



Plenary sitting

7.7.2015

B8-0712/2015

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
(2015/2758(RSP))

Josef Weidenholzer, Victor Boștinăru, Richard Howitt, Alessia Maria Mosca, Arne Lietz, Norbert Neuser, Elena Valenciano, Eric Andrieu, Nikos Androulakis, Zigmantas Balčytis, Hugues Bayet, Brando Benifei, Goffredo Maria Bettini, José Blanco López, Vilija Blinkevičiūtė, Biljana Borzan, Nicola Caputo, Andi Cristea, Miriam Dalli, Viorica Dăncilă, Isabella De Monte, Damian Drăghici, Doru-Claudian Frunzuliță, Enrico Gasbarra, Lidia Joanna Geringer de Oedenberg, Neena Gill, Michela Giuffrida, Maria Grapini, Sergio Gutiérrez Prieto, Cătălin Sorin Ivan, Liisa Jaakonsaari, Afzal Khan, Jude Kirton-Darling, Jeppe Kofod, Javi López, Krystyna Łybacka, Marlene Mizzi, Csaba Molnár, Victor Negrescu, Momchil Nekov, Demetris Papadakis, Emilian Pavel, Tonino Picula, Miroslav Poche, Laurențiu Rebegea, Liliana Rodrigues, Inmaculada Rodríguez-Piñero Fernández, Daciana Octavia Sârbu, Olga Sehnalová, Peter Simon, Renato Soru, Claudia Tapardel, Marc Tarabella, Julie Ward
on behalf of the S&D Group

European Parliament resolution on Bahrain, in particular the case of Nabeel Rajab (2015/2758(RSP))

The European Parliament,

- having regard to its previous resolution on Bahrain, notably the one of 6 February 2014 on Bahrain, in particular the cases of Nabeel Rajab, Abdulhadi al-Kwawaja and Ibrahim Sharif,
 - having regard to the statement by the Spokesperson of HR/VP for Foreign Affairs and Security Policy Federica Mogherini of 17 June 2015, on the sentencing of al-Wefaq Secretary General Ali Salman in Bahrain,
 - having regard to the statement of the Ministry of Foreign Affairs of the Kingdom of Bahrain on 17 June 2015 on the freedom of expression protected in Bahrain,
 - having regard to the 24th EU-GCC Joint Council and Ministerial Meeting in Doha, Qatar, on 24 May 2015,
 - having regard to UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,
 - having regard to art. 11 of the Charter of Fundamental Rights of the European Union which declares everyone's right to freedom of expression, and art. 4 which prohibits torture,
 - having regard to the European Union Guidelines on Human Rights Defenders, adopted in June 2004, and reviewed in 2008,
 - having regard to the United Nations Convention on the Reduction of Statelessness,
 - having regard to the new EU Strategic Framework and Action Plan on Human Rights, which aims at placing the protection and surveillance of Human Rights at the heart of all EU policies, and which includes a specific section about the protection of Human Rights Defenders;
 - having regard to art. 5 and 19 of the Universal Declaration of Human Rights,
 - having regard to Rule 135 of its Rules of Procedure,
- A. Whereas Bahrain is undergoing a severe deterioration in human rights since the beginning of the 2011 uprising coinciding with the 'Arab Spring'; whereas during the last months, the government has been intensifying the use of repressive measures against civil society activists and peaceful opposition, with a succession of repeated detentions, beatings and police abuses, death sentences, torture practices and revocations of nationality to its citizen;

- B. whereas Nabeel Rajab, Bahraini Human Rights Defender and President of the Bahrain Center for Human Rights (BCHR), Deputy Secretary-General of the International Federation for Human Rights (FIDH) and member of the Advisory Committee of Human Rights Watch's Middle East Division, was sentenced to six months imprisonment only for peacefully exercising its freedom of expression; whereas Nabeel Rajab was arrested the 1st of October 2014 after his visit to the Subcommittee on Human Rights of the European Parliament, on accusations of posting tweets about a group of his countrymen allegedly cooperating with IS/Daesh; whereas he was charged with insulting a public institution and the army;
- C. whereas Nabeel Rajab has served several prison sentences since setting up the Bahrain Centre for Human Rights in 2002; whereas Nabeel Rajab is facing further charges related to his freedom of expression and is currently risking up to 10 years imprisonment for allegedly "insulting a statutory body" and "spreading rumours at a time of war".
- D. whereas in November 2013 the United Nations Working Group on Arbitrary Detention has described the detention of Mr Nabeel Rajab as arbitrary;
- E. whereas Nabeel Rajab is only one of the many other Human Rights Defenders such as Naji Fateel and the ones of Bahrain 13, that are imprisoned and serving long or life-long sentences as a direct reprisal for their work defending human rights; whereas most of them have been reportedly subjected to violence, ill treatment and physical or psychological torture;
- F. whereas the arrest of Sheikh Ali Salman, the secretary general of the opposition al-Wefaq party, on 28 December and his sentencing to four years in prison, on trumped-up charges and refusal to allow his legal team to refute the charges in court, marks a further step in the confrontation between a part of the opposition and the authorities of Bahrain that carries the risk of jeopardizing an already difficult political and security situation;
- G. whereas the Observatory for the Protection of Human Rights Defenders documents the judicial harassment of almost 11 human rights defenders including lawyers, teachers, doctors or bloggers in 2015; whereas all have suffered or been threatened with imprisonment, torture or statelessness as a consequence of their activities in defence of human rights;
- H. whereas since 2012, Bahrain has been using vague anti-terrorism legislation to arbitrarily revoke the nationalities of activists and members of the opposition as a reprisal for dissent, including at least 9 minors; whereas according to several reports in 2015 alone, over 100 activists, protesters and politicians have had their citizenship revoked, making a large part of them stateless, in contravention of the UN Convention on the Reduction of Statelessness;
- I. whereas the use of the death penalty in politically motivated cases has drastically expanded since 2011; whereas at least 7 individuals maintain death sentences in political cases since 2011 and four of these seven individuals were sentenced to death in 2015;
- J. whereas the Bahraini penal system does not meet the UN Minimum Standards on Prisons;

