



TEXTS ADOPTED

P8_TA(2016)0044

Bahrain: the case of Mohammed Ramadan

European Parliament resolution of 4 February 2016 on Bahrain: the case of Mohammed Ramadan (2016/2557(RSP))

The European Parliament,

- having regard to its previous resolutions on Bahrain, notably that of 9 July 2015 on Bahrain, in particular the case of Nabeel Rajab¹,
- having regard to 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 and the consequences thereof, and which published its report in November 2011,
- having regard to the presentation of the Second Annual Report 2014 by the President of the National Institute for Human Rights (NIHR), Dr Abdulaziz Abul, to Interior Minister Lt. Gen. Shaikh Rashid bin Abdullah Al-Khalifa on 27 January 2016,
- having regard to the Joint Statement on Bahrain by 33 states, delivered at the 30th session of the UN Human Rights Council of 14 September 2015,
- having regard to the Joint Statement on Bahrain of 16 July 2015 by the UN Special Rapporteur on the situation of human rights defenders, the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association,
- having regard to the November 2011 report by the Bahrain Independent Commission of Inquiry (BICI),
- having regard to the appeal for the immediate release of prisoner of conscience Dr Abduljalil al-Singace, who is on hunger strike,
- 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 the Cooperation Agreement between the European Union and the Gulf Cooperation Council (GCC) of 1988,

¹ Texts adopted, P8_TA(2015)0279.

- having regard to the EU Guidelines on the death penalty, as revised on 12 April 2013,
 - 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, and the Arab Charter on Human Rights, to all of which Bahrain is a party,
 - having regard to UN General Assembly resolution 68/178 and UN Human Rights Council resolution 25/7 on protection of human rights and fundamental freedoms while countering terrorism,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas Bahrain is a key partner of the European Union in the Persian Gulf, including in the areas of political and economic relations, energy, and security; whereas it is in our mutual interest to further deepen our partnership in order to better respond to future challenges;
 - B. whereas since the beginning of the 2011 uprisings the Bahraini authorities have been stepping up the use of repressive measures based on allegations of terrorism against peaceful protesters, including the use of the death penalty; whereas the Bahraini courts passed seven new death sentences in 2015;
 - C. whereas on 18 February 2014 Mohammed Ramadan, a 32-year-old airport security guard, was arrested by the Bahraini authorities for allegedly taking part – along with Husain Ali Moosa, who had been arrested earlier – in a bombing in Al Dair on 14 February 2014 that killed a security officer and wounded several others;
 - D. whereas Mr Ramadan was allegedly arrested without a warrant, and whereas both men report that they were violently beaten and tortured until they agreed to confess, but later retracted their confessions in front of the public prosecutor; whereas the confessions allegedly obtained under torture were the main evidence in the trials against Mr Ramadan and Mr Moosa;
 - E. whereas on 29 December 2014 a Bahraini criminal court sentenced Mr Ramadan and Mr Moosa to death; whereas they were sentenced alongside 10 other defendants, 9 of whom received six-year prison sentences and the other a life sentence; whereas Bahrain’s anti-terrorism law was used to justify the death penalty;
 - F. whereas the death sentences handed down to Mr Ramadan and Mr Moosa were upheld by the Court of Cassation, Bahrain’s highest court of appeal, on 16 November 2015, despite the men having retracted their confessions and reiterating that they had confessed under torture; whereas Bahrain’s courts failed to consider their claims or even open an investigation;
 - G. whereas Mr Ramadan is just one of 10 individuals on death row in Bahrain and the first to be sentenced to death since 2011; whereas Mr Ramadan is one of the first to have exhausted all legal avenues of appeal, and stands at risk of imminent execution; whereas no investigation is known to have taken place into the allegations of torture in the case of Mr Ramadan;
 - H. whereas on 14 August 2014 five UN human rights experts expressed their concern to the Bahraini Government about allegations concerning the arbitrary arrest, detention and

torture of nine Bahraini nationals, including Mr Ramadan, and their subsequent conviction following trials that did not meet international standards for a fair trial and due process;

