



Plenary sitting

B8-0282/2018

12.6.2018

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, in particular the case of Nabeel Rajab
(2018/2755(RSP))

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European Parliament resolution on Bahrain, in particular the case of Nabeel Rajab (2018/2755(RSP))

The European Parliament,

- having regard to its previous resolutions on Bahrain, notably of 9 July 2015 on the case of Nabeel Rajab, of 3 February 2016 on the case of Mohammed Ramadan, of 4 July 2016 on the situation in Bahrain and of 16 February 2017 on executions in Kuwait and Bahrain,
- having regard to the statements by the spokesperson for Foreign Affairs and Security Policy of 11 July 2017 concerning the sentencing of Mr. Nabeel Rajab to two years in prison, of 27 October 2017 on the decision of the High Appeal Court of Bahrain to dissolve the National Democratic Action Society (Waad), of 21 February and 6 June 2018 on the sentencing of the Bahraini Human rights defender Nabeel Rajab,
- having regard to the EU-Bahrain informal human rights working group's meeting on 15 May 2018
- having regard to the Statement by UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein of 11 September 2017 on the situation in Bahrain;
- having regard to the statement of the UN Committee Against Torture on 12 May 2017;
- having regard to the Bahraini Constitution adopted in February 2002, notably Chapter 3, the Article 364 of the Bahraini Penal Code and the Bahraini Citizenship Act of 1963;
- having regard to the November 2011 report by the Bahrain Independent Commission of Inquiry (BICI);
- having regard to the EU Guidelines on the Death Penalty, on Torture, on Freedom of Expression and on Human Rights Defenders;
- 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, the Convention on the Rights of the Child and the Arab Charter on Human Rights, all of which Bahrain is a party;
- having regard to the 1948 Universal Declaration of Human Rights, particularly Article 15;
- having regard to Rule 135 of its Rules of Procedure;

- A. whereas the situation in Bahrain has become critical regarding freedom of expression, association and peaceful assembly; whereas the increased crackdown against human rights defenders and peaceful opposition activists includes prison sentences, exile, travel bans, revocation of citizenships or severe threats and intimidation as a result of their peaceful work;
- B. whereas Bahrain is engaged in a high profile public relations campaign designed to convince the international community of its efforts to promote tolerance, reform and greater respect for human rights; whereas, however, the UN High Commissioner for Human Rights said on 11 September 2017 that the democratic space in the country has essentially been shut down; whereas in the same statement he also pointed out that efforts of his Office to assist the Bahraini authorities with improvements were met with “point-blank denials, unfounded accusations and unreasonable last-minute conditions to technical missions”, which belies the lack of political will of the Bahraini authorities to engage in a serious human rights dialogue with the international community;
- C. whereas Bahraini authorities have repeatedly refused to receive an official delegation of the Subcommittee of Human rights of the European Parliament;
- D. whereas on 5 June 2018, Bahrain’s High Court of Appeal ruled to uphold the five-year prison sentence against leading human rights defender Nabeel Rajab for “disseminating false rumours in time of war” (Article 133 Bahraini Criminal Code), “insulting a neighbouring country” (Article 215) and “insulting a statutory body” (Article 216) in relation to tweets he posted on alleged torture in Bahrain’s Jaw prison and the Saudi Arabia-led coalition air strikes in Yemen; whereas these charges are based on provisions that criminalise the right to free expression, protected under article 19 of the International Covenant on Civil and Political Rights (ICCPR), which Bahrain ratified in 2006; whereas he is now expected to pursue a final appeal before Bahrain’s Court of Cassation;
- E. whereas Mr. Rajab was due to be released this month after completing a two-year prison sentence under degrading prison conditions amounting to ill-treatment, for TV interviews he gave in 2015 and 2016 on restrictions of freedom of the press in Bahrain; whereas prior to his arbitrary arrest in June 2016, Nabeel Rajab had been prohibited from travelling and served a two-year prison sentence between 2012 and 2014 in relation to him exercising the right to freedom of expression and assembly; whereas the UN Working Group on Arbitrary Detention ruled in 2013 that he had been arbitrarily detained for his role in helping lead and organize demonstrations in Bahrain; whereas he has been subjected to unjust trial processes;
- F. whereas in addition to these new five-year sentence, Nabeel Rajab could face further prison time for up to 14 other outstanding cases the government reportedly maintains against him, including additional charges of “spreading false news and statements and malicious rumours that undermine the prestige of the state” in relation to articles published in The New York Times and Le Monde; whereas furthermore, on 12 September 2017, the government accused him of “spreading false news,” “inciting hatred against the regime,” and “inciting non-compliance with the law” over social media posts published on his Twitter and Instagram accounts while he was already in police custody in January 2017;