- K. whereas, following the Bahrain Independent Commission of Inquiry (BICI) report, the Bahraini authorities committed themselves to undertaking reforms; whereas the government has failed to fully implement the Commission's core recommendations, notably the release of protest leaders convicted for exercising their right to freedom of expression and peaceful assembly; whereas reforms are progressing slowly and reconciliation - The National Dialogue - talks have stalled; whereas some groups are still unrepresented in the political system and the security forces remain unaccountable; whereas in September 2014, the government of Bahrain presented an update on implementation of its UN Universal Periodic Review (UPR) recommendations at the UN Human Rights Council in Geneva;
- L. whereas on 10 June 2014, 47 States, including all 28 EU Member States, signed a joint statement at the 26th Session of the UN Human Rights Council noting serious concerns over the human rights situation in Bahrain; whereas the joint statement expressly noted areas of concern including long sentences for exercising rights to freedom of peaceful assembly and of association, the lack of sufficient guarantee of fair trial, the repression of demonstrations, the continued harassment and imprisonment of persons exercising their rights to freedom of opinion and expression, ill-treatment and torture in detention facilities, the arbitrary deprivation of nationality without due process and insufficient accountability for human rights violations;
1. Firmly condemns human rights violations in Bahrain and calls for the immediate and unconditional release of all human rights defenders, political activists and other individuals detained and charged with alleged violations related to the rights of expression, peaceful assembly and association, including Nabeel Rajab, Sheikh Ali Salman and the "Bahrain 13";
 2. Urges the Bahraini government to swiftly implement all the recommendations in the BICI report and the Universal Periodic Review (UPR), to put an end to all human rights abuses and to respect human rights and fundamental freedoms, in line with Bahrain's international human rights obligations; supports the establishment of an international monitoring mechanism, to be set up through a resolution of the UN Human Rights Council, with the mandate of monitoring the implementation of the recommendations of BICI and UPR of Bahrain;
 3. Expresses its grave concern regarding the use of anti-terrorism laws in Bahrain to restrict human rights, notably through the revocation of nationality.
 4. Calls on Bahraini authorities to ensure the rights of the defendants including by ensuring that they are presumed innocent and that the right to fair trial is guaranteed according to international standards;
 5. Condemns the continuing use of torture and other cruel, degrading treatment or punishment against prisoners, peaceful protesters and civilians by Bahraini authorities and urges the government of Bahrain to abide by its obligations and commitments under the UN Convention against Torture;
 6. Calls on Bahraini authorities to ensure independent, effective and prompt investigations into all allegations of human rights violations, including allegations of torture and ill-

treatment, in order to bring perpetrators to justice, and ensure victims' rights to effective remedy according to international standards;

7. Encourages 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;
8. Notes the Bahraini Government's ongoing efforts to reform the penal code and legal procedures, and encourages the continuation of this process; Urges the government of Bahrain to take all steps to guarantee an impartial and fair judicial system, guaranteeing due process, and to guarantee the impartiality of its Ombudsman, of the Special Investigations Unit and the National Institute for Human Rights;
9. Calls on the Bahraini government and opposition to strengthen the negotiation process and urges all parties to find sustainable political solutions for the crisis; reminds the Bahraini authorities that engaging the Shia majority and its peaceful political representatives on the basis of human dignity, respect and fairness should be an indispensable element of any credible strategy of national reconciliation and sustainable reform;
10. Is concerned about the spread of radical Salafi jihadist ideology in Bahrain, embodied in Asalah movement, which considers Shiites "apostates"; warns about the dangers this development could pose to the inter-communal relations in Bahrain and the stability of the country if not confronted in a serious and comprehensive manner;
11. Regrets the lack of an adequate response of the European Union to the on-going violations of human rights in Bahrain; calls on the EEAS and Member states to ensure a 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 report on their implementation;
12. Calls on the Council, EEAS and Member States to re-evaluate the EU and/or Member States' support given to Bahrain's judicial and police system and reshape it when needed taking into account the human rights situation; consider suspension, meanwhile, of technical cooperation programmes with the Prosecutor's Office and the Ministry of Justice, until sentences and trials that are contrary to human rights standards have been reviewed and human rights defenders have been released;
13. 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 and to the members of the GCC.