



International Federation
for Human Rights

Fédération Internationale des
Ligues des Droits de l'Homme

Federación Internacional
de Derechos Humanos

Международная Федерация
за права человека

الفدرالية الدولية لحقوق الإنسان

Brussels, 21 June 2012

Re: EU must put human rights at the centre of the EU-GCC relations

Dear Ms Ashton,

In advance of the 25 June EU-Gulf Cooperation Council (GCC) Joint Council and Ministerial Meeting, the International Federation for Human Rights (FIDH) and the Gulf Center for Human Rights (GCHR) call on the European Union to publicly condemn the human rights situation in several Gulf countries and, in particular, threats against the civil society and harassment against human rights defenders and political activists. FIDH and GCHR urge the EU to call for the immediate and unconditional release of all imprisoned human rights defenders, prisoners of opinion, and anyone sued for exercising their freedom of expression and association, while engaging GCC partners on committing to concrete reforms to create an enabling space for civil society. FIDH and GCHR also demand that the EU and its Member States start a process of reflection on the future of the EU-GCC structure to allow it to be an efficient forum to discuss human rights challenges in the region.

One cannot ignore the fact that the upcoming EU-GCC Summit will take place amidst a new wave of threats against the Gulf civil society. Fundamental freedoms and in particular, freedoms of expression, opinion and association are increasingly threatened in the sub-region. There is an on-going trend across the region towards using the most politically oriented judiciary to create false case and/or politically-motivated charges against activists which is in most cases associated with travel ban. In the **United Arab Emirates**, several members of the 'Society of Reform and Social Guidance' (Islah Association), a peaceful Islamist political organisation which advocates for reforms, have been arrested by security authorities in March, April and May 2012. These arrests seem to have been motivated solely by these activists' affiliation with the association and legitimate human rights work, in particular repeated calls for reforms in the UAE. Several of them had also signed on 13 March 2011 a petition directed at the UAE Head of State which called for reforms in the legislature that include a proper election of the National Council and by allowing it to perform its



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role and powers in full. Other cases of arrests, revocation of citizenship and deportation, and harassment of activists and among them, those denouncing discrimination against stateless persons, have been recently documented in the UAE. In **Oman**, a wave of arbitrary arrests has targeted activists since the end of May in a clearly organised attempt, announced by the Attorney-General, to silence the opinion leaders demanding social reforms on social networks. In **Saudi Arabia**, an increased number of activists and human rights defenders have been targeted through court cases. One of the co-founders of the unlicensed 'Saudi Civil & Political Rights Association' (ACPRA), Mr. Mohammed Albajady was sentenced to four years imprisonment in an unfair and secret trial followed by a five-year travel ban in last April. Three other members of ACPRA have been brought to court over the past weeks, charged with a long list of offenses mainly related to their human rights activities.

These cases are only the most emblematic ones in the above-mentioned countries of the Gulf region where independent civil society faces repression. In addition to this, an ongoing widespread repression affects **Bahrain**, where Mr. Nabeel Rajab, President of the Bahrain Centre for Human Rights (BCHR), Director of the Gulf Center for Human Rights (GCHR) and FIDH Deputy Secretary General, is once more detained, this time since 6 June, and will be heard by the Court on 24 and 27 June on various free expression-related charges¹. The judicial harassment against Mr. Nabeel Rajab occurs within the context of an intensified crackdown against activists, including human rights defenders, pro-democracy protesters and entire sections of the population. The recent threats made by pro-government media and reiterated by the Minister of Interior against Bahraini civil society members who participated in the UN Human Rights Council's Universal Periodic Review (UPR) of Bahrain in the end of May confirm this trend². Moreover, at the occasion of the mission conducted by FIDH in April 2012, FIDH witnessed the repression of peaceful demonstrations by the security forces with the excessive use and abuse of tear gas³. Similar events were again documented last weekend.

