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*Plenary sitting*

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**B8-0284/2018**

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

**Cristian Dan Preda, Ramona Nicole Mănescu, Tomáš Zdechovský, Pavel Svoboda, Elisabetta Gardini, Patricija Šulin, Ivan Štefanec, Marijana Petir, Eduard Kukan, Csaba Sógor, Romana Tomc, Lefteris Christoforou, Luděk Niedermayer, Agnieszka Kozłowska-Rajewicz, Milan Zver, József Nagy, Adam Szejnfeld, Bogdan Andrzej Zdrojewski, Brian Hayes, Giovanni La Via, Deirdre Clune, Dubravka Šuica, Lars Adaktusson, Laima Liucija Andriekienė, Ivana Maletić, Ramón Luis Valcárcel Siso, Sandra Kalniete**

on behalf of the PPE Group

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

*The European Parliament,*

- having regard to its previous resolutions of 6 February 2014 on Bahrain, in particular the cases of Nabeel Rajab, Abdulhadi al-Khawaja and Ibrahim Sharif, of 9 July 2015 on Bahrain, in particular the case of Nabeel Rajab, of 4 February 2016 on Bahrain: the case of Mohammed Ramadan, of 7 July 2016 on Bahrain; of 16 February 2017 on executions in Kuwait and Bahrain, and of 3 October 2017 on addressing shrinking civil society space in developing countries,
- having regard to the statement by the Chair of the Subcommittee on Human rights from the European Parliament (22 November 2017),
- having regard to the statements by the EEAS spokesperson on the sentencing of al-Wefaq Secretary General Ali Salman in Bahrain (17 June 2015), on the sentencing of Mr. Nabeel Rajab by a Bahraini Court (11 July 2017) and on the sentencing of the Bahraini Human Right Defender, Mr Nabeel Rajab (6 June 2018),
- having regard to the EU Annual Report on Human Rights And Democracy in the World in 2016, adopted by the Council on 16 October 2017,
- having regard to the EU Intervention at the 34<sup>th</sup> Session of the Human Rights Council in Geneva (27 February/24 March 2017),
- having regard to the EU Guidelines on Human Rights Defenders, on human rights dialogues with third countries, on Freedom of Expression Online and Offline,
- having regard to the Chaillot Prize for the Promotion of Human Rights in the GCC Region,
- having regard to the UN High Commissioner for Human Rights' statement on 11 September 2017, and the UN Experts Group statement on 16 June 2017,
- having regard to the UN Human Rights Council Report of the Working Group on the Universal Periodic Review (Bahrain) of 10 July 2017,
- having regard to the Resolution adopted by the Human Rights Council on 30 September 2016 on arbitrary detention,
- having regard to the International Covenant on Civil and Political Rights (ICCPR) and the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Bahrain is a State party,

- having regards to the Universal Declaration of Human Rights,
  - having regard to Rule 135 of its Rules of Procedure,
- A. whereas the Bahrain High Criminal Court of Appeal decided on 5 June to uphold a five-year prison sentence imposed last 21 February upon the leading human rights activist Nabeel Rajab for comments in Twitter condemning the airstrikes in Yemen mounted by the Saudi-led coalition and exposing the alleged torture occurring in Bahrain’s Jau Prison; whereas in accordance to the Bahraini Penal Code, these statements are criminal acts for “insulting a neighbouring country” (Article 215), “insulting national institutions” (Article 216) and deliberately announcing “in wartime false or malicious news, statements or rumors...to cause damage to military preparations for defending the State of Bahrain” (Article 133);
  - B. whereas Nabeel Rajab was already convicted to 2 years imprisonment in July 2017 after a procedure *in absentia*, and faces in total 7 years imprisonment; whereas he was arbitrarily detained since 13 June 2016, and spent more than a year in pre-trial detention, his case has been postponed up to 20 times and on several occasions the Court violated criminal procedure law by announcing the holding of the trial with only a few days’ notice, without explanation to his lawyers, who were therefore unable to prepare his defence or call their witnesses to testify in court;
  - C. whereas the case of Nabeel Rajab has become a symbol for human rights defenders and respect of freedom of expression in Bahrain, and his case runs counter to the Government of Bahrain's own commitments;
  - D. whereas the Council of Representatives and the Shura Council of Bahrain have approved an amendment to the Law on the Exercise of Political Rights that will prevent independent political participation in the 2018 elections;
  - E. whereas the EU has consistently engaged with the Bahraini authorities on human rights concerns in the Kingdom, while advising against measures that could undermine the stability of the country;
  - F. whereas the EU considers close cooperation with civil society and human rights defenders (HRDs) in third countries to be one of its main priorities in advancing human rights and tackling human rights violations;
1. Condemns the detention of Nabeel Rajab that violates, among others, his right to freedom of expression and his freedom of movement; calls on the Bahraini authorities to release him; and pending his release, to ensure that Nabeel Rajab is not subjected to torture or other ill-treatment and has regular access to his family, lawyers of his choice, and adequate healthcare;
  2. Expresses concerns about the due process guarantees and the failures in the right to a fair trial in the criminal procedures against Nabeel Rajab; calls on the Bahraini authorities to ensure that trials comply with international law on fair trial and due process;

3. Renews its call on the Bahraini authorities to refrain from all torture, cruel and degrading treatment of detainees, investigate cases of torture and bring perpetrators to justice; to uphold the right to freedom of expression and repeal laws that criminalize the peaceful exercise of the rights to freedom of expression, association, and peaceful assembly; calls, in that sense, for the release of all prisoners detained solely for their peaceful human rights activities;
4. Encourages the Government of Bahrain to aim for stability through further reforms and inclusive reconciliation in an environment where peaceful political grievances can be expressed freely especially in light of the upcoming elections scheduled for October 2018; insists on the need to guarantee free and fair elections that allow the full participation of all political forces in the electoral process;
5. Notes Bahrain's efforts to strengthen the mandate of the national institution for human rights and welcomes the related amendments adopted to the legislation; recognises the challenges faced by Bahrain as well as the progresses made with the establishment of a number of institutions designed to enhance the protection of human rights in the country;
6. Calls on the Bahraini authorities to let a delegation of Members of the European Parliament embark on a visiting mission to the country, with the aim to meet with public authorities and civil society representatives, to help getting a better understanding of the views and concerns of all parties;
7. Calls on the EU to make use of all instruments available, including political dialogue, to address the human rights violations in Bahrain;
8. 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 Secretary General of the Gulf Cooperation Council, the Prime Minister of the Kingdom of Bahrain, the Chairman of the National Assembly and the Secretary-General of the United Nations.