

Mandates of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Working Group on Arbitrary Detention; the Working Group on Enforced or Involuntary Disappearances and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

Ref.: UA ARE 1/2025

(Please use this reference in your reply)

20 February 2025

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; Working Group on Arbitrary Detention; Working Group on Enforced or Involuntary Disappearances and Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, pursuant to Human Rights Council resolutions 52/9, 51/8, 54/14 and 49/10.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received with regard to **the alleged enforced disappearance of Egyptian-Turkish poet and writer, Mr. Abdulrahman Yusuf Al-Qaradawi, who was extradited to the United Arab Emirates (UAE) on 8 January 2025, following his detention in Lebanon, reportedly on the basis of complaints related to destabilizing security in the UAE. We raised concerns about the possible extradition of Mr. Al-Qaradawi in a communication copied to your Excellency's Government, UA LBN 1/2025 in which we noted that we had well-founded reasons to believe that Mr. Al-Qaradawi would face a significant risk of being subjected to arbitrary detention, torture or other forms of ill-treatment and enforced disappearance. Since his extradition to the UAE, Mr. Al-Qaradawi's fate and whereabouts remain unknown. In this regard, the Working Group on Enforced or Involuntary Disappearances has registered the case under its humanitarian mandate and transmitted a communication to you on the same and regrets that no reply has been received from your Excellency's Government.**

According to the information received:

Mr. Abdulrahman Yusuf Al-Qaradawi is a 54-year-old Egyptian Turkish poet and writer, widely recognized for his political activism. He played a role as an organizer against the regime of former longtime Egyptian leader Hosni Mubarak. His poetry, which often critiqued authoritarian regimes and advocated for human rights, established him as a significant voice in the Arab Spring movement.

He later became a vocal critic of current Egyptian leader Abdel Fattah El-Sisi. Following the revolution, Mr. Al-Qaradawi was subjected to a publishing ban, which ultimately led to his exile in Türkiye, where he was granted citizenship.

Background:

Mr. Al-Qaradawi was arrested on Saturday, 28 December 2024, by officers of the Lebanese General Security, allegedly based on a security cooperation memorandum between Lebanon and Egypt. He was reportedly arrested upon entering Lebanon from Syria following a request from the Arab Interior Ministers Council (AIMC) over charges emanating from Egypt and the UAE.

Lebanon's Embassy in Abu Dhabi reportedly officially received a formal request from UAE demanding Mr. Al-Qaradawi's arrest and extradition on vague and unverified charges of inciting to destabilize security in the UAE. No details of the complaint or charges brought against Mr. Al-Qaradawi have been provided by the UAE.

During interrogation in Lebanon, Mr. Al-Qaradawi's legal defense emphasized that all charges against him fall under freedom of expression provisions under international human rights law and are therefore politically motivated and retaliatory.

Extradition to the UAE

Despite his lawyers filing an appeal to the Lebanese authorities on 3 January 2025, Mr. Al-Qaradawi was extradited to the UAE on Wednesday 8 January, 2025 following a decision by the Lebanese cabinet.

His legal team has argued that his extradition to the UAE from Lebanon was based on a provisional arrest warrant issued by AIMC, which they deem illegal under Lebanese law.

Mr. Al-Qaradawi's lawyer expressed serious concerns related to the extremely fast pace of the case before the Lebanese authorities and the process to extradite Mr. Al-Qaradawi to the UAE within a few days, which calls into question compliance with standards of judicial due process in this case.

Mr. Al-Qaradawi's extradition appears to be based solely on a short video which he posted on social media in which he welcomed the new regime in Syria following the overthrow of Bashar al-Assad, and made a single reference to the UAE, expressing his hope that Syria's future would not be hindered by the intervention of foreign States, including Egypt, Saudi Arabia and the UAE. In response, both Egypt and the UAE submitted formal extradition requests to Lebanon.

Mr. Al-Qaradawi's lawyers are unaware of any official charges brought against him in the UAE or any clear or previous connection that he has with the country that would justify his extradition or detention in the UAE.

Enforced disappearance of Mr. Al-Qaradawi since his arrival in the UAE:

Since 8 January 2025, the date of his extradition and arrival to the UAE, Mr. Al-Qaradawi's fate and whereabouts have remained unknown. The UAE reportedly

confirmed that it has taken Mr. Al-Qaradawi into custody from the Lebanese authorities and he faces charges of engaging in activities that aim to stir and undermine public security.

The extradition order was reportedly issued following a formal extradition request submitted by the Central Authority in the UAE, represented by the Ministry of Justice, to the Central Authority in the Republic of Lebanon, in accordance with the principle of reciprocity and the relevant domestic laws and regulations of both countries.

