



human rights *first*

American ideals. Universal values.

BLUEPRINT

The Role of Human Rights in Countering Violent Extremism

A COMPILATION OF BLUEPRINTS FOR U.S. GOVERNMENT POLICY

SEPTEMBER 2015

Human Rights First

American ideals. Universal values.

On human rights, the United States must be a beacon. Activists fighting for freedom around the globe continue to look to us for inspiration and count on us for support. Upholding human rights is not only a moral obligation; it's a vital national interest. America is strongest when our policies and actions match our values.

Human Rights First is an independent advocacy and action organization that challenges America to live up to its ideals. We believe American leadership is essential in the struggle for human rights so we press the U.S. government and private companies to respect human rights and the rule of law. When they don't, we step in to demand reform, accountability and justice. Around the world, we work where we can best harness American influence to secure core freedoms.

We know that it is not enough to expose and protest injustice, so we create the political environment and policy solutions necessary to ensure consistent respect for human rights. Whether we are protecting refugees, combating torture, or defending persecuted minorities, we focus not on making a point, but on making a difference. For over 30 years, we've built bipartisan coalitions and teamed up with frontline activists and lawyers to tackle issues that demand American leadership.

Human Rights First is a nonprofit, nonpartisan international human rights organization based in New York and Washington D.C. To maintain our independence, we accept no government funding.

© 2015 Human Rights First
All Rights Reserved.

This report is available online at humanrightsfirst.org

WHERE TO FIND US

75 Broad Street, 31st Floor,
New York, NY 10004

Tel: 212.845.5200
Fax: 212.845.5299

humanrightsfirst.org

805 15th Street, N.W., #900
Washington, DC 20005

Tel: 202.547.5692
Fax: 202.543.5999

1303 San Jacinto Street, 9th Floor
at South Texas College of Law, Houston, TX 77002

Tel: 713.955.1360
Fax: 713.955.1359

Introduction

On the sidelines of the annual United Nations General Assembly meeting, the United States is sponsoring briefings and meetings with allies to develop strategies to counter the spread of violent extremism. These activities will build on the February 2015 White House Summit to Counter Violent Extremism (CVE). The CVE initiative is designed to advance a more preventive and proactive approach to countering violent extremism. It takes into account the lesson of the past decade that addressing the threat of violent extremism requires a truly comprehensive strategy that goes beyond military intelligence and law-enforcement tools.

The United States government has played a leading role in moving forward a global conversation on countering violent extremism since convening the White House Summit. If this process is to yield results, the United States will have to continue to provide leadership in close coordination with the efforts of the United Nations and other multilateral organizations, notably the U.N. Secretary General's Plan of Action on Preventing Violent Extremism to be presented to the U.N. General Assembly later this year.

While sustained U.S. engagement with this multilateral process will be essential, just as important will be a clear demonstration from the United States that it is putting the principles of its CVE approach into practice. The United States must show its commitment to the principles it has been championing through its more comprehensive, preventive CVE strategy in each of its bilateral relationships, particularly those with states facing challenges from the threat of terrorism, which also engage in systematic violations of human rights. It is no accident that these two conditions often coincide.

This blueprint brings together examples of existing bilateral relationships with some U.S. allies that fit this category. The material collected here illustrates the vital importance for the United States to encourage its allies to implement security policies rooted in the reality that good governance, the rule of law, and respect for human rights are essential tools in countering violent extremism.

This blueprint compiles and summarizes previous Human Rights First blueprints. For more information on a specific topic or country, please refer to the following documents: *How to Conduct Effective Counterterrorism that Reinforces Human Rights* (December 2014); *How to Bring Stability to Bahrain* (December 2014); *How to Prevent Egypt Slipping into a Deepening Crisis* (December 2014); *How to Build a More Sustainable and Mutually Beneficial Relationship with Saudi Arabia* (March 2015); *How to Counter Terrorism by Supporting Civil Society in the United Arab Emirates* (May 2015); *How the United States Can Help Counter Violent Extremism and Support Civil Society in Kenya* (July 2015).

