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Plenary sitting

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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 122 of the Rules of Procedure

on Bahrain, in particular the cases of Nabeel Rajab, Abdulhadi al-Khawaja and Ibrahim Sharif
(2014/2553(RSP))

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on behalf of the S&D Group

European Parliament resolution on Bahrain, in particular the cases of Nabeel Rajab, Abdulhadi al-Khawaja and Ibrahim Sharif (2014/2553(RSP))

The European Parliament,

- having regard to its previous resolutions of 27 October 2011, of 15 March 2012, of 17 January 2013, and of 12 September 2013,
- having regard to the statements by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) on Bahrain, in particular her statements of 7 January, of 11 February and of 1 July 2013, of 25 November 2013, and of 16 January 2014,
- having regard to the local EU Statement on the latest developments in Bahrain of 19 September 2013,
- having regard to the visit of a delegation of its Subcommittee on Human Rights to Bahrain on 19 and 20 December 2012, and to the press statement issued by that delegation, and the Arab Peninsula delegation visit from 27 to 30 April 2013 and its press statement,
- having regard to the statements by the UN Secretary-General in particular the one of 8 January 2013, and to the statement of the spokesperson for the UN High Commissioner for Human Rights of 6 August 2013,
- having regard to the EU-GCC Joint Council and Ministerial Meeting in Manama, Bahrain, on 30 June 2013,
- having regard to the report released by the BICI in November 2011, and to its follow-up report of 21 November 2012,
- having regard to the Opinion A/HRC/WGAD/2013/12 of the United Nations Working Group on Arbitrary Detention of 25 July 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 the EU Guidelines on Human Rights Defenders of 2004, as updated in 2008,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to Rule 122 of its Rules of Procedure,

- A. whereas human rights violations in Bahrain remain of a great concern; whereas the authorities continue to violate and restrict the rights and freedoms, particularly the right of individuals to peaceful protest, freedom of expression and digital freedom; whereas human rights activists are facing ongoing systematic targeting, harassment and detention;
- B. whereas Mr Nabeel Rajab, human rights activist, President of the Bahrain Centre for Human Rights (BCHR) and Director of the Gulf Centre for Human Rights (GCHR), has been detained at the central prison in Jaw since 9 July 2012;
- C. whereas initially Mr Rajab was sentenced to three months' imprisonment for having "insulted statutory bodies" in a Twitter message; whereas he was later sentenced to three years' imprisonment on 16 August 2012; whereas Mr Rajab was sentenced on two others protest-related charges: participation in "illegal gatherings" and calling for manifestation without prior notification in Manama, as well as incitement to gatherings and "illegal marches" through social medias; whereas the criminal court verdict cites no evidence that Rajab participated in or advocated violent protests;
- D. whereas on 11 December 2012 the Appeals Court in Bahrain confirmed his conviction on charges of calling for and participating in peaceful gatherings on three occasions and reduced his sentence to two years in appeal; whereas in December 2013, the Bahraini Court of Appeals refused to grant Mr Rajab an early release which would have been in accordance with the Code of Criminal Procedure;
- E. whereas the United Nations Working Group on Arbitrary Detention (WGAD) considered that the detention of Mr Nabeel Rajab contravenes "articles 19, 20 and 21 of the Universal Declaration on Human Rights and articles 9, paragraph 1, 14, 21 and 22 of the International Covenant on Civil and Political Rights";
- F. whereas on 22 June 2011 Abdulhadi Al-Khawaja, prominent human rights defender and the director of the Bahrain Center for Human Rights (BHCR) , was sentenced by the National Safety Court - a military court - to life imprisonment for his peaceful human rights activities;
- G. whereas on 7 January 2013 Bahrain's highest court upheld the convictions against 13 leading activists for their role in anti-government demonstrations in 2011, including Abdulhadi Al-Khawaja; whereas the Office of the United Nations High Commissioner for Human Rights expressed concerns about the lack of fairness and due process afforded to these activists;
- H. whereas Abdulhadi Al-Khawaja was subjected to a severe level of torture starting from the time of his arrest on 9 April 2011;
- I. whereas on 17 March 2011, Ibrahim Sharif, opposition political activist, General Secretary of the secular liberal National Democratic Action Society, was arrested in in Manama for his role in the Bahraini uprising, which called for greater political freedom;
- J. whereas Sharif was sentenced to five years in prison on 22 June 2011, and in September 2012, an appeal court upheld his sentence, despite determining that the evidence against him had been obtained by means of torture;

