

URGENT ACTION

JOURNALISTS' TRIAL POSTPONED TO 12 DECEMBER

The Appeal Court in Muscat postponed to 12 December its decision on the case of the three *Azamn* journalists, Ibrahim al-Maamari, Youssef al-Hajj and Zaher al-Abri. They face up to three years in prison. If detained, they would be prisoners of conscience.

The three Omani journalists from the now closed daily newspaper *Azamn*, Ibrahim al-Maamari, Youssef al-Hajj and Zaher al-Abri appeared before the Appeal Court in Muscat, the capital of Oman, on 17 November. The court was expected to issue its verdict but postponed its decision to 12 December due to the upcoming celebrations of Oman's Independence and the Sultan's birthday. The journalists' trial was based on multiple vaguely worded charges that did not amount to internationally recognizable criminal offences. The Appeal Court unfairly refused their request to call specific witnesses, including the vice-president of Oman's Supreme Court and denied access to information relevant for their defence. They also argued throughout the trial that prosecutors did not provide evidence to sustain the charges brought against the journalists.

On 26 September, the Court of First Instance in Muscat sentenced *Azamn's* editor-in-chief, Ibrahim al-Maamari and its deputy editor-in-chief, Youssef al-Hajj to three years' imprisonment and fines, on charges of "undermining the prestige of the state" and other vaguely-worded charges under Oman's cybercrimes and press and publications law. The court set bail at 50,000 Omani rials (US\$ 130,000) each, should they decide to appeal against the rulings. Journalist Zaher al-Abri was sentenced to a one year prison sentence and a fine for misusing the internet. The same day the court upheld a government order to permanently close the *Azamn* newspaper. The three journalists' trial before the Appeal Court began on 10 October. The court ordered the release of Ibrahim al-Maamari and Youssef al-Hajj after reducing their bail to 2,000 Omani rials (US\$ 5,200) each. Zaher al-Abri was already released on 22 August on a 1,000 Omani rials (about US\$ 2,600) bail pending appeal.

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

- Calling on the Omani authorities to ensure the unfair convictions of Ibrahim al-Maamari, Youssef al-Hajj and Zaher al-Abri, are quashed as all three journalists are being punished for the peaceful exercise of their right to freedom of expression and if detained, they would be considered prisoners of conscience;
- Urging them to respect and protect the right to freedom of expression, including by repealing or amending all legislation that criminalizes the peaceful exercise of this right.

PLEASE SEND APPEALS BEFORE 30 DECEMBER 2016 TO:

Minister of Justice

Sheikh Abdul Malik al-Khalili

Ministry of Justice

PO Box 354

Ruwi PC 112

Muscat, Sultanate of Oman

Twitter: @moj_gov

Salutation: Your Excellency

Minister of Interior

His Excellency Hamoud bin Faisal bin

Said Al Busaidi

Ministry of Interior

PO Box 127,

Ruwi 112

Muscat, Sultanate of Oman

Salutation: Your Excellency

And copies to:

Chairman, Oman Human Rights

Commission

Dr 'Isa Bin Sa'id Sulayman al-Kiyumii

Fill in form at:

http://www.ohrc.om/website_complaintsa

[ddn.php?language=en](http://www.ohrc.om/website_complaintsa)

Muscat, Sultanate of Oman

Fax: +968 24 2189 06

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 third update of UA 206/16.

Further information: <https://www.amnesty.org/en/documents/mde20/4976/2016/en/>

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ADDITIONAL INFORMATION

In September 2011, a court of first instance sentenced Ibrahim al-Maamari to two months in prison and ordered the suspension of the *Azamn* newspaper for one month after its publication in May 2011 of an interview with an employee of the Ministry of Justice who accused the Minister of Justice of career rigging. In January 2012, an appeal court upheld the sentence but did not implement it as the newspaper issued an official apology before the appeal.

On 28 July 2016, Ibrahim al-Maamari was summoned and arrested by Omani State Security following the publication on 26 July of an article accusing the head of Oman's Supreme Court and the chairman of the Judicial Council of intervening in the outcome of verdicts on behalf of influential officials. He was charged with "disturbing public order" and "publishing details of a civil law case" under Articles 25 and 29 of the 2016 press and publications law, as well as charged with undermining the prestige of the state and its status, under Article 135 of the Omani Penal Law, and with publishing material that would disturb public order, under Article 19 of the cybercrimes law.

Zaher al-Abri was arrested on 3 August after he commented on Twitter about the detention of Ibrahim al-Maamari. Youssef al-Haj was arrested on 9 August following the publication of a series of articles based on exclusive interviews with the vice-president of Oman's Supreme Court confirming allegations of corruption made in the original article by Ibrahim al-Maamari. The same day the Ministry of Information ordered the shutdown of *Azamn* newspaper and its online news site.

In detention, Youssef al-Haj suffered from shortness of breath and had repeated asthma attacks; he also has a slipped disc in the back, which has been causing him severe pain. He went on hunger strike for a few days in protest at the lack of medical care he needed. On account of ill health, Youssef al-Haj was held at the Royal Oman Police Hospital in Muscat between 20 and 25 September, after which he was returned to prison.

Throughout their detention, the three men were held in solitary confinement in windowless cells. They met with their lawyers for the first time on 15 August when their trial began before the Court of First Instance. On 26 September Ibrahim al-Maamari and Youssef al-Haj were sentenced to three years' imprisonment and fines, and set their bail at 50,000 Omani rials (US\$ 130,000) each should they decide to appeal against the rulings. Zaher al-Abri was sentenced to a one year prison sentence and a fine. The three journalists' trial before the Appeal Court began on 10 October. The court ordered the release of Ibrahim al-Maamari and Youssef al-Haj after reducing their bail to 2,000 Omani rials (US\$ 5,200) each. After the second appeal hearing on 7 November the court set 17 November to issue its verdict.

In March 2016, during Oman's review before the United Nations' Universal Periodic Review (UPR), the government rejected recommendations to guarantee the rights to freedom of expression, association and peaceful assembly, including a recommendation to support civil society organizations. Oman only partially accepted recommendations to review current legislation that fails to protect the rights to freedom of expression, assembly and association.

Further information on UA: 206/16 Index: MDE 20/5148/2016 Issue Date: 18 November 2016