Recommendations

Human rights violations and the denial of rights and freedoms contribute to the problems of regional instability and violent extremism. Counterterrorism assistance should promote—rather than undermine—the rule of law and human rights. Human rights are not secondary in any strategy to promote stability and counter violent extremism; they are essential to its success.

SECURITY FORCES

Human rights are key to achieving security and stability. The effectiveness of security forces will improve as relations with communities improve, which will in turn foster longer-term

security. Security efforts rife with human rights violations undermine security and encourage violent extremism.

Accordingly, the U.S. should upgrade its extensive military and military contractor training programs to instill as a priority respect for human rights, transparency, pluralism, and the rule of law. U.S. security agencies should encourage the establishment of dedicated entities within security services that are responsible for investigating complaints of abuses and for ensuring compliance with the rule of law.

In situations where other states are involved in armed conflicts with terrorist and/or insurgent groups, governments should include well-resourced training in international human rights law and international humanitarian law as an integral component of any form of military or other security assistance provided to that government.

COUNTERTERRORISM/CVE POLICIES AND LEGISLATION

U.S. embassies' should broaden dialogues with civil society and human rights groups in partner countries to include discussion of counterterrorism cooperation, the effects of U.S. assistance and to solicit recommendations for how the United States can advance human rights protections through its counterterrorism assistance.

The U.S. should offer resources to local civil society figures and other community-based stakeholders to counter violent extremism and develop programming designed and/or implemented by those local groups

U.S. security agencies should persuade officials to revise repressive and counterproductive counterterrorism measures without delay and convey that statutes criminalizing peaceful dissent harm multilateral efforts against terrorism and destabilize societies.

HUMAN RIGHTS INSTITUTIONS AND CIVIL SOCIETY ORGANIZATIONS

A civil society that is free to operate without intimidation or repression is a strong antidote to extremism, and the United States should take action on protecting civil society leaders as part of its counterterrorism objectives.

A memo issued by President Obama in September 2014 confirms that protecting and promoting civil society is not just the job of the State Department, but includes the Department of Treasury, Defense, and Justice, the Office of the United States Trade Representative, and other U.S. agencies engaged abroad. It directs senior U.S. officials of agencies, when travelling abroad, to "seek opportunities to meet with representatives of civil society, especially those who face restrictions on their work and who may benefit from international support and solidarity," and that "each agency engaged abroad shall incorporate inclusive outreach to civil society into their international engagement."

This effort should also be present in U.S. counterterrorism and countering violent extremism initiatives. As President Obama noted in September 2014, "by giving people peaceful avenues to advance their interests and express their convictions, a free and flourishing civil society contributes to stability and helps to counter violent extremism."

The U.S. should call public attention to incidents when international media, international human rights organizations and representatives of multilateral organizations that are denied access and call for them to be admitted.

The U.S. should broaden the U.S. Embassies' dialogue with civil society and human rights figures to include discussion of counterterrorism cooperation and the effects of U.S. assistance.

Senior U.S. officials should publicly urge the immediate release of all jailed human rights defenders and call for the lifting of restrictions on legitimate, non-violent human rights

advocacy. Objections to restrictions on independent non-violent civil society activists should be on the agenda of every bilateral meeting until the country's crackdown on human rights defenders is ended.

Local civil society groups and other community-based stakeholders should be free to access resources from domestic and international sources to counter violent extremism and develop programming designed and implemented by those local groups.

U.S. EXPORT CONTROL OF ARMS AND OTHER EQUIPMENT

U.S. government officials should conduct a comprehensive assessment of American sales of military and law enforcement equipment in order to ensure U.S. technology is not enabling the repression of civilians and thereby fueling the grievances on which violent extremism feeds.

