



Plenary sitting

B8-0281/2018

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 the human rights situation in Bahrain, notably the case of Nabeel Rajab (2018/2755(RSP))

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European Parliament resolution on the human rights situation in Bahrain, notably the case of Nabeel Rajab (2018/2755(RSP))

The European Parliament,

- having regard to its previous resolutions on Bahrain, notably of 16 February 2017 on executions in Kuwait and Bahrain, 3 February 2016 on the case of Mohammed Ramadan, of 4 July 2016 on the situation in Bahrain and of 9 July 2015 on the case of Nabeel Rajab;
- having regard to the opening Statement by Zeid Ra'ad Al Hussein, United Nations High Commissioner for Human Rights, during the Human Rights Council 36th session, and to his statement of 11 September 2017 on the situation of Bahrain;
- having regard to the Statement by the Spokesperson of the EEAS on the sentencing of the Bahraini Human Right Defender Nabeel Rajab of 6 June 2018;
- having regard to the concluding observations of the UN Committee against Torture of 12 May 2017;
- having regard to the November 2011 report by the Bahrain Independent Commission of Inquiry (BICI);
- having regard to the European Union Guidelines on Human Rights Defenders, on the Death Penalty, on Torture and on Freedom of Expression;
- having regard to the International Covenant on Political and Civil Rights and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, of which Bahrain is party;
- having regard to the Universal Declaration of Human Rights;
- having regard to Rule 135 of its Rules of Procedure;

A. whereas the Government of Bahrain is leading a heavy crackdown on the rights to freedom of expression, association and peaceful assembly; whereas human rights defenders, lawyers, journalists and political activists are severely prosecuted and suffer from arrest, threat of imprisonment or torture, intimidation, travel bans and revocation of citizenships; whereas Bahraini authorities arrested, detained, interrogated and prosecuted human rights defenders and political activists who expressed criticism of government policies, Saudi Arabia or the Saudi-led coalition in Yemen;

C. whereas Bahraini authorities prevented dozens of human rights advocates from traveling to Geneva ahead of Bahrain's third Universal Periodic Review in May 2017 and the regular UN Human Rights Council session in September;

D. whereas on 5 June 2018 the High Court of Appeal of Bahrain upheld the sentence to five years of imprisonment of human rights defender Nabeel Rajab on charges of “disseminating false rumours in time of war”, “insulting a neighbouring country” and “insulting a statutory body” in relation to the tweets posted on his Twitter account on alleged torture in Bahrain Jaw prison and the killing of civilians by the Saudi-led coalition in Yemen; whereas this follows a two-year sentence in July 2017 for interviews he gave on TV in relation with restrictions of freedom of press in Bahrain; whereas Nabeel Rajab had served a two-year prison sentence between 2012 and 2014 and has been prohibited from travelling since 2014;

E. whereas Nabeel Rajab still faces 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 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 in police custody in January 2017;

F. whereas Nabeel Rajab suffers continued judicial harassment, arbitrary detention and ill-treatment; whereas since the beginning of his detention he has been held under particularly harsh conditions including solitary confinement and he is regularly prevented from accessing his lawyers; whereas he has repeatedly being denied access to adequate, independent and trusted healthcare and his health continues to deteriorate;

G. whereas in May 2017 the UN Committee against Torture addressed the numerous and consistent allegations of widespread torture and ill-treatment of persons deprived of liberty, in particular of those arrested under terrorism charges, and expressed its deep concern regarding the cases of Nabeel Rajab, Abdulhadi al-Khawaja, Naji Fateel, Hussain Jawad, Abdulwahab Hussain and Abduljalil al-Singace, calling on the Government of Bahrain to release them as well as all other imprisoned human rights defenders and journalists;

H. whereas the UN Committee against Torture has stressed the lack of independence and effectiveness of Bahrain’s state-affiliated human rights institutions, including the Ombudsman and the Special Investigation Unit (SIU), established with the help of the United Kingdom;

