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*Plenary sitting*

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7.7.2015

B8-0704/2015

## **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))

**Ignazio Corrao, Fabio Massimo Castaldo**  
on behalf of the EFDD Group

**B8-0704/2015**

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

*The European Parliament,*

- having regard to its previous resolutions on Bahrain, and in particular those of 12 March 2015 and of 6 February 2014
- having regard to the statement by the Spokesperson on the sentencing of al-Wefaq Secretary General Ali Salman in Bahrain, 17 June 2015,
- having regard to the Joint Statement by 46 states, including all 28 EU Member States, on the OHCHR and the human rights situation in Bahrain, in the 26th session of the UN Human Rights Council of 10 June 2014,
- 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 EU Strategic Framework and Action Plan on Human Rights and Democracy of 25 June 2012,
- having regard to the Statement by UN High Commissioner at the UN Human Rights Council, 15 June 2015,
- having regard to its resolution of 13 June 2013 on the freedom of the press and media in the world,
- having regard to the 2004 EU Guidelines on Human Rights Defenders, as updated in 2008,
- 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 Opinion A/HRC/WGAD/2013/12 of the United Nations Working Group on Arbitrary Detention of 25 July 2013,
- having regard to the EU Strategic Framework and Action Plan on Human Rights and Democracy of 25 June 2012,
- having regard to its resolution of 11 December 2012 on a digital freedom strategy in EU foreign policy,
- having regard to its resolution of 13 June 2013 on the freedom of the press and media in the world,

- having regard to the 2004 EU Guidelines on Human Rights Defenders, as updated in 2008,
  - having regard to the Universal Declaration of Human Rights of 1948,
  - having regard to the 1949 Geneva Convention,
  - having regard to Rule 135 of its Rules of Procedure,
- A. 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;
- B. Whereas on 5 June 2015 the spokesperson for the UN High Commissioner for Human Rights expressed his concern about the harsh treatment of detainees at the Jaw Prison in Bahrain following a riot in early March which was put down by security forces using rubber bullets, tear gas and shotguns, resulting in many injuries; whereas after the riot was quelled, the detainees were allegedly forced to spend 10 days out in the open courtyard of the prison before eventually being placed in two large plastic tents (reportedly around 300 detainees per tent); whereas around 100 other detainees accused of instigating the unrest were subsequently transferred to another section of the Jaw prison, and there are allegations that they were subjected to ill-treatment and torture;
- C. 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;
- D. Whereas Nabeel Rajab, the President of the Bahrain Centre for Human Rights (BCHR) and Deputy Secretary General of the International Federation for Human Rights (FIDH), already convicted to three years in prison in August 2012 on charges of calling for and participating in ‘illegal gatherings’ and ‘disturbing public order’ between February and March 2011; whereas his sentence was reduced to two years in prison on appeal; whereas before this imprisonment Mr Rajab was repeatedly detained for peacefully expressing criticism of the government during the pro-democracy protests that erupted Bahrain in 2011; whereas he was arrested again on April 2 on charges involving a series of recent tweets and an opinion piece published in the Huffington Post; whereas he could face more than 10 years in prison;
- E. Whereas Bahrain sentenced opposition leader Sheikh Ali Salman to four years in jail on 16 June 2015 on charges related to alleged incitement against the ruling system;
- F. Whereas a group of United Nations independent experts, part of what is known as the Special Procedures of the Human Rights Council, urged the Bahraini authorities to release Sheikh Ali Salman, an opposition politician and a religious figure who was

refused bail on charges that include inciting a change of regime by non-peaceful means;

- G. whereas on 22 June 2011, Abdulhadi-al-Khawaja, founder of the BCHR and regional coordinator of Front Line Defenders, who has Danish nationality, and Ibrahim Sharif, Secretary General of the National Democratic Action Society, were sentenced to life in prison by a special military court; whereas the legal process came to a conclusion after 3 years of appeals and the sentences were upheld;
- H. Whereas the democracy activist Zainab Bahraini al Khawaja was sentenced to three years in prison for having ripped a photograph of King Hamad; whereas Zainab Khawaja has been arrested several times since 2011, when the protests broke out for democracy in the country;
- I. Whereas her sister, Maryam al Khawaja, co-director of the Center for Human Rights of the Gulf and the daughter of the political prisoner Abdulhadi al Khawaja, was arrested the 30 August 2014 on his arrival at the international airport in Manama; whereas following her arrest, she was interrogated by the Public Prosecutor but refused to answer questions because she was not allowed to speak to her lawyer; whereas she was released on bail on 18 September and left the country on 2 October after a travel ban was lifted but her trial for “assaulting police officers” continued; On whereas on 30 November 2014, Maryam stated she had decided to boycott the trial because she said, amongst other things, that Bahrain’s judiciary lacks independence and her human rights were violated during her interrogation; whereas she was sentenced by a court in Manama to a year in prison on 1 december 2014;
- J. 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. Condemns all human rights violations in Bahrain and urges the Bahraini government to implement all the recommendations in the BICI report and the Universal Periodic Review, 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;
  2. 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;
  3. Calls for the immediate and unconditional release of all prisoners of conscience, political activists, journalists, human rights defenders and peaceful protesters, including Nabeel Rajab, Abdulhadi Al-Khawaja, Sheikh Ali Salman, Maryam al Khawaja and Zainab Al-Khawaja;

4. Expresses its grave concern regarding the Bahraini authorities' treatment of Nabeel Rajab and other human rights activists;
5. 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;
6. 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;
7. 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;
8. 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;
9. 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;
10. Urges the Bahraini authorities to respect the rights of juveniles and to take the necessary steps on the elimination of discrimination against Women, in accordance with the Convention on the Rights of the Child, and the Convention on the Elimination of All Forms of Discrimination against Women to which Bahrain is a party;
11. 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;
12. Calls for the immediate ratification of the Optional Protocol of the Convention Against Torture, the Second Optional Protocol to the ICCPR aiming at the abolition of the Death Penalty, the Convention for the Protection of All Persons from Enforced

Disappearances, International Convention on the Protection of the Rights of Migrant Workers and Members of Their Families;

13. Stresses the importance of the work of newly created institutions such as the Police Ombudsman for the Ministry of Interior, the National Institution for Human Rights (NIHR), and the Commission of the Prisoners' and Detainees' Rights Commission (PDRC); notes with concern that the necessary conditions for real and lasting reconciliation were not yet achieved and recalls the necessity to make use of the new institutions to make sure they can deliver concrete improvements, including on the basis of the robust recommendations made in the reports presented by the NIHR and Ombudsman;
14. Encourages the establishment of an official moratorium on executions with a view to abolishing the death penalty;
15. 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.