FIDH and GCHR commend your mention of the situation of Mr. Nabeel Rajab in your recent intervention before the European Parliament. We however believe that more should be done and that it is time for the EU to discuss the deteriorating situation in Gulf countries at the upcoming EU-GCC Summit.

At the end of last April, FIDH accompanied a delegation of Gulf Human Rights Defenders to Brussels to bring their testimonies before the EU institutions and Member States. On this occasion, Dr. Nada Dhaif – one of the doctors sued in Bahrain for having treated injured demonstrators⁴ – explained to the EU Council Middle East/Gulf Working Party the need to go beyond silent diplomacy. She indicated that a clear EU message on the need to put an immediate stop to

- 1 - Observatory for the Protection of Human Rights Defenders (FIDH-OMCT), Bahrain: Arbitrary arrest and judicial harassment of Nabeel Rajab, 8 June 2012, <http://www.fidh.org/Bahrain-Arbitrary-arrest-and.11810>
- FIDH, Open Letter to Sheikh Hamad Bin Isa AlKhalifa King of Bahrain - Re: judicial harassment against Mr. Nabeel Rajab; visa request for trial observation, 15 June 2012, <http://www.fidh.org/BAHRAIN-Open-Letter-to-Sheikh>
- more information at <http://www.fidh.org/-Bahrain.441->
- 2 FIDH, Bahrain: Rights organisations alarmed over threats to civil society after trip to UN , 11 June 2012, <http://www.fidh.org/Bahrain-Rights-organisations>
Threats against Bahraini civil society representatives continue under the form of smear campaigns and judicial harassment to prevent them from testifying of the situation inside Bahrain. Civil society representatives who had taken part in the Bahrain UPR in Geneva on 25 May 2012, who are now facing lengthy prison sentences for exercising their right to freedom of expression.
- 3 FIDH, Mission in Bahrain preliminary conclusions: Governmental Declarations on Reform Are Little More than Rhetoric, As Reality Reveals Continued Repression of Basic rights, Deliberate and Collective Forms of Punishment, 18 April 2012, <http://www.fidh.org/Governmental-Declarations-on>
- 4 At the 14 June 2012 appeal hearing, Dr. Dhaif and eight other Doctors were acquitted of the charges of possession of arms and the occupation of Salmaniya hospital for which they risked a 15 year prison sentence. However nine other doctors were convicted of three months to five years prison sentences.

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violence and threats against the civil society, the release of political prisoners and the need for accountability of human rights violations, would need to be supported by tangible actions in the area of targeted sanctions, a comprehensive arms embargo, and discussions at high level with the EU's GCC partners.

You mentioned in the last EU-GCC Summit a year ago that “the recent developments in North Africa and the Arabian Peninsula are a clear demonstration of the need for closer dialogue between the EU and GCC”⁵. The Joint Declaration also mentioned that the EU and the GCC “agreed to identify possible ways to forge cooperation in [the area of human rights]”⁶. Despite these statements, FIDH and the Gulf Center for Human Rights regret that in the past years discussions of the GCC role at the Summit have concentrated on wider Arab issues rather than addressing the internal GCC ones. Last year's Summit, for example, ignored the involvement of GCC member States' troops in the crackdown of the protests in Bahrain, despite the European Parliament's repeated condemnation⁷ of this intervention.

On several occasions, the EU has indicated its readiness to provide support and expertise to the GCC in their efforts towards closer cooperation among its six members. The EU model has put respect for fundamental rights at its heart and as one of the main objectives of its internal and external policies. The next EU-GCC Summit represents an opportunity for the EU to engage GCC members into taking concrete commitments to ensure respect for human rights and fundamental freedoms, especially concerning the freedom of speech and of assembly and the right to demonstrate peacefully, combat all forms of impunity, and guarantee the independence of the judiciary and the right to a fair trial.

Moreover, FIDH and GCHR strongly urge the EU to start a process of reflection on the EU-GCC structure that would integrate the following recommendations.

