

From:

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To:

Committee against Torture (CAT)
Human Rights Council and Treaty Mechanisms Division (CTMD)
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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, MATTHEW HEDGES, 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 May 2018, I was arrested by the UAE security services, arbitrarily detained in unregistered facilities, gravely tortured, 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 to life imprisonment for espionage for the UK Government. Ultimately, I was told in November 2018 (after 7 months of being detained and tortured) that I had received a pardon and I was released. Despite my numerous requests, the unlawful treatment I received never led to any

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

investigation in the UAE, let alone prosecution. I never obtained redress and compensation and the persons responsible for my torture remain unpunished.

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 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 on an inmate for months 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 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. On 5 May 2018, I was detained at Dubai International Airport as I was about to leave the UAE to return to the United Kingdom ('the UK') after a two week stay in the context of my PhD. This occurred during a planned operation by around 15 officers of the UAE State Security Department ('SSD').
8. I was taken to a police station within the terminal. I was given conflicting accounts of whether I was under arrest. I was handcuffed, blindfolded, put at the back of a vehicle, and driven to Abu Dhabi. During the journey, I asked repeatedly to go to the toilet but was instead locked in the vehicle with the result that I had no option but to urinate in my clothes.
9. I was taken to a jail cell and then to the State Prosecutor's Office in Abu Dhabi. There, I was interrogated for around 8 hours. Under threat of going to prison if I refused, I was coerced into signing a document in Arabic, which I did not understand. Following this interrogation, I was blindfolded, hand-cuffed, ankle-cuffed and taken to the Criminal Investigation Department Building in Abu Dhabi. This was the beginning of a seven-month arbitrary detention, which lasted from 5 May 2018 to 26 November 2018, during which I was subject to degrading detention conditions and to acts of torture.
10. I was held in a windowless and soundproof room with no bed or mattress, where fluorescent white lights were kept on throughout the day and night. There were blood stains on the carpet and footprints on the wall at head height. When my cell door was opened, all I could hear were interrogations, violent disruptions and screaming from other cells.
11. The inhuman and degrading conditions in which I was held for the following seven months could only have been calculated to impose psychological pressure on me in order to obtain a confession. In particular:
 - I was in solitary confinement for a period of more than six months apart from one weekend;
 - I was denied showers, changes of clothes or family contact unless these basic rights were offered to me occasionally as a reward for cooperating with the interrogations;
 - I was denied a bed or mattress and had to sleep on the floor;
 - I could hear other detainees screaming and being beaten in adjacent rooms;
 - I was not allowed any activities or reading material.

12. During that time, I was interrogated repeatedly at seemingly random hours of the day or night, for periods of time lasting between 8 and 15 hours. These interrogations always related to accusations of espionage and revolved around my purported links with the British MI6. Whenever my answers to these interrogations were not deemed satisfying, the officers leading them became extremely aggressive and expressly threatened me with life imprisonment and physical torture.
13. I was shouted at and told things like:
- “You are lying and if you continue to do so you will spend 20 or 30 years in jail”; and
 - “If you press us and you want to do a lie detector test, we will illegally rendition you to an overseas military base where we will hold you in a military prison and beat and torture you. You will never see the light of day and no one will know where you are. You should be careful what you wish for”.
14. On one occasion, officers asked me if I would be willing to steal documents from the British Foreign and Commonwealth Office (FCO). When I refused, the officers started screaming and threatening me with repercussions with the result that I suffered a panic attack lasting around 40 minutes. The following day during interrogation, I had further panic attacks and had to be given Ritalin.
15. Under such unbearable pressure, I falsely confessed to being a member of MI6. When, a few days later, I told the officers holding me that my confession was untrue, I was threatened again, which caused me to continue lying. I therefore had to create a fake story about my career as a spy, that stemmed from real information stored in my email, phone and dictaphone, which were in the possession of my interrogators.
16. My panic attacks began to worsen. I repeatedly asked for medical assistance, which was denied. Instead, I was prescribed a combination of Xanax, anti-anxiety and anti-depression pills, sleeping medication, anti-histamines, and some tablets for acid reflux. The dosages which I was forced to take, were changed and mixed regularly and this caused me to suffer adverse reactions, including dependency and very distressing withdrawal symptoms. As part of the withdrawal symptoms I was experiencing, I could not sleep for periods that lasted up to almost nearly four days.
17. In or around mid-August 2018, my psychological health worsened and I began self-inducing vomiting after every meal with the result that blood appeared in my vomit. I was unable to sleep and was crying regularly for extended periods. My medication was doubled. I began

experiencing thoughts of self-harm and on one occasion cut my arm with cutlery so that it began to bleed. On a further occasion in or around September 2018, I tried to commit suicide by bashing my own head against a toilet, but only avoided this by fainting.

