

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5378

To make certain members of the royal families of the United Arab Emirates ineligible for visas or admission to the United States and to revoke visas and other entry documents previously issued to such family members until Sheikh Issa bin Zayed al-Nahyan has been tried in accordance with international legal norms and human rights standards, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2010

Mr. MCGOVERN introduced the following bill; which was referred to the  
Committee on the Judiciary

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## A BILL

To make certain members of the royal families of the United Arab Emirates ineligible for visas or admission to the United States and to revoke visas and other entry documents previously issued to such family members until Sheikh Issa bin Zayed al-Nahyan has been tried in accordance with international legal norms and human rights standards, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “United Arab Emirates  
3 Human Rights Accountability Act of 2010”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds as follows:

6 (1) Sheikh Issa bin Zayed al-Nahyan is the  
7 brother of United Arab Emirates (hereinafter in this  
8 section referred to as “UAE”) president and Abu  
9 Dhabi Emir Sheikh Khalifa bin Zayed al-Nahayan.

10 (2) On April 22, 2009, ABC Nightline broad-  
11 cast a few minutes of videotape documenting the se-  
12 verest forms of torture and abuse of an Afghan  
13 grain dealer, Mohammed Shah Poor, inflicted by  
14 Sheikh Issa assisted by other uniformed individuals  
15 acting under color of authority.

16 (3) During Mr. Poor’s ordeal, Sheikh Issa re-  
17 peatedly insisted that his and his cronies actions be  
18 videotaped, reportedly for his later enjoyment of the  
19 extreme suffering of his victim, who miraculously  
20 survived the attack.

21 (4) Excerpts of this video have been circulated  
22 on YouTube and longer footage was submitted in a  
23 United States civil court in 2009.

24 (5) Around 2004, the matter was brought to  
25 the attention of the UAE Ministry of Interior, which  
26 is headed by another of Sheikh Issa’s brothers. The

1 Interior Ministry failed to investigate this matter,  
2 and when ABC News brought it again to their atten-  
3 tion, the Ministry replied that the incidents were not  
4 part of a pattern of behavior and that the police had  
5 correctly followed procedures.

6 (6) Human Rights Watch stated, regarding this  
7 incident: “The UAE government’s failure to pros-  
8 ecute those involved in this undisputed incident of  
9 torture and abuse at the hands of a royal family  
10 member and the police is an appalling miscarriage of  
11 justice. What’s even more shocking is the govern-  
12 ment’s insistence that it investigated and found no  
13 violation of UAE laws.”.

14 (7) Only after an international outcry regarding  
15 the lack of action by UAE law enforcement and legal  
16 authorities and a hearing of the Tom Lantos  
17 Human Rights Commission in the U.S. House of  
18 Representatives on Wednesday, May 13, 2009, did  
19 Sheikh Issa finally have to face charges before a  
20 UAE court.

21 (8) On January 10, 2010, the UAE court ac-  
22 quitted Sheikh Issa of the charges of rape, endan-  
23 gering life and causing bodily harm. According to  
24 Sheikh Issa’s attorney, the court accepted their de-

1 fense that Sheikh Issa had been under the influence  
2 of drugs.

3 (9) In addition, the UAE court convicted  
4 Bassam and Ghassan Nabulsi, sentenced in absentia  
5 to five years each in prison. Bassam and Ghassan  
6 Nabulsi were former business partners of Sheikh  
7 Issa, who had filmed the attack and kept the video  
8 tape and ultimately brought a civil suit in the  
9 United States against Sheikh Issa during which they  
10 submitted the film.

11 **SEC. 3. VISA LIMITATIONS ON CERTAIN MEMBERS OF THE**  
12 **ROYAL FAMILIES OF UNITED ARAB EMIR-**  
13 **ATES.**

14 (a) INELIGIBLE FOR VISAS.—

15 (1) IN GENERAL.—Except as provided in para-  
16 graph (2), an alien is ineligible to receive a visa to  
17 enter the United States and ineligible to be admitted  
18 to the United States who the Secretary of State de-  
19 termines to be—

20 (A) a member of the royal families of the  
21 United Arab Emirates; and

22 (B) an officer or employee of the govern-  
23 ment of the United Arab Emirates.

24 (2) WAIVER FOR NATIONAL INTERESTS.—The  
25 Secretary of State may waive paragraph (1) in the

1 case of an alien if the Secretary determines that  
2 such a waiver would be in the national interests of  
3 the United States. Upon granting such a waiver, the  
4 Secretary of State shall provide notice to the Con-  
5 gress.

6 (3) TERMINATION.—The provisions of this sub-  
7 section shall cease to be effective on the date that  
8 the Secretary of State transmits to the Congress a  
9 statement certifying the following:

10 (A) That the Secretary has determined  
11 that the government of the United Arab Emir-  
12 ates has established an independent entity with-  
13 in that government that has authority to inves-  
14 tigate an individual described in paragraph (1).

15 (B) That the Secretary has determined  
16 that Sheikh Issa bin Zayed al-Nahyan has been  
17 tried, in accordance with what the Secretary de-  
18 termines to be appropriate international legal  
19 norms and human rights standards, for all of-  
20 fenses described in paragraph (4).

21 (4) OFFENSES DESCRIBED.—An offense de-  
22 scribed in this paragraph is any offense under the  
23 law of the United Arab Emirates—

24 (A) that was committed in connection with  
25 the assault on Mohammed Shah Poor; and

1                   (B) for which Sheikh Issa bin Zayed al-  
2                   Nahyan has not been tried as of the date of en-  
3                   actment of this Act.

4           (b) CURRENT VISAS REVOKED.—The Secretary of  
5 State, in accordance with section 221(i) of the Immigra-  
6 tion and Nationality Act (8 U.S.C. 1201(i)), shall revoke  
7 the nonimmigrant visa or other documentation of any  
8 alien who is rendered ineligible for such visa or docu-  
9 mentation under subsection (a).

10          (c) TERMINOLOGY.—The terms used in this Act shall  
11 have the meanings given such terms in section 101(a) of  
12 the Immigration and Nationality Act (8 U.S.C. 1101(a)).

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