

From:

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To:

Committee against Torture (CAT)
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Via email at ohchr-cat@un.org

Written Statement for consideration by the Committee against Torture
during its 74th session

1. I, ALI ISSA AHMAD, am submitting this written statement to the UN Committee against Torture ('CAT' or 'the Committee') pursuant to Rule 63(2) of the CAT's Rules of procedure ('the Rules'), which allows the Committee to receive information, documentation and written statements submitted to it by individuals. I hereby respectfully request that the Committee take my statement into account during its 74th session, as part of its examination of the Initial Report submitted by the United Arab Emirates ('the UAE') under article 19 of the Convention, due in 2013 and submitted in 2018.¹ I further request that the Committee allow me to present the information contained in my statement orally, as provided for in Rule 63(3) of the Rules.
2. During a stay in the UAE, which took place in January 2019, I was arrested by the UAE police, gravely tortured, and denied the possibility to file a complaint against the perpetrators. Instead, I was accused of wasting police time, arbitrarily detained in unregistered facilities, and subjected to cruel, inhuman and degrading treatment. I was forced to make a false confession, which was subsequently held against me in UAE courts and led to a criminal conviction. Despite my numerous requests, the unlawful treatment I received never led to any investigation in the UAE, let alone prosecution. I never obtained redress and compensation and the persons responsible for my torture remain unpunished.

¹ Doc. CAT/C/ARE/1* ('UAE State Report')

3. In its Report, the UAE seeks to depict a positive image of the human right situation in the country. The UAE explains that its Constitution and laws “prohibit torture in all its forms, in conformity with the provisions of the Convention”² and purports to demonstrate that its authorities are fully complying with such prohibition. The Report indicates that the Ministry of the Interior “is doing its utmost ... to combat torture in all its forms through a series of initiatives and strategies that have been adopted and implemented”.³ That Ministry is said to be “engaged in drafting a number of strategic policies and practices to combat torture and other cruel, inhuman or degrading treatment”, including in relation to stop and arrests as well as detention facilities.⁴
4. Human Rights training is said to be provided to those involved in dealing with persons subjected to any form of detention and inmates of penal and correctional institutions.⁵ The Report also mentions that the Ministry of the Interior “created committees tasked with inspecting the country’s penal and correctional facilities, juvenile care institutions and police detention centres, scrutinizing legal procedures, checking up on the physical and moral integrity of detainees, and ascertaining that no detainee is subjected to cruelty and torture”.⁶
5. Yet, my personal experience stands in stark contrast to what the UAE claims in its report. I have indeed experienced a system where severe torture can be inflicted by police officers without any consequences, where torture and cruel and degrading treatment can be inflicted on an inmate for weeks in a row without any avenue for him to complain, of a culture of impunity and of a judicial system where false confessions obtained under torture are considered acceptable evidence. It is that experience that I wish to bring to the attention of the Committee so it can form part of the discussion it will hold with the UAE in July 2022.
6. I wish to highlight that the allegations that are the subject of this statement are by no means unique. There is a well-documented pattern of torture and other human rights abuses by the police and security forces in prisons and detention facilities in the UAE, which has been denounced by the UN, member States and NGOs worldwide.

² UAE State Report, para 105.

³ UAE State Report, para 83.

⁴ UAE State Report, para 84.

⁵ UAE State Report, paras 170-181.

⁶ UAE State Report, para 101.

My arrest and the torture I was subjected to in the UAE

7. I travelled to the UAE in January 2019, with the intention of supporting Qatar during the latter stages of the AFC Asian Cup football tournament (which was hosted in the UAE from 5 January to 1 February 2019).
8. At that time, unbeknownst to me, there had been a severing of diplomatic ties between the UAE and Qatar, and on 7 June 2017 the UAE's Attorney General had released a statement asserting that anyone who 'showed any sympathy with Qatar' or 'objected to the UAE government's position' vis-à-vis Qatar (whether through social media or in written, visual, or verbal form) would be liable to imprisonment for a term of three to 15 years or a fine of 500,000 UAE Dirham.
9. On 22 January 2019, I attended a football match between Qatar and Iraq at the Al-Nayhan stadium in Abu Dhabi. I wore a shirt bearing a Qatari logo. After the match, I was confronted in the stadium grounds by four officers who identified themselves as members of the Criminal Investigation Department of the Abu Dhabi Police ('CID'). They demanded to know whether I was from Qatar, racially abused me (calling me a "fucking black", a "donkey" and a "dog") and ordered me to remove my shirt.
10. I was allowed to leave after taking off the shirt and giving it to the officers, but I noticed that my car was followed to my hotel on the way back, and then again the following day throughout the day.
11. In the evening of 23 January 2019, I was pulled over by two officers in the Emirate of Sharjah, which identified themselves as being CID. They racially abused me, demanded to know why I was wearing my shirt (which bore an emblem of the Qatari flag), and accused me of having come from Qatar to stir up pro-Qatari dissent. I was handcuffed with my arms positioned behind my back and forced into the back of my rental car where I was tortured for around 20 minutes. In that time:
 - I was threatened with serious injury or death;
 - I was struck violently in the mouth causing me to lose a front tooth;
 - A plastic bag was placed over my head causing me to have difficulty breathing;
 - The picture of the Qatari flag was forcibly cut from my shirt with a pocket knife, lacerating my chest at the same time; when I begged for the cutting to stop, my assailant cut my chest deeper and lacerated my arm;

