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*Plenary sitting*

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**B8-0459/2018**

2.10.2018

## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on the UAE, notably the situation of human rights defender Ahmed Mansoor (2018/2862(RSP))

**Elena Valenciano, Victor Boștinaru, Soraya Post**  
on behalf of the S&D Group

**B8-0459/2018**

**European Parliament resolution on the UAE, notably the situation of human rights defender Ahmed Mansoor (2018/2862(RSP))**

*The European Parliament,*

- having regard to its previous resolutions, including on the human rights situation in the United Arab Emirates of 26 October 2012,
- having regard to the statement by DROI Chair on the condemnation of the 10 year prison sentence issued against Ahmed Mansoor on 4 June 2018
- having regard to Article 30 of the Constitution of the United Arab Emirates,
- having regard to the Arab Charter on Human Rights, to which the United Arab Emirates is a party,
- having regard to the EU Strategic Framework and the Action Plan on Human Rights and Democracy 2015-2019; having regard to the Council Conclusions on the Mid-Term Review of the Action Plan on Human Rights and Democracy of 16 October 2017,
- having regard to the EU Guidelines on Human Rights Defenders of 2004, as updated in 2008,
- having regard to the statement of the UN rights experts 12 June 2018 calling for immediate release of jailed human rights defender Ahmed Mansoor,
- having regard to the Co-Chairs' statement at the 24th EU-GCC Joint Council and Ministerial Meeting in Brussels of 18 July 2016,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and to the International Covenant on Civil and Political Rights (ICCPR), to which the UAE is party,
- having regard to Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement,
- having regard to the proceeding opened on the 11th of June 2018 before the International Court of Justice by State of Qatar against United Arab Emirates regarding the UAE's deliberate and flagrant violations of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD);

- having regard to the Agreement between the European Union and the United Arab Emirates on the short-stay visa waiver of 21 May 2015,
  - having regard to Rule 135 of its Rules of Procedure,
- A. whereas Ahmed Mansoor, Laureate for the Martin Ennals Award for Human Rights Defenders was arrested in his home by the UAE security officers in March 2017; whereas Mansoor may have been the last remaining human rights defender in the UAE who had been able to criticise the authorities publicly;
  - B. whereas the UAE’s Ministry of Foreign Affairs & International Cooperation explained in a statement on 29 March 2017 that “[T]he Office of Public Prosecution for Electronic Crimes ordered the detention of Mr. Ahmed Mansoor on a charge of spreading false and misleading information over the Internet, through agendas aimed at disseminating antipathy and sectarianism”; whereas this and other official statements of the Emirati authorities indicated that the sole reason for his detention, trial, and conviction was the content of his expression online, and the charges against him are based on alleged violations of the UAE’s repressive 2012 Cybercrime Law, which provides for long prison sentences and severe financial penalties for individuals who criticize the country’s rulers;
  - C. whereas the Office of the UN High Commissioner on Human Rights has assessed that the arrest and secret detention of Ahmed Mansoor may constitute an act of reprisal for his engagement with UN human rights mechanisms, for the views he expressed on social media, including Twitter, as well as for being an active member of organizations such as the Gulf Centre for Human Rights; whereas UN human rights experts are urging the authorities in the United Arab Emirates to immediately free Ahmed Mansoor and annul the 10-year prison sentence imposed on him;
  - D. whereas on 29 May 2018, Ahmed Mansoor has been sentenced to 10 years in prison for exercising his right to freedom of speech in Twitter posts following a grossly unfair trial in Abu Dhabi; whereas local media reports have stated that he was convicted for “insulting the ‘status and prestige of the UAE and its symbols’ including its leaders” and of “seeking to damage the relationship of the UAE with its neighbours by publishing false reports and information on social media.”; whereas he was also fined one million Dirhams ( €232.475 euros) and was put under surveillance for three years on his release;
  - E. whereas subsequently to his arrest in March 2017, Mr. Mansoor has been prohibited from making any form of contact with his family and has only been awarded two short visits from his wife dating back to 3 April 2017 and 17 September 2017; whereas he has remained in solitary confinement since his arrest and allegedly subjected to torture; whereas the UAE authorities continue to refuse to inform his family of his whereabouts and further requested visits have insofar been rejected;
  - F. whereas in February 2018, two lawyers from Ireland were commissioned to Abu Dhabi to seek access to Mr. Mansoor; whereas during their time there, the UAE authorities gave conflicting information regarding Mansoor’s location ultimately preventing the lawyers from locating him ; whereas authorities appear determined to isolate Mr. Mansoor from his own family;