The family of Mr. Al-Qaradawi and his lawyers have not heard from him nor have they received any information on his whereabouts, status and well-being since his extradition. They were informed that, as a Turkish citizen, the Turkish Embassy in the UAE has sought information about his situation, but also has not been able to get information about him or his fate or whereabouts.

To date, more than 40 organizations have called for the disclosure of his whereabouts and details regarding his health and his imprisonment conditions in the UAE without response. Lawyers have attempted to contact the Emirati prosecutor in writing but have not received any response.

Lawyers and human rights organizations have expressed grave concerns regarding the detention and treatment of Mr. Al-Qaradawi, noting that human rights reports over an extended period, including reports by United Nations bodies and mechanisms that indicate a pattern of ill treatment, torture and abuse of political prisoners who are detained. They claim that, as a person fitting the profile of a political detainee, Mr. Al-Qaradawi faces a real risk of torture and abuse in detention. These concerns are heightened by the absence of information regarding his fate and whereabouts.

Risk of extradition to Egypt

Before his extradition from Lebanon to the UAE, Egyptian authorities had also demanded Mr. Al-Qaradawi's extradition by means of a request at the Arab Interior Ministers Council (AIMC), on the basis of accusations that included spreading false information and insulting the judiciary, for which an Egyptian court sentenced him in-absentia to two three-year prison sentences. These charges were reportedly brought against him because of his political activism. Since then, Mr. Al-Qaradawi has been the subject of incitement campaigns on Egyptian TV channels, which raise concerns about his safety if he is extradited to Egypt.

Additionally, there are reports that the UAE has ratified a new agreement with Egypt regarding the transfer of prisoners, raising significant concerns about the possibility of Mr. Al-Qaradawi's further extradition to Egypt, where he faces an in-absentia verdict and has been placed on a terrorist list.

In view of the nature of the charges against him, and the persistent lack of fair trial guarantees, the prevailing conditions of detention, the risk of enforced disappearance, and of torture and other cruel, inhuman and degrading treatment

against persons suspected of opposing the Government in Egypt, Mr. Al-Qaradawi's legal team has expressed fear for Mr. Al-Qaradawi's life and physical integrity should he be extradited to Egypt.

While we do not wish to prejudge the accuracy of these allegations, we are concerned about the enforced disappearance and seeming arbitrary arrest and detention of Mr. Al-Qaradawi by the UAE for exercising his right to freedom of expression. We are further concerned about the lack of information shared with Türkiye, his country of nationality, including details about his whereabouts. We recall that the Vienna Convention on Consular Relations requires authorities to inform detained foreign nationals of their right to consular assistance without delay. This includes the right to communicate with and be visited by consular officers from their home country. Based on the information we have received, we would urge the authorities to disclose the fate and whereabouts of Mr. Al-Qaradawi and, if he is deprived of liberty, to review his detention in light of the international human rights obligations of your Excellency's Government, and if it is found to be unlawful, to ensure his prompt release and return to Türkiye.

We would like to point out that if confirmed, the allegations noted above could amount to violations of the Universal Declaration of Human Rights, in particular of articles 3, 5, 7, 8, 9, 10, 11 and 19; articles 5, 6, 8 and 11 of the Arab Charter of Human Rights; and articles 2, 15, and 16 of the Convention Against Torture to which the UAE acceded on 19 July 2012. These articles guarantee the State's protection without discrimination, the right to life, the prohibition of torture or other cruel, inhuman or degrading treatment or punishment, freedom from arbitrary arrest and detention, inherent dignity of the human persons, right to liberty and security of person, the right to recognition as a person before the law, the right to a fair and public hearing, the right to be presumed innocent until proved otherwise and the right to freedom of opinion and expression respectively. We also note the absolute prohibition of enforced disappearances and torture, which are *jus cogens* rules and applicable erga omnes in accordance with conventional and customary international law.

Enforced disappearance is a violation of multiple human rights and it also constitutes a grave threat to life. States are required to conduct an effective and speedy inquiry to establish the fate and whereabouts of persons who may have been subject to enforced disappearance (Human Rights Committee, general comment No. 36, para. 58).

The UN Declaration on the Protection of All Persons from Enforced Disappearance 1992 establishes that no circumstances whatsoever may be invoked to justify enforced disappearance (art. 7). In particular, it establishes that no State shall practice, permit or tolerate enforced disappearances (art. 2) and that each State shall take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance in any territory under its jurisdiction (art. 3).