- One officer then attempted to burn the remaining parts of the flag using a cigarette lighter.
12. Following the assault, the officers threatened me that they would kill me if they saw me again and left the scene, not without racially abusing me (calling me “hayawan”, which means animal in Arabic, “fucking black” and “dog”). Traumatized, bleeding and in pain, I vomited several times and then managed to reach a petrol station from which I telephoned the emergency services and asked for an ambulance.
 13. A marked police car arrived shortly before the ambulance. Two men who identified themselves as SSD (for ‘State Security Department’) officers also arrived on the scene. They sent the uniformed police officers away and accompanied me by ambulance to the hospital. There, I was briefly treated and then handed into the custody of the two SSD officers. The SSD officers took me to an unregistered SSD facility in the grounds of the Sharjah Police Research Centre, arriving shortly after midnight on 24 January 2019. I complained about the torture I was subjected to both the uniformed police officers and the SSD officers.
 14. Throughout the early hours of 24 January 2019, I was interrogated by the SSD officers about my political opinions, links with Qatar, and reasons for visiting the UAE. In the late morning or early afternoon of 24 January 2019, I was taken in turn to my hotel (where my passport was confiscated and my hotel room was searched), to the Sharjah offices of the State Security Public Prosecution, and to a hospital, where I saw two doctors, who were both asked to produce a report which purported to opine that my injuries were self-inflicted. The first doctor refused but the second one agreed and gave a copy of the report to the SSD officers.
 15. I was then taken back to Sharjah Police Research Centre. I stayed there about five days to a week in total, during which I was interrogated multiple times by a rotating team of interrogators. These interrogations, which lasted several hours, were all conducted in the same manner:
 - I was held in a windowless office room;
 - I was restrained in handcuffs and forced to maintain various stress positions including standing up for hours on end (the first interrogation on 24 January was throughout the night);
 - I was deprived of food, drink and sleep;
 - I was periodically tortured with electricity administered by an electric shock baton, the excruciating pain from which caused me to pass out;

During this time, I suffered episodes of diarrhea and vomiting but was not permitted to take a shower or change my clothes.

16. Eventually, I was told that I was required to confess to inflicting my injuries on myself and wasting police time. I was threatened with death or internment and was ultimately coerced into making the confession. Only then was I allowed to drink water and eat. I was moved to be held in solitary confinement into a small cell in an outbuilding of the SSD facility, which was no larger than around one square meter and was uninsulated, with the result that I was exposed to extremes of temperature.
17. On or around 29 January 2019, I was transferred to the Sharjah Industrial Area Police Station, where I was detained in the general prison population for approximately 14 days. The material conditions to which I was subjected were very poor. I was required to share a cell with around 18 other detainees, and to remain in the cell for 24 hours per day. The cell was extremely dirty, and lacked adequate natural light and ventilation.
18. In the early hours of 10 February 2019, I was stabbed in my cell and sustained a wound five to six centimeters deep, to my right anterolateral abdominal wall. While I did not see the attacker's face, I have reasons to believe that the police officers in charge participated in the attack, by ordering or condoning it.
19. On 11 February 2019, I was brought before a criminal court, where I was informed that I was charged with an offence of making a false accusation and was threatened with internment if I sought to resile from my confession. I therefore relented and was convicted and ordered to pay a fine of 1500 UAE Dirham. I was then taken back to the Industrial Area Police Station.
20. I was released on 12 February 2019, without my personal belongings so that I had no option but to sleep on the street. I was able to collect my belongings the following day and immediately left the UAE to return to the United Kingdom.

