

AMNESTY INTERNATIONAL

Public Statement

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United Arab Emirates: Amnesty International welcomes order of investigation of “torture video” allegation but calls for wider investigations

Government authorities in the United Arab Emirates (UAE) are reported to have ordered an investigation into a serious criminal assault alleged to have been committed by a member of the ruling family, Sheikh ‘Issa bin Zayed Al Nahyan, in 2004, against a man with whom he apparently had a business dispute. Evidence of the assault has recently circulated in the form of six minutes of video footage in which the victim, said to be an Afghan national named Mohammad Shah Poor, is seen being subjected to various forms of serious physical abuse. Two other people can be seen assisting in the assault, including a uniformed police officer. The footage is said to be part of a longer sequence of a film of the same assault and one of a number of films of criminal assaults carried out by Sheikh ‘Issa bin Zayed Al Nahyan on a range of individuals in Abu Dhabi.

According to a report by the official Emirates News Agency WAM issued on 11 May the Public Prosecution Office in Abu Dhabi was ordered by the judicial authorities to conduct a “comprehensive and thorough investigation of the depicted incident, immediately and without delay, and take all necessary legal actions as stipulated by the laws of the United Arab Emirates”. WAM report also claimed that the Public Prosecution “had detained” Sheikh ‘Issa bin Zayed Al Nahyan pending the outcome of the investigation.

Amnesty International welcomes this news and urges the authorities to ensure that the investigation must be independent, thorough and impartial and that Mohammad Shah Poor in this case, be offered all the opportunities to present his testimony without fear of reprisal. Anyone found responsible for the torture should be brought to justice in a fair trial before an independent and impartial tribunal without recourse to the death penalty.

Amnesty International urges the UAE authorities to ensure that this investigation becomes part of a concerted effort to eradicate torture and other ill treatment and end impunity for law enforcement officials, notably members of Amn al-Dawla (State Security). Amnesty International has documented allegations that security and law enforcement officials regularly have used methods of torture including sleep deprivation, suspension by the wrists or ankles, severe beatings on the soles of the feet (*falaqa*), the use of electric shocks and threats of sexual and other assaults. Victims of torture and other ill-treatment report that they have been forced to sign statements, and have then been charged and prosecuted on the basis of “confessions” extracted under duress. One example of this pattern of torture is the case of Naji Jawdat Hamdan, a US citizen of Lebanese origin, who was arrested on 29 August 2008 in Dubai by members of Amn al-Dawla. He was taken to Abu Dhabi where he was held incommunicado and in solitary confinement until 26 November 2008. While under interrogation he alleged that he was kept blindfolded and repeatedly punched and kicked all over his body until he lost consciousness. He also alleged that his interrogators asked him to “confess” to being a member of al-Qa’ida, and when he refused, one of them forced him onto the floor and another beat him on the soles of the feet. Ultimately, he signed a statement to avoid further torture and was subsequently charged with terrorism-related offences. He remains held awaiting trial.

Background

In a letter, dated 29 April 2009 and addressed to the UAE President, Amnesty International urged that an investigation into the allegations that Sheikh 'Issa bin Zayed Al Nahyan committed a brutal and sustained criminal assault be initiated. The organisation also sought clarification as to what precise steps, if any, had been taken and noted that reports that Sheikh 'Issa bin Zayed Al Nahyan had settled the matter privately with the victim cannot absolve the UAE authorities of their responsibility to conduct a thorough, independent and impartial investigation of what appears clearly to have been a criminal assault, and to hold the perpetrators to account under the criminal law of the UAE.

International law prohibits absolutely torture and other forms of ill-treatment. All states have an obligation to investigate reports of torture and other ill-treatment. Any statement which is established to have been made as a result of torture or ill-treatment shall not be invoked as evidence in any proceedings, except against a person accused of torture or other ill-treatment as evidence that the statement was made. International law also provides that in the determination of any criminal charge, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law.

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