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*Plenary sitting*

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**B9-0565/2022**

13.12.2022

## 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 144 of the Rules of Procedure

on the case of human rights defender Abdulhadi Al-Khawaja in Bahrain  
(2022/2994(RSP))

**Karen Melchior, Nicola Beer, Izaskun Bilbao Barandica, Dita Charanzová, Olivier Chastel, Katalin Cseh, Vlad Gheorghe, Svenja Hahn, Javier Nart, Dragoș Pîslaru, Frédérique Ries, Šimečka Michal, Nicolae Ștefănuță, Ramona Strugariu, Dragoș Tudorache, Hilde Vautmans**  
on behalf of the Renew Group

**European Parliament resolution on the case of human rights defender Abdulhadi Al-Khawaja in Bahrain  
(2022/2994(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Bahrain,
- having regard to the November 2011 report by the Bahrain Independent Commission of Inquiry (BICI),
- having regard to the numerous statements of UN Special Rapporteurs on Bahrain, and the UN Secretary General's report of 14 September 2022 on intimidation against those seeking to cooperate with the UN,
- having regard to the EU's Strategic Partnership with the Gulf from 18 May 2022,
- having regard to the latest statement of the EU Special Representative for Human Rights of 28 October 2022,
- having regard to the latest statements of the Danish Ministry of Foreign Affairs, notably that of 29 September 2022 and of 7 November 2022 at the UN Periodic Review session,
- having regard to the Cooperation Agreement signed between the EU and Bahrain on 10 February 2022 providing an institutional framework for political dialogue and cooperation,
- having regard to the International Covenant on Civil and Political Rights (ICCPR), the Convention against Torture, and other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT), and the Arab Charter on Human Rights, all of which Bahrain has ratified,
- having regard to Regulation (EU) 2021/821 setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items (recast), and to previous recasts, in particular Regulation (EU) No 1232/2011,
- having regard to the Draft Report of the Investigation of alleged contraventions and maladministration in the application of Union law in relation to the use of Pegasus and equivalent surveillance spyware (2022/2077(INI)),
- having regard to the Question for written answer E-008510-14 to the Commission,
- having regard to the REPORT on 'Human rights and technology: the impact of intrusion and surveillance systems on human rights in third countries' (2014/2232(INI))
- having regard to Rules 144 of its Rules of Procedure,

A. whereas Abdulhadi Al Khawaja, a dual Bahraini-Danish national, has been detained since April 2011 after taking a leading role in protests demanding democratic reforms during the Arab spring in February 2011; whereas he publicly criticized the royal family for its crackdown on protesters; whereas several days later policemen stormed his house without a warrant, beat him until he lost consciousness and arrested him; whereas he was sentenced

to life in prison by a military court alongside 14 peaceful opposition voices, following an unfair trial under charges of “financing and participating in terrorism to overthrow the government and spying for a foreign country”; whereas early during his detention he was tortured and his jaw was fractured in several places; whereas he since suffers from extreme back pain and needs urgent surgery;

- B. whereas in May 2012 the UN Working Group on Arbitrary Detention considered that his arrest was arbitrary as it resulted from his exercise of the rights to freedom of expression, association and peaceful assembly;
- C. whereas Abdulhadi Al Khawaja is an internationally recognized, award-winning human rights defender; whereas he co-founded the Gulf Center for Human Rights and the Bahrain Center for Human Rights, and worked for Front Line Defenders; whereas he received the Martin Ennals Award, the 2012 Freedom House Award, the 2012 Politiken Freedom Award, the 2013 Dignity - World without Torture Award; whereas he and his daughters were Nobel Peace Prize nominees in 2013;
- D. whereas Abdulhadi Al Khawaja is facing renewed judicial harassment through a number of additional, separate trials; whereas on 3 November 2022 a new trial began in his absence for allegedly breaking a chair in prison and verbally insulting a police officer for refusing to grant him a call to his family; whereas on 21 November 2022 a second trial began for insulting a prison officer;
- E. whereas Abdulhadi Al Khawaja is a citizen of the Kingdom of Denmark and has been forced to live apart from his family since 2011;
- F. whereas political prisoners continue to live under appalling conditions in Bahrain's prisons, facing torture, rape and beatings by security and prison forces, lacking healthcare, access to books and regular family visits; whereas imprisoned academics and political figures have been on hunger strikes to protest against their ill-treatment; whereas these violations have not been addressed;
- G. whereas digital surveillance in Bahrain has increased significantly in recent years, with interception of text messages, deep package inspection, surveillance of social media and calls with the NSO's Pegasus software, according to the Guardian newspaper and Amnesty; whereas European companies are among those who have supplied Bahraini authorities with interception technologies; Whereas Bahrain uses surveillance technology to intercept communications of human rights activists resulting in their arrest;
- H. whereas in 2011, according to Wikileaks, alleged “Spy Files” could have revealed that Nokia Siemens Networks subsidiary Trovicor could have sold dual-use military surveillance software (surveillance technology) to Bahrain;
- I. whereas in 2015, after a complaint by human rights defenders, the UK authorities concluded that Gamma International UK Limited had not acted consistently with provisions of the OECD Guidelines requiring enterprises to do appropriate due diligence when selling surveillance technology to Bahrain;
- J. whereas in 2019, investigative journalists DanWatch revealed that Terma had sold surveillance technology to Bahrain;

