



Due Process is the head of internationally acclaimed *Detained in Dubai, Detained in Doha, IPEX Reform and Gulf Investment Monitor*.



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The Dubai Debt Trap

(The Economist, Dec 2021)

Ryan Cornelius hadn't even intended to set foot outside Dubai airport. When he boarded a flight from Karachi on May 21st 2008, he planned only on changing planes to travel on to his home in Bahrain. At the last moment, the 54-year-old British businessman decided to stop over in Dubai to meet his business partner.

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RADHA STIRLING



Stirling: 'Unprecedented aggression by Qatar banks against debtors, Interpol abuse is alarming'

"We have never seen gulf banks pursue customers as relentlessly and aggressively as the banks of Qatar. Over the past two years, banks such as Qatar National Bank (QNB) have fought to not only list debtors on Interpol's databases as criminal fugitives, but have vigorously sought their arrest and extradition from Western countries.

"We have received calls from customers relaying their horrific experiences and seeking emergency assistance. One was pulled over by British police on the side of the road in England, one arrested on arrival in Mallorca, and another in Spain. Another British man has been detained in Prague for months in deplorable conditions, fighting against an extradition request, and several more were released from European prisons after local courts ruled the requests were frivolous.

"It is almost as though law enforcers in Qatar have given carte blanche to their national crime bureau, allowing them to list anyone they like on Interpol's database. Interpol claims that they filter requests before they are made active but in reality, this is not the case. Interpol is completely reliant on member countries to use their access with integrity, and while they may have rejected some politically motivated notices from Turkey, they have yet to address the drastic number of financially motivated notices from the gulf region. Is it that Interpol does not care for the integrity of their organisation, is it that they do not want to "rock the boat" with gulf nations who they feel are cooperating on other levels? Or is it that they themselves are financially motivated and reliant on contributions received from gulf nations? Whatever the case may be, member countries go unpunished for abusing the Interpol database. They are not penalised or fined and are free to enter as many Red Notices as they please.

"The UAE has certainly misused Interpol's database over the past decade, listing debtors in particular and parties on the other end of commercial litigations."

— Read more here



About The Editor

Radha Stirling is a leading human rights advocate, crisis manager and policy consultant, focusing on the UAE and the wider Middle East. She is the founder and CEO of UK-based organisation Detained in Dubai (helping almost twenty thousand victims of injustice over the past 15+ years), Due Process International and IPEX (Interpol and Extradition) Reform. Stirling also hosts the Gulf in Justice Podcast.

In 2010, Ms Stirling expanded her work beyond the UAE, dealing with both civil and criminal cases internationally. She has provided expert witness testimony in several high profile extradition and arbitration cases, while lobbying for Interpol reform. Given her breadth of experience in financial disputes, Ms Stirling also provides expert risk assessment for investors and advice on business strategies in the Gulf. She has actively negotiated on behalf of corporate clients and investors, assisted in recovering stolen assets, and intervened to secure their freedom from unlawful detention.

Ms Stirling frequently appears in international media to discuss human rights and legal issues in the Middle East and abroad, addressing the United Nations and working with Amnesty & HRW. Stirling regularly advises governments, high profile politicians, the US State Department, Senators, law enforcement personnel and is a frequently invited speaker. Her high-profile media campaigns and legal work have influenced the release of countless high profile prisoners, secured high value settlements and ousted opposition from positions of power.

Radha Stirling

The implications of a "GCCPol" listing: Living as a "wanted person" in the Gulf

We are contacted relentlessly by people who are concerned that they may be listed on the gulf region's version of Interpol, GCCPol, headed up in Abu Dhabi.

GCCPol is used by authorities in the gulf to locate parties who are wanted within the gulf region. A lot of wanted persons have pending cases covering crimes such as fraud, breach of trust, embezzlement, bounced cheques and commonly, bank debts and mortgage defaults.

Most queries that we receive arise from expatriates who have lived and worked in the UAE and have needed to leave the country in order to avoid being imprisoned for debts or other financial crimes. Most have good intentions and wish to repay their debts or negotiate settlements with the claimant or institution but need to work to be able to fulfil their obligations.

Having left the UAE, there are other opportunities within the gulf in countries such as Bahrain, Qatar & Saudi Arabia. Continuing employment in the middle east will allow them to resolve their issues in the UAE faster but are they at risk of extradition?

Firstly, it is important to know whether one is listed on the GCCPol prior to travel so as to be prepared for delays and the possibility of requiring legal assistance. Approximately 40% of our clients discover that their name is active on GCCPol. However, the ramifications for most clients are minimal. The UAE has not been overly active in seeking extraditions. Wanted persons are often delayed at borders when arriving or departing, requiring to explain to authorities what the notice is in reference to. Employers can search the database and may decide not to proceed with visa applications.

Qatar has clearly not taken UAE reports very seriously and usually only causes delays at the airports. In one case, the UAE requested extradition from Qatar but the Qatari airport authorities declined on the spot and let the British national through without retaining his passport.

Notwithstanding the foregoing, if one is listed on GCCPol, gulf authorities will be aware of the warrant and there is always the possibility that the UAE could push for extradition. Even though the UAE has not been very aggressive with their pursuits, this could change at any time. If a gulf member country allows the extradition request to be heard, one could



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be subjected to lengthy and costly legal proceedings and there is no assurance that bail will be approved. We always advise clients to perform a check to see whether they are listed on GCCPol in advance of travel. If they are, we can prepare and advise them in respect of methods that can be employed to reduce their risk of apprehension. Where possible, we always strive to resolve the issues from within the UAE so that the risks are not just mitigated, but eliminated.



One in four UAE residents owe banks more than \$68K

More than a quarter of UAE residents have debts of more than \$68,119, via a new survey by Arabian Business.

The UAE debt survey 2011, published in Arabian Business magazine reveals that more than 20% of residents are completely unaware of their debt. The survey also shows that nearly 40% of residents have personal loans of between \$27,247 and \$54,495.

But the scale of UAE debt isn't just concentrated on personal loans. The results show that 12% of residents in the country own more than six credit cards, with 15% of those still having outstanding balances of more than \$27,247. The picture is even worse on car loans, where nearly a quarter of all UAE residents owe more than \$27,247. A report by the Lafferty Group said total consumer debt across the GCC was \$139bn, with the UAE having one of the highest take ups of credit cards anywhere on the planet, with 199.4 cards per 100 people.

The Dubai Debt Trap

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Three plain-clothes policemen arrested Cornelius as he left the airport. Even in his shock he was struck by how young they were. The police seized his phone and locked him in a windowless room. Customs officers searched him, saying that they believed he was carrying drugs. They found nothing.

At first he thought the authorities had simply made a mistake. Cornelius became more alarmed later that day when he was taken in an unmarked car, hands bound with zip ties, to Dubai's police headquarters. No one spoke to him en-route. As he entered the building, a compact structure with a façade of dark glass squatting between two steel pillars, a hood was placed over his head. After an hour it was taken off, and officers said he'd soon be released. He wasn't told why he'd been arrested.

Cornelius was interrogated for hours in a padded, windowless room, without a lawyer present, then thrown into a bare cell. For ten days he was held incommunicado, with no access to his family, embassy officials or legal advisers. He didn't even have a mattress to sleep on. He later learned that his two British business partners had been arrested around the same time.

A second interrogation was conducted by two police officers. Cornelius found it hard to follow their train of questioning. They had a file with them of what looked like invoices, though they referred to them only generally. The senior officer brandished a letter from a Dubai bank and kept asking whether the invoices were faked.

Eventually, after grilling him for hours, the officers told Cornelius to make a statement laying out his version of events. Around 30 minutes after he did so, an officer reappeared with a typed document in Arabic, a language that Cornelius neither speaks nor reads. The man said he could leave for Bahrain once he'd signed it.

When Cornelius asked for a lawyer, he was told that there wouldn't be one available for days — by then, the officers ominously asserted, it would be "too late". Confused and increasingly panicked, Cornelius signed the statement (he later insisted that it bore little resemblance to the interview). Instead of being released, he was returned to his bare cell.



Dubai lacks the oil wealth of its neighbours. To compensate, it turned itself into a commercial hub.

Dubai is the glitziest of the seven emirates in the United Arab Emirates (UAE). It's a tourist playground of beaches, turquoise seas and imposing glass towers that gleam in the year-round sun. Entrepreneurs are attracted to Dubai, too, seeing it as a pristine, modern, rule-bound entrepot in which to invest. But foreigners doing business in Dubai are often unaware that local politicians and businessmen — elite figures are often both — may use the courts to pursue vendettas, settle scores or raid assets they covet. Even the smallest debt can lead to years in jail.