- G. whereas Mr. Rajab has suffered from poor prison conditions and his physical health has been severely affected; whereas his family also reported that Mr. Rajab is confined to his cell for 23 hours of every day as a form of punishment causing his health to seriously deteriorate over time; whereas reportedly the prison administration appeared to be purposefully interfering with Rajab's medical treatment;
- H. whereas Mr. Rajab is just one of a number of individuals to be subjected to arbitrary detention, prosecution for exercising freedom of expression and assembly;
- I. whereas Danish-Bahraini citizen Mr. Al-Khawaja has been detained since April 2011 and sentenced to life imprisonment for peaceful human activities, followed by enduring brutal forms of torture and put through unfair trial process grossly violating international standards for right to a fair trial and due process;
- J. whereas there has been significant increase in executions and death sentencing following the breaking of a seven-year moratorium in February 2017, amidst continued allegations of torture and ill-treatment; whereas Bahrain has resumed the trial of civilians before military courts following a constitutional amendment adopted in April 2017; whereas authorities has restored arrest and investigation powers to the National Security Agency, despite its record of torture and abuse;
- K. whereas in 2016 the largest Bahraini political opposition society, Al-Wefaq, was suspended, its assets were frozen and the society website was blocked within Bahrain, by the Bahraini regime; whereas the group's headquarters were raided, leading to the group being charged with "chronic disregard for the Kingdom's constitution and contest of its legitimacy" and "calls for foreign interference" as well as "promotion of violence and support to terrorist organisations"; whereas on 1 November 2017, Bahraini authorities brought new charges of maintaining "intelligence contacts with Qatar" against opposition leader Sheikh Ali Salman, the Secretary-General of Al-Wefaq;
- L. whereas on 31 May 2017, a Bahraini court ordered the dissolution of Bahrain's opposition group the National Democratic Action Society (Waad); whereas on 26 October 2017, the High Appeal Court of Bahrain upheld the appeal court ruling to dissolve Waad;
- M. whereas on 15 May 2018 the Bahrain's High Criminal Court revoked the citizenship of 115 people amid reports of torture and due process abuses in an unfair mass trial; whereas the threat of, or the actual revocation of citizenship is being used as a means of political repression; whereas numerous individuals in Bahrain, mainly from the Shia segment of the population, have had their citizenship revoked, including children, in direct violation of Article 15 of the Universal Declaration of Human Rights and Article 7 of the Convention of the Rights of the Child;
- N. whereas despite the establishment of a task force in 2011 to monitor conditions inside Bahraini prisons, torture and ill-treatment are still allegedly commonplace;
- O. whereas a number of internal bodies has been set up since the 2011 protests and following the conclusions of the BICI report to monitor governmental abuses, but are not effective and independent enough; whereas the lack of independence of these bodies reportedly

causes a lack of accountability within the Bahrain government and security forces; whereas this has fostered a culture of impunity that undermines attempts of democratic reform and serves to further destabilize the country;