18. I also suffered a seizure in my sleep. As a result, I was taken to a military hospital where I was handcuffed to a bed whilst the medical staff ran tests. For the first two to three days in hospital, I was not given any medication whatsoever and this caused me to experience continued vomiting and nightmarish withdrawal symptoms, and to lose around 8kg.
19. I was subsequently told that I was not allowed to vomit anymore, and from this point onwards I was to go to the toilet and shower with the door open so the guards could physically stop me from vomiting or attempting self-harm in anyway. I had no other option than to comply with the officers' orders.
20. In October-November 2018, I was tried, convicted and sentenced to life imprisonment on the basis of the confessions induced by the torture, inhuman and degrading treatment that were inflicted on me. The whole procedure was held in Arabic, a language I do not understand, and I was not allowed to choose a lawyer. Instead, a court appointed lawyer that I had only met the day before my court hearing presented a defence case for around 30 minutes, to no avail.
21. Upon my conviction I was taken, not to prison, but to the same interrogation office where I had been detained throughout. There I was pressurised into writing a letter to HH Sheikh Khalifa asking for clemency. My suicidal thoughts returned and I was again taken to the military hospital. On or around 26 November 2018, I was told that I had received a pardon and I was released. I returned to the UK immediately thereafter.

Consequences of the torture I suffered

22. The torture inflicted on me in the UAE has had profound adverse effects on my mental health, wellbeing and personal life.
23. Upon return to the UK, I was diagnosed as suffering from Post-Traumatic Stress Disorder (PTSD), with anxiety attacks, low mood and suicidal thoughts as a result of the above mistreatment. I have undergone treatment in England including Cognitive Behavioural Therapy at the London Trauma Clinic. I have also received assistance from the London based NGO Freedom From Torture.

24. I still suffer from the direct consequences of the torture inflicted on me. I suffer from a lack of energy, motivation and confidence to live my life and I require assistance to complete tasks. As a result of my experience, I have become distant with people and I am constantly alert and aware of my position of insecurity within the UK and abroad. This has caused me to reduce my public exposure to my own detriment.
25. Moreover, I have been prescribed medication including venlafaxine, zopiclone and diazepam, upon which I am still dependent today.

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

26. 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.
27. Upon return to the United Kingdom in November 2018, I filed a complaint with the British police as well as a complaint with the British FCO. The FCO submitted this complaint 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.
29. Furthermore, I issued civil proceedings in the High Court in London against four 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" at the very latest when my complaint was submitted to the UAE authorities by the British FCO in June 2019. Yet, no investigation has taken place to date.

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, I was never given an opportunity to file a complaint about the treatment I was subjected to while in the UAE. 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 torture were invoked against me and formed the basis of my criminal conviction in UAE courts for fabricated charges of espionage, in clear violation of Article 15. While I was pardoned, my conviction was never annulled.

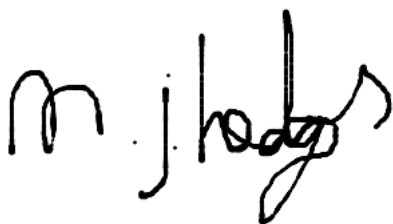
33. I respectfully ask the CAT to address my case with the authorities of the UAE as part of the examination of its State Report next month and to remind these authorities of the UAE's obligations under the Torture Convention. In particular, emphasis should be put on the UAE's obligation to investigate the serious allegations of torture I have been making for almost four years now, as well as of their obligation to provide me with an avenue for redress and 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

⁷ UAE State Report, para 219.

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

A handwritten signature in black ink, appearing to read 'm. j. hedges'.

Signed

Dated 13 June 2022

Matthew Hedges