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## 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 122 of the Rules of Procedure

on Human rights violations in Bahrain  
(2013/2513(RSP))

**Véronique De Keyser, Ana Gomes, Pino Arlacchi, Joanna Senyszyn, Liisa Jaakonsaari, Mitro Repo**  
on behalf of the S&D Group

**European Parliament resolution on Human rights violations in Bahrain  
(2013/2513(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on the situation in Syria, Yemen and Bahrain in the context of the situation in the Arab World and North Africa on 7 July 2011, and of 27 October 2011 on Bahrain,
- having regard to its resolution of 24 March 2011 on European Union relations with the Gulf Cooperation Council,
- having regard to the statements by its President of 12 April 2011 on the death of two Bahraini civil activists and of 28 April 2011 condemning the death sentences lodged against four Bahraini for participating in peaceful pro-democracy protests,
- having regard to the statements by the Vice-President of the Commission/High Representative (VP/HR) on Bahrain of 2011 and in particular of 24 November 2011 on the publication of the report of the Bahrain Independent Commission of Inquiry, the Statement by the spokesperson of High Representative Catherine Ashton on the anniversary of the unrest in Bahrain on 13 February 2012, having regard to the Council conclusions on Bahrain of 21 March, 12 April and 23 May 2011, and on the statement by the spokesperson of the EU High Representative Catherine Ashton on the final appeal court's verdict of 7 January 2013 against opposition activists in Bahrain
- having regard to the statement of 23 June and 30 September 2011 by the UN Secretary-General on the lengthy sentences imposed on 21 Bahraini political activists, human rights defenders and opposition leaders, in some cases for life in prison, and the Statement by the Spokesperson for the Secretary-General on Bahrain on 15 February 2012,
- having regard to the statement on Bahrain by 66th UN General Assembly on 29 September 2011,
- having regard to the statement by the Bahraini Public Prosecutor regarding the retrial of doctors previously prosecuted in military trials on 23 October 2011,
- having regard to the decision of the Bahraini Court of Cassation of 7 January 2013 to uphold the sentences of 13 political activists,
- having regard to the International Covenant on Civil and Political Rights of 1966, 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 the Universal Declaration of Human Rights of 1948,
- having regard to Rule 122 of its Rules of Procedure,

- A. whereas 14 February 2012 marked the first anniversary of the peaceful popular movement calling for respect for fundamental human rights and democratic reforms; whereas government authorities continues to arrest and prevent peaceful protestors from gathering; whereas tear gas, stun grenades and birdshot are still used in residential areas and the police reportedly broke into several houses;
- B. whereas persecution, detention and torture of human rights defenders, lawyer, teachers, health workers and bloggers who took part in the peaceful pro-democracy protests continue and whereas protests continue to be violently repressed;
- C. whereas since early 2012 the Bahraini authorities have denied entry to the country to international human rights organisations and journalists, and restricted visits by them, which is a serious impediment to their ability to carry out their work;
- D. whereas the BICI (Bahrain Independent Commission of Inquiry) report, commissioned by the King last June and published in November 2011 concluded that excessive force had been used against peaceful protesters, political activists, human rights defenders and journalists, that torture was widespread and that many people were on trial or had been sentenced to prison terms for exercising their rights to freedom of expression and assembly; whereas in its report, the BICI expressed the view that the trials did not comply with international standards of due process, or with Bahrain's own Criminal Code;
- E. whereas following the recommendations of the BICI, Bahrain has completed the setting-up of a special investigatory unit within the public prosecution department dedicated to determining the responsibilities of those who have committed unlawful or negligent acts resulting in deaths, torture and mistreatment of civilians during the last year;
- F. whereas the implementation of the BICI recommendations remains slow; whereas a process of national dialogue for reconciliation has been initiated;
- G. whereas according to several NGO reports, unfair trials before military and civilian courts are a central element of the repression of the pro-democracy protest movement in Bahrain; whereas one of the recommendations by the BICI was that all citizens tried by military courts should have their cases reviewed by ordinary courts, but this still has not been implemented in all cases;
- H. Whereas the Bahraini authorities have repeatedly stated their commitment to undertake human rights reforms and to cooperate with international human rights organisations;
- I. Whereas Bahrain has gone through the Universal Periodical Review of the UN Human Rights Council in September 2012, and has accepted many of the recommendations;
- J. Whereas the decision of the Bahraini Court of Cassation of 7 January 2013 to uphold the sentences of 13 political activists including Abdulhadi Al-Khawaja, prominent human rights activist and Ibrahim Sharif, leader of the National Democratic Action Society;

