

**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**

REFERENCE: UA  
OMN 2/2015:

27 March 2015

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 reprisal, in the form of a travel ban, against Mr. Mohammed Al-Fazari, 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. Mohammed Al-Fazari is an Omani human rights activist and a blogger, as well as a writer and Editor in Chief of Mowatin Magazine, an online magazine that speaks out against corruption and advocates for political reform. He was the subject of an urgent appeal sent to your Excellency's Government on 27 February 2013, see A/HRC/23/51, case no. OMN 1/2013 by the Working Group on Arbitrary Detention and the Special Rapporteurs on the promotion and protection of the right to freedom of opinion and expression, on the rights to freedom of peaceful assembly and of association, and on the situation of human rights defenders. Mr. Al-Fazari had been allegedly arrested in Muscat on 11 June 2012 for protesting against the detention of other human rights defenders. The Working Group and Special Rapporteurs thank Oman for its reply on 22 March 2013 stating that all the individuals mentioned in their communication, included Mr. Al-Fazari, would be freed the next day.

Mr. Al-Fazari met the Special Rapporteur on the rights to freedom of peaceful assembly and of association during his official country visit to Oman from 8 to 13 September 2014. Information suggests that the interrogation of, travel ban against and confiscation of Mr. Al-Fazari's travel documents are a result of his legitimate cooperation with the Special Rapporteur..

The Special Rapporteurs on the promotion and protection of the right to freedom of opinion and expression, on the rights to freedom of peaceful assembly and of association, and on the situation of human rights defenders sent previous urgent appeals concerning similar acts of alleged reprisals against individuals for cooperating with the Special Rapporteur on the rights to freedom of peaceful assembly and of association during his country visit to Oman in September 2014; on 29 January 2015, case no. OMN 1/2015, 16 December 2014, case no. OMN 5/2014), 11 November 2014, case no. OMN 3/2014, and on 29 September 2014, case no. OMN 2/2014. We urge the Government to provide detailed responses to all the concerns stated in our communications no. OMN 1/2015 and OMN 3/2014, whose responses remain pending, without further due.

According to the information received:

Mr. Mohammed Al-Fazari was prevented from boarding his flight, imposed a travel ban, and his travel documents, including his passport, were confiscated at Muscat International Airport on the morning of 22 December 2014. The same day, official authorities asked him to appear before the Special Division of the Omani Police in Muscat, where he was interrogated for eight hours.

Mr. Al-Fazari was at no moment charged or given the reason for his summons before the Muscat police station and travel ban. He has not recovered his travel documents and as a result cannot travel abroad to this date.

Serious concern is expressed that the travel ban against Mr. Al-Fazari and prolonged interrogation constitutes 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. Concern is further reiterated at the reported increased and more severe control of Omani security and intelligence services over civil society, activists and bloggers 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 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 articles 1, 2 and 6.

Furthermore, Human Rights Council resolution 12/2 (A/HRC/RES/12/2) and 24/24 (A/HRC/RES/24/24) condemn all acts of intimidation or 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, and, acknowledging that acts of intimidation or reprisal carried out or tolerated by the State undermine and often violate human rights, urges all States to take all appropriate measures to prevent the occurrence of and refrain from all acts of intimidation or reprisal against those who seek to cooperate, cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights..

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](http://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. Mohammed Al-Fazari 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 grounds for prolonged interrogation of Mr. Mohammed Al-Fazari on 22 December 2014.
3. Please explain the legal grounds for the travel ban imposed on Mr. Mohammed Al-Fazari and how this measure is compatible with Oman's international obligations.
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  
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