



Plenary sitting

B8-0903/2016

5.7.2016

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
(2016/2808(RSP))

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on behalf of the EFDD Group

B8-0903/2016

**European Parliament resolution on Bahrain
(2016/2808(RSP))**

The European Parliament,

- having regard to its previous resolutions on Bahrain,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the 1949 Geneva Convention,
- having regard to the 1966 International Covenant on Civil and Political Rights, the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, and the Arab Charter on Human Rights, to all of which Bahrain is a party,
- having regard to November 2011 report of the Bahrain Independent Commission of Inquiry (BICI)
- having regard to the Joint Statement on Bahrain by 33 States, in the 30th session of the UN Human Rights Council of 14 September 2015
- having regard to the Joint statement on Bahrain by UN Special Rapporteur on the situation of human rights defenders, UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association of 16 July 2015
- having regard to the decision of the Arab League’s Ministerial Council, meeting in Cairo on 1 September 2013, to set up a pan-Arab court of human rights in Bahrain’s capital, Manama,
- having regard to the Statement by UN High Commissioner at the UN Human Rights Council of 15 June 2015,
- having regard to the 2004 EU Guidelines on Human Rights Defenders, as updated in 2008,
- having regard to Rule 135 of its Rules of Procedure,
 - A. Whereas in the past month, the Government of Bahrain has pursued a sustained campaign of repression.
 - B. Whereas the police arrested Nabeel Rajab on expression-related charges and placed him in solitary confinement, forced Zainab Al-Khawaja into exile after threats of re-arrest and indefinite detention, and a week later imposed travel bans on a group of rights activists travelling to the UN Human Rights Council in Geneva.

- C. Whereas fifty-three persons were stripped of citizenship this year , including leading religious figure Sheikh Isa Qassim; Whereas the majority of denaturalized persons were native Shia Bahrainis, punished under the terrorism laws for acts of protest.
- D. Whereas Mr. Nabeel Rajab has been arrested once again by Bahraini authorities on Monday 13 June under charges related to statements he made on Twitter in 2015 about conditions of detention in Jaw prison and the war in Yemen
- E. Whereas on 27 June Nabeel Rajab was transferred to hospital and then moved to the military hospital on 28 June , following 15 days of solitary confinement due to unprecedented heart problems. Whereas Nabeel Rajab confirmed to his family on Tuesday that he was no longer being kept in solitary confinement, after he was discharged from the Bahrain Defence Force hospital to the West Riffa Police Station.
- F. Whereas on 14 June, the Ministry of Justice and Islamic Affairs shut down Al Wefaq, the largest political society in the country and the leading opposition group. Following the ministry's request, a court ordered the expedited closure of Al Wefaq, the freezing of their assets, and the suspension of all activities. The court also placed Al Wefaq's headquarters under the control of the Justice Ministry.
- G. Whereas the Government is now in the process of fully dissolving the political society through expedited court proceedings. An initial September court date was moved forward to 28 June, with a second court hearing on 4 July. Al Wefaq's lawyers state they have not been granted adequate time to prepare and withdrew from the legal proceedings in protest.
- H. Whereas on 29 December 2014 a Bahraini court sentenced Mohammed Ramadan and Husain Ali Moosa to death for their supposed involvement in a bomb explosion in al-Dair on 14 February 2014 that resulted in the death of a policeman; whereas Mohammed Ramadan was reportedly subjected to sustained ill-treatment and torture for more than four days; whereas in order to halt the abuse, he signed a false confession stating that he was involved in the explosion in al-Dair; whereas Ramadan claims he was informed that the government knew he was not involved in the charges against him, but that his participation in protests and other political activities made him a traitor and therefore he deserved to be sentenced for his crimes;
- I. Whereas security forces arrested Husain Ali Moosa one week after the al-Dair bombing; whereas he was housed at the Criminal Investigation Directorate (CID), where he claims security officials hung him from the ceiling for three days while beating him with batons; whereas in order to stop his torture, Moosa confessed to being involved in the al-Dair bombing; whereas three days later, CID forces transferred Moosa to the Office of the Public Prosecutor, where he recanted his confession; whereas as a result, he was again transferred to the CID, where security forces allegedly tortured him for three months;
- J. whereas Sheikh Ali Salman, secretary general of the country's largest legally recognized opposition political society, Al Wifaq, is appealing a four year sentence for

speech-related charges; whereas the presiding judge at his original trial refused to allow Sheikh Salman's defense lawyers to present potentially exculpatory evidence, including recordings of the speeches for which he was prosecuted;