Cornelius is just one of thousands of expats who are either imprisoned in Dubai after falling foul of the emirate's draconian legal system and the powerful people who manipulate it, or who are theoretically free but unable to leave. The crime he was charged with carried a sentence of three years in the UAE. Yet, 13 years on, he remains locked up in a high-security prison in Dubai (one of his business partners is there too). He is now 67 and his sentence has been extended twice. His parents have died since he went to jail and he missed both their funerals. He is due to be freed when he is 85.

Born in South Africa in 1954, Cornelius was the son of a Welsh father and a mother of Australian heritage. He grew up in what was then Northern Rhodesia (it became Zambia in

1964), where his father's company provided steel equipment to copper mines. Cornelius automatically received British citizenship through his father. His parents weren't typical colonialists. His mother befriended Kenneth Kaunda, the young firebrand who went on to become the first president of Zambia (he regularly sought her advice over tea at the state house). Cornelius grew up in a family of rugby fanatics, and his childhood overseas made him both resourceful and competitive. While studying in Britain in his early 20s, he played for Saracens, a north London rugby club. To this day, his accent remains unmistakably southern African.

Cornelius followed his father into engineering and, in 1981 he established a company called Aject, which specialised in precision tunnelling. The business environment in the Middle East was tricky, but Cornelius persisted and grew rich on the back of the oil and construction boom of the 1980s. He sold Aject in 1996. Though he was only in his early 40s, Cornelius was wealthy enough to retire. But the quiet life didn't interest him. According to Chris Pagett, his brother-in-law, he "was still driven by the same colonial-boy compulsion to show these posh-boy poms that you can make it into the big league".

Along with some business partners, Cornelius embarked on three new projects, each larger than any that he'd previously attempted: the construction of a marina in Bahrain; a proposal to dismantle a Canadian oil refinery and reassemble it in Pakistan; and the development of a large site in Dubai, branded "The Plantation", building a 200-room hotel and

110 luxury villas. This last was potentially the most lucrative. Plans for the Plantation's equestrian facilities were luxurious even by the standards of a region where the ruling elite has a passion for horses. They included an eventing course, an indoor show-jumping arena, two polo fields and a member's club with bars and restaurants. It was, Cornelius once quipped, "the equivalent of having Ascot racecourse plonked in Fulham".

In 2004, the business partners secured a 99-year lease to develop 450 acres of land. At the time, UAE was eager for foreign investors to construct the grandiose property developments that would put Dubai on the map. The property market was running hot: new blocks of luxury flats often found purchasers within hours of going on the market. Cash deals were common and few sellers spent much time scrutinising a buyer's source of funds.

Even so, entrepreneurs found it hard to raise enough for big projects like the Plantation unless they were backed by a major corporate developer. Some specialist lenders, however, made money by taking on riskier borrowers. Cornelius turned to one such firm, CCH, which provided capital at a higher rate of interest than a typical bank loan. He hoped that this would help get the project off the ground and convince a mainstream bank to give him and his partners cheaper longer-term financing. CCH was backed by \$500m in credit from DIB. The chairmen of the two companies were reportedly on good terms — which was useful because Mohammed Kharbash, who headed DIB, was also the finance minister of the UAE. This gave the project an influential patron, a big advantage when doing business in the Middle East.

Cornelius was "fully implicated" in the creation of fabricated invoices to perpetrate a fraud. By 2007 huge mounds of sand had been excavated at the Plantation site, and much of the ground levelled. The service roads and stables were complete, and the polo fields had been laid. Around 30 plots had already been sold.

DIB insisted that Cornelius put up his personal assets, including his family homes, as collateral. Cornelius wasn't happy about being a personal guarantor, but he believed that his investments were comfortably worth more than the loan. The Plantation alone had recently been valued at around \$1bn. In total, Cornelius and his partners provided collateral which they estimated was worth \$1.6bn, more than three times the amount that DIB had lent them. They reckoned that the new deal would allow them to keep developing the Plantation.

Cornelius and his business partners actually outpaced their repayment schedule to DIB (helped, in part, by a further loan from CCH). Their first two payments of \$25m were on time, and on top of that they repaid an additional \$10m. It was shortly after they'd made the second of those payments, in May 2008, that Cornelius was arrested at Dubai airport.

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Dubai's prisons are considerably less luxurious than its hotels. Central prison, where Cornelius is incarcerated, can hold around 4,000 inmates. Each steel-barred cell, which is roughly the size of a shipping container, is supposed to house six inmates, but sometimes two or three more are crammed in and they have to sleep on the floor. Prisoners are issued with thin, rubber mattresses. There is no bed linen, only heavy woollen blankets. Some prisoners don't even have pillows and instead use empty plastic water bottles taped together.

The temperature in the cells is kept low. The air conditioning runs noisily and ceaselessly; strip lights are left on 24 hours a day. Hanging up anything to dim the brightness is treated as a punishable offence: it might obscure the cameras that monitor the prisoners. Taps drip. One former prisoner wrote that the "constantly running toilets are inhumane and relentless brutal forms of mental torture". There is no toilet paper, so prisoners have to use a hose. Occasionally, they are allowed to exercise for 45 minutes in a small, concrete yard.

In Dubai, inmates have to buy everything, including soap and detergent for cleaning the cells, as well as newspapers and phone calls. They pay using cards issued to them when they first enter the prison, which can be loaded with spending money if the prisoner is lucky enough to have relatives or friends who can afford to top them up.

Food is one of the biggest expenditures. The menu is bleak for prisoners who can't afford to buy their own: black tea and a bowl of daal for breakfast; for lunch or dinner, a chicken drumstick and a dollop of rice in yellow gravy which has the consistency of gruel; occasionally a couple of tinned frankfurters with stewed onions.

Long-term inmates report that over the past ten years the quality of the meals has steadily declined. They used to receive a couple of pieces of fruit at lunchtime and fish once a week. These have now been cut.

A small range of food items can be bought from outside the prison, by placing an order through the police kitchen. Cornelius buys a hamburger twice a week and pizza on Thursdays. He also orders in bran flakes, milk, tea, coffee and biscuits. And he pays for bottled water so he doesn't have to drink the water from the fountain at the end of the corridor, which is desalinated and tastes metallic.

Martin Lonergan, who spent nine months in the cell next to Cornelius's in 2019–20 after getting caught up in a separate business dispute, carried out an informal survey among the prisoners. He reckons inmates lucky enough to have money on their cards spend an average of around 150 dirhams a week, or \$40. (As a vegan, he spent 500 dirhams.) "Add in all the other items that have to be bought, multiply it by thousands of prisoners, and Dubai's prison system starts to look like quite a money-making exercise."

Cornelius undoubtedly committed fraud. The definition of the crime covers a wide spectrum of wrongdoing: at one end it includes schemes to steal billions of dollars, at the other are lesser forms of deceit that result in no personal gain, such as the failure to disclose information. Cornelius has always maintained that he never had any intention of stealing from DIB. He did, however, admit that he used money for riskier endeavours than those for which it was lent. The bank provided credit for short-term needs, but it was instead used to fund unauthorised longer-term projects such as the Pakistan refinery and investments relating to the Plantation.

To pull this off, Cornelius's business forged invoices for items such as furniture and building materials to match the investment capital being funnelled to the Plantation. A later civil case, brought by DIB in Britain, concluded that Cornelius was "fully implicated" in the creation of fabricated invoices to perpetrate a fraud. He was also accused of bribery. The judge accepted the bank's claim that \$342m of the \$500m lent by DIB had been used for unauthorised projects.

Cornelius and his partners have always said that they intended to repay the loans with the proceeds of sales in the Plantation. A person close to Cornelius says he accepts that he "made mistakes", but that he'd been assured by CCH that he could borrow money to invest if he submitted "certain invoices in a certain way". Though Cornelius never dealt directly with DIB, he has said he was led to understand that the bank was "supportive" of this chicanery.

Dubai attracts Westerners looking to build businesses in a place with a frontier mentality. All the parties knew about the irregularities when they agreed to restructure the loan in 2007. According to an international banker who worked in the Middle East at the time, there was plenty of money washing around and the economy of the UAE was booming: "As long as this continued, no one seemed overly worried about what the borrower did with the money, as long as he could be trusted. It's how business was done back then." Despite the misuse of the money they lent, DIB continued doing business with Cornelius and his partners.

