

Brussels, 13 April 2021



Dear High Representative, dear Vice President Josep Borrell,

As Members of the European Parliament, we are writing to express our deepest concern over the ongoing human rights violations in the United Arab Emirates, particularly with regards to the systematic crackdown on freedom of speech and expression and the subsequent retaliation received during detention. In its resolution on the UAE of October 4, 2018, the European Parliament raised concerns on the situation of human rights defenders and specifically on the case of the activist Ahmed Monsoor. Since then, the situation in the country for human rights defenders has not improved, in fact it has deteriorated as many government critics endure abysmal detention conditions that infringe existing international laws.

The use of torture and ill-treatment of inmates is endemic in the UAE. Despite acceding to the UN Convention against Torture (CAT) in 2012, stipulating in Article 26 of the Emirati Constitution that “no man shall be subjected to torture or other indignity,” and stating in Article 28 that “the physical and mental abuse of an accused person shall be prohibited”, torture is often used within prison facilities. On January 27, 2013, a group of individuals who had openly criticized the Emirati government and launched a petition for democratic reform, were charged with organizing and administering an organization aiming at overthrowing the government in an infamously controversial trial commonly referred to as the UAE94. During the trial, many detainees such as **Mohammed Al-Roken**, **Khaled Al Nuaimi** and **Ahmed Al-Suwaidi** reported allegations of torture and inhumane or degrading treatment in detention and during interrogations to obtain forced confessions. Even though coerced confessions are *jus cogens* strictly prohibited from official use during trial proceedings, many of the UAE94 were convicted on the basis of confessions made under duress. Yet, numerous reports indicate that, when defendants in the UAE reported instances of torture and ill-treatment in front of a judge, they went ignored, with limited official investigations following suit thereby, manifesting a culture of impunity for perpetrators.

The use of torture has not been limited to Emirati nationals, as there have also been instances of EU citizens that have reported facing brutal torture at the hands of prison authorities. **Artur Ligeska**, a Polish citizen, spoke to Human Rights Watch about the rape he experienced while detained, and the post-traumatic stress that he has been dealing with since his release. Similarly, **Matthew Hedges**, a UK academic, spoke at the European Parliament in 2019 about the psychological torture as well as physical torture, in the form of forced standings, he endured when he was accused by Emirati authorities of being a British spy. Indeed, some of the methods used for torture include sleep deprivation, beatings, forced standing, verbal threats, sexual assault, and electrocution.

In regards to ill-treatment, state security detention facilities saw instances of overcrowding, poor sanitary conditions, and long waiting periods for basic healthcare access. Inhumane conditions, as well as prolonged solitary confinement, were the source of **Ahmed Mansoor's** hunger strike, which lasted for four weeks in March 2019, when the Al-Sadr prison in Abu Dhabi failed to provide him with a bed, running water, or access to fresh air or sunshine. Still, inmates reported retaliation from security forces when prisoners voiced their concerns about these conditions with external bodies or diplomatic missions.

Lack of access to medical treatment is in breach of Rule 27 of the Nelson Mandela Rules, the UN Guidelines on the Minimum Standards of Treatment of Prisoners. The prison authorities systematic medical negligence is made clear by the case of **Alia Abdulnoor**, a cancer patient who was charged with financing terrorism after raising funds for Syrian refugees, forced to serve a 10-year prison sentence based on coerced confessions. Unfortunately, the lack of adequate medical care led to her death in May 2019 while chained to a hospital bed.

The punishment endured by peaceful dissidents and government critics often extends to members of their family in a resulting collective punishment. Collective punishment is a form of sanction that punishes persons or a group of persons affiliated to a convicted individual. In the United Arab Emirates there are many cases of individuals who have been targeted by the Emirati state security apparatus solely because of their relation to a detained Emirati dissident or exiled individual. One of the most common, and harmful, forms of collective punishment is denaturalization, which strips individuals of their fundamental rights, such as access to healthcare, education and employment opportunities. During the current Covid-19 pandemic, this discrimination against denaturalized individuals has manifested itself in the denial of access to the Covid-19 vaccine. Another common form of collective punishment are travel bans due to which individuals are unable to leave the country for any reason and are forced to escape illegally via the land border, in an often dangerous journey. An example of the extremely damaging consequences of travel bans are represented in the case of **Ahmed Alnuaimi**, a government dissident who has been living in London in self-imposed exile since 2013. His entire family has been subject to an arbitrary travel ban, with some of his family members being able to escape via land. However, his underage disabled son was not able to complete the difficult journey and remains separated from his parents. Since then, his grandmother has been his sole caretaker in the UAE.

The other illegitimate and unlawful technique used by the Emirati government to suppress political activism and dissent, is to prevent the release of prisoners of conscience who have completed their full sentence. There are currently at least thirteen individuals in Emirati prisons, who have completed their sentence but have been denied release. Among these cases is **Amina Al-Abdouli**, a female detainee who, after being forcibly disappeared for eight months, during which she had no access to legal counsel and contact with the outside world, was sentenced to five years for a tweet she posted. She completed her sentence last November, but she is being kept in prison beyond her sentence. The United Nations Working Group on Arbitrary Detention (WGAD) issued an opinion stating that Amina Al-Abdouli is arbitrarily detained, calling on the Emirati government to release her.

In light of the upcoming EU-UAE Human Rights Dialogue, the European Union is presented with an important opportunity to raise the picture hitherto painted to the Emirati government and demand accountability for actions committed. This will be the first time since 2017 that such a dialogue takes place between the two parties. As such, we call on HR/VP Josep Borrell to:

- Encourage the Emirati government to grant the **immediate and unconditional release** of all political activists, human rights defenders, journalists, and prisoners of conscience who have been tortured and ill-treated since 2012;

- Urge the Emirati government to **investigate all allegations of torture and ill-treatment** in detention, and hold those responsible accountable as established under their national law;
- Urge the Emirati government to **reform government practices** in the administration of prisons and detention centres to fully comply with the UN Standard Minimum Rules for the Treatment of Prisoners
- Encourage the Emirati government to arrange **in-country visits to detention centres by independent and impartial bodies.**

Furthermore, to ensure that the discussions of the dialogue are duly cemented, we press the European External Action Service to set up a follow-up mechanism which sees the regular monitoring of the human rights situation in the United Arab Emirates in the period succeeding the Dialogue.

As Members of the European Parliament, we remain committed to the protection, promotion, and fulfilment of all human rights in the United Arab Emirates

Sincerely,

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