



Plenary sitting

**B8-0997/2015 }
B8-1004/2015 }
B8-1022/2015 }
B8-1025/2015 }
B8-1026/2015 }
B8-1028/2015 }
B8-1030/2015 }
B8-1032/2015 } RC1**

7.10.2015

JOINT MOTION FOR A RESOLUTION

pursuant to Rules 135(5) and 123(4), of the Rules of Procedure

replacing the motions by the following groups:

ENF (B8-0997/2015)
ECR (B8-1004/2015)
ALDE (B8-1022/2015)
EFDD (B8-1025/2015)
S&D (B8-1026/2015)
PPE (B8-1028/2015)
GUE/NGL (B8-1030/2015)
Verts/ALE (B8-1032/2015)

on the case of Ali Mohammed al-Nimr
(2015/2883(RSP))

**Cristian Dan Preda, Tomáš Zdechovský, Elmar Brok, Santiago Fisas
Ayxelà, Jeroen Lenaers, Tunne Kelam, David McAllister, Patricija Šulin,
Eduard Kukan, Bogdan Brunon Wenta, Csaba Sógor, Francesc Gambús,
Lorenzo Cesa, Jiří Pospíšil, Davor Ivo Stier, Stanislav Polčák, Barbara**

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Kudrycka, Therese Comodini Cachia, Giovanni La Via, Monica Macovei, Andrej Plenković, Marijana Petir, József Nagy, Claude Rolin, Ivan Štefanec, Pavel Svoboda, Agnieszka Kozłowska-Rajewicz, Anna Záborská, Michaela Šojdrová, Jaromír Štětina, Adam Szejnfeld, Ramona Nicole Mănescu, Lara Comi, László Tóké, Krzysztof Hetman, Thomas Mann, Roberta Metsola, Barbara Matera, Dubravka Šuica, Ivana Maletić
on behalf of the PPE Group

Josef Weidenholzer, Eric Andrieu, Nikos Androulakis, Maria Arena, Zigmantas Balčytis, Hugues Bayet, José Blanco López, Vilija Blinkevičiūtė, Simona Bonafè, Biljana Borzan, Victor Boștinaru, Paul Brannen, Nicola Caputo, Andi Cristea, Miriam Dalli, Viorica Dăncilă, Nicola Danti, Isabella De Monte, Anneliese Dodds, Jonás Fernández, Monika Flašíková Beňová, Doru-Claudian Frunzuliță, Eider Gardiazabal Rubial, Enrico Gasbarra, Elena Gentile, Lidia Joanna Geringer de Oedenberg, Neena Gill, Ana Gomes, Maria Grapini, Theresa Griffin, Enrique Guerrero Salom, Jytte Guteland, Richard Howitt, Cătălin Sorin Ivan, Liisa Jaakonsaari, Jude Kirton-Darling, Jeppe Kofod, Miapetra Kumpula-Natri, Javi López, Juan Fernando López Aguilar, Krystyna Łybacka, Andrejs Mamikins, David Martin, Marlene Mizzi, Alessia Maria Mosca, Victor Negrescu, Momchil Nekov, Péter Niedermüller, Pier Antonio Panzeri, Demetris Papadakis, Vincent Peillon, Tonino Picula, Miroslav Poche, Liliana Rodrigues, Inmaculada Rodríguez-Piñero Fernández, Siôn Simon, Tibor Szanyi, Claudia Tapardel, Marc Tarabella, Patrizia Toia, Elena Valenciano, Julie Ward, Flavio Zanonato, Damiano Zoffoli

on behalf of the S&D Group

Charles Tannock, Mark Demesmaeker, Joachim Starbatty, Ulrike Trebesius, Hans-Olaf Henkel, Bernd Kölmel, Bernd Lucke, Angel Dzhambazki, Raffaele Fitto, Ruža Tomašić, Jana Žitňanská, Marcus Pretzell, Beatrix von Storch, Zdzisław Krasnodębski, Branislav Škripek
on behalf of the ECR Group