The Defense Department should insist that all future training of security force personnel in ethnically and religiously diverse countries should include proportionate representation of minority service men and women.

U.S. government officials should enhance the export control process by strengthening existing restrictions and providing more funding for monitoring of the use of weapons and other equipment after sale.

LEAHY LAW

The U.S. government should enhance the implementation of the Leahy Law so that it can be more effective ensuring that U.S. counterterrorism assistance does not support security forces engaged systematic violations of human rights.

U.S. government officials should invest in remediation procedures to retrain, re-evaluate, and eventually restore access to units denied assistance under the Leahy Law vetting process.

COUNTER-THREAT FINANCE

The U.S. government should modernize counter-threat finance to increase pressure on state supporters of violent extremist groups and promote inter-state cooperation to halt support for those groups from private individuals and institutions.

Where disclosure would not jeopardize efforts to prevent terrorism or cut off funds to terrorist groups, the U.S. government should confront partner nations with information on their role in enabling or actively financing violent extremists, through U.S. diplomatic channels, and hold partner governments accountable.

The U.S. government should urge reform of counterterrorism finance tools such as the Financial Action Task Force (FATF) to ensure governments do not use these tools as a justification for actions that crack down on legitimate civil society organizations and political expression.

The State Department should support the fight against corruption by vigorously implementing Presidential Proclamation 7750.

Country Examples

The following countries are examples of states that silence opposition voices, attack independent NGOs and human rights defenders, and commit other human rights violations in the name of countering violent extremism.

Bahrain

Bahrain is among Washington's most repressive allies. The King's family controls the government and judiciary in Bahrain. The King's

uncle has been the country's unelected prime minister since 1971 and through him the King makes all cabinet appointments. The King has the authority to amend the constitution and appoints all judges by royal decree. The al-Khalifa family members generally fill about half of all ministerial slots, including those related to defense, internal security, and foreign policy. The country's majority Shi'a sect is underrepresented in the cabinet and other government posts, notably in the security services where they serve mainly in administrative functions, if at all.

SECURITY FORCES' REFORM

The security forces are almost exclusively drawn from the Sunni sect, either from the local Bahraini community or, in the case of police, increasingly from recent arrivals from Yemen, Syria, Pakistan, or a number of other countries. Many locals view the police not as protectors of their security or their rights but as agents of repression who often do not understand their culture or context.

While there has been some recruitment to diversify the police service, a failure to embark on a genuine overhaul of the Bahrain police and military to better reflect the communities they serve leaves many Shi'a distrustful of those charged with their protection.

The lopsided sectarian makeup of security forces hampers stability in Bahrain, thus undermining U.S. national interests in the country and the region. More than 100 men from Bahrain are reported to have volunteered for ISIL, including a former police lieutenant who appeared in a video urging Bahraini security personnel to join him. But, leading human rights activist Nabeel Rajab was sentenced to six months in jail in January 2015 for tweeting that "many #Bahrain men who joined #terrorism & #ISIS came from security institutions and those institutions were the first ideological incubator."

CIVIL SOCIETY

The release of political leaders from prison—as President Obama urged in May 2011, but has not mentioned since—would help restore international confidence in the reform process. So would an end to the targeting of civil society figures.

In 2011, several prominent political leaders were jailed and still remain in prison. In jail now is Ali Salman, leader of the main opposition group Al Wefaq who was sentenced to four years on political charges. The leader of the Bahrain Teachers Association, Mahdi Abu Deeb, is also serving five years and was sentenced after being tortured and subjected to an unfair trial. Prominent human rights defender Abdulhadi Al Khawaja was subjected to an unfair trial and is serving a life sentence for his part in the 2011 protests. The release of these and other leaders of political and civil society groups is an important path to political stability in Bahrain.

