

Joint statement: Qatari lawyers sentenced to life imprisonment

24 May 2022

The undersigned organisations are gravely concerned about the sentencing to life imprisonment of Qatari lawyers Hazza bin Ali Abu Shurayda al-Marri and Rashed bin Ali Abu Shurayda al-Marri by the Second Circuit Criminal Court of Qatar on 10 May 2022.

On 29 July 2021, Qatar's Emir Sheikh Tamim bin Hamad Al-Thani ratified law No. (6) of 2021 that paved the way for the first elections of the country's legislative body, the Shura Council. In early 2021, hundreds of tribe members, mainly from the al-Murra tribe, peacefully protested in widescale protests against their exclusion from the Shura Council elections.

Lawyer Hazza bin Ali Abu Shurayda al-Marri took part in the protests and played a prominent role in sharing his opinions on the state of affairs in Qatar on his Twitter account. On 8 August 2021, he tweeted a video-recorded appeal directed to the Emir of Qatar in which he criticised the Shura elections law. In another video, he called on fellow protestors from his tribe to demand the Qatari government to release the detainees that were arrested after taking part in the protests. On 10 August 2021, members of the Criminal Investigation Department arrested Hazza al-Marri at his home.

Subsequently, Hazza bin Ali Abu Shurayda al-Marri's brother, Rashed bin Ali Abu Shurayda al-Marri visited the Public Prosecution offices to enquire about the reasons for the arrest of his brother and to request access to act as his legal representative. Rashed bin Ali Abu Shurayda al-Marri was then summoned to appear before the Public Prosecution on 11 August 2021, where he was immediately detained. Both lawyers were held by the cybercrime department until 22 August 2021. After that date, they were transferred to a State Security detention facility where they were held in solitary confinement.

Both lawyers stood trial for the first time on 26 January 2022, during which the judge appointed a defence lawyer for them, leaving the lawyers without the opportunity to appoint a lawyer of their own choosing. The first hearing and the subsequent hearings that took place on 22 February, 8 March and 10 May 2022 all took place behind closed doors.

On 10 May 2022, the Second Circuit Criminal [issued a life sentence](#) against both lawyers. The court convicted the lawyers and two activists that also stood trial on a set of charges, including: "resorting to threats and other illegal means to compel the Emir to perform work within his legal jurisdiction", "spreading false and malicious rumors and news at home and abroad with the intent of harming national interests", "promoting, broadcasting and disseminating, through information technology means, incorrect news with the intent of endangering the safety of the state and its public order", "stirring up public opinion and compromising the state's social order", and "organising a public assembly without a license".

The court [also issued](#), in absentia, a life sentence for Qatari poet, Mohammed bin Rashid bin Al-Dheeb Al-Ajami, and a 15-year prison sentence for citizen Mohammed Hamad Mohammed Al-Marri. Notably, neither Mohammed Al-Ajami nor Mohammed Al-Marri actually participated in the popular protests as they were outside the country when protests began, but they gave them their full support on social media and recorded video messages with peaceful expressions of support.

According to the information received, the trial lacked minimum standards for fair trial and legal procedures. During the closed sessions, the two lawyers did not have any meaningful opportunity to defend themselves. Fair trial rights denied include rights guaranteed by the International Covenant on Civil and Political Rights (ICCPR) to: prompt, detailed notice of charges, have adequate time and facilities to prepare a defence, examine evidence against and present evidence in favour of a defense and to have charges determined in open court before an independent, impartial and competent judiciary.

The undersigned organisations are deeply concerned that the life sentences issued against Hazza bin Ali Abu Shurayda al-Marri and Rashed bin Ali Abu Shurayda al-Marri are connected to, and serve to unlawfully restrict, their legitimate activities as attorneys and the exercise of their right to freedom of expression.

The United Nations (UN) Basic Principles on the Role of Lawyers¹ states that governments must ensure that lawyers “are able to perform all of their professional functions without intimidation, hindrance or improper interference.” The Basic Principles further require that lawyers “shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards, and ethics.”² Moreover, the Basic Principles state that lawyers have the human rights to freedom of expression and to take part in public discussion of matters concerning the law, the administration of justice, and the promotion and protection of human rights.³

Qatar is a State Party to ICCPR, ratified in 2018. The ICCPR guarantees equality before the law and equal protection of the law as well as the right to timely and confidential legal representation by a lawyer of one’s own choosing, to assure protection of rights. Article 9 of the ICCPR recognises and protects both liberty and security of person. According to the Working Group on Arbitrary Detention (WGAD), deprivation of liberty is arbitrary when it results from the exercise of fundamental rights including free expression, association and assembly as laid down in articles 19, 22 and 21 of the ICCPR and articles 19 and 20 of the Universal Declaration of Human Rights.⁴ Moreover, interference in the work of human rights defenders and lawyers in the form of arbitrary detention results in a violation of the right to a fair trial under article 14 of the ICCPR.

The UN Human Rights Committee’s General Comment No 34 on the right to freedom of opinion and expression (Article 19 ICCPR) states that: “Nor, under any circumstance, can an attack on a person, because of the exercise of his or her freedom of opinion or expression, including such forms of attack

¹ The UN Basic Principles on the Role of Lawyers provide a concise description of international norms relating to the key aspects of the right to independent counsel. The Basic Principles were unanimously adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Havana, Cuba on 7 September 1990. Subsequently, the UN General Assembly “welcomed” the Basic Principles in their ‘Human rights in the administration of justice’ resolution, which was adopted without a vote on 18 December 1990 in both the session of the Third Committee and the plenary session of the General Assembly.

² Principle 16 of the United Nations Basic Principles on the Role of Lawyers.

³ Principle 23 of the United Nations Basic Principles on the Role of Lawyers.

⁴ Human Right Council, Opinions adopted by the Working Group on Arbitrary Detention at its eighty-fifth session, 12–16 August 2019, Opinion No. 32/2019, A/HRC/WGAD/2019/32, par. 3(b).

as arbitrary arrest, torture, threats to life and killing, be compatible with article 19. Journalists are frequently subjected to such threats, intimidation and attacks because of their activities. So too are persons who engage in the gathering and analysis of information on the human rights situation and who publish human rights-related reports, including judges and lawyers. All such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted, and the victims, or, in the case of killings, their representatives, be in receipt of appropriate forms of redress.”

We urge the relevant Qatari authorities to release Hazza bin Ali Abu Shurayda al-Marri and Rashed bin Ali Abu Shurayda al-Marri and expunge all convictions against them until there are legitimate charges supported by credible evidence presented in proceedings that comply with fair trial guarantees, and guarantee that all lawyers in Qatar are able to practice law without threat, intimidation, hindrance, harassment, improper interference or reprisals in line with international law and standards on the role of lawyers.

Signatory organisations:

- **International Bar Association's Human Rights Institute (IBAHRI)**
- **Gulf Centre for Human Rights**
- **Lawyers for Lawyers**
- **Lawyers' Rights Watch Canada**
- **MENA Rights Group**
- **UIA-IROL (The Institute for the Rule of Law of the International Association of Lawyers)**