- K. Whereas human rights violations in Bahrain remain of great concern; whereas many recent actions by the Bahraini authorities continue to violate and restrict the rights and freedoms of segments of the population, in particular the right of individuals to peaceful protest, freedom of expression and digital freedom; whereas human rights activists face ongoing systematic targeting, harassment and detention;
- L. Whereas death by firing squad is stipulated by Bahrain's Penal Code; whereas the offences for which capital punishment either can or must be applied are: aggravated murder, murder, other offenses resulting in death, terrorism, rape of child, arson of a public or Government building, even if it does not result in death, drug trafficking, treason, espionage, other military offenses;
1. Call on Bahraini authorities , without delay, to release Nabeel Rajab from detention ,lift the arbitrary travel ban immediately and unconditionally and to drop all pending free speech-related charges against him;
 2. Call on Bahraini authorities to commute all sentences against Zainab Al-Khawaja and invite her to return to her country without fear of arrest
 3. Urges the Bahraini authorities to reverse the dissolution of Al Wefaq and allow all political societies to exercise their freedoms of association, assembly, and expression
 4. Urges the Bahraini authorities to Reinstate the citizenship of all persons, in particular Sheikh Isa Qassim ,unfairly stripped of citizenship, especially those made stateless, including the prominent human rights activist Abdulhadi Al Khawaja
 5. Calls for an urgent lift travel bans from all activists, and a recall of the sentence of Sheikh Ali Salman, free him, and release all prisoners of conscience
 6. Recalls the authorities in Bahrain that there is an absolute prohibition of torture under international law and there are no exceptions whatsoever to that prohibition in any circumstances; also condemns all forms of corporal punishment, torture and reaffirms its absolute opposition to the death penalty;
 7. Regrets lack of independence of the ombudsman's office, Bahrain's National Institute for Human Rights (NHR) and the Prisoners and Detainees Rights Commission (PDRC), which prevents them from carrying out their duties effectively.
 8. Requests a full investigation into all credible allegations of torture, as mandated by the Convention Against Torture; calls for independent judicial oversight over the grounds for detention and ensure protection of detainees from abusive treatment during criminal investigations as well as their basic rights to access to medical personnel and medical treatment, as well as access to their lawyers and family members; requests that victims of

torture or ill-treatment receive appropriate compensation and physical and psychological rehabilitation in accordance with Bahraini law and Bahrain's international treaty obligations;

9. Recommends the establishment of an independent and impartial mechanism to determine the accountability of government actors for acts of torture and mistreatment, with a view to bringing legal and disciplinary action against those individuals found to be responsible under international standards; asks that there should be audio-visual recordings of all official interviews with detainees;
10. Urges the authorities to conduct impartial, speedy and effective investigations and to ensure independent investigation into all allegations of human rights violations, including allegations of torture and ill-treatment, in order to identify all those responsible, to apply them the sanctions provided by law and ensure the victims' right to effective remedy according to international standards
11. Encourages applicable reparations to be awarded to victims of torture as required by the Convention against Torture and urges the implementation of international regulations against the use of torture as a means to extract false confessions;
12. Condemns all human rights violations in Bahrain and urges the Bahraini government to put an end to all human rights abuses and to respect human rights and fundamental freedoms, including the freedom of expression, both online and offline, and the freedom of assembly, in line with Bahrain's international human rights obligations;
13. Stresses the obligation to ensure that human rights defenders are protected and allowed to conduct their work without hindrance, intimidation or harassment; strongly condemns any form of censorship to the freedom of expression and recalls that the freedom of expression is a fundamental right of human dignity;
14. Urges the Government of Bahrain to implement all the recommendations in the BICI report and the Universal Periodic Review, and to replace its anti-terrorism laws with legislation that does not encroach upon citizens' rights to free expression, association and assembly;
15. Calls for the strengthen of the rights of defendants including by ensuring that they are presumed innocent, that they are guaranteed a fair trial, including by allowing them to effectively challenge the evidence against them; asks for the commitments to full financial support for rehabilitation, restitution and/or just compensation to all human rights defenders who suffered human rights violations in accordance with international standards and obligations;
16. Recommend that EU member states to withdraw their ambassadors "for consultations" if these measures above are not taken.
17. Calls on the EU High Representative to publicly name and call for the immediate and unconditional release of all those wrongfully imprisoned in the country during next month's EU-Gulf Cooperation Council Ministerial Meeting.

18. Notes the Bahraini Government's ongoing efforts to reform the penal code and legal procedures, and encourages the continuation of this process; calls on the Government of Bahrain to take all necessary steps to guarantee due process and the independence and impartiality of the judiciary in Bahrain, and to ensure that it acts in full accordance with international human rights standards; invites the Bahraini Government to ensure particularly that the courts may not be used for political reasons nor to sanction the legitimate exercise of rights and freedoms universally guaranteed;
19. Encourages the establishment of an official moratorium on executions with a view to abolishing the death penalty;
20. 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, and the Government and Parliament of the Kingdom of Bahrain.