



Plenary sitting

B8-0194/2016

2.2.2016

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 Bahrain: the case of Mohammed Ramadan
(2016/2557(RSP))

Pier Antonio Panzeri, Victor Boștinaru, Josef Weidenholzer, Richard Howitt, Elena Valenciano, Ana Gomes, Alessia Maria Mosca, Afzal Khan, Eric Andrieu, Knut Fleckenstein, Jo Leinen, Arne Lietz, Nikos Androulakis, Zigmantas Balčytis, Hugues Bayet, Brando Benifei, Goffredo Maria Bettini, Vilija Blinkevičiūtė, Biljana Borzan, Nicola Caputo, Andrea Cozzolino, Andi Cristea, Miriam Dalli, Isabella De Monte, Jonás Fernández, Doru-Claudian Frunzulică, Eider Gardiazabal Rubial, Enrico Gasbarra, Lidia Joanna Geringer de Oedenberg, Neena Gill, Michela Giuffrida, Sylvie Guillaume, Sergio Gutiérrez Prieto, Cătălin Sorin Ivan, Liisa Jaakonsaari, Jeppe Kofod, Miapetra Kumpula-Natri, Javi López, Krystyna Łybacka, Marlene Mizzi, Sorin Moisă, Momchil Nekov, Demetris Papadakis, Emilian Pavel, Vincent Peillon, Pina Picierno, Tonino Picula, Miroslav Poche, Daciana Octavia Sârbu, Renato Soru, Tibor Szanyi, Claudia Tapardel, Marc Tarabella, Marita Ulvskog, Julie Ward, Flavio Zanonato, Damiano Zoffoli
on behalf of the S&D Group

**European Parliament resolution on Bahrain: the case of Mohammed Ramadan
(2016/2557(RSP))**

The European Parliament,

- having regard to its previous resolutions on Bahrain, notably of 9 July 2015 on Bahrain, in particular the case of Nabeel Rajab,
 - having regard to the EU guidelines on the death penalty as revised on 12 April 2013,
 - having regard to the EU guidelines on torture and other cruel, inhuman or degrading treatment or punishment as revised on 20 March 2012
 - having regard to the Universal Declaration of Human Rights of 10 December 1948,
 - having regard to the International Covenant on Civil and Political Rights of 16 December 1966,
 - having regard to UN General Assembly resolution 68/178 and UN Human Rights Council resolution 25/7 on international human rights while countering terrorism,
 - having regard to Rule 135 of its Rules of Procedure,
- A. whereas since the beginning of the 2011 uprisings, Bahraini authorities have increased the use of repressive measures based on allegations of terrorism, including through the use of the death penalty; whereas Bahraini courts passed seven new death sentences last year, four of which were issued on the same week in December 2015;
- B. whereas the Bahrain Independent Commission of Inquiry documented in 2011 a systematic and wide-scale use of severe torture during the detention and interrogation of suspected individuals, and made numerous recommendations toward the purpose of reform;
- C. whereas the United Nations Working Group on Arbitrary Detention found in Decision A/HRC/WGAD/2014/34, that the use of torture and arbitrary detention remain "a systemic problem in the criminal justice system in Bahrain";
- D. whereas Mohamed Ramadan was allegedly arrested on 20 March 2013 without a warrant and violently beaten until he agreed to confess but later retracted in front of the public prosecutor;
- E. whereas on the 29 December 2014, a Bahraini criminal court sentenced Mohamed Ramadan and Husain Ali Moosa to death for their alleged involvement in a February 2014 bomb explosion in the village of al-Dair, northeast of the capital Manama, that resulted in the death of a policeman; whereas they were sentenced

alongside ten other defendants, nine of whom received six years' incarceration and the last receiving life in prison; whereas Bahrain's anti-terrorism law was used to justify the death penalty;

