



General Assembly

Distr.: General
28 August 2014

English only

Human Rights Council

Twenty-seventh session

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 August 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-14968 (E)



* 1 4 1 4 9 6 8 *

Please recycle A small graphic of a recycling symbol, consisting of three chasing arrows forming a triangle.



Bahrain is Taking a Dangerous Path Trying to Strangle Opposition Parties and Political Activism

Over the 3 past years The Bahraini government has not presented any initiative for a solution and instead has continued to intensify its military and security solutions, whilst tightening restrictions on freedoms. The important role and action of HRC and international human rights organizations is urgently needed now to protect political pluralism and legitimate opposition in the Kingdom of Bahrain.

In a recent move, which can only be described as vindictive, deliberate and intended solely to punish and eliminate all obstacles to a unilateral unchallenged government, the Ministry of Justice (MOJ) has escalated its campaign to silence opposition societies and curtail their activities indefinitely via conveniently using the guise of laws and procedures.

The MOJ , the official ministry responsible of political associations ,has released an official statement through Bahrain News Agency on 21 July 2014 setting out alleged violations of political societies , and had indicated that it will pursue legal action against Al-Wefaq National Islamic Society (AL-WEFAQ) , Bahrain's largest opposition party, both in terms of its membership and results at the polls and the National Democratic Action Society (Waad), Bahrain's largest leftist political party. MOJ is looking to suspend the operations of both opposition AL-WEFAQ and WAAD political societies (parties).Both parties believe that the authority's claims are linked to their persistence to reach a legal political solution for the political crisis to make citizens the source of all powers, based on the one-person-one-vote principle. The Bahrainis must have the right to elect their government and a full-power legislative council through fair electoral districts. Furthermore, Bahrain needs an independent and impartial judicial system and diverse security services that provide security for all citizens and residents. The core problem lies in the fact that the government is refusing to engage in a real dialogue with the opposition or give the opposition a written vision for a political settlement.

The MOJ is essentially responsible for the deterioration of justice and the dispensability of the rule of law in Bahraini society due to its lack of independence as has been demonstrated without fail since the commencement of the crisis in February 2011. This move comes in a convenient time in the build-up to the elections where the intent is to silence and control dissent to enable the unrepresentative process to move forward. Additionally, due to other pressing global events, the MOJ is confident that it will be able to execute its plans to paralyse and stifle any semblance of political opposition without fear of retribution and in total impunity.

The MOJ's lawsuit against ALWEFAQ claimed that 4 of its general assembly's violated the law although AL-WEFAQ highlighted that its general assemblies' procedures were monitored by the Bahrain Transparency Society and fully abided by the law and its statute. This comes after The Bahraini court witnessed, on Tuesday 18th February 2014, a political trial led by the Bahraini authorities against the political aide of the Secretary General of AL-WEFAQ, Khalil Al Marzooq who also happens to be one of the key figures that the authorities claim to be engaging in dialogue with to resolve the political crisis. The court claimed Al Marzooq was inciting violence and terrorism and confirmed a travel ban on him. Both Al Marzooq and Sheikh Ali Salman, AL-WEFAQ's Secretary General, were summoned by the general prosecution several times during the last months on false charges that were purely politically motivated.

MOJ's lawsuit against WAAD claims that the organization committed administrative violations by re-electing its' imprisoned secretary general Ebrahim Sharif again in the last general conference in 2012. The minister demands that Sharif's name be eliminated from WAAD's Secretariat and from the organization's records, citing that his status as a "criminal prisoner" deprived him of all his civil and political rights. This is a legally-baseless and political lawsuit coming after the decision of WAAD's General Assembly of October 2012 to elect Ebrahim Sharif, a prisoner of conscience, as the General Secretary of the organization. MOJ's lawsuit is an attempt to overrule WAAD's articles of association, internal charters, Central Committee and General Assembly's decisions. The High Administrative Court set the 9th of September as the first day of hearings on the case against WAAD.

The MOJ, has attempted to suspend WAAD's activities previously, as well as targeted WAAD relentlessly for the past few years, namely through the trial of its Secretary General Ebrahim Sharif, who was among the 13 political leaders arrested after February 2011 popular uprising for their political role.

Ebrahim Sharif and the other political and human rights defenders' leaders were characterized as prisoners of conscience by the recommendations of the Bahrain Independent Commission of Inquiry (Bassiouni's Commission), released on the 23rd of November, 2011, and approved by His Majesty the King, in addition to the recommendations of the Human Rights Council of September 2012, 158 out of 176 of which were approved by the government of Bahrain - all characterized and considered Ebrahim Sharif as a prisoner of conscience. Numerous international human rights organizations and the press releases and reports of many nations and their parliaments all confirmed this and demanded that Bahrain commits to its international obligations and promises, and implement these various recommendations. Local and international civic society demand Sharif be released immediately instead of suing his organization and seeking its closure, since he is unequivocally and irrevocably a prisoner of conscience in accordance with international standards and treaties ratified by Bahrain, his status further confirmed by various reports and international human rights organisations; and all attempts to classify him as otherwise and strip him from his rightful civil and political rights are solely vindictive.

This litigious repression is not a new trend, as it has been consistently evident in the trials of thousands of political prisoners of conscience, punishment of civic society institutions and the continuous support and reinforcement of impunity amongst government officials and entities. Furthermore it comes after families of Bahraini individuals stripped of their citizenships had their humanitarian rights expropriated. At the same time, the Authority remains silent about a series of insults against the Shiite community in Bahrain. This is taken within a series of moves to limit the democratic aspirations of the Bahraini people who are calling for an elected government, a full powered parliament, a fair electoral system and the establishment of an independent judiciary and a patriotic and diversified security system.

It is glaringly apparent at this stage that Government of Bahrain and its institutions, represented in these two cases by the MOJ, have always acted in complete disregard of its international obligations, most importantly, with respect to the recommendations of the Bahrain Independent Commission of Inquiry (BICI) Report, which have been fully accepted by HM the King, and the UN Human Rights Council. Furthermore, the Courts have conveniently interpreted all the laws and adopted a skewed and purely politicised reasoning in its judgments to ensure that all prisoners of conscience, including Sharif and the remaining Bahrain 13, are branded criminals to strip away their civil and political rights and to intentionally evade the implementation of the recommendations they have promised adherence to. Sharif's case, in addition to the others, has been fully documented as a dire travesty of justice due to the systematic abuses of human rights and the lack of the basic principles of a fair trial.

This is a disastrous move that annihilates any progress made in Bahrain in terms of political activism and representation, and is a painful descent into further political repression. It is therefore of paramount importance that Bahrainis get indispensable support in this regard, calling on the Government of Bahrain to cease its vindictive punishment of all voices and outlets of dissent.

The government must be reminded of the statement made by Ms. Navi Pillay, the UN HCHR where she described the trials to be "political persecution" against dissidents. More than two years have passed on the report of the Bahrain Independent Commission of Inquiry that considered dissidents who were prosecuted in Bahrain courts prisoners of conscience, however, they remain in jail today.