



TEXTS ADOPTED

P8_TA(2015)0279

Bahrain, in particular the case of Nabeel Rajab

European Parliament resolution of 9 July 2015 on Bahrain, in particular the case of Nabeel Rajab (2015/2758(RSP))

The European Parliament,

- having regard to its previous resolutions on Bahrain, notably its resolution of 6 February 2014 on Bahrain, in particular the cases of Nabeel Rajab, Abdulhadi al-Khawaja and Ibrahim Sharif¹,
- having regard to the statement of 17 June 2015 by the Spokesperson of Vice-President/High Representative for Foreign Affairs and Security Policy Federica Mogherini on the sentencing of al-Wefaq Secretary General Ali Salman in Bahrain,
- having regard to the 24th EU-GCC Joint Council and Ministerial Meeting in Doha, Qatar, on 24 May 2015,
- having regard to the decision of the Arab League's Ministerial Council, meeting in Cairo on 1 September 2013, to set up a pan-Arab court of human rights in Bahrain's capital Manama,
- having regard to Report Detailing the Government of Bahrain's Implementation of the Recommendations of the Bahrain Independent Commission of Inquiry of February 2014 and the update on the Universal Periodic Review (UPR) presented by the Government of Bahrain in September 2014,
- 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, to all of which Bahrain is a party,
- having regard to the European Union Guidelines on Human Rights Defenders, adopted in June 2004 and reviewed in 2008,
- having regard to the United Nations Convention on the Reduction of Statelessness,

¹ Texts adopted, P7_TA(2014)0109.

- having regard to the new EU Strategic Framework and Action Plan on Human Rights, which aims to place the protection and surveillance of human rights at the heart of all EU policies, and which includes a specific section on the protection of human rights defenders,
 - having regard to the visit by Stavros Lambrinidis, the EU Special Representative for Human Rights, to Bahrain at the end of May 2015,
 - having regard to Articles 5 and 19 of the Universal Declaration of Human Rights,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas Bahrain has promised to make progress in its reforms on the situation of human rights, following the release of the report by the Bahrain Independent Commission of Inquiry (BICI) on 23 November 2011, and its follow-up report of 21 November 2012;
- B. whereas Bahrain’s establishment of the Ombudsman of the Ministry of the Interior, the Prisoners and Detainees Rights Commission and the Special Investigations Unit is encouraging; whereas these institutions should be made more impartial, transparent and independent of government institutions;
- C. whereas since the beginning of the 2011 uprising Bahraini authorities have been stepping up the use of repressive measures against civil society activists and peaceful opposition; whereas on 10 June 2014, 47 States, including all 28 EU Member States, signed a joint statement at the 26th Session of the UN Human Rights Council noting serious concerns over the human rights situation in Bahrain; whereas the joint statement expressly noted areas of concern, including long sentences for exercising the rights to freedom of peaceful assembly and of association, the lack of sufficient guarantees of a fair trial, the repression of demonstrations, the continued harassment and imprisonment of persons exercising their rights to freedom of opinion and expression, ill-treatment and torture in detention facilities, the arbitrary deprivation of nationality without due process, and insufficient accountability for human rights violations;
- D. whereas Nabeel Rajab, Bahraini human rights defender and President of the Bahrain Center for Human Rights (BCHR), Deputy Secretary-General of the International Federation for Human Rights (FIDH) and member of the Advisory Committee of Human Rights Watch’s Middle East Division, was sentenced to six months imprisonment simply for peacefully exercising his freedom of expression; whereas Nabeel Rajab was arrested on 1 October 2014 after his visit to the Subcommittee on Human Rights of the European Parliament on accusations of posting tweets about a group of his countrymen allegedly cooperating with IS/Da’esh; whereas he was charged with insulting a public institution and the army; whereas in November 2013 the United Nations Working Group on Arbitrary Detention described the detention of Mr Nabeel Rajab as arbitrary;
- E. whereas Nabeel Rajab has served several prison sentences since setting up the Bahrain Centre for Human Rights in 2002; whereas Nabeel Rajab is facing further charges related to his freedom of expression and is currently risking up to 10 years’ imprisonment for allegedly ‘insulting a statutory body’ and ‘spreading rumours at a time of war’;
- F. whereas, like Nabeel Rajab, many human rights defenders, such as Najji Fateel, Danish human rights defender Abdulhadi Al-Khawaja, Swedish political activist Mohammed Habib Al-Muqdad and others in the so-called Bahrain 13, have been detained, subjected to

judicial harassment in Bahrain, imprisoned and are serving long or life-long sentences as a direct reprisal for their work in defending human rights; whereas most of them have reportedly been subjected to violence, ill treatment and physical or psychological torture;