- I. whereas several human rights NGOs have documented unfair trials and the use of torture and death sentences by Bahrain, which are in breach of various international conventions, including the International Covenant on Civil and Political Rights (ICCPR), to which Bahrain acceded in 2006;
- J. whereas the Bahrain Independent Commission of Inquiry (BICI), established on 29 June 2011 in the Kingdom of Bahrain pursuant to Royal Order No 28 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;
- K. whereas the 26 BICI recommendations included the commuting of all death sentences imposed for acts arising from the events of February and March 2011; whereas this was one of the two recommendations that were fully implemented, which represented a positive step towards the abolition of the death penalty;
- L. whereas these recommendations have led the Government of Bahrain to establish three bodies since 2012 – the Office of the Ombudsman within the Ministry of the Interior, a Special Investigations Unit (SIU) within the Office of the General Prosecutor, and the Prisoners and Detainees Rights Commission (PDRC) – with a collective mandate to end the use of torture in interrogation and detention facilities;
- M. whereas many recent actions by the Bahraini authorities continue to violate and restrict the rights and freedoms of segments of the population, in particular the right of individuals to peaceful protest, freedom of expression and digital freedom; whereas human rights activists face ongoing systematic targeting, harassment and detention;
- N. whereas, according to reports, Bahrain is still holding a considerable number of prisoners of conscience;
- O. whereas the Bahraini security forces reportedly continue to torture detainees;
 - 1. Expresses its concern and disappointment over Bahrain's return to the practice of capital punishment; calls for the reintroduction of the moratorium on the death penalty as a first step towards its abolition; calls on the Government of Bahrain, and in particular His Majesty Sheikh Hamad bin Isa Al Khalifa, to grant Mohammed Ramadan a royal pardon or to commute his sentence;
 - 2. Condemns firmly the continuing use of torture and other cruel or degrading treatment or punishment against prisoners by the security forces; is extremely worried about the prisoners' physical and mental integrity;
 - 3. Expresses its concern about the use of anti-terrorism laws in Bahrain to punish political beliefs and convictions and prevent citizens from pursuing political activities;
 - 4. Stresses the obligation to ensure that human rights defenders are protected and allowed to conduct their work without hindrance, intimidation or harassment;
 - 5. Notes the Government of Bahrain's ongoing efforts to reform the country's penal code and legal procedures, and encourages the continuation of this process; urges the Government of Bahrain to uphold international standards on the right to a fair trial and

due process and to comply with international minimum standards as set out in Articles 9 and 14 of the ICCPR;

6. Calls on the competent authorities to undertake a prompt and impartial investigation into all allegations of torture, to prosecute suspected perpetrators of torture and to dismiss all convictions made on the basis of confessions obtained under conditions of torture;
7. 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 and of the Second Optional Protocol to the ICCPR aiming at the abolition of the death penalty;
8. Calls on the Government of Bahrain to issue an immediate and open invitation to the UN Special Rapporteur on torture to conduct a country visit, and to allow unfettered access to detainees and to all places of detention;
9. Takes note of the recommendations made by the Ombudsman, the PDRC and the NIHR, in particular on the rights of detainees and their conditions in prisons, including in respect of alleged ill-treatment and torture; calls, however, on the Government of Bahrain to ensure the independence of the Office of the Ombudsman and of the PDRC, and to guarantee the independence of the Special Investigations Unit from the Office of the Public Prosecutor;
10. Stresses the importance of the support given to Bahrain, in particular as regards its judicial system, with a view to ensuring compliance with international human rights standards; strongly encourages the establishment of an EU-Bahrain human rights working group;
11. Calls on the Bahraini authorities to lift the arbitrary travel ban on Nabeel Rajab and to drop all pending free-speech-related charges against him;
12. 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.