



Plenary sitting

B8-0456/2018

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 United Arab Emirates, notably the situation of human rights defender
Ahmed Mansoor
(2018/2862(RSP))

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B8-0456/2018

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

The European Parliament,

- having regard to its previous resolutions, notably the one of 26 October 2012, on the human rights situation in the United Arab Emirates;
- having regard to the statement by UN experts of 12 June 2018 calling for the immediate release of human rights defender Ahmed Mansoor;
- having regard to the Report of the Special Rapporteur on the independence of judges and lawyers of 5 May 2015;
- having regard to the International Covenant on Political and Civil Rights,
- having regard to the Universal Declaration of Human Rights,
- 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 the European Union Guidelines on Human Rights Defenders,
- having regard to Rule 135 of its Rules of Procedure,

A. whereas on 29 May 2018, Ahmed Mansoor was convicted and sentenced to 10 years of prison by the State Security Chamber of the Federal Supreme Court accused of “publishing false information to damage the UAE’s reputation abroad” and “portraying the UAE as a lawless land”; whereas there was no public announcement that the trial would take place and the conviction and sentence were only reported in the media;

B. whereas Ahmed Mansoor used his social media accounts to draw attention to human rights violations in the region, including those committed by the Saudi-led coalition in Yemen; whereas Mansoor was awarded the prestigious Martin Ennals Award for Human Rights Defenders in 2015; whereas civil society organisations report that Mansoor was the last remaining human rights defender in the UAE who had been able to criticize the authorities publicly;

C. whereas before his latest conviction Ahmed Mansoor was continuously harassed by UAE authorities; whereas he was already sentenced in 2011 to three years in prison for insulting the country’s top officials; whereas the UAE authorities are holding his passport since 2011, imposing a de facto travel ban;

D. 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 allowed to receive a very limited number of visits from his wife; whereas he has remained in solitary confinement since his arrest and was allegedly subject to torture; whereas further requests for visits have until now been rejected;

E. 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 as well as for being an active member of organizations such as the Gulf Centre for Human Rights;

F. whereas the UAE uses sophisticated spyware to target activists; whereas Ahmed Mansoor was targeted with spyware provided by the Israeli company NSO Group after previously being targeted with spyware from FinFisher and Hacking Team, companies respectively based in Germany and Italy;

G. whereas the UAE ranks 116 out of 159 countries in the Human Freedom Index of 2017;

H. whereas several human rights violations have been reported to take place in Emirati prisons, particularly in Al-Razeen prison, including solitary confinement, electric shocks and other forms of torture; whereas human rights defenders and political prisoners are specifically targeted in the UAE prison system;

I. whereas the UAE is an active participant of the Saudi-led coalition involved in the war in Yemen; whereas the UN Group of Independent Eminent International and Regional Experts concluded that individuals in the Government and the Coalition, including the United Arab Emirates, have committed acts that may amount to war crimes, including cruel treatment and torture and the use of precision-guided munitions to strike civilian targets; whereas several reports indicate the use of torture and sexual violence, including rape of adult male detainees, committed by United Arab Emirates personnel in several detention facilities, including the Bureiqa coalition facility and the Bir Ahmed prison;

J. whereas the UN special rapporteur on the independence of judges and lawyers stated after her visit to the UAE in 2014 that lawyers who take up cases related to state security “have been harassed, threatened and had pressure exerted on them”, whereas she denounced that the “judicial system remains under the de facto control of the executive branch of the government”

K. whereas the UAE’s Counter-Terrorism Law “Federal Law No. 7/2014” includes a vague definition of terrorism which provides the authorities with broad powers to prosecute peaceful critics, political dissidents and human rights defenders designating them as terrorists; whereas it provides for the death penalty for people whose activities “undermine national unity or social peace”; whereas this law has already been used to sentence human rights defenders; whereas under this law the UAE cabinet released a list of groups which had to be designated as terrorist organisations which included human rights NGOs such as Al-Karama;

L. whereas freedom of association continues to be severely restricted under the Federal Law No. 2/2008, which grants the authorities broad powers to impede the registration of NGOs and to dissolve established organisations or their boards of directors on vague grounds;

