



Plenary sitting

B8-0287/2018

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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on behalf of the ALDE Group

B8-0287/2018

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 9 July 2015 on the case of Nabeel Rajab, of 3 February 2016 on the case of Mohammed Ramadan, of 4 July 2016 on the situation in Bahrain and of 16 February 2017 on executions in Kuwait and Bahrain,
 - having regard to the statements by the spokesperson for Foreign Affairs and Security Policy of 11 July 2017 concerning the sentencing of Mr. Nabeel Rajab to two years in prison, of 27 October 2017 on the decision of the High Appeal Court of Bahrain to dissolve the National Democratic Action Society (Waad), of 21 February and 6 June 2018 on the sentencing of the Bahraini Human rights defender Nabeel Rajab,
 - having regard to the EU-Bahrain informal human rights working group’s meeting on 15 May 2018
 - having regard to the Statement by UN High Commissioner for Human Rights Zeid Ra’ad Al Hussein of 11 September 2017 on the situation in Bahrain;
 - having regard to the statement of the UN Committee Against Torture on 12 May 2017;
 - having regard to the Bahraini Constitution adopted in February 2002, notably Chapter 3, the Article 364 of the Bahraini Penal Code and the Bahraini Citizenship Act of 1963;
 - having regard to the November 2011 report by the Bahrain Independent Commission of Inquiry (BICI);
 - having regard to the EU Guidelines on the Death Penalty, on Torture, on Freedom of Expression and on Human Rights Defenders;
 - 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, the Convention on the Rights of the Child and the Arab Charter on Human Rights, all of which Bahrain is a party;
 - having regard to the 1948 Universal Declaration of Human Rights, particularly Article 15;
 - having regard to Rule 135 of its Rules of Procedure;
- A. whereas the situation in Bahrain has become critical regarding freedom of expression, association and peaceful assembly; whereas the increased crackdown against human rights

defenders includes prison sentences, exile, travel bans, revocation of citizenships or severe threats and intimidation, including of their relatives, as a result of their peaceful work;

- B. whereas human rights defenders are systematically persecuted in Bahrain by public authorities, preventing them from expressing themselves or traveling, including to participate in UN bodies, and forbidding journalists, international NGO's and human rights defenders from investigating;
- C. whereas Bahrain still has provisional bans on the freedom of assembly, banning protests from taking place in the capital city; whereas protests organized outside the city are often dispersed by government forces using violence;
- D. whereas on 5 June 2018, Bahrain's High Court of Appeal ruled to uphold the five-year prison sentence against leading human rights defender Nabeel Rajab for "disseminating false rumours in time of war" (Article 133 Bahraini Criminal Code), "insulting a neighbouring country" (Article 215) and "insulting a statutory body" (Article 216) in relation to tweets he posted on alleged torture in Bahrain's Jaw prison and the Saudi Arabia-led coalition air strikes in Yemen; whereas these charges are based on provisions that criminalise the right to free expression, protected under article 19 of the International Covenant on Civil and Political Rights (ICCPR), which Bahrain ratified in 2006; whereas he is now expected to pursue a final appeal before Bahrain's Court of Cassation;
- E. whereas Mr. Rajab was due to be released this month after completing a two-year prison sentence under degrading prison conditions amounting to ill-treatment, for TV interviews he gave in 2015 and 2016 on restrictions of freedom of the press in Bahrain; whereas prior to his arbitrary arrest in June 2016, Nabeel Rajab had been prohibited from travelling and served a two-year prison sentence between 2012 and 2014 in relation to him exercising the right to freedom of expression and assembly; whereas the UN Working Group on Arbitrary Detention ruled in 2013 that he had been arbitrarily detained for his role in helping lead and organize demonstrations in Bahrain; whereas he has been subjected to unjust trial processes;
- F. whereas in addition to the new five-year sentence, Nabeel Rajab could face further prison time for up to 14 other outstanding cases the government reportedly maintains against him; whereas though details of these cases are as yet unclear, authorities have already threatened him with 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 furthermore, 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 already in police custody in January 2017; whereas these cases could be sent to trial at any time;
- G. whereas Mr. Rajab has suffered from poor prison conditions and his physical health has been severely affected; whereas his family also reported that Mr. Rajab is confined to his cell for 23 hours of every day as a form of punishment causing his health to seriously deteriorate over time; whereas reportedly the prison administration appeared to be purposefully interfering with Rajab's medical treatment and denounced the lack of independent, adequate, and trusted healthcare provided to him;