- **The proposed strengthening of the EU-GCC political dialogue should include an open, regular and constructive political dialogue on human rights.** The human rights dialogue should be open to civil society and aim at time-bound commitments by the parties in the form of benchmarks whose implementation should be systematically monitored. Systematic consultations with EU and GCC independent human rights NGOs should take place ahead of official meetings in order to take into account their assessment of the human rights' situation, in complement to the one offered by UN special procedures reports.
- In addition to opening a new human rights chapter to set the ground for the human rights dialogue, **the review the EU-GCC Joint Action Program should integrate human rights guarantees in the other relevant chapters**, in line with article 21 of the Lisbon Treaty and the EU human rights strategy. In particular, Point 2 on Investment should integrate CSR aspects, in line with the EC Communication on Corporate Social responsibility. Point 3 on Trade cooperation should allow the inclusion of a human rights clause and a detailed monitoring mechanism. Point 10 on Telecommunications and ITC should entail concrete

5 Statement by Catherine Ashton, following the EU-Gulf Cooperation Council (GCC) Joint Council and Ministerial Meeting, 20th April 2011, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/121611.pdf

6 21st EU-GCC Joint Council and Ministerial Meeting Abu Dhabi, Joint Communiqué, 20 April 2011, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/121610.pdf

The EU and GCC reaffirmed this objective at the recent joint cooperation committees and political dialogue in Brussels on 27-28 March 2012, where they affirmed their wish to step up cooperation in a number of “important issues”, including human rights.

7 European Parliament resolution of 24 March 2011 on European Union relations with the Gulf Cooperation Council and European Parliament resolution of 27 October 2011 on Bahrain.

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guarantees concerning freedom of expression.

- **The advancement of the Free Trade Agreement negotiations should be conditioned by concrete results under this reinforced Action Programme and should discuss the inclusion of an effective human rights clause.** The human rights clause should refer to international human rights law standards, including ILO Conventions, be implemented at all stages of the EU-GCC political dialogue. As a first step, the parties should set up a common strategy for the practical implementation of their joint commitments in this field. A clause on human rights guarantees of migrants should also be inserted.
- **The EU should carefully monitor the setting-up of human rights institutions at the GCC and member States' level to ensure they are in line with international human rights law standards.** The EU should reassert the universality and indivisibility of human rights and encourage any human rights institution in the CGG area to facilitate national legislative reforms in this sense. The EU should also demand the setting-up of ambitious action plans and strategies to defend and promote human rights in the region in line with international human rights law standards.
- Finally, FIDH and GCHR call on the EU **step-up political and financial support to human rights defenders** in the Gulf countries, including through the EIDHR and a more-proactive role of the EU Delegation in Riyadh and Member States Embassies in the Gulf countries.

Hoping that you will discuss these elements at the EU-GCC Summit,

Yours sincerely,

Souhayr Belhassen
FIDH President

Khalid Ibrahim
GCHR Deputy director

CC:

EU Member States Political and Security Committee Ambassadors
Members of the EU Council Middle East/Gulf Working Party
Members of the EU Council Human Rights Working Party

Mr. Olof Skoog, EEAS Chair of the Political and Security Committee
Ms. Ann-Sophie Kislring, EEAS Chair of the EU Council Middle East/Gulf Working Party
Mr. Engelbert Theuermann, EEAS Chair of the EU Council Human Rights Working Party
Mr. Hugues Mingarelli, EEAS Managing Director for the Middle East and Southern Neighbourhood
Mr. Christian Berger, EEAS Director for North Africa, Middle East, Arabian Peninsula, Iran and Iraq
Ms. Véronique Arnault, EEAS Director for Human Rights and Democracy
Ms. Riina Kionka, EEAS Head of Division Human Rights Policy Guidelines and Multilateral Cooperation

Mr. Martin Schulz, President of the European Parliament
Ms. Angelika Niebler, Chair of the European Parliament Delegation for relations with the Arab Peninsula
Ms. Barbara Lochbihler, Chair of the European Parliament Sub-Committee on Human Rights

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