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Human rights situations that require the Council's attention

Written statement* submitted by the Conseil International pour le soutien à des procès équitables et aux Droits de l'Homme, 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.

[30 May 2016]

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

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THE PERSECUTION OF SHIA IN BAHRAIN

Background of Shia Persecution

The patterns of systemic discrimination towards the Shia majority in Bahrain undermine their fundamental right to freedoms of expression, religion and culture. Human rights abuses committed against the Shia majority of Bahrain took the forms of destruction of places of worship, attempts to erase signs of the presence of Shia citizens in the country, marginalization in the historical narratives of the country, misinformation regarding their religious and cultural identity through the educational system the incitement of discrimination and violence against them in the media.

Since 2011, Instead of admitting Human Rights violations and addressing unjust practices, the government persists until today in denying its involvement in abuses and continues to focus on public relations and campaigns aimed at distorting the reality of the human rights situation in Bahrain. It is unfortunate that Shia Muslims, which make up 60-65% of Bahrain's religious demography, have been victims of sectarian discrimination, marginalization and persecution based on their religious background for decades. Despite the history of injustice and systematic discrimination against the Shia Majority, the choice was in hope, as promised by the rulers then, for an independent state based on equal citizenship and guaranteed Universal Human Rights, rights including those related to Religious Freedom.

The culmination of this ordeal erupted on the 14th of Feb 2011, amid the atmosphere of the Arab Spring, where the overwhelming majority of Bahrainis demanded fundamental democratic reforms, in order to bring the country back to the norms of living in harmony and justice.

Instead of responding to the peaceful democratic demands, the government resorted to the use of power to crackdown on peaceful demonstrations. The government has also resorted to creating sectarian alignments and that has fragmented the national fabric of the population. Until today the pro-governmental press plays a major role in inciting hatred between the national factions.

Destruction of Shia mosques and symbols in the public space:

- At least 38 Shia mosques have been destroyed around Bahrain
- The government has failed in its commitments to rebuild those mosques until today.
- Security forces allegedly vandalized the country's oldest mosque leaving significant damage and anti-Shia graffiti and hate messages on its walls
 - Shia mosques are being repurposed into museums or playgrounds and some have been relocated to remote locations in order to undermine their cultural and religious significance
 - Renaming of Shia cities and villages to erase traces of their heritage
 - Destruction of the Pearl Roundabout, associated with the pro-democracy uprising in February 2011, in an attempt to erase it from the public space and memory; the site's new chosen name "Al-Farook"

Use of historical narrative to marginalize Shia communities:

- The Government fails to present Bahrain's longer social and cultural development and multiple traditions by marginalizing and omitting the rich Baharna history on the island and only focusing on the recent developments since the beginning of the Al-Khalifa rule in 1783
- Shia historic and heritage sites are not promoted in tourism
- The Shia political opposition is presented in the media as being associated with a Safavid loyalist movement to link them to Iran and displacing them from the national history and promoting a causal link between Shia theology, alleged Iranian expansionism and violent extremism

Discrimination in the media:

- Since 2010 authorities practiced a strict monopoly on the Media. Content control has been biased towards the government's perspective
- Opposing views are silenced via arrests, forced shut downs and closures of institutions or organizations possessing a dissenting view on public affairs

- As of 2011 media and state information services has begun actively targeting the Shia community, disseminating false slanderous reports and presenting biased portrayals of their practices and ideology
- As of November 2013 through the Cyber security directorate the government has blocked access to sites dealing with Shia belief
- Religious television and radio is rooted solely in the Sunni tradition, directly ignoring the majority Shia population.
- Television dramas feature negative portrayals of Shia characters and communities.

Discrimination in public employment and in housing policies:

- Members of the Bahraini community suffer from discrimination in public institutions
- Particularly prevalent in government security services where they occupy either low level administrative positions or work as informants
- Inadequate access to housing is also prevalent in the Shia Bahraini community, many residents do not have access to proper sewage or water services

Recommendations

1. Defending and protecting religious freedoms in Bahrain as stated in Article 18 of the Universal Declaration of Human Rights and Article 18 in the International Covenant on Civil and Political Rights.
2. Demand the protection of religious minorities in Bahrain and defend their religious rights including the right of worship, observance and practice.
3. Rejecting policies and actions that target people because of their religion or belief and call upon the government of Bahrain to ensure equal enjoyment of human rights by all and fundamental freedoms shall not be deemed religious discrimination.
4. Calling upon the government to undertake to pursue by all appropriate means and without delay a policy of eliminating sectarian discrimination in all its forms and promote equal citizenship amongst all Bahrainis regardless of religion or faith.
5. Motivate non-governmental organizations to counter the advocacy of sectarian hatred and encourage where appropriate, integrationist multi-sect non-governmental organizations and movements and other means of eliminating barriers between people of different faiths and to discourage anything which tends to strengthen sectarian divisions.
6. Request the visit of the United Nations special rapporteur on religion and belief to Bahrain granting him access to the country's educational curriculums and full freedom in handling a fact-finding mission
7. Consider amending the international convention on the suppression and punishment of the crime of apartheid to allow it to apply to extremely discriminatory situations of a non-racial character. (revisit to be rephrased and presumably look into the legal definition of apartheid).
8. Compensate those communities who have raised their own money to reconstruct religious structures destroyed by the authorities in 2011 and beyond
9. Review and make necessary reforms to the educational curriculum to ensure that they are free of hate speech and religious exclusion or discrimination.
10. Establish an independent regulatory body to ensure that complaints of hate speech are investigated and addressed.
11. The government should encourage inclusive, representative, independent, free, frank and unconditional dialogue and open channels for this among different Bahraini communities that seek to achieve national reconciliation.

While acknowledging the difficult situation in the region, human rights must be upheld. The different stakeholders present at this conference.

We would like to make the following recommendations:

To the government of Bahrain, we call for:

- The full implementation of the recommendations of the 2011 Independent Commission of Inquiry (BICI) and the recommendations of the Universal Periodic Review (UPR) of Human Rights Council.
- The immediate unconditional release of all Bahraini human rights activists and political dissidents, who have been detained for peaceful exercise of their rights
- Accountability, through judicial proceedings, for those involved in demolishing 38 Shia mosques in 2011
- Establishing 17 April as an international Day of Solidarity in support of religious freedoms in Bahrain and as a day of condemnation of all forms of intolerance and discrimination against persons because of their religion or belief
- A review of domestic laws and practices to ensure compliance with Bahrain's obligations under international human rights law
- Standing invitations to be issued to the UN Special Procedures to visit Bahrain

To the Members of the Human Rights Council, we call for:

- A thorough review during the 2017 UPR process, particularly on issues such as civil society consultation and the protection of human rights defenders in Bahrain, and the full implementation of all previous recommendations made by the Human Rights Council
- Continued support, encouragement and pressure to ensure Bahrain implements the legal and policy changes needed to ensure the real promotion and protection of all human rights for all people in Bahrain (including and especially people of all faiths and religions), and to hold the government of Bahrain fully accountable if this does not take place in a prompt manner

To the Special Procedures mandate holders of the Human Rights Council, we call for:

- Their continued support and active investigations into systematic violations of human rights in Bahrain
 - Missions to be conducted to Bahrain, to investigate the human rights situation and report back to the Human Rights Council with specific recommendations, in particular by the Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on freedom of religion or belief; Special Rapporteur on minority rights; Special Rapporteur in the field of cultural rights; Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; and the Special Rapporteur on the right to education.
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