The origins of the fraud charges against Cornelius are unclear. The complaint may have come from DIB itself, according to official documents that later came to light, though the bank has always denied this, insisting that Dubai's police force first raised the concern.

According to a legal statement made by Cornelius, during one interrogation a police officer "kept on asking me how much I could repay the bank immediately". This line of inquiry surprised Cornelius, because the agreement he and his associates signed with DIB contained a specific clause whereby the bank waived its right to bring any claims against the other parties, as long as they kept to the repayment schedule. But the bank was now under new management. Kharbash, the chairman who had overseen the deal, owed his job to Dubai's emir, Maktoum bin Rashid al-Maktoum. When Maktoum died in 2006, he was succeeded by his brother,



During one interrogation a police officer "kept on asking me how much I could repay the bank immediately?" This line of inquiry surprised Cornelius, because the agreement he and his associates signed with DIB contained a specific clause whereby the bank waived its right to bring any claims against the other parties, as long as they kept to the repayment schedule.

Mohammed, and a changing of the guard followed. Many senior members of staff were pushed out, including Kharbash. He left DIB in early 2008, a few months before Cornelius's arrest.

The new chairman of DIB was Mohammed al-Shaibani — no ordinary financier but one of the new emir's closest lieutenants. He had previously overseen the ruling family's commercial interests in Britain. His appointment at DIB was the latest stage in a rise that has seen him become arguably the most powerful person in Dubai outside the royal family. He is now director-general of the Ruler's Court, which controls the executive arm of government. As Shaibani's political star has waxed, his business interests have also grown. He is head of Nakheel, one of Dubai's largest property developers, as well as the Investment Corporation of Dubai, a \$300bn sovereign-wealth fund which holds many of the emirate's highest-profile assets. He is also a director of Dubai World, a state-owned investment company, and of Dubai Aerospace Enterprise, one of the world's largest aircraft-leasing companies.

Shaibani's past calls into question Dubai's claim to be run by the rule of law. He was involved in two of the most notorious episodes in Dubai's recent history: the kidnappings of the

emir's daughters, Shamsa and Latifa. In August 2000, Shamsa was abducted from the streets of Cambridge, England, not far from the sheikh's estate in Newmarket. She was drugged and taken to Dubai against her will. During a dispute between the ruler of Dubai and his estranged wife, the English High Court determined in December 2019 that Shaibani was "closely involved" in the "operation to remove" her and, indeed, that he was present when she was seized. She hasn't been seen in public since.

Latifa, Shamsa's younger sister, was 32 when she attempted to flee Dubai in a yacht in 2018. The boat was intercepted off the coast of Goa by Indian special forces, with their UAE counterparts in tow. Shaibani's name crops up repeatedly in messages and audio recordings that Latifa provided to the Free Latifa Campaign. She claims Shaibani was involved in her kidnapping and threatened to have her certified as insane and detained indefinitely. He forced her, she said, to make false statements to British courts and to the UN, which was investigating her case, denying that she was being held against her will.

When Shaibani was installed as DIB chairman, he acted decisively. It was widely believed that Kharbash, the former chairman, had been lining his own pockets. Shaibani's remit was "to clean the stables", says a lawyer who worked on cases involving the bank. Kharbash was charged with embezzlement in 2009. The outcome of the case is unclear. He died in 2016.

British newspapers call Dubai "the new Costa del Sol"

Shaibani wanted not merely to remove Kharbash, but to crush those who had profited from their relationships with him, according to several British lawyers who have examined Cornelius's case, as well as Lord Clement-Jones, a Liberal Democrat peer who has campaigned for Cornelius's release. In one witness statement Cornelius said he believed that DIB "took various calculated steps" to prevent him from fulfilling the restructuring agreement. These were "illegal acts of manifest bad faith" committed by the bank "in order to get its hands" on the Plantation.

After Cornelius was locked up in mid-2008, DIB either seized or forced him and his partners to sell the assets that they'd pledged as collateral, even though the bank now referred in court to the restructuring agreement as a corrupt document. Detained without bail, Cornelius watched his assets disappear. In March 2010, almost two years after his arrest, Cornelius was tried on charges of fraud and money-laundering.

Things did not go to plan for his accusers. The money-laundering charge was dropped. In August the case took a dramatic turn, when the judge recused himself, apparently unwilling to continue the trial on the basis of the evidence presented. Nevertheless, Cornelius remained in jail. By October 2010 he had already served more time than the

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sentence he would have received had he been convicted (the maximum sentence for fraud in Dubai is three years, but there is a 25% reduction for good behaviour). That month, Cornelius was put on trial again, before a new judge, and facing a fresh charge sheet. This time, he, his ex-partners and managers at DIB were accused of colluding to defraud and steal from a governmental body. This required some sleight of hand, since the bank hadn't previously been regarded as a state entity. Though the state held 28% of its shares, both government and bank officials had long portrayed DIB as a vibrant market-oriented institution. Nevertheless, prosecutors alleged that the unpaid balance of the loan was a fraud on the state.

None of this helped Cornelius. In Dubai, the maximum sentence for defrauding the state is ten years. The new judge convicted Cornelius and his co-defendants in 2012, sentencing them to the full ten-year term. The trial was in Arabic so Cornelius couldn't understand it. His lawyer didn't speak English. He was told through an interpreter that the judge insisted that Cornelius and his partners still owed DIB around \$500m from the original fraud, and imposed an additional fine of \$500m.

DIB tenaciously pursued this debt in Britain and Bahrain, where Cornelius owned other assets. The bank convinced an English court to hand over all three of Cornelius's properties in London – flats in Pimlico and Tower Bridge, and a house in Maida Vale – which had a combined value of \$7m. Cornelius's defence was hamstrung when the authorities in Dubai refused to let him testify via video link; he was allowed only to submit written statements. The ruling left his wife Heather and their three children without a home. When they appealed to hold on to one of the flats on humanitarian grounds, DIB's lawyers made short work of them.

By May 2016, Cornelius had served the full ten years less the standard 25% reduction for good behaviour, and qualified for possible release. Instead he was kept behind bars with no official explanation for his ongoing imprisonment. He stayed incarcerated for another two years. At that point Cornelius and his business partner were taken without notice or legal representation to a judge's office, where a lawyer for DIB requested an additional 20 years in jail, under the right available to creditors in Dubai to keep a debtor imprisoned for failing to repay the money owed. The judge quickly acceded.

Cornelius later stated that the judge declared that "it was a matter between us and the bank, and that the courts no longer played a part". In effect, "DIB had become our jailer." The new sentence was imposed in accordance with Dubai's Law 37, which was modelled on Britain's Proceeds of Crime Act, which aims to counter money laundering. Yet Dubai passed this law only two years after Cornelius's alleged fraud. Retroactivity is proscribed by international law and, says Lord Clement-Jones, "offends every basic principle of the rule

of law". It is also specifically prohibited by the UAE's own constitution. Cornelius tried to appeal against this new 20-year sentence, but was stonewalled by the prison authorities. He applied five times to appoint a lawyer to file the appeal on his behalf. Each time the prison rejected his request: officials insisted that the law didn't allow anyone serving a sentence such as his to issue a power of attorney. With no alternative, Cornelius decided to represent himself and managed to lodge an appeal. But on the day scheduled for the hearing, he was told that his name wasn't on the passenger manifest for the prison bus. In May 2018 a judge dismissed the appeal because Cornelius had missed the hearing, and denied him permission to lodge another one.

It still isn't clear why Cornelius has been harried so tenaciously for his debt and held in prison indefinitely. Lord Clement-Jones said in the House of Lords that he believes this to be a consequence of Shaibani's "personal determination". He alleged that Shaibani had "intervened personally" with the authorities in Bahrain to reverse the dismissal of DIB's claim against Cornelius. The Bahrain Chamber for Dispute Resolution had dismissed as "groundless" the bank's claim that Cornelius and his partners still owed it money. The chamber's judgments are supposed to be final. Four months later, however, this one was overturned. (Shaibani's representatives were offered the opportunity to comment by 1843 magazine but did not respond.)

Cornelius's family and supporters believe that Shaibani wanted to wrest back control of the Plantation, a prized jewel of Dubai's real estate, and that he is trying to prevent Cornelius from seeking recompense through the courts if he ever leaves prison. His relatives reckon that these two objectives have led DIB into legal contortions. Perhaps as a way to justify hounding Cornelius, the bank told courts in Dubai and Britain that the Plantation, valued at around \$1bn at the time of the arrest, is "essentially worthless and unsaleable". At different times DIB has provided various arguments as to why this is the case: either because of the property crash of 2008, or because the development belonged not to the bank but to the state, since it was classified as the proceeds of crime.

