

URGENT ACTION

SHUHUH TRIBE MEMBERS EXPECT VERDICT IN UNFAIR TRIAL

On 24 September, an Omani court is expected to issue its verdict in the case of four detainees from the province of Musandam. Authorities have not disclosed any legal basis for the detentions, citing only vague “national security” grounds, and proceedings have violated international guarantees of the right to fair trial.

On 24 September, an Omani court is expected to issue its verdict in the case of four detainees from the province of Musandam. The Omani authorities have not clarified, either in public or in private, the legal basis of the charges against the four individuals. In a statement received by Amnesty International from the Oman Human Rights Commission on 29 August, the Commission states that the defendants are “accused of several charges related to national security”. Amnesty has requested further clarification, but has received no additional information.

The detainees were presented to the Office of Public Prosecution without the opportunity to appoint a lawyer, or to inform their families so that they could hire an attorney. After the families learned that the case had advanced to the stage of prosecution, they hired an attorney. Only three court sessions were held, the first on 22 July. The defense attorney’s team was not permitted to speak to the defendants or receive or review any documents relating to the case prior to the commencement of proceedings, guarantees that are necessary in order to ensure a fair trial. The defense team has not been allowed to retain any documents since then; they are only allowed to examine the case documents under supervision, though they are allowed to take notes.

According to a defendant’s family member outside Oman, who is in contact with family members of detainees who have met directly with the attorney, the charges include circulating and publishing information insulting to the authorities and communicating with international groups in order to undermine the state’s independence. The family member reports that the possible sentences on the charges range from three years to life in prison. Amnesty International is concerned that these detentions may have been motivated in part by discrimination based on the detainees’ tribal origins as members of the al-Shuhuh, which would contravene the International Convention on the Elimination of All Forms of Racial Discrimination, to which Oman is a party.

Please write immediately in Arabic, English, or your own language:

- Urging the Omani authorities to drop all charges that stem solely from the peaceful exercise of the rights to freedom of expression and association or that are based on vague grounds of “national security,” and to release all the detainees immediately and unconditionally unless they are promptly charged with an internationally recognized crime;
- Calling on the authorities to ensure that the defendants have the right to appeal any guilty verdict before an independent and impartial tribunal in proceedings that meet international standards of fair trial;
- Calling on the Omani authorities to ensure that the defendants are allowed to communicate freely with their families and with the legal counsel of their choice, and are protected against torture and other ill-treatment while in detention.

PLEASE SEND APPEALS BEFORE 02 NOVEMBER 2018 TO:

Minister of Justice
AbdulMalik bin Abdullah Al Khalili
Twitter: @moj_gov
Fax: +968 2460 2725
Email: info@moj.gov.om
Salutation: Your Excellency

Sultan
Qaboos bin Said
c/o Diwan of the Royal Court
Fax: +968 2474 2401
Twitter: @_qaboos
Salutation: Your Majesty

And copies to:

Chairman:
Abdulla bin Shawin Amur al-Husni
Oman Human Rights Commission
Fax: +968 2421 8906
info@ohrc.om
Salutation: Sheikh

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY ABDULAZIZ ABDULLAH ZAHIR AL HINAI, Embassy of the Sultanate of Oman, 167 Queens Gate Sw7 5HE, 020 7225 0001, Fax 020 7589 2505

Please check with your section office if sending appeals after the above date. This is the first update of UA 121/18. Further information:

www.amnesty.org/en/documents/mde20/8642/2018/en/.

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ADDITIONAL INFORMATION

The Omani detainees awaiting the verdict and sentencing are: **Ali Ahmed Rajab al-Obaidi al-Shahi**, detained in Musandam on 9 April; **Ali Mohammed Ali Mazyud al-Shahi**, also detained, separately, in Musandam on 9 April; **Mohammed Abdullah Ahmed bin Rahma al-Shahi**, detained 5 May from his home in Dubai and handed over to the authorities in Oman, his country of nationality; and **Mohammed Sulaiman Mohammed Mazyud al-Shahi**, detained on 28 May at al-Dara as he was returning to Musandam from the 'umrah pilgrimage.

On 27 August, the court convicted Rashed Saeed al-Salhadi al-Shahi, an Emirati national detained on 6 April in al-Rawda, Musandam, and sentenced him to life in prison on charges that are still unconfirmed as the state has not provided any documents. In the second half of July, Aref Sultan Ahmed al-Shahi, also of Emirati nationality but with family roots in Musandam, was detained at al-Dara border crossing by Oman's Internal Security Service as he was entering from the UAE. It appears that Aref Sultan al-Shahi will also be sentenced separately from the four defendants with Omani nationality.

In addition to those detained, the Internal Security Service summoned, in the second half of July, tens of residents of Musandam province, though these individuals were released after being interrogated and/or held for several days. In one case, the detainee was released after being held for a month. Some of those summoned were compelled to sign statements before they were released, pledging that they would not use social media and/or communicate with family members in the UAE. The series of detentions and summonses in Musandam, which began this spring, has been subject to strict media silence in Oman. Neither the official Oman News Agency nor any local news outlets have reported on the events.

The case comes against a backdrop of tension between Oman and the UAE over the areas inhabited by the Shuhuh tribe, which is spread across both sides of the border. All of those detained or summoned are from the Shuhuh tribe, as indicated by the family name al-Shahi. Shuhuh members make up the majority of the residents of Musandam, known locally as Ru'us al-Jibal. Musandam province is a territorial exclave of Oman, separated from its mainland and forming the tip of the Arabian Peninsula where it juts into the Strait of Hormuz. It abuts the territory of the United Arab Emirates, adjacent to the emirate of Ras al-Khaimah. Ahmed Mansoor al-Shahi, a prisoner of conscience detained in the UAE, is also from the Shuhuh tribe (<https://www.amnesty.org/download/Documents/MDE2585102018ENGLISH.pdf>). The Shuhuh tribe and Musandam province are culturally distinct from mainland Oman, including in manner of dress and agricultural and animal husbandry practices. Their practice of Islam also differs from the Ibadi sect that predominates in Oman.

There have been several waves of similar arbitrary detentions in recent years in Musandam. In September 2015, for instance, two groups of people were detained after the authorities had monitored their use of Google and Twitter to search for and discuss information on the history of Musandam. In March 2016, a local folkloric music group was detained, but released after several weeks without charge. Two more series of arbitrary detentions followed later in 2016.

Name: Ali Ahmed Rajab al-Obaidi al-Shahi; Ali Mohammed Ali Mazyud al-Shahi; Mohammed Abdullah Ahmed bin Rahma al-Shahi; Mohammed Sulaiman Mohammed Mazyud al-Shahi
Gender m/f: all male

Further information on UA: 121/18 Index: MDE 20/9127/2018 Issue Date: 15 October 2018