- G. whereas it appears that he has not been able to appoint an independent lawyer of his own choosing despite government assertions that he is able to do so; whereas the right to see a lawyer is a basic right of anyone detained as outlined in article 16 of the Arab charter of human rights, which the UAE has ratified;
- H. whereas Ahmed Mansoor has been harassed and persecuted by Emirati authorities for more than six years and repeatedly faced physical assaults, death threats, and physical and electronic surveillance; whereas after seven months of pre-trial detention he was sentenced to three years in prison for “insulting officials” in 2011 in a trial deemed unfair; whereas he was released after eight months on a presidential pardon, but authorities never returned his passport, subjecting him to a de facto travel ban;
- I. whereas before this arrest, Mansoor was one of 133 signatories to a petition for universal and direct elections in the UAE and for the Federal National Council, a government advisory board, to have legislative powers; whereas Mansoor also administered an online forum called Al-Hewar al-Emarati that criticized UAE government policy and leaders; whereas he is a member of the Middle East and North Africa advisory committee at Human Rights Watch and an engaged actor with the UN Human Rights mechanisms;
- J. whereas Mr.Mansoor’s arrest and conviction fit in the pattern of the a sustained assault on freedom of expression and association launched by the Emirati authorities since 2011 which put UAE residents who have spoken about human rights issues at serious risk of arbitrary detention, imprisonment, and torture; whereas the crackdown on peaceful activism calling for constitutional reform and reform on human rights issues is still ongoing; whereas attacks on members of civil society including efforts to silence, imprison, or harass human rights activists, journalists, lawyers, and others has become increasingly common in recent years;
- K. whereas the Agreement between the EU and UAE has been concluded on the short-stay visa waiver; whereas, according to the Article -1 of the Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement, decisions are taken on the basis of a case-by-case assessment of a variety of criteria, including, in particular, considerations of human rights and fundamental freedoms,
1. Strongly condemns the harassment, persecution and detention of Ahmed Mansoor as well as all other human rights defenders solely for their human rights work and their right to freedom of expression both online and offline; urges the Emirati authorities to conduct thorough and impartial investigations into the attacks against civil society actors in order to bring perpetrators to account;
  2. Calls on the authorities to release Mr. Mansoor immediately and unconditionally as he is a prisoner of conscience detained solely for peacefully exercising his right to freedom of expression, including through his human rights work; equally calls for the immediate and unconditional release of all prisoners of conscience in UAE;

3. Calls on the UAE authorities to stop all form of harassment towards individuals including the use of phone-hacking technology to spy on political and regional rivals as well as members of the media;
4. Urges the UAE authorities to disclose, pending Mr.Mansoor's release, his exact whereabouts and information about the stage of his trial, and ensure that he is held in an official place of detention and he is not subjected to torture and other ill-treatment;
5. Calls on the UAE authorities to ensure that Mr. Mansoor is granted immediate and regular access to a lawyer, his family, and any medical care he may require.
6. Reminds the UAE authorities that secret detention is a form of enforced disappearance; also stresses that the lack of an arrest warrant or any judicial oversight in his arrest and detention, represents a breach of fundamental principles of due process under international human rights law; expresses concern over the solitary confinement of Mr. Mansoor and of possible torture allegations and urges authorities to investigate these allegations and prevent any further form of ill-treatment; calls on the authorities to provide adequate medical care where necessary;
7. Calls on the authorities of the United Arab Emirates to ensure that detainees deemed to have broken the law undergo due process and given a free and fair trial according to international standards;
8. Calls on the United Arab Emirates to review the Federal Law on combating cyber-crimes in order to make it conform to international standards relating to the right of everyone to seek, receive, disseminate and impart information and ideas to others, the right to freedom of opinion, expression, and information, access to the Internet, the right to privacy;
9. Is concerned by the increasing number of individuals who are punished for collaborating with the UN and its different bodies; urges Emirati authorities to cease the obstruction and harassment of individuals engaged with various UN Human rights mechanisms; furthermore, urges the authorities to allow UN experts, international NGOs or EU officials access to visit Mr. Mansoor;
10. Calls on the United Arab Emirates to affirm its intent to 'uphold the highest standards in the promotion and protection of human rights' by ratifying the ICCPR and their optional protocols and by issuing a standing invitation to visit to all UN special procedure mandate holders;
11. Calls on the HR/VP Federica Mogherini and the European institutions to place human rights at the centre of their relations with all third countries, and in particular with the UAE; in this sense, urges them to raise specific cases of the situation of human rights activists in their contacts with the Emirati authorities; reminds that the visa waiver agreements of the EU with third countries are subject to a number of criteria, including in particular considerations of human rights and fundamental freedoms, and that the agreement between the EU and UAE shall cease to be in force 90 days after a written notice is issued by a side to the agreement; calls on the Commission to assess the extent to which the agreement with the UAE continues to satisfy all the criteria listed in the Council Regulation (EC) No 539/2001 of 15 March 2001;

12. Instructs its President to forward this resolution to the Government and Parliament of the United Arab Emirates, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Commission, the EU Special Representative for Human Rights, the parliaments and governments of the Member States, the United Nations High Commissioner for Human Rights and the governments of the Member States of the Gulf Cooperation Council; calls for the translation of this resolution into Arabic.