I. whereas in April 2018 Bahraini authorities denied entry to Lars Aslan Ramussen, Danish parliamentarian, and Brian Dooley, advisor for the Gulf Center for Human Rights, who were travelling to Manana to visit human rights defender Abdulhadi Al-Khawaja. who was sentenced to life imprisonment after engaging in peaceful protests in 2011;

J. whereas in 2016 the largest Bahraini political opposition society, Al-Wefaq, was suspended, its assets were frozen and the society website was blocked; 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; whereas in 2015, the United Nations Working Group on Arbitrary Detention declared Sheikh Ali Salman’s detention arbitrary and called for his release;

K. whereas on 26 October 2017, the High Appeal Court of Bahrain upheld the appeal court ruling to dissolve the National Democratic Action Society (Waad), Bahrain's opposition group;

L. whereas on 24 April and 13 May 2018 a new amendment to the Law on the Exercise of Political Rights was approved by the Council of Representatives and the Shura Council, which will virtually ban all members of political opposition from running for elections;

M. whereas in January 2017 Bahrain authorized the National Security Agency (NSA) to conduct arrests and interrogations of individuals suspected of terrorism or security-related crimes, in a clear backtrack of the BICI report which concluded that NSA officers systematically tortured detainees in 2011; whereas NSA officers face renewed allegations of torture;

N. whereas in April 2017 the King ratified a constitutional amendment that re-empowered military courts to try civilians; whereas since the new amendment, 12 civilians have been sentenced by the High Military Court, six of which were sentenced to death;

O. whereas on 15 January 2017 Bahrain ended a seven-year *de facto* moratorium on the death penalty by executing three civilians; whereas these executions were declared extrajudicial killings by the UN Special Rapporteur on extrajudicial, summary or arbitrary executions; whereas there are currently 21 men sentenced to death penalty, including Maher Abbas al-Khabbaz, Mohamed Ramadhan, and Husain Moosa, who were allegedly subject to torture to obtain false confessions;

P. whereas on 15 May the Criminal Court revoked the citizenship of 115 people amid reports of torture and due process abuses in an unfair mass trial of 138 defendants; whereas this is the largest mass denaturalization of Bahrainis since 2012, whereas at least 213 Bahrainis have been deprived of their citizenship in 2018, in an attempt to silence activists who have sought to speak out about human rights in the country and in violation of the UN Convention on the Reduction of Statelessness;

Q. whereas the Human Rights Committee of the European Parliament has repeatedly been denied access to the country; whereas the Bahraini authorities have instead accepted the visit of certain Members of the European Parliament and have actively cooperated to facilitate the visit of the Friendship Group;

R. whereas certain EU Member States, particularly the UK, are engaged in training Bahraini bodies which are known to be actively involved in human rights abuses, including torture and the death penalty;

1. Calls on the Government of Bahrain to immediately and unconditionally release Nabeel Rajab and all human rights defenders and prisoners of conscience detained and sentenced for merely expressing their right to freedom of expression, and to drop all charges against them; calls on the authorities to guarantee their physical and psychological integrity and to provide them with all necessary medical treatment; is disturbed by reports of retaliation against relatives of activists who have criticised Bahrain's government, and calls on the Bahraini authorities to immediately stop this harassment;