M. whereas repression of online speech increased with the adoption of the 2012 Cybercrimes Law, which has allowed UAE authorities to silence human rights defenders; whereas in June 2018 UAE's Attorney General announced that anyone expressing sympathy with Qatar could face up to 15 years imprisonment; further limiting the right to freedom of expression;

N. whereas migrant workers are denied the right to express, assemble and associate and face deportation if they choose to exercise their right to strike; whereas the Kafala system severely restricts the rights of migrants and puts them at risk in cases where they experience abusive situations;

1. Calls on the UAE authorities to immediately and unconditionally release Ahmed Mansoor, as well as all the other human rights defenders and prisoners of conscience detained and sentenced for merely expressing their right to freedom of expression, and to drop all charges against them; commends Ahmed Mansoor's outstanding work in the protection of human rights and the advancement of democracy in his country and the region;

2. stresses that the lack of an arrest warrant or any judicial oversight in Ahmed Mansoor's arrest and detention represents a breach of fundamental principles of due process; is deeply concerned about the torture allegations to Ahmed Mansoor and about his precise location; urges authorities to prevent any further form of ill-treatment and to investigate those allegations; Underlines that secret detention is a form of enforced disappearance;

3. Calls on the UAE authorities to stop the harassment and immediately lift the travel ban against human rights defenders and insists that they guarantee in all circumstances that human rights defenders in the UAE are able to carry out their legitimate human rights activities, both inside and outside the country, without fear of reprisals and free of all restrictions including judicial harassment;

4. Denounces the increasing number of individuals who are punished by the Emirati authorities for collaborating with the UN and its different bodies;

5. Urges the government of UAE to abide by its obligations and commitments under international human rights law, including the UN Convention against Torture; calls on the UAE authorities to ratify the International Covenant on Political and Civil Rights and the Optional Protocol to the Convention Against Torture and urges the UAE to extend a standing invitation to the visit of all Special Procedures of the UN Human Rights Council;

6. Deplores the fact that the EU VP/HR Frederica Mogherini has so far refrained from calling publicly for the release of Ahmed Mansoor; calls on the European Union and the Member States to take a strong, public stand towards this flagrant violation of human rights, including by demanding his release in all contacts they hold with UAE authorities; urges the EU Delegation in Abu Dhabi to provide all appropriate support to Ahmed Mansoor, including prison visits, trial monitoring and the provision of legal or any other form of assistance that he might require; calls on VP/HR to report to the European Parliament on the actions undertaken so far by the EU Delegation in support of Mr Mansoor;

7. Calls on the EEAS and the Commission to support in an active manner civil society groups and individuals defending human rights in the UAE, including through arranging prison visits,

trial monitoring and public statements; calls on the EEAS to consider proposing the adoption of EU restricted measures related to serious human rights violations, including asset freeze and travel ban;

8. Calls on the European Union to include a discussion on human rights, particularly the situation of human rights defenders, as a permanent item on the agenda of the annual summit between the EU and the Gulf Cooperation Council;

9. Calls on the EU to take an initiative at the next UN Human Rights Council which would raise the issue of membership by States with deeply questionable human rights records

10. Deplores the significant arms deals by EU Member States, among others UK, France, Germany and the United Kingdom, with the UAE, which run counter to the EU Common Position on Arms exports; calls for an EU-wide ban on export, sale, update and maintenance of any form of security equipment to the UAE which can be or is used for internal repression, including Internet surveillance technology; calls on the High Representative to report on the current state of military and security cooperation by EU Member States with the UAE regime;

11. Urges Member States to take all necessary measures to hold alleged perpetrators to account, notably through the application of the principle of universal jurisdiction and by investigating and prosecuting the alleged perpetrators of atrocity crimes in Yemen;

12. Urges the UAE authorities to amend the Counter-Terrorism law, the 2012 Cybercrimes Law and the Federal Law No. 2/2008, which are repeatedly used to prosecute human rights defenders; calls on the UAE regime to abolishing the Kafala system and to ensure that the human rights of migrant workers are respected;

13. Calls on the UAE authorities to introduce an immediate moratorium on the use of the death penalty as a step towards abolition; calls for a review of all death sentences to ensure that these trials adhered to international standards;

14. 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;