The Declaration underscores that accurate information on the detention of individuals and their place or places of detention, including transfers, shall be made promptly available to their family members, their counsel (art. 10(2)),⁷ and that states should take any lawful and appropriate action to bring to justice persons presumed to be responsible for acts of enforced disappearance (art. 14). Article 9 of the Declaration

guarantees the right to judicial remedy, while article 10 provides that any person deprived of liberty shall be held in an officially recognized place of detention and, that an official up-to-date register of all persons deprived of their liberty shall be maintained in every place of detention. The Declaration outlines the obligation of States in article 8 not to expel, return or extradite a person to another State where there are substantial ground to believe that they would be in danger of enforced disappearance. We also make reference to the Working Groups study of enforced disappearances in the context of transnational transfers (A/HRC/48/57), in which it observes transfers embody a denial of justice insofar as individuals are deprived of liberty in the form of secret detention and are removed from the protection of the law and echoes its recommendation cautioning States against transnational transfers which disregard for the rule of law and legal safeguards.

We are deeply concerned that Mr. Al-Qaradawi's extradition, detention and enforced disappearance appears to be in direct retribution for his exercise of freedom of expression. The right to freedom of expression includes the right to seek, receive and impart information and ideas of all kinds, which not only applies to information that is favourable, but also to information that may criticize, shock or offend. Any restriction to this right must pursue a legitimate aim, in accordance with a law that is sufficiently clear, and must conform to the requirements of necessity and proportionality. As established by the Human Rights Committee in its general comment No. 34, any State party seeking to invoke a legitimate ground for restriction of freedom of expression on the basis of a perceived threat to national security or public order, must demonstrate in specific and individualised fashion the precise nature of the threat and the necessity and proportionality of the specific action taken, in particular by establishing a direct and immediate connection between the expression and the threat (CCPR/C/GC/34, para 35).

We recall that the rights to freedom of opinion and expression are enshrined in global and regional human rights treaties and documents, in particular, article 19 of the ICCPR and the Universal Declaration of Human Rights and are considered to reflect customary international law. Although freedom of expression may be subject to certain limitations, freedom of opinion is absolute. Even when the views expressed by individuals are critical of the State, the State has a positive obligation to foster and ensure an enabling environment for the enjoyment of the right to freedom of expression so that citizens can exchange, communicate information and opinions, and contribute to the building of a just society freely and without fear. While recognizing that the right to express oneself and access information and ideas is subject to certain limitations, these restrictions must meet standards of legality, necessity, proportionality and non-discrimination. Restrictions must be publicly provided for by laws that meet standards of clarity and precision and be subject to review by independent judicial authorities.

Regarding the imposition of sanctions, including criminal sanctions, deprivation of liberty and the closing of public space, we would like to recall the recommendations made by the Special Rapporteur on freedom of opinion and expression to distinguish between a) expression that constitutes a criminal offence; (b) expression that is not criminally punishable but may justify a civil suit or administrative sanctions; and (c) expression that does not give rise to criminal, civil or administrative sanctions but still raises a concern in terms of tolerance, civility and respect for the rights of others (A/66/290, para. 18; A/HRC/23/34, para. 31). In this regard, we would like to draw your

Excellency's Government attention to a particularly useful suggestion in the Rabat Plan of Action, to use a six-part threshold test for those expressions that are criminally prohibited, implying an analysis of the context, speaker, content or form, extent of the speech, and likelihood, including imminence (A/HRC/22/17/Add.4).

Attacks against individuals, including through arbitrary detention and criminalisation, for the exercise of freedom of expression are incompatible with the Covenant. In its general comment 34, the Human Rights Committee asserts that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (para. 23).

Furthermore, the Human Rights Committee holds that "the free communication of information and ideas about public and political issues ... is essential. This implies a free press and other media able to comment on public issues without censorship or restraint and to inform public opinion." (CCPR/C/GC/34, para 13).

We are concerned that the charges against Mr. Al-Qaradawi, his extradition to the UAE and subsequent detention are related to national security and/or terrorism. We recall that in the past, several Special Procedures mandate-holders have raised concerns regarding the scope of the national security and terrorism-related offences in the UAE due to their overly broad nature and have found that, in some cases, they have infringed upon freedoms of expression and association and have disproportionately affected journalists, human rights defenders, and other individuals exercising their fundamental rights (see [AL ARE 1/2024](#) and the [Government's response](#)).

In the same vein, we would further like to refer to Human Rights Council resolution 22/6, which urges States to ensure that measures to combat terrorism and preserve national security are in compliance with their obligations under international law and do not hinder the work and safety of individuals, groups and organs of society engaged in promoting and defending human rights. We also draw attention to paragraphs 75(a) to (i) of the 2018 report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism (A/HRC/40/52) on the negative impacts of counter-terrorism measures on civic space and recommendations to ensure respect for human rights in this context. We further note that the General Assembly, Security Council and Human Rights Council have repeatedly affirmed that all measures to counter terrorism must comply with international human rights law.

We are also alarmed about the risk of ill-treatment or torture, to which Mr. Al-Qaradawi could be potentially exposed on both in the UAE and Egypt. We recall that article 3 CAT provides that, "[n]o State Party shall expel, return ("refouler") or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture". The same article provides that "[f]or the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant or mass violations of human rights".