- G. whereas, according to the BCHR, more than 3 000 prisoners are in arbitrary detention, many of them human rights defenders who have been imprisoned and are serving long or life-long sentences as a direct reprisal for their activities; whereas most of them have reportedly been subjected to violence, ill treatment and physical or psychological torture;
 - H. whereas on 16 June 2015, the Secretary General of Bahrain's main opposition party al-Wefaq, Sheikh Ali Salman, was sentenced to four years in prison in the context of anti-government protests which erupted in 2011 at the height of the region's 'Arab Spring' uprisings; whereas his lawyers have reportedly been prevented by the court from presenting oral arguments and have not been provided with any meaningful opportunity to examine the evidence; whereas a group of United Nations independent experts, part of what is known as the Special Procedures of the Human Rights Council, have urged the Bahraini authorities to release Sheikh Ali Salman;
 - I. whereas since 2012 Bahrain has been misusing anti-terrorism legislation to arbitrarily revoke the nationalities of activists and members of the opposition as a reprisal for dissent, including at least 9 minors; whereas, according to several reports in 2015 alone, over 100 activists, protesters and politicians have had their citizenship revoked, making a large part of them stateless, in contravention of the UN Convention on the Reduction of Statelessness;
 - J. whereas the use of the death penalty in politically motivated cases has expanded since 2011; whereas at least seven individuals have been handed death sentences in political cases since 2011, with four of these seven being sentenced to death in 2015 alone;
 - K. whereas the Bahrain Independent Commission of Inquiry (BICI) established by Royal Order to investigate and report on the events that took place in Bahrain in February 2011 made a series of recommendations on human rights and political reforms; whereas progress has been made in overhauling the legal and law enforcement systems, but the government has failed to fully implement the Commission's core recommendations, notably the release of protest leaders convicted for exercising their right to freedom of expression and peaceful assembly; whereas the reconciliation talks – known as The National Dialogue – have stalled; whereas some groups are still unrepresented in the political system and the security forces remain unaccountable;
1. Calls for the dropping of charges and immediate and unconditional release of all human rights defenders, political activists and other individuals detained and charged with alleged violations related to the rights of expression, peaceful assembly and association, including Nabeel Rajab, Sheikh Ali Salman and the 'Bahrain 13';
 2. Recognises the commitments by the Bahraini authorities to implement the recommendations of the Bahrain Independent Commission of Inquiry (BICI) from 2011 and of the UN Universal Periodic Review of Bahrain (UPR), as well as recommendations made by other UN mechanisms and the recent release of a number of prisoners charged with crimes related to their political association and expression; urges the Bahraini government to swiftly implement all the recommendations in the BICI report and the UPR, to put an end to all human rights abuses and to respect human rights and fundamental freedoms, in line with Bahrain's international human rights obligations;

3. Expresses its grave concern regarding the misuse of anti-terrorism laws in Bahrain to violate human rights, including through the revocation of nationality;
4. Condemns the continuing use of torture and other cruel, degrading treatment or punishment against prisoners, peaceful protesters and members of the opposition by the Bahraini authorities and urges the Government of Bahrain to abide by its obligations and commitments under the UN Convention against Torture;
5. 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 to issue a standing invitation to them;
6. Notes the Bahraini Government's ongoing efforts to reform the penal code and legal procedures, and encourages the continuation of this process; urges the Government of Bahrain to take all steps to guarantee an impartial and fair judicial system, ensuring due process, and to guarantee the impartiality of its Ombudsman, of the Special Investigations Unit and of the National Institution for Human Rights;
7. Calls for the immediate ratification of the Optional Protocol to the Convention Against Torture, the Second Optional Protocol to the ICCPR aiming at the abolition of the death penalty, the Convention for the Protection of All Persons from Enforced Disappearance, and the International Convention on the Protection of the Rights of Migrant Workers and Members of Their Families;
8. Calls on the Bahraini authorities to pursue the national consensus dialogue with a view to finding lasting and inclusive national reconciliation and sustainable political solutions for the crisis; notes that in a sustainable political process legitimate and peaceful criticisms should be expressed freely; reminds the Bahraini authorities, in this context, that engaging the Shia majority and its peaceful political representatives on the basis of human dignity, respect and fairness should be an indispensable element of any credible strategy for national reconciliation and sustainable reform;
9. Welcomes the early release from prison of opposition leader Ibrahim Sharif in June 2015 after he was given a royal pardon; believes this decision to be a welcome and important step in the process of promoting trust and confidence in Bahrain;
10. Urges the VP/HR to continue to raise the importance of reform and reconciliation in all her dealings with the Government of Bahrain; strongly encourages the establishment of an EU-Bahrain human rights working group, but notes that an EU-Bahrain human rights dialogue cannot replace a comprehensive dialogue between the government and the opposition in Bahrain itself;
11. Takes note of the recommendations made by the Ombudsman, the Prisoners and Detainees Rights Commission (PDRC) and the National Institution for Human Rights (NIHR), in particular on the rights of detainees and their conditions in prison, including regarding alleged ill-treatment and torture; encourages those bodies to pursue their work in an independent, impartial and transparent manner and calls on the Bahraini authorities to fully implement these recommendations;
12. Calls for a rapid collective EU effort to develop a comprehensive strategy on how the EU and the Commission can actively push for the release of the imprisoned activists and prisoners of conscience; calls on the EEAS and Member States to ensure proper

implementation of the EU Human Rights Guidelines, notably on human rights defenders and torture, by the EU Delegation in Riyadh and the Member States' embassies in Bahrain, and to report on their implementation;

13. Calls for an EU ban on exports of tear gas and crowd control equipment until investigations are conducted into their improper use and until the perpetrators of such improper use are held accountable;
14. 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 to the members of the GCC.