 2014 to your Excellency's Government, case no. OMN 2/2014. We regret that to date no response has been received to this communication.

According to the information received:

On 10 September 2014, Mr. Said Ali Said Jadad, born in 1966 [REDACTED], met with the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association, during his country visit to Oman. After this meeting, Mr. Jadad became the subject of increased surveillance, including the monitoring of his activities, as part of the reported increased and more severe control by the Omani security and intelligence services over civil society in the country.

On 31 October 2014, at around 10.00 a.m., Mr. Said Jadad, arrived at Muscat International Airport to take a flight to Istanbul, via Doha, where he was going to attend a workshop for human rights defenders at the invitation of a non-governmental organization. Before boarding his flight, Mr. Jadad was stopped by a border control officer, who confiscated his passport, and taken to a detention room inside the airport. Several officers, dressed in civilian clothes, asked him if he was indeed Said Jadad. Upon Mr. Jadad's confirmation of his identity, he was informed by the same officers that he was banned from travelling outside the country. When Mr. Jadad asked for the reasons of this travel ban, the officers did not answer but instead advised him to return to his home.

Mr. Jadad has since not been informed of the reasons for the travel ban issued against him, nor has he received any official document confirming the travel ban, including its geographical and temporal scope.

Grave concern is expressed that the surveillance of Mr. Jadad by Omani security and intelligence services, as well as the travel ban imposed on him, constitute acts of intimidation and reprisals for his cooperation with the United Nations, its mechanisms and representatives in the field of human rights, namely with the Special Rapporteur on the rights to freedom of peaceful assembly and of association. Further concern is expressed at the restrictions imposed on the enjoyment of the right to freedom of movement of Mr. Jadad, as established in article 13 of the Universal Declaration of Human Rights, and how this interferes with his legitimate activities as a human rights defender, both in Oman and abroad. Serious concern is also expressed at the psychological and physical integrity of Mr. Jadad and his family in light of the surveillance, and that the travel ban might be the first step towards more severe sanctions for his activities in the defense of human rights. Concern is further expressed at the reported increased and more severe control of Omani security and intelligence services over civil society operating in the country and at the impact these restrictions have on the enjoyment of the right to freedom of peaceful assembly and of association and the right to freedom of opinion and expression, as enshrined in the as enshrined articles 19 and 20 of the Universal Declaration of Human Rights.

The above mentioned allegations appear to be in contravention with 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, in particular with the following articles: 5 (c), 6 (b) and (c) and 9 (4a) regarding the right to access and communicate with international bodies.

Furthermore, Human Rights Council resolution 12/2 (A/HRC/RES/12/2) *inter alia*, “condemns all acts of intimidation on reprisal by Governments and non-State actors against individuals and groups who seek to cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights” (OP 2), and “calls upon all States to ensure adequate protection from intimidation or reprisals for individuals and groups who seek to cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights” (OP 3).

Moreover, the 2014 report of the Secretary-General on cooperation with the United Nations, its representatives and mechanisms in the field of human rights pursuant to Human Rights Council resolution 12/2 (A/HRC/27/38) reiterates the Secretary-General’s “firm position that any act of intimidation or reprisal against individuals or groups, or anyone linked to them, for cooperating with the United Nations, its representatives and mechanisms in the field of human rights is unacceptable and must be stopped.” (paragraph 48).

The full texts of the human rights instruments and standards recalled above are available on www.ohchr.org or 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 Mr. **Said Ali Said Jadad** 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 comments you may have on the above-mentioned allegations.

2. Please provide information on the legal procedure and grounds invoked for preventing Mr. Jadad from boarding his flight to Istanbul, via Doha, and any possible travel ban imposed on him; please indicate how these measures are compatible with Oman’s international obligations, in particular with regard to the right to freedom of peaceful assembly and of association, the right to freedom of opinion and expression and the right to freedom of movement, as enshrined in the Universal Declaration of Human Rights.

3. Please provide the full details of any measures taken to ensure the physical and psychological integrity of Mr. Jadad and to prevent acts of intimidation or reprisals against Mr. Jadad for his legitimate activities in the promotion of human rights, including for his cooperation with the United Nations human rights mechanisms.

4. Please indicate what measures have been taken to ensure that human rights defenders in Oman can operate in a safe and enabling environment and interact freely with the United Nations without fear of harassment, stigmatization or restrictions of any kind.

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.

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

Maina Kiai
Special Rapporteur on the rights to freedom of peaceful assembly and of association

Michel Forst
Special Rapporteur on the situation of human rights defenders