Cornelius was not once allowed to address the judge during the more than 100 court sessions he attended. DIB did not reply on the record to a detailed set of questions regarding Cornelius's story. But Hugh Lyons of Baker McKenzie, the law firm representing DIB in the civil cases against Cornelius, told 1843 magazine that Cornelius is a fraudster, whose conviction has been upheld by both Dubai's court of appeal and court of cassation, the highest judicial body in the emirate. He also pointed out that courts in Britain and Bahrain ordered Cornelius to pay considerable sums of money, which he has so far failed to deliver. He is, he says, "not aware of any miscarriage of justice".

Prisoners report that they rarely see the jailers. Every night at 9pm cells are locked and the phone line to the guards is switched off. If an inmate has a problem, there's no way to

get assistance. Sometimes prisoners can be heard screaming for help. Cornelius has told his family he finds it "scary" to be so isolated. The block used to have magnetic fire doors that opened automatically if the fire alarm went off. Several years ago this system was disconnected. These days the doors are padlocked.

Medical care is almost non-existent: a single doctor covers all the inmates. Under the rota system prisoners may be given an appointment six months down the line. Racial discrimination is evident, too. Pakistani inmates are kept waiting longer than white ones, and black inmates longer still.

Since his imprisonment, Cornelius has suffered from high blood pressure and raised cholesterol. In late 2019 he was diagnosed with tuberculosis after a prisoner in an adjacent cell collapsed with the disease. Despite regular pleas, he waited 18 months to receive treatment and medication. Mercifully, his tuberculosis is latent. He was sent to a government hospital more than once during that period, but each time was returned to prison without being examined, either because doctors claimed not to know who he was or because the paperwork wasn't in order.

The pandemic put an end to prisoners' brief allowance of outdoor recreation. For months, Cornelius was kept indoors all day. His only exercise was an occasional jog up and down the corridor that runs alongside the cells. Previously he'd helped organise games of touch rugby. He told his family that it was the only thing he had to look forward to each week.

Cornelius and other inmates have been double-jabbed with the Sinopharm vaccine. That didn't stop covid from running rampant through the overcrowded prison. His block is reportedly being used as a dumping ground for anyone who might be infected. In the summer, Cornelius came down with covid symptoms. Medical staff were absent, and prisoners couldn't even get paracetamol. A prisoner in the cell next to Cornelius died of coronavirus and his body lay there for eight hours before being removed in a plastic bag. Cornelius worries that catching covid again might trigger his tuberculosis to become active.

Doing business in autocracies is fraught with peril. Without an independent legal system, judges arbitrating commercial disputes can feel under pressure from individuals who have political clout. Only the most naive investor would operate in China or Russia without considering the risk of expropriation at the hands of the government or well-connected rivals. Dubai is supposed to be different: a business-friendly oasis with a Western outlook in a region fraught with danger.

Dubai lacks the oil wealth of its neighbours. To compensate, it has turned itself into a commercial hub where service industries such as finance, property and tourism flourish. It promotes itself as a low-tax, free-trading haven to foreign investors. In early 2020, the UAE announced that foreign doctors, scientists and inventors would, for the first time, be



How this innocent mistake could see you fined or jailed!

Dubai visitors have to abide by many rules when travelling to the country or face huge fines and even jail sentences.

Dubai is a popular destination for travel with affordable flights and good weather nearly all year round. Yet the country also has extremely strict laws which visitors should be aware of. For example, allowing a cheque to bounce is against the law. Anyone writing a cheque should make sure they are able to be cashed in. Until last year, a bounced cheque could have been punishable by jail, due to Article 401 of the UAE Federal Penal Code, for up to three years.

However, a new order issued by Dubai Attorney General Essam Al Humaidan has meant it is now seen as a minor offence. This means it will be fine over a jail sentence as it will be deemed a "misdemeanour". However any cheques over £41,000 can still be punished with jail time if they are not approved.

able to apply for citizenship. It attracts Westerners looking to build businesses in a place with a frontier mentality, as well as "appealing to anyone who'd made it from Karachi, Beirut or wherever and wanted somewhere safer, more middle class", as one banker puts it.

Hotels with large conference centres have helped to turn the emirate into the Middle East's undisputed hub for corporate events. It markets itself as a luxury destination for suits and shoppers alike. And it has shrewdly encouraged social-media influencers to move there – and post pictures of their glamorous lifestyles – to draw younger visitors, too. By and large, Western governments consider Dubai to be a reliable partner and safe place to operate. The latest guidance from Britain's Foreign and Commonwealth Office (FCO) on business risks in the UAE states that its "society is multicultural, and characterised by greater tolerance and openness than many other countries in the region".

Yet the emirate has long been a haven for dirty money and shady middlemen. Regulators mostly turned a blind eye to such activity in the heady years before the financial crisis. But the events of 2008–09 left Dubai's debt exposed and the emirate came close to defaulting – it was saved from this fate only by a bail-out from Abu Dhabi, another emirate. This near-death experience forced Dubai to make a show of cleaning house, especially as the government came under

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increasing pressure from other countries and global regulators. “For a foreigner, the only way to get acquitted is to have enough influence to win a pardon”.

Nonetheless Dubai remains popular with kleptocrats, arms-smugglers, sanctions-busters and money-launderers. Fugitives, fraudsters and disgraced public figures flock there (British newspapers call Dubai “the new Costa del Sol”, a reference to the stretch of southern Spain where foreign criminals used to lie low).

Crime rings and crypto scammers operate within its borders. Dubai’s half-heartedness in combating illicit finance is “a feature, not a bug” of its economy, according to a report last year by the Carnegie Endowment, a think-tank. This offers it a competitive advantage over stricter jurisdictions. But powerful people in Dubai can seize assets under the guise of combating corruption, just as Crown Prince Muhammad bin Salman did in Saudi Arabia in 2017 when he arrested numerous royals and businessmen, and drained their bank accounts.

The UAE’s legal system is based on civil-law principles and sharia law. Each emirate has its own court, with a supreme court in Abu Dhabi. Dubai is one of only two emirates that do not take part in the UAE’s federal court structure. Instead it touts its modern judicial system. The Dubai International Financial Centre, a special economic zone that contains more than 2,000 banks and companies, has its own courts, which operate according to common-law principles and hear cases in English. Applications to this special economic zone are closely scrutinised; those from financial and technology firms are most likely to be successful. But Cornelius’s businesses, like most companies in Dubai, were registered outside this zone and instead fell under the jurisdiction of the national courts, which apply the national law.

In these courts, capital trials can begin and end in a day. It is rare for prosecutors to lose. Indeed, the prosecuting lawyer often sits next to the judge on the bench. Foreigners on trial have observed discussions between prosecutor and judge in which the former appeared to be giving instructions to the latter. Defendants are often blocked from giving evidence.

Cornelius has not once been allowed to address the judge during the more than 100 court sessions he attended in over ten years of hearings and appeals since his arrest. He often struggled to understand what was going on because of poor translation. The system is run on patronage. “For a foreigner, the only way to get acquitted is to have enough influence to win a pardon,” said one foreign lawyer.

As Cornelius has discovered to his cost, the law can be particularly cruel in disputes over money. In most Western countries, debt is considered a civil matter. Charles Dickens’s father was sent to a debtors’ prison and Dickens’s depictions

of these prisons’ horrific conditions in his novels bolstered a campaign that led to their eventual abolition in Britain in 1869. The UAE, by contrast, still treats debt as a crime. Dubai’s courts mete out eye-watering sentences for property crimes. Late payment, even a single bounced cheque, can land you in jail for up to three years. This helps unscrupulous claimants to “exploit the criminal system in matters relating to debt recovery”, says Rhys Davies, a barrister working on Cornelius’s case.

A prison sentence does not clear the debt. If the debtor cannot repay the money when the initial sentence ends, the creditor can ask the court to keep the person incarcerated indefinitely, until the debt is settled. Debtors can be locked in a Catch-22 situation: if they can’t leave prison, how can they ever earn money to pay off the debt? Some Indian labourers have been languishing in jail in the UAE for over a decade with debts as small as \$1,000.

Companies, banks, public figures and even private individuals work the system to become long-term jailers

A mere accusation can be all that the authorities require to arrest someone and bar them from leaving the country, even in the absence of evidence.

Radha Stirling of Detained in Dubai, a group that provides assistance to foreigners ensnared by the emirate’s legal system, has many clients who are, or have been, “debt hostages”.