- K. whereas export controls on surveillance technology were adopted in the 2011 revision of Regulation (EC) No 428/2009; whereas the 2021 recast<sup>1</sup> was adopted to further strengthen these measures,
1. Urges Bahrain to release Abdulhadi Al Khawaja immediately and unconditionally; highlights all its prisoners of conscience should be released, as well as its estimated 1,400 political prisoners; expresses its consternation at the treatment of his and other political detainees' case; reiterates its strong condemnation of the judicial harassment, intimidation, torture and lack of due process of law which he and other political detainees, as well as their families, continue to face;
  2. Deplores the impunity of Bahrain's prison officers following documented and repeated allegations of torture and mistreatment;
  3. Calls on EU Delegations and all EU Member States to jointly request more prison visits to meet Danish-Bahraini EU national Abdulhadi Al Khawaja; Deeply deplores that the family has only been allowed one visit in the past two years ; urges Bahrain, therefore, to his right to meet his family on a monthly basis, pending his release;
  4. Underlines that no EU visa waiver status should be granted to citizens of Bahrain without the reintroduction of a moratorium on the death penalty and tangible progress on the release of political prisoners; recalls that the EU firmly opposes capital punishment;
  5. Reiterates its call to His Majesty Sheikh Hamad bin Isa Al Khalifa to reintroduce a moratorium on the death penalty and to immediately release, through royal pardon or by commuting their death sentences, political prisoners facing imminent execution Mohamed Ramadan, Husain Ali Moosa, Maher Abbas al-Khabbaz, Salman Isa Ali Salman, Hussein Abdullah Khalil Ebrahim, Mohammad Radhi Abdulla Hassan, Sayed Ahmed Fuad Abbas Isa Ahmed Al-Abar, Hussein Ali Mahdi Jasim Mohamed, Hussein Ebrahim Ali Hussein Marzooq, Moosa Abdallah Moosa Jafaar, Hussain Abdullah Marhoon Rashid, and Zuhair Ebrahim Jasim Abdullah;
  6. Repeats its call on Bahrain to review all death sentences to ensure that all trials adhere to international standards, exclude evidence obtained under torture and the death penalty; reiterates its call on Bahrain to review the independence and effectiveness of internal bodies monitoring abuses by security and prison personnel, including its Ombudsman, the Special Investigations Unit and the Prisoners and Detainees Rights Commission;
  7. Calls on Bahrain to restore Bahraini citizenship to the almost 300 individuals who have been stripped of it, notably human rights defenders;
  8. Urges Bahrain to lift its ban on leading human rights organisations and peaceful activists working with the UN and other international organisations, and to cooperate with all UN Special Rapporteurs;
  9. Condemns Bahrain's repeated use of anti-terrorism laws to curtail freedom of speech;
  10. Calls on the EU and its Member States to strictly enforce the updated dual-use regulation which comprehensively includes technology used for surveillance, and prevent companies from exporting, selling, updating or maintaining surveillance technology that can be used

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<sup>1</sup> Regulation (EU) 2021/821

to crackdown on peaceful opposition voices in Bahrain; deplores the fact that European companies have been found in breach of human rights by selling dual-use technology;

11. Encourages dialogue between the European Union, its Member States and Bahrain on all issues including human rights; believes that the release of Abdulhadi Al Khawaja and other human rights defenders would represent an essential step to reinforce EU-Bahrain relations;
12. Condemns in the strongest terms any undue influence on the work of the European Parliament, whether directly by foreign countries or indirectly through Government-controlled-NGOs; urges all EU institutions to further strengthen the transparency registry by introducing more stringent rules, and to establish an independent ethics committee for all EU institutions; recalls the recommendations of the INGE report adopted on 9 March 2022 on how to strengthen the EU's response to foreign interference into the EU's democratic process; calls on the EEAS to produce a study into the prevalence and influence of malicious state actors in European institutions, think tanks, universities, religious organisations and media institutions;
13. Instructs its President to forward this resolution to the Council, the Commission, the EU High Representative and the Government and Parliament of the Kingdom of Bahrain.