2. Strongly commends the work of Nabeel Rajab and all human rights defenders, journalists and lawyers whose work is essential for the defence of human rights;
3. Urges the Bahraini authorities to uphold the right to freedom of expression and repeal the laws that criminalise the peaceful exercise to freedom of expression, association and assembly, including the amendment to the Law on the Exercise of Political Rights; urges them to implement the recommendations of the BICI and of the 2017 Universal Periodic Review, especially regarding to the criminal justice reform and respect for all civil, economic, political, social and cultural rights;
4. Calls on the Bahraini regime to stop the harassment and 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, both inside and outside the country; 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;
5. Calls on the Bahrain authorities to stop the harassment and lift the travel bans of representatives of civil society and the media who are currently prevented from participating in the work of international bodies, and insists that the Bahraini authorities respect the fundamental human and political rights of Bahraini civil society representatives;
6. Calls on the EEAS and the Commission to support in an active manner civil society groups and individuals defending human rights in Bahrain, including through arranging prison visits, trial monitoring and public statements;
7. Urges the Government of Bahrain to fully cooperate with the UN bodies and to extend a standing invitation to the visit of all Special Procedures of the UN Human Rights Council;
8. 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 UN Human Rights Council;
9. Condemns the ongoing practice of arbitrarily stripping nationals of their citizenship, which has in many cases resulted in leaving people stateless in violation of the UN Convention on the Reduction of Statelessness;
10. Condemns the continuing use of torture and other cruel, degrading treatment or punishment against prisoners, peaceful protesters and civilians by Bahraini authorities and the security forces and calls for thorough and credible investigations into these allegations, with a view of holding those responsible to account; condemns the failure of Bahrain's government, particularly the Ombudsman and the Special Investigation Unit, to conduct Istanbul Protocol-compliant torture investigations in the allegations of Mr Ramadhan, Mr Moosa, and Mr al-Khabbaz;
11. Urges the government of Bahrain to abide by its obligations and commitments under the UN Convention against Torture; calls on the Bahraini authorities to ratify the Optional Protocol to the Convention Against Torture and to adhere to all due process rights enshrined

in the International Covenant on Political and Civil Rights, particularly the exclusion of all evidence extracted through the use of torture;

12. Is dismayed by the fact that the EU Delegation's Chaillot prize for the Promotion of Human Rights in the Gulf Cooperation Council Region was awarded in 2014 to the Bahrain National Institution for Human Rights, a state-mandated body which has repeatedly justified the human rights violations undertaken by the Bahrain government, including the imprisonment of Nabeel Rajab; calls on the European Court of Auditors to carry out an audit of the Chaillot Prize;

13. Deeply deplores the ending of the *de facto* moratorium on the use of the death penalty; calls on the Bahraini authorities to introduce an immediate moratorium on the use of the death penalty as a step towards abolition; calls for a review of all death sentences to ensure that these trials adhered to international standards;

14. Calls on the EEAS 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; calls on the EEAS to consider proposing the adoption of EU restricted measures related to serious human rights violations (including asset freeze and visa bans);

15. Deplores the arms deals by EU Member States, among others the United Kingdom, with Bahrain which run counter to the EU Common Position on Arms exports; calls for an EU-wide ban on export, sale, update and maintenance of any form of security equipment to Bahrain which can be or is used for internal repression, including Internet surveillance technology; calls on the High Representative to report on the current state of military and security cooperation by EU Member States with Bahrain;

16. Calls on EU Member States who are engaged in the provision of assistance programmes to Bahrain to publish its official monitoring and evaluation of such programmes, including full details of the projects, training activities, and work undertaken;

17. Deplores that the programmed visit of the informal Bahrain Friendship group of the European Parliament was used by Bahraini authorities to refuse the visit from the Parliament's official Subcommittee on Human Rights in May 2018; stresses that Friendship groups of the European Parliament do not have the power to speak on behalf of the institution and that they must not interfere in the official parliamentary activities; underlines the urgent need of transparency with regards to the Friendship groups and calls for an internal audit of their activities;

18. Stresses the need to comply with the Decision on the implementing measures for the code of conduct for Members of the European Parliament with respect to financial interests and conflicts of interests, according to which Members shall disclose their attendance at events organised by third parties where the reimbursement of their travel, accommodation, or subsistence expenses, or the direct payment of such expenses, is covered by a third party; points out that the lack of monitoring of compliance with this rule undermines the credibility of the European Parliament, notably in its international engagement;

19. 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;