- H. whereas Mr. Rajab is just one of a number of individuals to be subjected to arbitrary detention, prosecution for exercising freedom of expression and assembly, and deliberate targeting by Bahraini authorities to silence opposition voices and eliminate any space for civil society; whereas Abdulhadi Al-Khawaja is one of the group of thirteen human rights defenders and political activists sentenced to prison terms solely for exercising the same rights;
- I. whereas Mr. Al-Khawaja has been detained since April 2011 and sentenced to life imprisonment for peaceful human rights activities, followed by enduring brutal forms of torture and put through unfair trial process grossly violating international standards for the right to a fair trial and due process;
- J. whereas on 3 April 2018, Bahraini authorities denied entry to Lars Aslan Ramussen, a Danish parliamentarian, and Brian Dooley, advisor for GCHR, who were travelling to Manama to visit Mr. Al-Khawaja on the anniversary of his arrest; whereas this is only one of many instances where the authorities have denied entry to international NGOs, human rights advocates, critical journalists and official EP delegations, including an official delegation from the European Parliament subcommittee on human rights at the end of April;
- K. whereas on 16 June 2016 the largest Bahraini political opposition society, Al-Wefaq, was suspended, its assets were frozen and the society website was blocked within Bahrain, by the Bahraini regime; 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;
- L. whereas on 31 May 2017, a Bahraini court ordered the dissolution of Bahrain's main secular opposition group the National Democratic Action Society (Waad); whereas on 26 October 2017, the High Appeal Court of Bahrain upheld the appeal court ruling to dissolve Waad;
- M. whereas in the fall of 2018 Bahrain will hold elections for the Council of Representatives; whereas on 24 April and 13 April 2018, the Council Representatives and the Shura Council approved an amendment to the second paragraph of Article 3 of Law No. 14 of 2002, known as the law on the Exercise of Political Rights; whereas on 11 June 2018 the King has signed it into law; whereas the original provision temporarily prevented certain individuals from running for office in the Council of Representatives for a period of ten years, the new amendment, however, provides a much broader scope on the exclusion process, applying to nearly all of Bahrain’s political opposition groups and independent activists, as well as rendering it permanent; whereas this amendment will formally outlaw even the semblance of democratic participation in the kingdom’s political system;
- N. whereas on 15 May 2018 the Bahrain’s High Criminal Court revoked the citizenship of 115 people amid reports of torture and due process abuses in an unfair mass trial; whereas the threat of, or the actual revocation of citizenship is being used as a means of political

repression; whereas numerous individuals in Bahrain, mainly from the Shia segment of the population, have had their citizenship revoked, including children, in direct violation of Article 15 of the Universal Declaration of Human Rights and Article 7 of the Convention of the Rights of the Child;