Even those who aren’t locked up may find their freedom limited. The accused typically loses their job and the local bank will freeze their account. “That can lead to previously written cheques bouncing, compounding their problems,” says Stirling.

“They can’t get another job to pay off the debt as no one with a police case against them is entitled to a work visa. And a travel ban ensures they can never leave Dubai until the impossible debt is paid. Relatives of debtors aren’t safe either. Albert Douglas has been in prison in Dubai for two years since cheques issued by his son’s flooring business bounced: his son had left Dubai, so the creditors went after Douglas because he was a signatory on the company’s accounts.

Fully aware of the emirate’s ruthless treatment of debtors, Douglas tried to escape to Oman. He was caught climbing a border fence. Now, at 60 years old, he fears he will die in prison. A report earlier this year, written by Sir David Calvert-Smith, former director of public prosecutions in Britain, flagged UAE’s abuse of red notices and its “undue influence” over Interpol. In late November, Major-General Ahmed Naser al-Raisi, inspector-general of the Emirati interior ministry, was elected as the organisation’s next president. Foreigners who had previously been locked up in Dubai campaigned to stop him getting the job, arguing that he had overseen arbitrary arrests and torture in his previous role. The UAE’s misuse of red notices ranges from petty extortion to attacks “for political gain against those seen as a threat to the regime”, according to

Calvert-Smith’s report. One British woman was surrounded at a restaurant in Rome and taken into custody over an alleged credit-card debt of a few thousand dollars.

Stirling of Detained in Dubai says that “Dubai’s financial firms have used Interpol as their own personal debt collectors.” She reckons that sometimes the alleged debts don’t even exist. “The UAE has essentially perfected the debt shakedown,” she says. “In some cases they get people who owe nothing listed to extort from them. When the target is arrested overseas, the sheikh, bank or whoever else is behind the case will say ‘give me assets or money to drop it, or I’ll make more accusations.’”

The conditions in which Cornelius has been kept over the years have improved in certain small respects. As a long-serving inmate, he is entitled to one of the coveted lower bunks (he happens to share his cell with one of the DIB bankers who ran his account). Most prisoners aren’t allowed anything in their cells beyond their mattress and blanket – even family photos are prohibited.

Cornelius has been given a couple of round tubs to hold books and case files, a few items of clothing, cutlery, crockery and a small radio that can pick up local stations. He listens to the business news on Dubai Eye and another station that plays songs from the Eighties and Nineties. “The playlist is limited. He jokes that he can usually predict which song is coming next,” says Pagett, his brother-in-law.

A combination of covid and penury mean that no family member has visited Cornelius since February 2019. Between covid lockdowns, Cornelius was offered a rare Skype call with his wife, Heather: when he returned to his cell, he curled up on his mattress and wept for several hours. Heather’s voice cracks when she speaks about her conversations with her husband; she seems constantly to be on the verge of tears. She used to find the visits incredibly stressful, she says, because the authorities would sometimes make excuses at the last minute and postpone the meeting. Now she can’t even afford to make the trip from Britain.

Heather worries that her daughter, who was a young adult when Cornelius was arrested, has “internalised” her father’s absence more than their two sons, who were 17 and six. “[The boys] find it easier to share the emotional difficulties of dealing with it.”

The couple speak by phone most days. “I can hear when he’s close to giving up, but he’s always trying to protect me from having to worry about him. He focuses on me and the kids. He puts in a huge effort. In the early days we would speak about the case, about lawyers. Not any more.”

She gets extremely anxious if he doesn’t call at the allotted time, worrying that he may have collapsed during the night, when he can’t reach the guards. “Every morning I wake up and think ‘Oh God he’s still in jail. How are we going to keep

going?’ But I’ll cling onto any hope. It’s how I’ve survived the past 13 years. Ryan still has hope too, I know it, despite everything.”

The British government has offered Cornelius minimal assistance since he was arrested and imprisoned. After numerous pleas by the family, a consular assistant – a Dubai national – eventually helped him to see a doctor for his tuberculosis. But the family reports that the assistant is often hard to reach: calls go straight to voicemail and her mailbox is sometimes full. “Typically, British consular staff just provide people with a list of local lawyers, visit inmates with inconsistent frequency and help relay communication with their families,” says Stirling.

The diplomatic service has shown little interest in the case. After many requests, an official from the Foreign Office visited him two years ago, and Cornelius talked him through documents relating to Dubai’s unlawful retrospective use of Law 37 to keep him in prison. The official said he would look into it, but the family has heard nothing since.

British ministers have refused to condemn Cornelius’s treatment publicly, or ask for clemency. Government ministers do “very little” in such cases, says Davies, the barrister. He describes a “comedic process” in case after case, where “the Foreign Office says, ‘Abide by the local legal processes and we’ll deal with it later.’ But then after you’ve been found guilty they say, ‘Ah, but you’re a convicted criminal.’” Lord Clement-Jones reckons that the Foreign Office will support a plea for a pardon only if a local lawyer files a claim for miscarriage of justice. In a place like Dubai, such an act would be “career suicide, and possibly worse”. He called the government’s response “spineless”. The Foreign Office did not respond to a request for comment.

Other countries take firmer action. America, Australia, Canada, Ireland, Italy and Nigeria have all done far more to help citizens with legal troubles in Dubai. Lonergan, the former prisoner, says Irish diplomats played a crucial role in ensuring he was released after nine months: his contact at the Irish embassy gave him her mobile number and was available round the clock. The Irish government kept up pressure on officials in Dubai until he was freed.

Why would Britain turn a blind eye to such legal abuses? The answer may partly lie in its economic and security ties to the UAE. The country is Britain’s largest trading partner in the Middle East and its 12th-largest export market globally. It is also an important security partner in a hostile region – the two countries share much intelligence. Yet America and France enjoy similar links with the UAE and still help their citizens far more extensively when they encounter legal difficulties there.

Britain’s departure from the EU has done little to change matters. The government had said it would toughen its stance

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on human-rights abuses abroad. Instead, it has sought to strengthen commercial and military relationships with a host of non-EU partners in order to show that it can thrive outside the bloc.

Dubai's elite is also deeply enmeshed within Britain's economy and society. Sheikh Maktoum was once a guest in the Queen's carriage at Royal Ascot. An analysis by the Guardian in April concluded that the ruler of Dubai is one of Britain's biggest landowners, with more than 40,000 hectares (the exact scale is hard to determine because some properties linked to him are held by offshore companies with opaque ownership). Maktoum's property empire includes mansions in Belgravia, Kensington and Knightsbridge, a country house in Surrey and an estate in the Scottish Highlands.

His stables at Newmarket are part of Godolphin, the Maktoum family's global thoroughbred horse-racing business, which also has operations in Dubai and Australia. Godolphin's British arm runs the country's largest flat-racing stable and has strong links to the Jockey Club, which owns some of Britain's best-known racecourses, including Epsom Downs and Cheltenham.

The British government could use these ties as leverage. Britain is one of a number of countries that have added Magnitsky laws to their arsenal of sanctions in recent years. Named after Sergei Magnitsky, a lawyer who died in a Russian prison after attempting to expose tax fraud by public officials, these laws empower governments to impose travel bans and freeze assets belonging to people responsible for severe human-rights violations.

Cornelius's barristers will soon submit requests to the British government, as well as America, Canada and EU countries, to impose Magnitsky sanctions on Shaibani and the two judges who imprisoned Cornelius. In light of the British government's indifference, however, it's hard to imagine it taking action against a powerful figure from a country with which Britain seeks to maintain close ties.

The very least Britain should do, says Stirling, is warn people more forcefully about the dangers of doing business in Dubai. The Foreign Office still advises that the UAE is safe so long as you respect the laws and culture, she says. "It does not warn citizens that the legal system there is systemically rigged against foreigners, that there is no evidentiary standard for prosecution, no due process, no respect for human rights."

Cornelius's best hope is embarrassing the Dubai government into freeing him. "The UAE is not like Russia. It is very PR-conscious. It really hates this sort of publicity," says one lawyer involved. Dubai is particularly sensitive to criticism during the delayed Expo 2020, which began on October 1st and runs until March 2022. This is the first world fair exhibiting innovations since the one held in Milan in 2015. The emirate's government sees it as a golden opportunity



Maktoum's property empire includes mansions in Belgravia, Kensington and Knightsbridge, a country house in Surrey and an estate in the Scottish Highlands.

to promote Dubai as an investment and tourism destination. (The opening week of the expo was marred by revelations of state-sponsored skulduggery: a British court ruled that agents working on behalf of Sheikh Maktoum had probably hacked the phone of his estranged wife, Princess Haya.)