Consequences of the torture I suffered

21. The torture inflicted on me in the UAE has had profound adverse effects on my physical and mental health, wellbeing and personal life.
22. As described above, I sustained physical injuries in the course of the assault on 23 January 2019 and my subsequent detention, including but not limited to:

- a. Laceration and contusion to the lip and loss of the left upper first incisor tooth;
 - b. Lacerations to the right shoulder, left arm and chest, resulting in keloid scarring;
 - c. Stab wound to my right anterolateral abdominal wall, resulting in scarring.
23. Moreover, I also developed post-traumatic stress disorder (PTSD) as a result of the above assault and torture, together with associated symptoms including but not limited to nightmares, panic attacks, depression and anxiety. I go to therapy but continue to suffer from PTSD.
24. I was unable to continue working upon my return to the UK and consequently lost my job.

Actions I have already taken to seek an investigation and redress for my torture

25. I have taken various steps to seek redress from the UAE authorities. They have refused entirely to investigate my case and address it in any way.
26. First of all, I complained to the UAE police after the first assault described above.
27. Upon return to the UK, I filed a complaint with the British FCO, who submitted it to the UAE authorities in a Note Verbale.
28. I also filed a complaint with the UN Working Group on Arbitrary Detention and addressed a communication to the UN High Commissioner for Human Rights. Furthermore, I complained to FIFA and requested that the Federation carry out an internal investigation of his case.
29. Finally, I issued civil proceedings in the High Court in London against six of the senior UAE officials who were involved in my torture, including the current Inspector General of the UAE Ministry of Interior (General Ahmed Naser Al Raisi), to obtain compensation for the damage I have suffered. I also filed a criminal complaint against the latter in France on the basis of universal jurisdiction, which led to the opening of a criminal investigation.

My requests to the CAT

30. The acts I was subjected to clearly qualify as acts of torture under Article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ('the Torture Convention' or 'the Convention'). As such, they triggered the UAE's obligation under Article 12 of the Convention to "ensure that its competent authorities proceed to a

prompt and impartial investigation” when I complained about the acts of torture I was subject to immediately after they occurred on the evening of 23 January 2019. I wish to emphasise that, at this moment, I was still bleeding and very much bearing the wounds resulting from the treatment I was subjected to, which left no doubt that there was reasonable ground to believe that acts of torture had been committed against me. Yet, no investigation took place then, nor was any investigation opened when my complaint was submitted to the UAE authorities by the British FCO upon my return to the UK.

31. Moreover, I was not offered the opportunity to have my case promptly and impartially examined by the UAE’s competent authorities, nor was I able to obtain redress and a fair and adequate compensation, in violation of Articles 13 and 14 of the Convention. The UAE states in its Report that,

“All citizens and residents have a legitimate right to file complaints. In the justice system of the United Arab Emirates, everyone has the unrestricted opportunity to seek legal redress. All persons who feel they have been subjected to injustice, including torture, are entitled to institute legal proceedings and the case then takes its course. The competent legal authorities decide either to admit the case if the necessary elements are present or to reject it where there are grounds for so doing.”⁷

Yet, when I tried to raise a complaint about the torture I was subjected to on the evening of 23 January 2019, I was accused of wasting police time, thrown into jail and subjected to further torture and cruel, inhumane and degrading treatment. Moreover, it is my experience that the “course” taken by my case once my complaint was transmitted to the UAE authorities by the British FCO was absolute denial and refusal to take any form of action.


32. Finally, the statements I made as a result of my torture were invoked against me and formed the basis of my criminal conviction in UAE courts for fabricated charges of wasting police time, in clear violation of Article 15. My conviction was never annulled.
33. I respectfully ask the CAT to address my case with the authorities of the UAE as part of the examination of its State Report next month and to remind these authorities of the UAE’s obligations under the Torture Convention. In particular, emphasis should be put on the UAE’s obligation to investigate the serious allegations of torture I have been making for more than three years now, as well as of their obligation to provide me with an avenue for redress and

⁷ UAE State Report, para 219.

compensation. The UAE authorities need to be asked why they have not complied with these obligations and must be required to provide an undertaking that they will do so following the CAT's review procedure.

34. As indicated at the outset of my statement, I respectfully ask the Committee for the opportunity to present the information I have provided in this statement orally, under Rule 63(3) of the CAT's Rules of procedure. Faced with a constant refusal from the UAE authorities to even discuss my case with me, the role of the CAT in ensuring that the Reporting procedure effectively addresses the reality of the rights that the Convention aims at protecting is of the utmost importance.

35. I would ask that any further communication from the Committee intended for me be addressed via email to my lawyer, Mr. Rodney Dixon QC, Temple Garden Chambers, London and The Hague at rodneydixonqc@tgchambers.com



Signed

Dated 13 June 2022

Ali Issa Ahmad