The U.S. embassy sent trial observers to these men's trials and often sends trial observers to attend the higher-profile, politically-connected trials in Bahrain. Unfortunately the U.S. government never publicly states afterwards whether, in its view, the trials met international standards. Several human rights defenders have raised their concern to Human Rights First about this silence, and others have read it as an endorsement of the unfair criminal process.

Egypt

Egypt remains important to U.S. national security interests—it's part of the alliance fighting against ISIL and is battling an insurgency in the Sinai that worries several countries in the region, including U.S. ally Israel, to name just the current front burner issues—but the increasingly authoritarian Sisi regime is destroying the political opposition, consolidating

control over the institutions of government, and driving Egypt into an uncertain future of festering internal conflict and polarization. The Muslim Brotherhood leadership is largely in exile or in prison. Liberal opposition voices, independent NGOs, and human rights defenders are attacked.

RESTRICTED CIVIL SOCIETY

Egypt's civil society has faced a deepening crisis. The case against former President Mubarak's part in the killing of hundreds of protestors in early 2011 was dropped on November 29, 2014, which was seen as a symbolic exoneration of the regime against which tens of millions of Egyptians rose up in January and February 2011. The ruling added to the impression that the judiciary is swayed by political preferences, further undermining the rule of law and strengthening a culture of impunity for those who attack government critics, including human rights activists and other dissidents.

On November 26, 2014, civilian courts sentenced 78 children to between two and five years in prisons for taking part in pro-Muslim Brotherhood protests, adding to the thousands of people already jailed in mass trials which the United Nations describes as "unprecedented in recent history".

President Sisi approved an anti-terrorism law that grants the government blanket power to ban groups on sweeping, loosely defined charges including disrupting public order.

On November 16, 2014, five student protestors were referred to a military court because their alleged damage to university property constituted an attack on a "vital state institution". Theirs was the first case referred under a new decree (Law 136 of 2014) issued at the end of October, putting all "public and vital facilities" under military jurisdiction for two years. This means that any crimes alleged to have taken place at such places (including universities and factories) can be prosecuted by military courts,

expanding the growing jurisdictional scope of the military court system even further.

Egypt's 2002 Law on Associations, or Law 84, prohibits NGO engagement in "unauthorized activities." It enables the government to shut down any group, freeze its assets, confiscate its property, decide who is on its governing board, block its funding, and deny it permission to affiliate with international organizations. The law expressly authorizes the government to interfere in the internal affairs of associations.

The law includes vague grounds for dissolution, which include, "Threatening the national unity or public order or public attitude."

Following the November 10, 2014 deadline for NGOs to register under this repressive law governing their operations or face closure passed without raids on their offices or the further detention of human rights defenders, civil society figures and their work remain vulnerable and many expect their organizations to be forced to close, and fear arrest. Some human rights defenders are already in jail, while other activists have left the country after receiving death threats or hearing that they are on a list of people targeted for arrest. More repressive measures are threatened.

New penalties for breaking the law, passed in September 2014, allow for crippling fines, life in prison, and in certain cases the death penalty.

Kenya

Kenya has yet to fully recover from large-scale violence following the 2008 election, when around 1,300 people were killed—including hundreds by the police—and half a million were displaced during a six-week period. Kenya also hosts around half a million refugees fleeing war in Somalia.

The United States should strengthen and sharpen its efforts to support Kenya. A reinvigorated approach would both improve the lives of Kenyans and serve U.S. interests by combating violent extremism. The U.S. government should take steps to promote greater stability in Kenya and the region.

Kenya's high unemployment and poverty rates—fueled by corruption—threaten the country's stability and help drive disillusioned youth to join al-Shabab and other extremist groups.

CRACKDOWN ON CIVIL SOCIETY

The 2013 Public Benefit Organizations (PBO) Act, a law designed to regulate and protect civil society, has yet to be implemented. On the positive side, parts of the Kenyan judiciary remain defiantly independent of government interference.