1. Condemns the on-going crackdown on fundamental democratic rights, notably the freedom of expression, association and assembly, political pluralism, peaceful dissent and rule of law in Bahrain; calls for an immediate release of all those detained solely for their peaceful human rights and political activities; calls for an end of all acts of violence, harassment, intimidation, including at judicial level, and censorship of human rights defenders, political opponents, protesters, civil society actors, their relatives inside and outside the country by state authorities, security forces and services;
2. Deeply regrets that Bahrain has backtracked on political reforms, as manifested in a re-empowerment of the National Security Agency, resumption of military trials, executions and increased death sentencing, in blatant disregard to Bahrain's own human rights obligations;
3. Recalls the condemnation of the continued arbitrary detention of Nabeel Rajab and deplores his recent conviction for expressing his right to freedom of expression in exposing the human rights violations of the Bahrain regime; calls for the immediate and unconditional release and drop of any remaining charges against Mr. Rajab;
4. Expresses grave concern over the tripling in size of Bahrain's death row following the breaking of a seven-year moratorium in February 2017, amidst continued allegations of torture and ill-treatment, in particular, the cases of Salman Isa and Maher Abbas al-Khabbaz, who face imminent execution;
5. Notes that these death sentences and imminent executions emphasise the failure of Bahrain's state-affiliated human rights institutions, including the Ombudsman and the Special Investigation Unit (SIU), to act as independent and effective bodies protecting human rights;
6. Calls on the Government of Bahrain to commit to retrials of all individuals on death row who have alleged torture and forced confession, beginning with Mr al-Khabbaz and Mr Isa;
7. Calls on the Government of Bahrain to ensure transparent investigations of all torture allegations prior to the commencement of retrials; calls on the Government of Bahrain to adhere to all due process rights enshrined in the ICCPR, particularly the exclusion of all evidence extracted through the use of torture;
8. Condemns the mass denaturalization that is used as a means of reprisal and urges the Bahraini authorities to overturned the decision and abide with the international obligations and norms;
9. Calls on Bahraini authorities to immediately lift the travel ban against human rights defenders and insists that authorities guarantee in all circumstances that human rights

defenders in Bahrain are able to carry out their legitimate human rights activities, nationally and internationally, without hindrance, intimidation or harassment;

10. Condemns the attacks on opposition voices and civil society in Bahrain including the suspension of opposition society Al-Wefaq, the dissolution of the opposition group Waad and the banning for dissolved groups members to participate in the forthcoming elections the Council of Representatives; calls on the King of Bahraini not to confirm the amendment that will definitively close the political space in Bahrain; considers these actions to be contrary to the principles of democratic pluralism, free and fair elections and in contradiction of international agreements and the constitution of Bahrain; calls on all parties to engage in a genuine national dialogue in order to re-launch a peaceful and meaningful national reconciliation process.
11. Considers that in the present environment and without any credible confidence-building measures such as the release of political prisoners and the re-opening of opposition parties and societies, elections for the Council of Representatives scheduled for fall 2018 are unlikely to be free and fair;
12. Calls on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council and Member States to systematically raise the concerns about the violation of human rights in Bahrain as well as the lack of political space for expressing legitimate and peaceful dissent and to consider the introduction of targeted measures against those responsible for grave human rights violations;
13. Urges the EU and its Member States to continue mentioning Bahrain in the EU's and member states' statements under item 4 in the upcoming sessions of the Human Rights Council;
14. Calls on all EU member states to strictly observe EU Codes of Conduct on Arms Export, and in particular to halt all transfers of weapons, surveillance and intelligence equipment and material that can be used by Bahrain in its ongoing crackdown on human rights;
15. Considers that the political and military interference of Saudi Arabia and United Arab Emirates in domestic Bahraini affairs aggravates the human rights crisis in Bahrain;
16. Calls on the Government of Bahrain to cooperate with the UN special rapporteurs (notably on torture, freedom of assembly, independence of judges and lawyers, and human rights defenders) and issue a standing invitation in their favour; urges the Bahraini authorities to allow international NGOs and journalists freedom of access in Bahrain, including the purposes of gaining contact with detained human rights defenders; regrets the reiterated refusal to receive an official delegation of the Subcommittee of Human rights of the European Parliament,

17. 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 the members of the Gulf Cooperation Council; calls for the translation of this resolution into Arabic.