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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 122 of the Rules of Procedure

on Human rights situation in the United Arab Emirates
(2012/2842(RSP))

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on behalf of the ALDE Group

European Parliament resolution on Human rights situation in the United Arab Emirates (2012/2842(RSP))

The European Parliament,

- having regard to its resolution of 24 March 2011 on European Union relations with the Gulf Cooperation Council, the one of 27 October 2011 on Bahrain and the one of 7 July 2011 on the situation in Syria, Yemen and Bahrain in context of the situation in the Arab world and North Africa,
 - having regard to the visit that the European Parliament's Delegation for relations with Arab Peninsula made to the United Arab Emirates from 29 April to 3 May 2012,
 - having regard to the statement by the Vice-President of the Commission/High Representative (VP/HR) following the EU-Gulf Cooperation Council (GCC) Joint Council and Ministerial Meeting of 20 April 2011 and her Remarks following the 22nd EU-GCC Joint Council and Ministerial Meeting, on 25 June 2012,
 - having regard to the statement of 17 July 2012 by the spokesperson for the UN High Commissioner for Human Rights Rupert Colville, calling on United Arab Emirates to guarantee protection of rights defenders,
 - having regard the new EU Strategic Framework on Human Rights and Democracy adopted on 25 June 2012,
 - having regard to the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, and the Arab Charter on Human Rights, to all of which UAE is a party,
 - having regard to the EU Guidelines on Human Rights Defenders of 2004, as updated in 2008,
 - having regard to the Human Rights Watch World Report 2012 on UAE of January 2012,
 - having to the 1949 Geneva Convention,
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas since March 2011 there have been gentle calls for democratic reforms and free expression that have been disproportionately suppressed by Emirati authorities and security forces; whereas UAE's accelerating crackdown on peaceful domestic dissent has attracted no comment from its strategic partners despite compelling evidence about UAE's regression concerning human rights;

- B. whereas since 15 July 2012, the UAE's State Security has arbitrarily detained 49 human rights defenders and civil society activists, bringing the total number of political detainees this year to 64; whereas the whereabouts of 62 of the detainees remain unknown; whereas the detainees include the vice-president of the UAE Student Association, Mansoor al-Ahmadi, one sitting judge, Mohamed al-Abdouly, two former judges, Khamis al-Zyoudi and Ahmed al-Za'abi, and two prominent human rights lawyers Mohamed al-Mansoori and Mohamed al-Roken.
- C. whereas no evidence has been produced by the UAE authorities to justify the detentions; whereas the detainees have been denied legal assistance; whereas Supreme Court judges have refused to disclose to the detainees' legal representative the reason for their detention at hearings to extend the period of detention; whereas the UAE authorities have claimed that its crackdown is a response to a foreign-inspired Islamist plot that aims to overthrow the government - the detainees all have ties to al-Islah, a peaceful Islamist group that has operated in the UAE since 1974 - but the evidence indicates that national security is the pretext for a crackdown on peaceful activism, to stifle calls for constitutional reform and on human rights issues such as statelessness; whereas more and more arbitrary arrests are taking place without presentation of arrest warrants;
- D. whereas employees of the Emirati lawyer who is offering the detainees legal assistance have been subjected to a systematic campaign of harassment and intimidation, including the deportation of three non-Emirati employees on grounds of national security; whereas lawyers who have traveled to the UAE to offer legal assistance to the detainees have also been harassed;
- E. whereas there are grave and growing concerns for the physical and mental well-being of 64 human rights defenders and civil society activists that call since March 2011 for moderate peaceful reforms; whereas witnesses who saw some of the detainees presented before the UAE Supreme Court on September 6 reported that they appeared distressed, disoriented and dishevelled;
- F. whereas a number of activists openly critical of the Government have been arbitrarily deprived of their Emirati nationality;
- G. whereas there is credible evidence that the UAE's State Security apparatus has engaged in acts of torture and has forcibly disappeared individuals, including Ahmed al-Suweidi, one of seven detainees whom the UAE authorities had previously stripped of their citizenship; whereas on 19 June 2012 UAE have acceded to the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- H. whereas Ahmed Mansoor, an Emirati human right activist and blogger, has been assaulted twice in recent months and can not leave his country as the State Security prosecutor holds arbitrarily his passport since 8 April 2011; whereas together with other activists he was accused of insulting the political figures in the country after arranging for and signing a petition calling for greater political participation via an elected parliament with complete legislative and regulatory power; whereas on November 2011 they were convicted of publicly insulting the country's top officials but their sentences were commuted by the UAE President after spending nearly 8 months in jail; whereas the trial was described by international observers and relevant UN working groups as fundamentally unfair and

lacking due process for fair trial;