Some organizations have already been targeted. Within days of the April 2015 terrorist attacks on Garissa University that left 148 people dead, Kenyan authorities listed 85 entities “suspected to be associated with” al-Shabab, a terrorist group with origins in Somalia.

The list included the internationally respected human rights NGOs Muslims for Human Rights (Muhuri) and Haki Africa. Both are known for their outspoken criticism of Kenya's police forces, particularly of abuses police have committed in the name of countering terrorism. The government froze the bank accounts of each. Hussein Khalid, chief executive officer of Haki Africa, was among the activists in attendance at February's White House Summit on Countering Violent Extremism. In June, the two groups won a court injunction in Kenya rejecting the terrorist designation, but their bank accounts remain frozen.

Mwangi told Human Rights First that he has received death threats, and he was arrested again on July 1. Human rights defenders complain of mistreatment by the police and the

courts. For example, the courts have been increasing bail fees of those arrested for peaceful protests, activists say.

The 2014 State Department country reports also noted that in Kenya, “Less-established NGOs, particularly in rural areas, reported harassment and threats by county-level officials and security forces. Human rights activists claimed security forces conducted surveillance of their activities, and some reported threats and intimidation.”

Kenya's efforts at countering extremism are failing partly because of a lack of cooperation with civil society. Muhuri Executive Director Hassan Abdi Abdille said, “This government will never win the war on terrorism because of a lack of public participation. If the elite like us isn't allowed to participate how will the common people?”

CORRUPTION

In 2006 Senator Obama spoke at Nairobi University and told his Kenyan audience that the country was facing a corruption crisis, that “corruption ... erodes the state from the inside out, sickening the justice system until there is no justice to be found, poisoning the police forces until their presence becomes a source of insecurity rather than comfort.”

Local human rights defenders working in some of Nairobi's poorest areas told Human Rights First about the everyday police bribery that destroys trust in the rule of law. There's a rough price list for those arrested to pay their way out of trouble, with a drunk and disorderly arrest costing around Kenya Shillings 2,000 (US\$20) and Ksh10,000 for robbery with violence. These sums—in a country where 46 percent of people live on less than a dollar a day—are astronomical.

The problem of bribery extends to policing in the name of counterterrorism. An experienced Mombasa photojournalist told Human Rights First about a general lack of trust in the professionalism of police charged with counterterrorism work: “There are cases of the

police targeting and shooting the wrong person through mistaken identity, and reports of [terrorist] suspects being able to bribe their way out of custody.”

POLICING IRREGULARITIES

There is low public confidence across the country in the Kenyan security forces’ ability to prevent further attacks. Undermined by a lack of professionalism, corruption, and impunity for their own abuses, Kenya’s police needs urgent reform. According to the 2014 State Department Kenyan country report, “Police were largely ineffective, and there was a public perception that police often were complicit in criminal activity. Police incompetence and complicity in criminal activity contributed to an increase in crime, especially in Nairobi. Poor casework, police incompetence, and corruption undermined successful prosecutions; the conviction rate was between 13 and 16 percent....Police officials resisted investigations and jailed some human rights activists for going to a police station to make a complaint.” It noted too that, “Police frequently used excessive force when making arrests,” and “frequently arrested and detained persons arbitrarily. Overwhelmingly, victims of arbitrary arrest were poor young men.”

Policing problems are deep and widespread across the country, ranging from petty corruption to poor standards of recruitment and training. Kenya’s 2012 Prevention of Terrorism Act is vaguely worded and criminalizes individuals for being members of designated terrorist entities regardless of their specific actions. There is no domestic legal definition of terrorism in Kenyan law, and counterproductive policing methods aimed at Muslim communities are fueling the sort of extremism they are intended to prevent.

Muslim leaders complain of widespread harassment and say the police are too ready to link the whole community to al-Shabab. “Every time people see one of these massacres—no sane person celebrates that,” said Khelef

Khalifa, Chair of the Mombasa-based NGO Muhuri. “But the government can’t succeed in fighting terrorists if it alienates Muslims.”