Frédérique Ries, Petras Auštrevičius, Beatriz Becerra Basterrechea, Izaskun Bilbao Barandica, Dita Charanzová, Martina Dlabajová, Juan Carlos Girauta Vidal, Ilhan Kyuchyuk, Urmas Paet, Maite Pagazaurtundúa Ruiz, Marietje Schaake, Ramon Tremosa i Balcells, Ivo Vajgl, Pavel Telička, Filiz Hysmenova, Nathalie Griesbeck, Nedzhmi Ali, Philippe De Backer, Marielle de Sarnez, Gérard Deprez, Fredrick Federley, Ivan Jakovčić, Alexander Graf Lambsdorff, Louis Michel, Javier Nart, Jozo Radoš, Robert Rochefort, Johannes Cornelis van Baalen, Hilde Vautmans, Cecilia Wikström, Marian Harkin, Valentinas Mazuronis, Petr Ježek

on behalf of the ALDE Group

Marie-Christine Vergiat, Patrick Le Hyaric, Younous Omarjee, Eleonora Forenza, Barbara Spinelli, Sofia Sakorafa, Kateřina Konečná, Kostas

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**Chrysogonos, Kostadinka Kuneva, Stelios Kouloglou, Lola Sánchez
Caldentey**

on behalf of the GUE/NGL Group

Bronis Ropé

on behalf of the Verts/ALE Group

Ignazio Corrao, Fabio Massimo Castaldo, Rolandas Paksas

on behalf of the EFDD Group

Aymeric Chauprade

on behalf of the ENF Group

European Parliament resolution on the case of Ali Mohammed al-Nimr (2015/2883(RSP))

The European Parliament,

- having regard to its previous resolutions of 12 February 2015 on the case of Mr Raif Badawi, Saudi Arabia¹, and of 11 March 2014 on Saudi Arabia, its relations with the EU and its role in the Middle East and North Africa²,
- having regard to the EU Guidelines on the Death Penalty, adopted in June 1998 and revised and updated in April 2013,
- having regard to the UN General Assembly resolutions, in particular that of 18 December 2014 on a moratorium on the use of the death penalty (A/RES/69/186),
- having regard to the statements of 22 September 2015 by UN human rights experts on the case of Ali Mohammed al-Nimr,
- having regard to UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,
- having regard to Article 11 of the Charter of Fundamental Rights of the European Union which stipulates that everyone has the right to freedom of expression, and Article 4, which prohibits torture,
- having regard to the EU Guidelines on Human Rights Defenders, adopted in June 2004 and reviewed in December 2008,
- having regard to the UN Convention on the Rights of the Child, to which Saudi Arabia is a party,
- having regard to Article 18 of the 1948 Universal Declaration of Human Rights and Article 19 of the 1966 International Covenant on Civil and Political Rights,
- having regard to the Arab Charter on Human Rights, to which Saudi Arabia is a party, in particular Article 32(1) thereof, which guarantees the right to information and to freedom of opinion and expression, and Article 8 thereof, which prohibits physical or psychological torture and cruel, degrading, humiliating or inhuman treatment,
- having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

A. whereas Ali Mohammed al-Nimr, who is 21 years old and is a nephew of a prominent

¹ Texts adopted, P8_TA(2015)0037.

² Texts adopted, P7_TA(2014)0207.

dissident, was sentenced in May 2015 to capital punishment, reportedly by beheading followed by crucifixion, by Saudi Arabia's Supreme Court on criminal charges including sedition, rioting, protesting robbery and belonging to a terror cell whereas Ali al-Nimr was under the age of 18 – and thus still a juvenile – at the time he was arrested while demonstrating for democracy and equal rights in Saudi Arabia; whereas he was sentenced to death on account of the protests in the mostly Shia Eastern Province of Saudi Arabia; whereas it is alleged by reliable sources that Ali al-Nimr was tortured and forced to sign his confession; whereas he has been denied any guarantees of a safe trial and due legal process in compliance with international law;