- K. whereas children as young as 15 are tried as adults in Bahrain and put in prisons for adults, in violation of Bahrain's obligations to treat all child suspects in accordance with the rules and principles of juvenile justice; whereas women have also been imprisoned; whereas on 27 January Zainab al-Khawaja was sentenced by the Lower Criminal Court in Manama to a further four months' imprisonment on charge of "destroying government property
- L. whereas despite some progress the implementation of the BICI recommendations remains slow and the government 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, and the investigation of high-ranking officials responsible for abuses;
- M. whereas on the 15 January HRH Bahrain's Crown Prince Salman bin Hamad al-Khalifa, upon the request of HM King Hamad Bin Issa Al Khalifa, held wide ranging talks with participants in the National Consensus Dialogue , including in particular with Al-Wefaq's Secretary General Sheikh Ali Salman for the first time since the events of February 2011.

1. Condemns all human rights violations in Bahrain and urges the Bahraini government to implement all recommendations of the BICI report, to put an end to all human rights abuses and to respect human rights and fundamental freedoms, including freedom of expression, both online and offline, and freedom of assembly;
2. Calls for the immediate and unconditional release of all prisoners of conscience, political activists, journalists, human rights defenders and peaceful protesters detained and charged with violations related to the rights of expression, peaceful assembly and association, including Nabeel Rajab, Abdulhadi Al-Khawaja, Ibrahim Sharif, Naji Fateel, and Zainab Al-Khawaja;
3. Condemns the continued practices of forced disappearances and underlines the need to ratify the International Convention for the Protection of all Persons against Enforced Disappearance;
4. Stresses the obligation to ensure that human rights defenders are protected and allowed to conduct their work without hindrance, intimidation or harassment;
5. Supports the establishment of an international monitoring mechanism, to be set up through a resolution of the UN Human Rights Council, with the mandate of monitoring the implementation of the BICI recommendations and the overall resolution of the human rights crisis in Bahrain;
6. Encourages the UN to organise a prompt visit of the three Special Rapporteurs on Rights to Peaceful Assembly and Association, on Torture and on the Independence of Judges of Lawyers;
7. Calls on the VP/HR and the Member States to work together to develop a clear strategy for how the EU will, both publicly and privately, actively push for the release of the imprisoned activists and prisoners of conscience; calls on the VP/HR to work with the Member States to ensure the adoption of the Foreign Affairs Council conclusions on the human rights situation in Bahrain, which should include a specific

call for the immediate and unconditional release of the imprisoned activists;

8. Supports the suspension and ban of exports of tear gas and crowd control material to Bahrain until investigations have been made as regards to their improper utilisation and until the perpetrators of such improper utilisation are held accountable, namely in the framework of the implementation of the BICI report;
9. Calls for the adoption by Council of targeted sanctions (i.e. visa bans and freezing of assets) against individuals suspect of being responsible for acts of torture and other human rights violations (as documented by the BICI report), until they are held accountable for, and sentenced for, their crimes.
10. Welcomes Prince Salman bin Hamad bin Isa Al Khalifa's decision to hold talks on 15 January with leaders of the five main opposition groupings so as to explore means of overcoming the challenges faced by the national dialogue which had been suspended by the government a few days before; hopes that this step will foster a serious and inclusive national dialogue, setting the ground for profound reforms towards the national reconciliation of the Bahraini society;
11. Encourages the establishment of an official moratorium on executions with a view to abolishing the death penalty;
12. Instructs its President to forward this resolution to the Council, the Commission, and 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.