He says the police harass Muslims, that they are “90 percent more likely” to arrest Muslim men, who they then exploit for bribes. “The last two years have been hell for the Muslim community,” said Khalifa.

The Anti-Terror Police Unit (ATPU) has received \$50 million from the U.S. government and is accused by Muhuri of torture and a string of extra-judicial executions. “Sometimes they want to arrest someone—why not go to where he works or pick him up during the daytime if he’s not in hiding? They come at night, raiding houses, shooting up the place, hurting people. It breeds bad blood with the Muslim community,” said Khalifa.

Kenyan authorities accept there is a problem, and the Kenyan Independent Policing Oversight Authority (IPOA) regularly condemns police abuses, reminding the authorities that, “unfair policing shapes the view of police as biased and untrustworthy. It generates reluctance to cooperate with police officers, which in turn undermines efficiency in profound ways. IPOA is confident that that is not the image that an increasingly professionalized and accountable National Police Service would wish to foster in the minds of the public.”

Saudi Arabia

The kingdom is now experiencing an authoritarian winter at home and encouraging one abroad while enabling radical clerics to promote sectarian violence throughout the region. These are serious challenges which impede the United States from achieving the objectives of its military campaign against ISIL and which work against American interests in many parts of the region.

Riyadh has taken advantage of this new security environment to implement draconian regulations on countering terrorism that criminalize and deter peaceful dissent. These new laws seem tailored to obstruct the legitimate activities of independent human rights activists and have been used accordingly. Meanwhile, hardline clerics are granted impunity by the state to propagate the sorts of hatred against other sects and religions that encourage Sunni sectarian extremism and legitimize terrorism by ISIL, al Qaeda, and other such groups.

Riyadh is continuing to promote extremist ideologies that underpin recruitment for terrorist organizations such as al Qaeda and ISIL on regional and global levels.

Saudi authorities are promoting a renewed wave of authoritarianism and intolerance in numerous parts of the Middle East. Saudi Arabia has been in the lead of a group of “counter-revolutionary powers” who have “rolled back the electoral and participatory gains of the Arab Spring in Egypt just as they clamped down on protest movements within the Gulf itself.” Although it stands opposed to Bashar al-Assad’s dictatorship in Syria, it has engaged in the Syrian conflict as part of its rivalry with Iran in a manner that has contributed to the elevation of sectarianism between Sunni and Shi’ite Islam. The ruinous influence of heightened sectarianism has been a major contributor to mounting instability in the Gulf, the Levant, and South Asia.

CIVIL SOCIETY

Sunni and Shi’ite advocates of equal rights for Shi’ite citizens of Saudi Arabia, such as Mikhliif al-Shammari and Fadhel al-Manasif, have been convicted and jailed. In the last year, at least four prominent lawyers who called for greater accountability by the Ministry of Justice have been convicted on questionable charges for their activism.

Many non-violent activists, like women’s rights activists Looujain Hathloul and Maysa al-Amoudi, have had their trials sent to Saudi Arabia’s terrorism-focused Specialized Criminal Court, where they receive even harsher sentences for nonviolent activities than they would have before ordinary criminal courts. New laws are having a chilling effect upon peaceful dissent and stifling much-needed civil society mobilization.

DOUBLE STANDARDS

Shi’ite citizens of Saudi Arabia regularly report pervasive discrimination and have a long history of exclusion from administrative or political posts of authority. Saudi authorities continue to indoctrinate the country’s youth with hateful ideas that dehumanize and encourage violence against other religious groups as well as against Sunni Muslims who deviate from orthodox religious teaching.

While Riyadh has aggressively pursued non-violent human rights defenders for what they post online, comparable scrutiny has not been applied to Saudi religious leaders who encourage intolerance or violence using the same media. The Saudi government reserves the right to dismiss radical clerics from the pulpit but typically does not use it with preachers who stop short of endorsing al Qaeda or targeting the state. In fact, it often grants them special privileges, such as senior government posts, officially-endorsed speaking opportunities, or state-sanctioned access to the airwaves.