1. Consider that accountability for past violations is a key element on the path towards justice and genuine reconciliation, which are necessary elements for social stability; strongly support, therefore, the recommendations of the Bahraini Independent Commission of Inquiry (BICI), endorsed by King Hamad and his Government;
2. Endorse the recommendations of the United Nations Universal Periodic Review process, and call on the Government to give political priority and allocate necessary resources to ensure adequate and timely follow-up; and call on the Bahraini Government to improve human rights protection and ratify international human rights conventions, such as the optional protocol of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the optional protocols of the International Covenants for Civil and Political Rights and the International Convention against Enforced Disappearances;
3. Call for the establishment of an international monitoring mechanism, to be set up through a resolution of the UN Human Rights Council to be adopted during its next session in March 2013, with the mandate of monitoring the implementation of the recommendations of the Bahrain Independent Commission of Inquiry (BICI) and of the UN Universal Periodic Review of Bahrain, including those related to human rights defenders.
4. Support and encourage the co-operation between the UN Office of the High Commissioner for Human Rights and the National Human Rights Institution (NHRI) of Bahrain, and recommend further strengthening of the NHRI on the basis of Paris Principles of pluralism and independence; strongly support the NHRI in its function to monitor and protect the human rights of all Bahrainis, but remain convinced of the necessity of ensuring operational freedom of human rights defenders and organisations to achieve that;
5. Note the Bahraini government efforts to reform the penal code and the law of criminal procedure; encourages the government to complete the processes of separating the public prosecution from the Ministry of Interior and the judiciary from the Ministry of Justice;
6. Recognise the necessity of achieving clear and unified accountability structures in the security sector as a means to improve human rights situation in Bahrain; recognise the need to build confidence so that victims of torture report complaints and to ensure accountability, transparency and justice for victims of police misconduct as there can be no reconciliation without the perpetrators, at all levels, being brought to justice. in this context, welcome the establishment of the office of Ombudsman and stress the importance of its independence;
7. Recognise the legitimate right of Bahraini citizens to express their opinions freely, organise gatherings and demonstrate peacefully; underline the importance of a plurality of the media, free expression through social media; call for full access of international NGOs and journalists to the country;
8. Strongly regret the decision of the Bahraini Court of Cassation of 7 January 2013 to uphold the sentences of 13 political activists;

9. Call for immediate and unconditional release of all prisoners of conscience including Abdulhadi Al-Khawaja, Ibrahim Sharif and Nabeel Rajab, as an essential step towards creating an atmosphere where a genuine national dialogue can take place;
10. Call on the Bahraini authorities to stop judicial harassment and imprisonment of medical staff only because they were exercising their duties and provided emergency medical aid to injured demonstrators in 2011;
11. Call on the Bahraini authorities to ensure that the 31 Bahrainis whose citizenship was withdrawn can appeal the decision in a Court as it is clear that the revocation of nationalities of political opponents by the Bahrain authorities is contrary to international law;
12. Call for the suspension and ban exports of tear gas and crowd control material to Bahrain until investigations have been made as regards to their improper utilisation and until the perpetrators of such improper utilisation are held accountable.
13. Call for the adoption of effective sanctions (visa bans and freezing of assets) against individuals suspected of being responsible for acts of torture (as documented by the BICI report), until they are held accountable for, and sentenced for, their crimes.
14. Call all social and political forces in Bahrain to embark on a genuine, inclusive and peaceful national dialogue process in good faith, which requires a combination of moderation and concrete confidence building steps to bridge the gulf between Bahraini communities.
15. Consider the next parliamentary elections as a crucial part of national reconciliation process and encourage efforts to guarantee a free and fair election system well in time before the 2014 general election.
16. 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.