Cornelius's family say he is naturally positive and has never lost hope of being freed. He is kept going by the thought that "someday someone just wants to be rid of Cornelius & Co" and will let him out. British courts have begun to look more sceptically on DIB's claims in a civil case brought by Cornelius's business partner. But Cornelius appears to have given up hope of winning the legal argument in Dubai.

In 2014, a new rule in the UAE outlawed imprisoning debt defaulters over the age of 70. Cornelius will reach that landmark in April 2024. Given his protracted suffering within Dubai's legal system, he isn't confident of being let out even then. A pardon remains unlikely without concerted international pressure on the emirate. "Ryan was born with entrepreneurial genes, and even today doesn't regret dreaming all that time ago that the Plantation could be a good bet," says his wife, Heather. "But he bitterly regrets believing that Dubai was a safe place to do business." ■

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The truth about leaving a debt behind in Dubai

Common myths explained by the debt team at Detained in Dubai.

Unlike Western countries, the UAE treats debt as a criminal matter rather than a civil one. The result being that if a borrower is late with payments, they can be sentenced to jail for up to three years. However, the debt is not cleared because of this sentence, only the "criminal" act of not paying it/the instalments due.

After the initial sentence the debtor is freed for thirty days to allow them to arrange payment of the money due. If they do not have the money to pay, a civil case is then taken by the creditor, and the debt victim is sent back into jail indefinitely, until the money is paid.

This doesn't make sense to a Westerner used to the protection of bankruptcy laws. After all, if the debtor is in prison, how can they ever earn money to pay the debt? Unfortunately the Dubai banks think differently to their Western counterparts. Instead of seeing the debtor as an income source they think of them as a hostage that some wealthy relative may sell a property to set free.

HSBC UAE country head Abdulfattah Sharaf explains this rather chilling sentiment to the Arabian Business Magazine, where he tells us (about jailing debtors): "It has worked for us. People immediately get people to come

and bail them out, and get the money in...(historically) it did work. In most cases it did work."

Banks in Dubai, knowing they can have a defaulter jailed for missing payments do not feel the need to lend responsibly, like banks in the West do. Most expats will be familiar with getting between two and ten phone calls a day, six days a week, trying to sell them loans and more credit cards. Eventually even the strongest crack and take credit to finance their "Dubai Lifestyle."

Sometimes the borrower's circumstances change. People get ill, or fired. They can't pay what they could pay before. But the banks are unwilling to negotiate. Why give a carrot, when they have such a big stick (jail) at their disposal?

There are Indian labourers who have been in jail for over a decade for debts as little as £1000. They have no hope of ever getting out of prison, barring the occasional intervention of an altruistic business man. When the borrower's circumstances change, UAE banks are ruthless and relentless. Unsurprisingly then, the defaulter, knowing he or she faces potentially the rest of their life in a grim desert jail, often flees the country before the cell doors can clang shut on them. Many of these absconders fully intend to honour their obligations by restructuring their payments, but want to negotiate without a jail sentence hanging over them.

– Read more here

Don't ignore Dubai's UK debt collectors

It may be tempting to ignore UK based debt collection firms acting on behalf of UAE banks. This is why you should never do so.

UAE banks are known worldwide for irresponsible lending, backed up by ruthless debt collection. In the UAE, unlike the Western world, debt is a criminal matter rather than a civil one. They have no need to lend responsibly because if debt victims miss payments, the banks can throw them in jail.

They can literally lock somebody up for being unable to make their payments. Even those who are released from jail will have a travel ban, which means they can never leave the UAE until the debt is paid in full; with the added factor of being unable to legally work because the debt cases mean that they can not obtain a work permit. Unsurprisingly then, expats who have a drastic change in circumstances (like illness, redundancy etc) often escape the country secretly so they can attempt to restructure and negotiate from safety. Their trouble is not over at this point as the UAE banks usually bombard them with unbearable (often illegal) pressure, including everything from abusive Interpol Red Notices, to harassment of friends, family, new work colleagues, clients and bosses.

The subject has been covered extensively, including a comprehensive article by Detained in Dubai. Often the banks then turn to debt collectors in the UK such as IDRWW (IDR or International Debt Recovery World Wide), CWD (Coyle White Devine) or others. At this point, many debt victims have had enough and ignore the communication attempts. This is the wrong thing to do, and can have devastating consequences for the debtor.

– Read more here

Banks in the UAE are Judge, Jury, and Jailer

In May of 2018, British national Ryan Cornelius was coming to the end of a 10 year prison sentence in Dubai. That was when he was unexpectedly brought by police to a judge's office where he was informed that his punishment was being extended another 20 years.

He was further told that the judiciary no longer had anything to do with his case, and that if he ever wanted to get out of jail, he would have to plead for his freedom with Dubai Islamic Bank. For Ryan, already in his sixties, this essentially means he will die in prison. Just over 10 years ago, Ryan was embarking on an ambitious property development in Dubai, at a time when the country was eager for foreign investors to help build the many lavish real estate projects that put Dubai on the map. Ryan had a long record as a successful businessman in the region, first by building up a prosperous construction company from scratch in Saudi Arabia in the 1980s and 90s; then pursuing multiple ventures in Bahrain and the UAE, all of which blossomed into highly profitable businesses.

Ryan and a partner, Charles Ridley, began their biggest real estate project in Dubai, called The Plantation, in 2004. They had a lease on prime Dubai development land and a licence to build a luxury housing complex complete with equestrian facilities and retail outlets. Ridley's associate, a Turkish national by the name of Eren Nil, helped the partners obtain a \$500 million line of credit from DIB; as Nil had a close relationship with the then chairman of the Bank, Mohammed Kharbash; and the plan went ahead with every expectation of success. However, amidst the onset of the Global Financial Crisis, DIB abruptly called in the loan in an apparent attempt to stabilise the bank's assets.

The Plantation project was at risk of total collapse, so Ryan brought in a UK law firm to negotiate with DIB, and eventually the bank agreed to a restructuring agreement that would allow the partners to continue developing The Plantation; already valued at over \$1 billion. All of Ryan's businesses were struck by the financial crisis, but he struggled to keep The Plantation afloat; using his own personal savings to help pay the first tranche of \$70 million required by the new loan arrangement. He knew that if he could weather the financial storm, if this project



Against such powerful players as DIB, Shaibani, and by extension, the government itself; Ryan's conviction was a foregone conclusion.

came to fruition, the sacrifices would be worth it. When he was returning to Dubai after a working trip abroad in 2008 however, Ryan was shocked when he was detained and then arrested at the airport.

He was inexplicably charged with fraud, and soon after Charles Ridley was also arrested, as well as several former employees of DIB. The bank, now headed by a new chairman, Mohammed Shaibani, alleged that the \$500 million line of credit had been granted for the purpose of trade finance and had been unlawfully diverted to property development. It subsequently emerged that Mohammed Kharbash, the former DIB chairman, had granted the loan to Ryan and his partner in exchange for equity in The Plantation, unbeknownst to Ryan. Kharbash had been investigated for other improprieties and removed as chairman, but all of his agreements were scrutinized, including his secret deal with Ridley's associate Eren Nil regarding Ryan's project.

Kharbash, a member of the ruling family, was never prosecuted for any misconduct. Shaibani, who is also head of Dubai's security police, head of the Ruler's Diwan, and a board member of Dubai's four largest property companies, decided to go after Ryan. DIB seized all of the assets he had pledged under the restructured loan agreement, including 3 properties in the UK and the family home. Ryan's family was evicted and forced into the street. All of his companies fell into insolvency, and DIB foreclosed on the billion dollar prime stretch of real estate earmarked for The Plantation.

Against such powerful players as DIB, Shaibani, and by extension, the government itself; Ryan's conviction was a foregone conclusion. He was found guilty and sentenced to 10 years in prison, repayment of the \$500 million loan, and a fine of an additional \$500 million. In civil suits filed by Ryan against DIB in the UK, the bank claims that the seized property is almost worthless, but DIB's chief risk officer is on record assuring board members that the Plantation

foreclosure more than covered the \$500 million loan, not to mention the value of the properties the bank seized in the UK. Now, after serving a full 10 year sentence, Ryan is still not allowed to go free. DIB has invoked something called Law 37, enacted in 2009, which requires the complete repayment of any funds acquired through bribery or fraud to keep him in prison indefinitely. As the judge told him, DIB is essentially Ryan's jailer at this point, despite having taken everything away from him, and despite actually having made a profit from the seizure of his assets and the foreclosure on his development, the bank can keep him locked up for the rest of his life.