Saudi-owned outlets notorious for promoting sectarian intolerance, such as the television station *al-Majd* and the news website *Lojainiat*, which have been permitted by the state to keep operating.

United Arab Emirates

The country's positive image is pushed by an impressively lavish lobbying and PR machine in Washington D.C.—more expensive than that of any other Middle Eastern country.

But dissent is not tolerated and human rights activists are targeted, threatening the country's progress and stability. The 2013 U.S. State Department human rights report on the UAE notes “The three most significant human rights problems were citizens' inability to change their government; limitations on citizens' civil liberties (including the freedoms of speech, press, assembly, association, and internet use); and arbitrary arrests, incommunicado detentions, and lengthy pretrial detentions”.

The authorities have tried to suffocate the country's civil society in recent years, jailing dozens of dissidents after unfair trials, throwing out international think tanks, and disbanding local organizations.

Much of this fear appears to have been rooted in the perceived challenge from political Islam and the possibility of contagion from protests during the 2011 uprisings elsewhere in the region. The well-organized UAE Islamic group Islah—which claimed up to 20,000 supporters—was feared by many in the government as representing the sort of challenge that the Muslim Brotherhood posed in Egypt.

PARTNERS IN MIDDLE EASTERN STABILITY

While U.S. officials admit there are human rights problems in the UAE they are often reluctant to raise the most difficult ones—such as those which protect freedom to criticize the government. Apart from the annual State Department country reports, the U.S. is rarely openly critical of the UAE's human rights record.

A veteran analyst in the UAE told Human Rights First that “Many of those who left to fight with ISIS or other groups in Syria or Iraq are men

from Salafist groups that were arrested, tortured, and harassed, even after they were released from jail. They were living under continual pressure in all aspects of their lives and so chose another route to change things”.

Repressive cybercrime legislation and a poor record on internet freedom—not to mention the closing down of several U.S. organizations and research institutes in the country—make the UAE government a questionable partner for the U.S. government to choose for establishing a digital communications hub “to counter terrorist propaganda.” The Sawab Center – New Digital Communications Hub to Counter Extremist Propaganda, was launched in Abu Dhabi in July.

CRACKDOWN ON CIVIL SOCIETY

The authorities began their crackdown on civil society in March 2011, a few weeks after the removal from office of President ben Ali in Tunisia and President Mubarak in Egypt and at a time when mass protests had erupted in Bahrain and in the Eastern Province of Saudi Arabia. The crackdown came in response to a petition signed by 133 people asking for the authorities to begin a process of democratic reform. The signatories included leading members of civil society—academics, lawyers and former judges, journalists, and others. The government reaction was swift, and the following month five activists were arrested.

The targeting of civil society has intensified since then, say local activists, often in the name of counterterrorism, and typically at the hands of Sheikh Mohammed's State Security. Local human rights activists estimate the number of those in jails in the UAE for political reasons at over 200. Few civil society representatives remain in the country and out of jail.

Last year Law 7-2014, On Combating Terrorism and Terrorist Activities, included new offenses centering on the definition of “terrorist outcome.” Article 1 defines a terrorist outcome expansively as: “Stirring panic among a group of people,

killing or causing grave physical harm, or material damage to property or environment, disrupting/undermining the social domestic or international security, antagonizing the state, impacting the public authorities in the State or other states or international organizations as they go about exercising their duties or receiving from the State or other states or organizations a benefit or privilege of any kind.”

Article 15 allows for the criminalization of “whoever publicly declares his animosity or lack of allegiance to the State or regime”.