- I. whereas in March 2012 UAE authorities closed down the Dubai office of the National Democratic Institute and the Abu Dhabi office of German pro-democracy think-tank Konrad Adenauer-Stiftung; whereas the UAE's 2008 Law on Association tidily controls NGOs permitted to operate in the UAE;
 - J. whereas the UAE seeks a more influential role in its neighbourhood, such as through funding of civil society and other activities in third countries in North Africa and the Middle East;
 - K. whereas the UAE can only be a credible partner of the EU, particularly in its own neighbourhood, if it is strongly committed to adhering to international standards of human rights protection and respect for fundamental freedoms, which should be duly reflected in its actions and policies;
 - L. whereas on 25 June 2012 the EU Foreign Ministers adopted a new EU Strategic Framework and Action Plan on Human Rights and Democracy, pledging that human rights, democracy, and the rule of law will be promoted "in all areas of the EU's external actions without exception" and that the EU will "place human rights watch at the center of its relations with all third countries, including strategic partners";
 - M. whereas migrant workers, who make up 95% of the workforce, are subject to systematic exploitation and serious abuses amounting in some cases to forced labour; whereas immigration sponsorship laws grant employers extraordinary power over the lives of these workers; whereas they have no right to organize or bargain collectively and face penalties for going on strike; whereas many female domestic workers in the UAE suffer unpaid wages, food deprivation, long working hours, forced confinement, and physical and sexual abuse;
 - N. whereas in June 2012 the UAE, along with other governments, trade unions, and employers' organizations, voted to adopt the International Labour Organization (ILO) Convention on Decent Work for Domestic Workers, that extends key labor protections to domestic workers, which establishes the first global standards for domestic workers worldwide, addresses their routine exclusion from labor protections guaranteed to other workers, such as weekly days off, limits to hours of work, and a minimum wage;
1. Condemns the UAE authorities' ongoing serious crackdown on peaceful dissent that advocates of moderate reforms in the UAE, by arresting activists and disbanding the elected boards of civil society organizations; expresses its solidarity with the detainees and their families.
 2. Is concerned about the harassment, arbitrary detention and imprisonment, acts of torture and criminal prosecution that human rights defenders are facing due to their criticism of the government, and urges the authorities to put an end to this acts; Calls on the Government to guarantee that human rights defenders are able to carry out their work without fear of reprisal.

3. Reminds the Emirati authorities that every detained person deserves a fair trial, with adequate access to a lawyer and enough time to prepare a defence; Urges on the authorities to ensure a fair trial on all peaceful activists, that includes PhD holders, medical doctor, judges, prosecutor, bloggers, writers, academics and teachers, lawyers and consultants,
4. Calls on the Vice-President of the Commission/High representative and the EU Special Representative on Human Rights to make immediate contact with UAE authorities and calls for the immediate and unconditional release of all peaceful political activists and human rights defenders.
5. Reminds the UAE authorities that all forms of prosecution and censorship based on speech criticizing the government are in contravention of international standards.
6. Calls on the Emirati authorities to restore and respect human rights and fundamental freedoms, including freedom of expression and assembly both offline as well as online, to promote and preserve unrestricted and uncensored access to the internet, to uphold digital freedoms and ensure the protection of migrant workers, to lift all restrictions for journalists, bloggers and media and international human rights organisations and to immediately open an investigation into recent physical assaults, allegations of torture and arrests, and to make an end to impunity
7. Calls on the UAE authorities to conduct thorough and impartial investigations into the assault of human rights defender Ahmed Mansoor, and into the public threats made against his life, as well as to all other cases of harassment and assault.
8. Welcomes the UAE's accession on 19 June 2012 to the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and urges the UAE authorities to affirm its commitment to its assumed treaty obligations by conducting thorough, impartial and independent investigations into the allegations of torture at State Security facilities as well as allegations that officers of state Security have forcibly disappeared individuals.
9. Expresses its full support for the commitment and the important and high quality work carried out by NGOs and human rights and pro-democracy groups in support of civil society and all those living in the Emirates in order to promote peace, democracy and human rights;
10. Welcomes the UAE's 2012 adoption of the International Labour Organization (ILO) Convention on Decent Work for Domestic Workers. Urges the UAE to affirm its commitment to abide by its provisions by extending key labor protections to domestic workers, such as weekly days off, limits to hours of work, and a minimum wage; Calls on the UAE to enforce more rigorously its domestic laws that provide for the protection of migrant workers, and to scrap those laws which provide for their exploitation, in particular the kafala system of sponsorship-based employment.
11. Welcomes the adoption of the new EU human rights package and urges the HRVP and all European institutions to take concrete actions, jointly with the 27 EU Member States, to ensure a clear and principled EU policy vis-a-vis the UAE that addresses the ongoing

serious human rights violations, including through demarches, public statements, initiatives at the Human Rights Council and conditionality in existing and future trade relations; calls on the UAE to affirm and show its intent to “uphold the highest standards in the promotion and protection of human rights,” in line with its bid for membership of the UN Human Rights Council for 2013 to 2015 by ratifying the ICCPR and ICESCR and their optional protocols and by issuing a standing invitation to visit to all UN special procedure mandate holders.

12. Calls on the Vice-President of the Commission/High representative of the Union and the European institutions to place human rights at the center of its relations with all third countries, including strategic partners to maintain full credibility, (with special emphasis on the next EU-GCC Ministerial meeting.
13. Calls on the UAE and EU authorities to ensure radicalism and extremism are not fostered at home or abroad;
14. Calls on the Delegation for relations with the Arabian Peninsula to follow up on the recommendations made in this resolution and to convene as a matter of urgency a public hearing on the human rights situation in the UAE with the participation of representatives from the UAE, European External Action Service and civil society.
15. Instructs its President to forward this resolution to the Council, the Commission, and the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Gulf Cooperation Council and the Government and Parliament of the United Arab Emirates.