Radha Stirling, CEO of Detained in Dubai, commented, "It appears that Dubai Islamic Bank dealt with the financial crisis in part by identifying high value assets of its clients and then concocting methods for seizing them through legal machinations. There is no doubt that DIB knew perfectly well that Ryan's loan was for the development of The Plantation, and if their former chairman misled the bank's board about this, then he is at fault; not Ryan; yet, as a local, he has never been held to account. DIB is already in possession of assets valued at over a billion dollars, seized by means of the spurious criminal case against Ryan, it is outrageous that they should be allowed to retroactively apply Law 37 and keep him imprisoned just so they can try to increase their profits by another \$500 million. Ryan has lost a decade of his life, and lost everything he built over the past thirty years, his family is homeless, and he is bankrupt; yet DIB wants him to remain in jail indefinitely, and in Dubai, they have the power to make that happen."

"We call upon the British government to intervene in Ryan's case and lobby for his immediate release; and we call upon DIB to exhibit the basic human decency to forego the utterly unreasonable demand for further restitution beyond what they have already devoured of Ryan's assets.

"The case of Ryan Cornelius serves as a stark warning to any foreign investor considering doing business in the UAE: any creditor at any time, for any reason, can arbitrarily decide to appropriate your assets, lock you up and throw away the key."

UN calls on UAE to release British man imprisoned in Dubai since 2008



Ryan Cornelius before his arrest with his wife, Heather, who says her husband's 'basic rights have been violated for so many years'.

UN working group rules that Ryan Cornelius has been held arbitrarily and subjected to rights violations.

UN officials have called on the United Arab Emirates to immediately release a British businessman who has been detained in the country since 2008. The UN's working group on arbitrary detention has ruled that Ryan Cornelius has been held arbitrarily in the UAE since 2008 when he was arrested at Dubai airport. He has contracted tuberculosis while in detention. The 68-year-old's lawyers say he was subjected to a number of human rights violations, including prolonged periods of solitary confinement and aggressive interrogations without legal representation, before being charged with fraud in 2010 and sentenced to 10 years in prison.

Two months before his release date in March 2018, he was served with a new additional sentence of 20 years based on UAE legislation that was brought in after his initial sentencing. Ryan's legal representative, Rhys Davies, said: "The mistreatment that Ryan has been subjected to by the authorities in the UAE shows a flagrant disregard for fundamental human rights. The FCDO cannot continue to ignore its duty to defend the rights of British citizens abroad. Mr Cornelius has been held arbitrarily for far too long and needs to be brought home to his family immediately."

[— Read more here](#)



Emirates Airline layoffs; Pilots & cabin crew risk imprisonment and Interpol Red Notice

Pilots and cabin crew faced employment culling with hundreds let go after coronavirus lockdown.

Airline staff face imprisonment and Interpol Red Notices over credit cards, loans and mortgage debts accrued during their service in the UAE. Aside from the danger anyone listed on Interpol faces in terms of detention and extradition any time they travel; there can also be other severe, if less obvious, consequences as well. Detained in Dubai has seen an increase in cases of clients being denied entry or leave to remain in a country due to inappropriate issuance of Red Notices by Interpol due to civil matters, primarily debt-related.

"It's like a repeat of 2009, only worse", said Radha Stirling, CEO of Detained in Dubai. "Last time the economy took a huge hit, pilots and cabin crew were amongst those most affected. Airline staff are actively targeted by big banks in the UAE for easy credit and mortgages, but for many, accepting these offers quickly backfired and turned into a nightmare."

"Dubai's economy is fragile. Any world crisis is going to impact air travel and staff will be laid off promptly, especially in a country where tourism is a major economic contributor. The banks are aware of this, they've seen it time and time again, but they themselves get

bailed out when they over expose themselves so there's little incentive for them to be careful."

"To customers, they claim the loans are covered by insurance so it appears quite risk free. If they are made redundant, the bank's insurance will cover the debt. Why not take out a loan then? Why not take out a mortgage? It seems like a good idea and especially if they end up with a place in the sun!"

"After the world economic crisis, customers were awoken to the brutal reality that the banks did not care if they were apparently covered by insurance or not. When a customer was laid off by their employer and subsequently pleaded with the bank for an empathetic payment break, they were met with hostile debt collection agencies like Tahseel, who were more than happy to push the defaults all the way to imprisonment which, in fact, is a swift process of only three months."

"Their thinking is that the threat of jail will sufficiently frighten any relatives who may be able to help the debtor prevent imprisonment."

"Of course, the threat of imprisonment only works when the customer remains in the country. 2009 saw a mass exodus of expats, dumping their cars at airports and even abandoning their apartments and villas."

— [Read more here](#)

Dubai businessman pledges \$1m to rescue debtors from UAE jails

Merchant paid \$40,872 for release of 132 prisoners from Ajman Central Jail.

Dubai-based Indian businessman and philanthropist Firoz Merchant has paid \$40,872 (AED150,000) in money owed that led to the release 132 prisoners from Ajman Central Jail. Merchant, chairman of Pure Gold Jewellers, has pledged to spend \$1 million during 2017 to help free expats who are overstaying in the jail, despite completing their terms, as they do not have money to return home.

The prisoners released from Ajman jail were from India, Indonesia, Pakistan, Philippines, Uzbekistan, Bangladesh, Sri Lanka, Nepal, Ethiopia, Syria, Yemen, Oman and Ghana. Merchant told Arabian Business in 2015 that he has helped repatriate around 4,000 insolvent prisoners from Dubai jails paying over \$952,914 (AED3.5m) since 2011.

"These people are unfortunate victims of circumstances and are not real criminals. They have ended up in jail because of debt-related cases and I want to do my best to send them back to their families," Merchant said. He admitted that 2016 was "challenging for a lot of people working in the UAE some of whom could not pay their debt". He admitted that 2016 was "challenging for a lot of people working in the UAE some of whom could not pay their debt".

"That is why I decided to pay off their debts and get them air tickets so that they can go back to their home countries," he added. Only applications forwarded by jail authorities across the UAE are considered for cases related to rents, school fees, medical bills and car loans.

— [Arabian Business / Read more](#)

Ailing grandfather detained in Dubai for son's 'bounced cheques'

60 year old Londoner, Albert Douglas, made a brave attempt to cross to Oman after losing faith in Dubai's justice system.

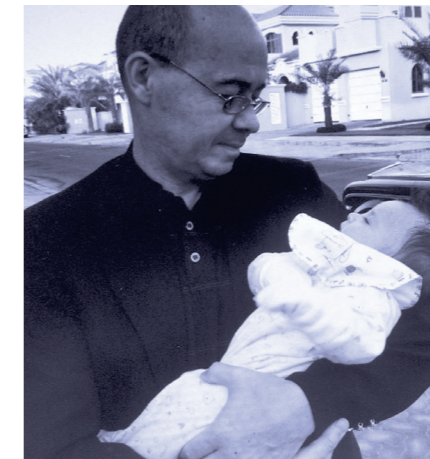
He had stayed in the glitzy city, thinking an innocent man could never be convicted. He had faith in the "system" and faith in the legal process. But when he saw the proceedings unfold, he couldn't believe his own eyes. Everything he'd heard, but not believed, was happening to him. He was being prosecuted for a crime he hadn't committed, and evidence of his innocence was completely disregarded by everyone he tried to show.

Douglas still waited, hoping a higher court would be more diligent, but nobody cared. Despite having spent a significant fortune on lawyers and despite having documentation to prove his innocence, he was persecuted. Why? Because he was the father of an officer of a company that had gone bad. Other parties sought

American woman traumatised after Interpol warrant

American woman's life has been torn apart by Qatar's abuse of Interpol Red Notice system, raising serious human rights concerns.

New Jersey international relations professional Nancy Samir never imagined that accepting an incredible offer to work for the Qatar Foundation would have ended as it did. 50 year old Nancy wound up hopeless, broke, stranded and separated from her children and parents



Albert with granddaughter in Dubai, in happier times.

to hold him as a hostage. The carpet & flooring wholesale businessman moved to Dubai full time in (2003) where he lived in the popular expat community of Palm Jumeirah with his wife, Naomi, who is also from London. Albert became a successful businessman and property investor in Dubai.

Even during the World Economic Crisis, he managed to continue to build on his local flooring brand & hold on to all of his properties. In 2007, things were going so well that he encouraged his children to come out and start their own businesses in Dubai too.