We further note that in the 2023 Universal Periodic Review of the UAE(A/HRC/WG.6/43/ARE/2), the Committee against Torture expressed particular

concern regarding reports detailing patterns of torture and ill-treatment against persons accused of offences against State security who, by virtue of the State security or terrorism charges against them, were subject to a legal regime with fewer and more restrictive procedural guarantees. The Universal Periodic Review Working Group recommended the revision of the Counter-Terrorism Law to align it with international human rights standards and ensure that terrorism is not a ground for limiting public dissent (A/HRC/54/15).

The legal and procedural safeguards against torture and ill-treatment including the right to legal counsel and to contact one's family from the outset of arrest provided in the UN Body of Principles for the Protection of Persons under Any Form of Detention or Imprisonment (Body of Principles). Furthermore, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment reiterated, "The risk of torture and ill-treatment is greatest in the first hours of custody and during incommunicado detention. Therefore, preventive safeguards must be implemented immediately after arrest, including the notification of a third party, access to a lawyer and a physician and the furnishing of the detainee with information on their rights, available remedies and the reasons for arrest." (A/73/207). We further emphasize that among the core elements of a fair trial is the right to legal assistance, which undergirds "the right to a fair and public hearing by a competent, independent and impartial tribunal, as established by law under articles 3 and 9 of the UDHR.

We further recall that in communication [OTH 71/2023](#), mandate holders raised concern concerning the normative and practical frameworks of the Arab Interior Ministers' Council (AIMC) of the League of Arab States (LAS), according to which arrest warrants and red notices are circulated based on extradition requests issued by Member States, in accordance with the regional measures to combat crime and counter terrorism, and in application of the Riyadh Arab Agreement for Judicial Cooperation, and the Arab Convention for the Suppression of Terrorism. While there is an apparent procedure for challenging and reviewing such warrants, red notices do not appear to comply with the obligations of Member States under international law, in particular with regard to principles of non-refoulement, non-discrimination, due diligence and fair trial and may also undermine the freedoms of opinion and expression (see A/79/324, para. 64, OTH 71/2023; MAR 1/2023; and ARE 3/2022).¹ We further recall that in his report to the General Assembly, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism noted with concern that the AIMC maintains a blacklist of terrorist groups or individuals, based on information provided by Member States, but the process is a political one and is not based on legal criteria or procedures and urged regional organizations to strengthen safeguards when operating lists of "terrorist" individuals or entities (see A/79/324, para. 65).

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 as soon as possible on the initial steps taken by your Excellency's Government to disclose the fate

¹ See also [the outcome document of the Middle East and North Africa civil society consultation on the impact of counter-terrorism measures on civil society and civic space](#) of the former Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

and whereabouts of Mr. Al- Qaradawi and prevent any irreparable harm to his life and personal integrity 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 also 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 information on the fate and whereabouts of Mr. Al-Qaradawi. If his fate and whereabouts are unknown, please provide details of any investigation into his enforced disappearance or other queries which may have been carried out to search for him in compliance with the Guiding Principles for the Search for Disappeared Persons. If no investigations or search activities have been carried out, please explain why.
3. In case Mr. Al-Qaradawi is detained in the UAE, please provide detailed information on the reasons for his detention and whether any charges have been pressed against him. Kindly inform also on his current state of health, his conditions of detention and measures taken to ensure that he can communicate with, and be visited by, his family, counsel and any other person of his choice, as well as by consular authorities. Please also indicate how his conditions are compatible with the Mandela Rules (UN Standard Minimum Rules for the Treatment of Prisoners).
4. Please explain how Mr. Al-Qaradawi's detention, any charges that may have been brought against him and the corresponding judicial proceedings are compatible with the UAE's human rights obligations.
5. Please provide detailed information, where available, on any risk assessment carried out by your Excellency's Government to ascertain the possible risk Mr. Al-Qaradawi may face if he is extradited to Egypt, including being subjected to torture or cruel, inhuman or degrading treatment or punishment, enforced disappearance, arbitrary detention and restriction of fair trial and due process rights, and how this assessment is compatible with international standards, in particular, article 3 of the CAT and article 8 of the UN Declaration on the Protection of All Persons from Enforced Disappearance

Further, we would like to inform your Excellency's Government that after having transmitted the information contained in the present communication to the Government, the Working Group on Arbitrary Detention may also transmit the case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. The present communication in no way prejudices any opinion the Working Group may render. The Government is required to respond separately to the present communication and the regular procedure.

While awaiting a reply, we urge that all necessary interim measures be taken to prevent any irreparable harm to the life and personal integrity of Mr. Al-Qaradawi, 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.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please be informed that a copy of this letter is being also sent to the Arab Republic of Egypt, Lebanon and Türkiye.

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

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