Although no cases have yet been brought under this new law, it is extremely broad in its potential application. On November 15, 2014, the Cabinet approved a “terrorist” list of 83 groups ranging from armed terrorist groups like ISIL and Boko Haram to American and European Muslim humanitarian and rights groups, including the Council on American Islamic Relations (CAIR) headquartered in Washington, D.C. and the Muslim American Society (MAS) based in Virginia, groups not designated as terrorist organizations in the United States. In May 2015 interior ministers of the GCC, meeting in Saudi Arabia, agreed to harmonize a blacklist of “terrorist organizations and individuals”.

Activists labeled as associated with political Islam, particularly the Muslim Brotherhood, are especially vulnerable. The UAE continues to send large donations to President Sisi in Egypt in part to help his efforts to crush the Brotherhood.

Previously tolerated local civil society organizations have been disbanded, including the Association of Teachers and the Association of Jurists. Former heads of the Jurists Association are now political prisoners, including renowned constitutional scholar Dr. Mohammed al Roken. He’s one of dozens serving long prison sentences after being convicted in the mass unfair “94 Trial” of 2013. This trial of 94 defendants took place in the State Security courts from March to July 2013. The court convicted 69 defendants who were

sentenced to between seven and 15 years in prison. Prosecution evidence relied on confessions defendants claimed were forced out of them by torture in custody. International observers were not allowed into the court. Abdullah al-Hadidi, the son of one of the defendants, was sentenced to 10 months in jail for tweeting details of the case “in bad faith”. There is no appeal recourse on verdicts from this court.

Only a tiny handful of dissidents currently remain in the country and out of jail. Furthermore, activists blame the State Security Apparatus for tampering with official government files holding their ID and other information. They said that dates of birth have been changed so that adults are officially registered as children, or other details modified, making it impossible for them to get drivers licenses and other essential documents. This administrative harassment has sent people into an endless bureaucratic loop, preventing them from getting or renewing passports, applying for school, opening bank accounts, and generally operating normal lives. The denial of a security clearance amounts to a denial of a job—the denial of a normal life. Many activists are unable to support themselves financially. Others say they have been intimidated by State Security vehicles with tinted windows running them off the road.

STIFILING ONLINE DISSENT

A prominent tool the government has used is a “cybercrimes decree” issued by President Khalifa on November 13, 2012 (Federal Legal Decree No. 5/2012), which established a legal basis to prosecute and jail people who use information technology to promote dissent. Article 28 of the decree provides for imprisonment and large fines for anyone who uses information technology to “incite actions that endanger state security or infringe on the public order.” Article 30 provides for life imprisonment for anyone using such technology to advocate the overthrow or change of the system of governance.

Conclusions

A coherent, consistent, interagency U.S. government approach to support freedoms of expression, association, and assembly and to end repression of civil society will make a meaningful impact against violent extremism and better serve U.S. interests.

National counterterrorism measures that are not rooted in respect for human rights risk being counterproductive. When governments stifle peaceful dissent, muzzle the media, and prevent the legitimate activities of non-violent civil society organizations, they are not countering extremism; they are fomenting it.

Respect for religious freedom is an essential part of CVE strategy. The extremist discourse of some governmental religious institutions is part of the problem; independence and de-politicization of those institutions is an essential part of the solution. A comprehensive CVE strategy must address the religious and ideological narratives that lure the vulnerable and disenfranchised segments of society to violent extremism. To be effective as counterweights to extremist discourse, religious institutions must be—and be seen to be— independent of political control, and governments must ensure that diverse religious views are tolerated.



American ideals. Universal values.

WHERE TO FIND US

75 Broad Street, 31st Floor,
New York, NY 10004

Tel: 212.845.5200
Fax: 212.845.5299

humanrightsfirst.org

805 15th Street, N.W., #900
Washington, DC 20005

Tel: 202.547.5692
Fax: 202.543.5999

1303 San Jacinto Street, 9th Floor
at South Texas College of Law, Houston, TX 77002

Tel: 713.955.1360
Fax: 713.955.1359