

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 capacities 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.

We would like to bring to the attention of your Excellency's Government information we have received concerning reprisals against human rights defender Mr. Tariq Al Sabbahi, who submitted information to the Special Rapporteur on the rights to freedom of peaceful assembly and of association, during his official visit to Oman in September 2014 (8-13 September 2014).

Mr. Tariq Al Sabbahi is a post-graduate student of international human rights law at the University of Exeter in the United Kingdom.

According to the information received:

Mr. Tariq Al Sabbahi received two phone calls summoning him to meet with officers of the internal security department on 10 and 11 September 2014, after having met the Special Rapporteur on the rights to freedom of peaceful assembly and of association,

Mr. Al Sabbahi met with [REDACTED] and officer [REDACTED] from the internal security department at Tim Horton café in Muscat Grand Mall on 14 September from 11.30 a.m. to noon, one day after the Special Rapporteur on the rights to freedom of peaceful assembly and of association ended. During this meeting, the internal security officers reportedly prohibited Mr. Al Sabbahi from contacting the United Nations Special Rapporteur on the

rights to freedom of peaceful assembly and of association and United Nations staff members. The internal security officers also reportedly requested Mr. Al Sabbahi to stop contacting "suspicious international human rights non-governmental organizations with hidden agendas within Oman". They reportedly claimed that contacts with international organizations were only authorized through the Omani Human Rights Commission. Finally, they reportedly threatened Mr. Al Sabbahi with legal actions if he continued to collaborate with international human rights organizations.

Grave concern is expressed that Mr. Al Sabbahi may have been targeted due to his legitimate interaction with the United Nations and its human rights mechanisms. Further concerns are expressed regarding the physical and psychological integrity of Mr. Al Sabbahi.

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 and particularly in 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 report of the Secretary-General submitted on 27 August 2014 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. Al Sabbahi and of other human rights defenders in Oman 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 the full details of any measures taken to ensure the physical and psychological integrity of Mr. Tariq Al Sabbahi.
3. Please indicate what measures have been taken to ensure that the legitimate right to seek and obtain information and to freedom of expression and opinion are respected and that the physical and psychological integrity of those exercising these rights is guaranteed.
4. Please indicate what measures have been taken to ensure that human rights defenders 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