— [Read more here](#)

and with the trauma ultimately resulting in her father's death. Nancy was on her way to attend a job interview in the UAE that she thought would help her get her life back on track and even allow her to pay off her loan. Little did she know that it would be the start of one of the most traumatic experiences of her life.

The mother of two grew up in New Jersey and pursued a graduate degree at a prestigious private university. She held many impressive positions in New York & Washington DC with a number of different international foundations & diplomatic missions. From a young age, Nancy travelled often around the world visiting different orphanages and refugee camps.

— [Read more here](#)



John Nicholas' video Testimonial for Radha Stirling

John Nicholas was wrongfully issued an Interpol Red Notice by Qatar National Bank.

John Nicholas was wrongfully listed on Qatar's Interpol Red Notice database by Qatar National Bank for a small bank loan which Mr Nicholas had almost entirely discharged by the time he left Qatar. QNB added atrocious charges to try to escalate the claiming amount beyond Interpol's minimum 15,000 Euro threshold for a Red Notice.

Mr Nicholas was the victim of Interpol Abuse and is joining Stirling's other clients in a class action against Interpol. Over the past three years, Qatar has significantly increased its use of Interpol's database, leading to the temporary arrests of a number of foreign nationals in countries like Britain, Greece and Turkey.

"It's absurd that Qatar has been permitted by Interpol to use their database as a means to collect bank and credit card debts from foreign nationals", said expert witness Radha Stirling, CEO of IPEX (Interpol and Extradition) Reform.

— [Nicholas' Youtube Testimonial](#)
— [Read more here](#)

Expats advised: Prepare properly if forced to leave debts in the UAE

UAE debtors who flee before being sent to jail face Interpol abuse, extradition attempts, harassment and enforced bankruptcy from ruthless UAE banks.

It is one of the enduring legends of Dubai. Supercars left behind at the airport to gather dust as high flying expats' debt suddenly caught up with them in the crash of '08. Dubai, known for high rolling lifestyle and tax free wages, also had (and still has) an underdeveloped judicial system, open to legal abuse and manipulation. They also treat debt as a criminal, rather than a civil matter and they jail debtors, indefinitely.

Dubai's economy today, while not the high octane monster of the early nineties is still powerful. Professional expats earn high tax free wages, live in luxurious, shiny towers, drive vehicles they only dreamed of before arriving in the desert city, and party like glitterati at weekends. The trouble is that these days it is fuelled by the murky credit industry. Banks give out loans with almost zero checks on applicants' ability to pay. In fact they push obscenely hard to get as many loans out as possible.

Most expats will receive 3 or 4 calls per day pushing credit cards and loans on them. Most people cave and take the credit. Their friends drive a Porsche/live in JLT/go to the expensive brunches on the Palm Jumeirah and it is difficult to resist. Others need loans to cover rental properties that may demand a year's rent in advance, or to pay for hefty private school fees, deposits and bonds. Still others have had little choice when faced with unexpected medical bills.

With Brits, Americans and most Western nations we expect our banks to lend responsibly, and thanks to our credit laws, they do. So when a legal banking or credit institution lends us money, we feel safer to take it. In the UAE, no such protective laws exist. What keeps the banks confident in lending so freely is the fact they can send you to jail for missing payments.

Mostly expats take these loans in good faith, pay the instalments back, and there is no problem. Sometimes though, circumstances change beyond the debtor's control. Illness or loss of employment for example. Suddenly the expat can't pay and, knowing they are facing years of Middle Eastern jail, they leave before they are subjected to a travel ban that would result in them being held captive in the country, without the ability to seek employment inevitably leading to homelessness



An abandoned Ferrari at Dubai Airport in 2008

even amongst the most educated. From the safety of their home country, many people still attempt to negotiate, to find a better repayment structure or some way they can meet their obligations. UAE banks don't want to negotiate though. They employ unprofessional, aggressive debt collectors to harass debtors and illegally threaten them with Interpol and extradition. The lack of willingness to solve the problem or negotiate often leaves debtors frustrated, to the point where they give up and ignore the debt altogether.

Recently banks have begun chasing UK debtors when they return home through UK solicitors like Coyle White Devine, with a view to enforced bankruptcy. A UK solicitor acting for the banks said "they are aggressive and ruthless and difficult to negotiate with. Even with reasonable offers based on someone's circumstances, they are vindictively seeking bankruptcy orders" It is important when returning to the UK, that debtors are aware of their legal position and risks, even if they intend to represent themselves."

Because of the complexity of enforcement procedures, solicitors should be instructed to ensure that a debtor is not naively entering an agreement that is detrimental and that they know their rights. Often a UK solicitor chasing debts will capitalise on the debtor's lack of legal knowledge and secure an agreement which legally the debtor need not sign. Before negotiations begin, it is paramount to receive a breakdown of all monies claimed and to ensure that it is accurate before it can be legally established that there is a debt and before negotiations can even begin.

Many forums on the internet exist and are full of people giving each other inaccurate information. It is easy to become confused, to the point where debtors are not even sure whether their overseas debt can be locally enforced. Actually international debt enforcement is now relatively easy for the UAE banks.

– [Read more here](#)

US veteran JAILED in Dubai 'hell hole' over bank debts will never be allowed to leave

Afghanistan soldier suffering with PTSD and jailed in Abu Dhabi, reveals hellish prison conditions.

A 44 year old PTSD sufferer and US Afghanistan veteran (Army & Navy) has been detained in Dubai over a bank debt he was working to repay. The war survivor accepted a UAE government contract in 2012 following his role in Afghanistan. He relocated, settled in and like any new expat will experience, he was aggressively hounded by local bank ADCB (Abu Dhabi Commercial Bank), he decided to accept a loan to buy a property there.

The father of three and grandfather, Shannon Johnston, originally from West Virginia before moving to Alabama, was unexpectedly diagnosed with a neurological issue that caused him to urgently need to return to the US for specialist medical care. This left him in default and the bank immediately, as is standard, presented the security cheque provided by him when taking out the loan.

"It is standard practice in the UAE for banks to request a blank cheque as security against a loan", said Radha Stirling, CEO of Detained in Dubai and Due Process International, who has been dealing with these cases for almost a decade and a half. "In the event of any default, the bank will present the cheque and if it bounces, it becomes a criminal offence, regardless of the circumstances". Shannon was not aware of this.

Following extensive medical treatment, Shannon had to return quickly to work. He had tried to appease the bank, letting them know his situation and that he was getting a new job and would resume payments shortly. He accepted a new role with Lockheed Martin, a defense corporation in Huntsville which required him to travel overseas.

"Last year, dad was sent to the Philippines as part of his job. We thought we'd see him again quickly and had no idea what was about to happen", Shannon's 22 year old daughter Jasmyn recalled. "There was no heads up. We didn't know this was possible".

His flight to the Philippines had an unfortunate transit stop in Dubai. Shannon was taken from the plane with all of his belongings, unaware that he was about to end up in a Middle Eastern jail, notorious for human rights abuses.

– [Read more here](#)

External News Media

British - Australian grandfather FREED from Dubai

William Meyerhoff, a British/Australian grandfather with dementia, has been freed from Dubai prison after support from Detained in Dubai. Fellow prisoner Albert Douglas, described William as 'on death's door' after he was arrested for ten-year-old bounced cheques he did not write.

– [Daily Mail /Read more](#)

American university lecturer, 62, is being 'held hostage' in Dubai over unpaid \$70,000 debt

An American academic has been 'held hostage' in the Middle Eastern city state of Dubai over an unpaid debt for more than a year and suffered a stroke while behind bars, his family revealed Tuesday. David Oliver, 62, from Cincinnati, Ohio, was stripped of his passport and thrown in a prison cell by airport guards who allegedly bragged: 'Look, we got an American.'

– [Daily Mail /Read more](#)

Missouri /California grandfather trapped in Dubai for ten years over debts he doesn't owe and can never pay

Man jailed and detained in Gulf nation with no hope of ever returning home to his family in the USA, over mainly false debts. Trapped for life, 58 year old Bruce Strickland has 3 grandchildren he has never met, has lost both of his parents, unable to attend their funerals, and is surviving on his wits.

– [MENAFN /Read more](#)

Paralysed British stroke victim Malcolm Munroe 'held hostage' in Dubai for four years over business debt he can't repay

Malcolm Munroe, 71, has been bed ridden since suffering a massive stroke in 2013 and can now only move his eyelids. The emirate's warped legal system deems him a criminal and he must be detained until his debts are either all paid or he completes a three year jail sentence.

– [The SUN /Read more](#)

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