- B. whereas imposing the death penalty on someone who was a child at the time of the offence and following allegations of torture is incompatible with Saudi Arabia's international obligations;
- C. whereas the prohibition of torture and cruel, inhuman or degrading treatment or punishment is included in all international and regional human rights instruments and constitutes a rule of customary international law, which is thus binding on all states, regardless of whether they have ratified the relevant international agreements;
- D. whereas the increase in death sentences is closely linked to the rulings of Saudi Arabia's Specialised Criminal Court in trials in response to terrorism-related offences; whereas, according to international human rights organisations, at least 175 executions were carried out in Saudi Arabia between August 2014 and June 2015;
- E. whereas this case is one of many cases in which harsh sentences have been imposed on, and harassment used against, Saudi activists persecuted for expressing their views, several of whom have been convicted under procedures which fall short of international fair trial standards, as was confirmed by the former UN High Commissioner for Human Rights in July 2014;
- F. whereas Article 19 of the Universal Declaration of Human Rights states that everyone has the right to freedom of opinion and expression, both online and offline; whereas this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers;
- G. whereas Saudi-Arabia's Ambassador to the United Nations in Geneva, H.E. Faisal bin Hassan Trad, has been appointed Chair of a panel of independent experts on the UN Human Rights Council;
- H. whereas the opening of the dialogue between the Kingdom of Saudi Arabia (KSA) and the EU on human rights could be a constructive step in enhancing mutual understanding and promoting reforms in the country, including reform of the judiciary;
- I. whereas Saudi Arabia is an influential and important political and economic actor within the Middle East and North Africa region;

1. Strongly condemns the sentencing of Ali Mohammed al-Nimr to the death penalty; reiterates its condemnation of the use of the death penalty and strongly supports the introduction of a moratorium on the death penalty, as a step towards abolition;
2. Calls on the Saudi Arabian authorities, and in particular His Majesty the King of Saudi Arabia, Salman bin Abdulaziz Al Saud, to halt the execution of Ali Mohammed al-Nimr and to grant a pardon or commute his sentence; calls on the European External Action Service and the Member states to use all their diplomatic tools and efforts to immediately stop this execution;
3. Reminds the KSA that it is a state party to the Convention on the Rights of the Child, which strictly prohibits the use of the death penalty for crimes committed by anyone below the age of 18;
4. Urges the Saudi authorities to abolish the Specialised Criminal Court, set up in 2008 to try terrorism cases but increasingly used to prosecute peaceful dissidents on apparently politically motivated charges and in proceedings that violate the fundamental right to a fair trial;
5. Calls on the Government of Saudi Arabia to ensure a prompt and impartial investigation into the alleged acts of torture and to ensure that Ali Mohammed al-Nimr is given any medical attention he may require and regular access to his family and lawyers;
6. Reminds Saudi Arabia of its commitments as a member of the UN Human Rights Council; notes that Saudi Arabia has recently been appointed to chair a panel of independent experts on the UN Human Rights Council; strongly urges the Saudi authorities to ensure that standards of respect for human rights and fundamental freedoms in their country are consistent with such an international role;
7. Calls for an enhanced mechanism for dialogue between the EU and Saudi Arabia on human rights issues and an exchange of expertise on justice and legal matters in order to strengthen the protection of individual rights in the KSA, in line with the process of judicial reform which it has undertaken; calls on the KSA's authorities to pursue the necessary human rights reforms, in particular those related to limiting the death penalty and capital punishment;
8. Encourages Saudi Arabia to sign and ratify the International Covenant on Civil and Political Rights (ICCPR), which entered into force in 1976, Article 6 of which states that 'every human being has the inherent right to life':
9. Expresses its grave concern at the reported rise in the number of death sentences in the KSA in 2014 and the alarming rate at which court rulings have ordered the death penalty in 2015;
10. Instructs its President to forward this resolution to the Council, the Commission, the Vice-

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President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the parliaments and governments of the Member States, H.M. King Salman bin Abdulaziz Al Saud, the Government of the Kingdom of Saudi Arabia, the UN High Commissioner for Human Rights and the UN Human Rights Council.

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