- F. whereas the Court of Cassation, Bahrain's Highest Court of Appeal, upheld their death sentences on 16 November 2015 despite the defendants having retracted their confessions and reiterating that their confessions were made falsely under the duress of torture; whereas Bahrain's courts failed to consider or open an investigation into their allegations of torture;
 - G. whereas Mohamed Ramadan is only one of ten individuals sentenced to death in Bahrain and among the first to be sentenced to death since 2011; whereas Mohamed Ramadan is among the first people to have exhausted all legal avenues of appeal since 2011, and stand at risk of imminent execution;
 - H. whereas on 14 August 2014 five UN-Human Rights experts, including the Special Rapporteur on Torture, expressed serious concerns that both Mohammad Ramadan and Moosa had confessed under duress and that their his subsequent conviction followed trials that did not meet the international standards on fair trial and due process;
 - I. whereas the use of torture and death sentences carried out by Bahrain are in breach of the different International Conventions including the International Covenant on Civil and Political Rights (ICCPR), which Bahrain acceded to in 2006;
 - J. whereas the recommendations issued by the international community and by the Bahrain Independent Commission of Inquiry (BICI) have led the Government of Bahrain to establish three bodies since 2012—the Office of the Ombudsman in the Ministry of Interior, a Special Investigations Unit (SIU) in the Office of the General Prosecutor, and the Prisoners and Detainees Rights Commission (PDRC)—with a collective mandate to end torture in interrogation and detention facilities;
 - K. whereas included in the 26 BICI recommendations, and one of the two fully implemented, was the commuting of all death sentences imposed for acts arising out of the events of February/March 2011, and this had represented a positive step to the abolition of the death penalty;
1. Expresses grave concern with Bahrain's regression towards the practice of capital punishment; calls for the reintroduction of the moratorium on the death penalty with a view towards complete abolition; calls on the Government of Bahrain and in particular His Majesty King Hamad bin Isa Al Khalifa to commute the death sentence of Mohamed Ramadan and all other persons sentenced to death in Bahrain;
 2. Is strongly concerned over reports that those individuals on death row have been denied basic rights to a fair trial, and have been reportedly subjected to severe torture during their detention and interrogation; is appalled that these practices

have continued on a systematic and wide-scale basis despite numerous promises of reform;

3. Condemns the misuse of loose anti-terrorism laws in Bahrain to punish political beliefs and convictions and prevent citizens from pursuing political activities;
4. Urges the Government of Bahrain to uphold the international standards on the right to a fair trial and due process and to comply with the international minimum standards as set of in articles 9 and 14 of the ICCPR; reminds the Government of Bahrain that pursuant to the ICCPR, the death penalty can only be utilized for the most serious crimes, pursuant to a final judgment rendered by a competent court;
5. Calls on the competent authorities to undertake a prompt and impartial investigation on all allegations of torture and to prosecute suspected perpetrators of torture, and to dismiss all convictions made on the basis of confessions obtained under conditions of torture;
6. Reminds the Bahraini authorities that article 15 of the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment and Punishment prohibits the use of any statement made as a result of torture as evidence in any proceedings; calls for the immediate ratification of the Optional Protocol to the Convention Against Torture and the Second Optional Protocol to the ICCPR aiming at the abolition of the death penalty;
7. Calls on the Government of Bahrain to issue an open invitation to the Special Procedures of the United Nations Human Rights Council, in particular the Special Rapporteur on torture and other forms of cruel, unusual and degrading treatment or punishment, in order to conduct country visits and evaluations, and for the government to allow the Special Procedures unfettered access to detainees and all places of detention;
8. Calls on the Government of Bahrain to ensure the independence of the Office of the Ombudsman and the PDRC and to guarantee the independence of the SIU from the Office of the Public Prosecutor;
9. Calls on the EEAS and Member States to ensure proper implementation by the EU Delegation in Riyadh and the Member States embassies in Bahrain of the EU human rights Guidelines, notably on human rights defenders and torture, and to report on their implementation;
10. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Government and Parliament of the Kingdom of Bahrain and to the members of the GCC.