- O. whereas Bahraini authorities have reportedly targeted family members of citizens outside the country that speak out against or criticize the regime;
 - P. whereas Bahrain has resumed the trial of civilians before military courts following a constitutional amendment adopted in April 2017; whereas authorities have restored arrest and investigation powers to the National Security Agency, despite its record of torture and abuse; whereas the number of death sentences passed in Bahrain has recently spiked;
 - Q. whereas despite the establishment of a task force in 2011 to monitor conditions inside Bahraini prisons, torture and ill-treatment are still allegedly commonplace;
 - R. whereas a number of internal bodies that have been set up since the 2011 protests and following the conclusions of the BICI report to monitor governmental abuses, are not effective enough or have been reversed and believed to be reporting directly to the governmental branches they are supposed to be monitoring; whereas the lack of independence of these bodies reportedly causes a lack of accountability within the Bahrain government and security forces; whereas this has fostered a culture of impunity that undermines attempts of democratic reform and serves to further destabilize the country;
1. Condemns the on-going restrictions of fundamental democratic rights, notably the freedom of expression, association and assembly, political pluralism and rule of law in Bahrain; calls for an immediate end to all acts of violence, harassment, intimidation, including at judicial level, and censorship of human rights defenders, political opponents, protesters, civil society actors, their relatives inside and outside the country and minorities by state authorities, security forces and services;
 2. Calls on the Bahraini authorities to abide by its international obligations and commitments to respect human rights and fundamental freedoms and ensure a safe and enabling environment for human rights defenders and other critics of the authorities, including in the context of the 2018 election, in which the rights to freedom of expression, association and peaceful assembly are guaranteed; reminds the Bahraini Government of its responsibility to ensure the security and safety of all citizens irrespective of their political views, affiliation or confession
 3. Recalls the condemnation of the continued arbitrary detention of Nabeel Rajab and deplores his recent conviction for expressing his right to freedom of expression in exposing the human rights violations of the Bahrain regime; calls for the immediate and unconditional release and drop of any remaining charges against Mr. Rajab and for the release of other human rights activists targeted solely for their human rights activities and sent to prison for peacefully exercising their right to freedom of speech and expression;
 4. Deplores the poor prison conditions and use of torture by Bahraini security and prison personnel; urges Bahraini authorities to investigate fully all allegations of violation of basic

rights of prisoners and infringements upon international agreements; calls for the provision of adequate health care to all prisoners as well as access to their families and legal counsel of their choice;

5. Calls on Bahraini authorities to refrain from all torture, cruel and degrading treatment of detainees; Recommends the creation of an international body of independent experts to undertake a prompt and impartial investigation into all allegations of torture and to communicate their findings to the appropriate Bahraini authorities so they can prosecute suspected perpetrators of torture; reminds the Bahraini authorities that Article 15 of the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment prohibits the use of any statement made as a result of torture as evidence in any proceedings; calls for the immediate ratification of the Optional Protocol to the Convention Against Torture;
6. Condemns the mass denaturalization that is used as a means of reprisal and urges the Bahraini authorities to overturn the decision and abide with the international obligations and norms;
7. Calls on Bahraini authorities to 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, nationally and internationally, without hindrance, intimidation or harassment;
8. Expresses its concern about the attacks on opposition voices and civil society in Bahrain including the suspension of opposition society Al-Wefaq, the dissolution of the secular opposition group Waad and the banning for dissolved groups members to participate in the forthcoming elections; regrets that on 11 June 2018 the King of Bahrain has signed into law the amendment that will definitively close the political space in Bahrain; considers these actions to be contrary to the principles of democratic pluralism, free and fair elections and in contradiction of international agreements and the constitution of Bahrain; calls on all parties to engage in a genuine national dialogue in order to relaunch a peaceful and meaningful national reconciliation process.
9. Calls for the effective implementation of the recommendations of the BICI, the Universal Periodic Review and the national human rights institution in order to allow for an improvement of the human rights situation;
10. Strongly condemns the high number of death sentences passed in the country and calls for an official moratorium on all executions; calls on the authorities to amend the constitution to put an end to the use of military trials to try civilians
11. Urges the HR/VP to raise the concerns about the violation of human rights in Bahrain as well as the lack of political space; supports the establishment of the informal EU-Bahrain human rights working group, but notes that an EU-Bahrain human rights dialogue cannot replace a thorough dialogue between government and opposition in Bahrain itself;
12. Urges the EEAS and EU Member States to actively monitor and raise the cases of individual human rights defenders with Bahraini authorities and to visit imprisoned human rights defenders;

13. 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; 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; regrets the reiterated refusal to receive an official delegation of the Subcommittee of Human rights of the European Parliament,
14. Regrets the export of surveillance technologies by European companies to Bahrain and emphasizes the need for EU export control authorities to take human rights criteria into account before granting an export license to a third country;
15. Calls on Member States to speed up their negotiations to come to a first reading position on the reform of the EU's export control regime in order to start trilogues with the Parliament in the summer of 2018;
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, the Government and Parliament of the Kingdom of Bahrain, and the members of the Gulf Cooperation Council; calls for the translation of this resolution into Arabic.