



Plenary sitting

B8-0462/2018

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))

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on behalf of the ALDE Group

B8-0462/2018

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 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 his house was searched by police forces and Mr. Mansoor was taken away, along with all the family's mobile phones and laptops, including those belonging to his children; 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 Mr Mansoor was detained on suspicion of using social media sites to publish 'flawed information' and 'false news' to 'incite sectarian strife and hatred' and 'harm the reputation of the state'; whereas this indicates that 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; whereas in the week before the arrest of Mr Mansoor in March 2017, the UAE mandated the creation of Federal Public Prosecution for Cybercrimes;
- C. whereas Mr. Mansoor had been calling for the immediate release of prisoners of conscience including prominent academic and economist Dr Nasser bin Ghaith, who was sentenced to ten years in prison over 'offensive online posts' in which he criticised Egypt, and Osama al-Najjar, an activist whose three year prison sentence for merely exercising his right to freedom of expression, including advocacy on behalf of his father, was extended indefinitely in March 2017 without any legal foundation;
- D. whereas on 29 May 2018, Ahmed Mansoor was 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; whereas Mr Mansoor has appealed his sentence, but the timing of the appeal process remains unclear;
- E. whereas UN human rights experts are urging the authorities in the UAE to immediately free the prize-winning human rights defender Ahmed Mansoor and annul the 10-year prison sentence imposed on him; whereas the sentencing of Mansoor denotes the unacceptable violation on freedom of expression and freedom of association, as well as on human rights defenders in the UAE as a whole;
- F. 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 granted two short visits from his wife dating back to 3 April 2017 and 17 September 2017; whereas during both visits he was brought, under strict supervision, from an unknown location to the Public Prosecution office in Abu Dhabi; whereas he has remained in solitary confinement since his arrest and allegedly subjected to torture; whereas further requested visits have insofar been rejected and authorities appear determined to isolate Mr. Mansoor from his own family; whereas after being held at a secret location, Mr. Mansoor has reportedly been transferred to Al Sadr prison, but verifying conditions of detention and trial of Mr Mansoor is extremely difficult;
- G. 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;
- H. whereas it appears that Mr. Mansoor 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;

- I. whereas credible reports indicate that lawyers who take up cases related to state security have been harassed and threatened and that there is impunity for such breaches, which increases the difficulty for defendants in the UAE to choose a lawyer for themselves;
- J. 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;
- K. 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;
- L. whereas while freedom of expression is constitutionally protected in the United Arab Emirates, its penal code allows the authorities to prosecute people for speech which is critical of the government; whereas people in the UAE who speak about human rights abuses are at serious risk of arbitrary detention, imprisonment, and torture, and many are serving long prison terms or have felt compelled to leave the country; 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;
- M. whereas evidence has emerged that EU member states approved exports of various cyber surveillance technologies to countries with terrible human rights records, including to the UAE;
 1. Condemns in the strongest terms the harassment, persecution and detention of Ahmed Mansoor as well as all other human rights defenders solely for their human rights work and exercising their right to freedom of expression both online and offline; urges the Emirati authorities to refrain from such harassment and persecution and 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 well as all other prisoners of conscience; urges in the meantime and with immediate effect to disclose his whereabouts and ensure he is held in an official place of detention, grant immediate and regular access to his family and a lawyer of his choosing;
 3. 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;
4. 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;
 5. Stresses that the confiscation of his passport violates Mr. Mansoor's right under international human rights law to freedom of movement; emphasises that such invasive restraints must be put to an end as they signify clear violations against human rights defenders and any other critics of the authorities;
 6. Is concerned by the increasing number of individuals who are punished for collaborating with the UN and its various bodies in this region; urges Emirati authorities to cease the obstruction and harassment of individuals engaged with various UN Human rights mechanisms; furthermore, urges the authorities to grant with immediate effect UN experts, international NGOs or EU officials access to visit Mr. Mansoor;
 7. Expresses concern over increasing national cybercrime legislation and prosecution in the UAE, including the creation of a specialised court for cybercrimes, targeting human rights defenders and severely compromising digital rights and online freedoms of expression, thought, opinion and press;
 8. Condemns the fact that so many human rights defenders face digital threats in the UAE, including compromised data through the confiscation of equipment, remote surveillance and data leakages; condemns the practice of online surveillance and hacking, for the purposes of gathering information, which can be used in legal cases or defamation campaigns;
 9. Calls for an EU-wide ban on export, sale, update and maintenance of any form of security equipment to UAS which can be or is used for internal repression, including Internet surveillance technology;
 10. Expresses its concern at the ever-increasing use of certain cyber surveillance dual-use technologies against activists and journalists; welcomes, in this regard, the EU institutions' ongoing efforts to update the dual-use export control regulation;
 11. 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;
 12. 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 given the numerous human rights violations; in this sense, urges them to raise specific cases of human rights activists in their contacts with the Emirati authorities and make an improvement in this respect a precondition to any further development of relation between the EU and UAE;

13. Believes that it is crucial to continue the efforts to increase the cooperation between the EU and the Gulf region and to promote mutual understanding and trust; considers that regular inter-parliamentary meetings between Parliament and its partners in the region are an important forum to develop a constructive and frank dialogue on issues of common concern; stresses that interparliamentary discussions should not focus only on security and trade issues but should also include respect for human rights as being a crucial topic of their discussion;
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; calls for the translation of this resolution into Arabic.