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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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Bahrain: International human rights agreements not observed and violations continue

Bahrain has signed many international agreements in an array of fields, and specifically in the human rights domain where 7 agreements have been signed. They are:

- International Convention on the Elimination of All Forms of Racial Discrimination
- Covenant on Economic, Social and Cultural Rights (ICESCR)
- International Covenant on Civil and Political Rights
- Convention on the Elimination of All Forms of Discrimination against Women
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Convention on the Rights of the Child
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

- International Convention on the Elimination of All Forms of Racial Discrimination

Convention was adopted and opened for signature by the United Nations General Assembly resolution on 21 December 1965, entered into force on 4 January 1969, and signed, ratified and acceded by the authorities in Bahrain on 27 March 1990.

Actions of the Bahraini Authorities

Discrimination in Bahrain is determined by the level of affiliation to the ruling family, and degree of loyalty to them. To compound the issue, on the upper level, the King governs the three constitutional powers, and appoints members of the ruling family in senior positions in the power structure. On the lower level, the rest of the positions within the power structure are gifted to citizens considered “loyal”, with positions distributed depending on strength of loyalty, rather than merit and qualifications.

Discrimination in Bahrain can also be illustrated by statistics. Bahraini Shia Muslims represent approximately 65% - 75% of the Bahraini population, yet they occupy only 15% of the executive bodies, 12% of the judiciary, and 10% of government-owned companies and institutions. As for the army, the Royal Guards, and the Royal Court, the Bahraini Shia Muslims approximately represent no more than 1%. Whilst from 2011 – 2013, 14.9% of all ministers, judges, and advisers were appointed directly by decrees, King’s orders, or Interior Ministry decisions.

- International Covenant on Economic, Social and Cultural Rights (ICESCR)

Covenant was adopted and opened for signature by the United Nations General Assembly resolution on 21 December 1966, entered into force on 4 January 1976, and signed, ratified and acceded by the authorities in Bahrain on 27 September 2007.

Actions of the Bahraini Authorities

On the question of the rights of the national, which is supposed to be equal for all citizens, the Bahraini authorities assume complete ownership of all these rights, exercising a form of reward system to those shows loyalty. Bahraini nationals may lose all of their rights if they demonstrate political differences, which are what happened with the over 280 Bahraini citizens who had their nationality revoked, losing all their rights in the process.

Other examples showing the disregard of Bahraini citizens’ economic, social and political rights because of sectarian reasons are:

- Shia Bahrainis are prevented from building mosques in Shia majority cities like Riffa, Hamad Town or Isa Town, and not allowed to build hussainiyat (Shia Muslim religious centres) in close proximity to public roads, diplomatic areas or business districts (prevention imposed from building the Hassan Al-Aali mosque near Seef Mall).
- The Bahrain Independent Commission Inquiry (BICI) documented and confirmed such violations against mosques, and independently investigated the demolition of five mosques and concluded no official or persons have been sentenced to this day.
- Arrests and torture of many religious Shia scholars simply for their expression of opinion. The issuance of decisions to restrict religious discourse, preventing prayers and speeches in many mosques. Intimidating Shia religious orators, reciters and chanters, and obstructing any attempts by them of exercising their religious activities.
- Revoking the right of Shia scholars from organising propagation activities. This has been demonstrated by the political decision, disguised under a judicial judgment, to close the Ulama Islamic Council. This has been previously

revealed in the Bandar Report which exclusively mentions the Islamic Ulama Council and the plan to target and control Shia religious issues as well as encircle Shia scholars and their institutions.

- International Covenant on Civil and Political Rights Covenant was adopted and opened for signature by the United Nations General Assembly resolution on 16 December 1966, entered into force on 23 March 1976, and signed, ratified and acceded by the authorities in Bahrain on 20 September 2006.

Actions of the Bahraini Authorities

Prejudice against political rights – manipulating the distribution of voting districts

Bahraini Authorities systematically target civil and political rights of the citizens, with representation depending on strength of loyalty rather than an equal vote for every citizen. Thus, the winning and largest parliamentary bloc with the majority of votes in the election will form the smallest bloc in the legislative branch in Bahrain.

– Targeting of civil society organisations

Bahraini authorities have consistently targeted civil society organisations, obstructing the work of NGOs that were established for the purposes of public utility and service to the Bahraini society. NGOs are restricted by law under the ‘Social and Cultural Associations, and Private Bodies working in Youth and Sports Institutions (No. 21/1989)’, which is one of the toughest legislation currently in action in Bahrain. This law puts all political societies and NGOs under strict official control of the Ministry of Social Development, which is ultimately under the control of the Ministry of Justice. In this context, several NGOs were dissolved, including: Bahrain Center for Human Rights.

– Restriction on freedom of expression, prevention of public assembly, and pursuance of users on Internet social platforms

Internet social media platforms have become the key outlet for freedom of expression, and the prominent outlet the Bahraini Authorities use to target, restrict and litigate citizens that express their opinion. A key example is the female rights activist Ghada Jamsheer, who was arrested early in September 2014 for posting “inflammatory tweets” on social media platform. Another similar example is the human rights activist Nader Abdalimam, who was arrested in August 2014 for a tweet made on social media site Twitter.

- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Convention was adopted and opened for signature by the United Nations General Assembly resolution on 10 December 1984, entered into force on 26 June 1987, and signed, ratified and acceded by the authorities in Bahrain on 6 March 1998.

Actions of the Bahraini Authorities

Testimonies of torture victims have been documented in the Bahrain Independent Commission Inquiry (BICI), which illustrated the systematic torture and degrading treatment, both in the investigative rooms or in detention centres. All those who have been arrested have gone through similar experiences of severe torture, which entail:

- Blindfolding
- Forced standing for long periods
- Electrocutation
- Beatings with cables and iron sticks
- Insults
- Threats to family member
- Sleep deprivation, food deprivation
- Denial of carrying out prayers
- Prevention from toilet use
- Beatings on sensitive places of body such as the genitalia
- Soaking with cold water
- Forced to stay in very cold rooms
- One-handed suspension
- Sexual harassment
- Solitary confinement

- Convention on the Rights of the Child

Convention was adopted and opened for signature by the United Nations General Assembly resolution on 25 May 2000, entered into force on 12 February 2002, and signed, ratified and acceded by the authorities in Bahrain on 21 September 2004.

Actions of the Bahraini Authorities

“Dozens of children have been arrested on suspicion of their participation in anti-government protests, including those who are 13 years-old. They were blindfolded, beaten and tortured while in detention during the past two years.”

Amnesty further said that others had been threatened with rape in order to extract forced confessions.

In addition, there were many complaints lodged to UN Special Rapporteurs in the Human Rights Council regarding the abuse of children in arrests and detention. Specifically concerning two Bahraini children, Jihad al-Habashi and Ibrahim al-Miqdad, who were sentenced to ten years. This further illustrates the indifference Bahrain has to the Convention on the Rights of the Child.

Recommendations

- For the international community, represented by the United Nations, oversees the reformation of the political system to ensure the involvement of all citizens in the political process and the proper distribution of wealth, all based on equal citizenship rights and duties without any discrimination, whilst ensure the creation of real and accountable institutions.
 - For the international community, represented by the United Nations, to utilize an international court to bring to justice all officials involved in abuses and torture.
 - For the international community to put Bahrain on a list of countries that violate human rights and that the world powers, like the UK, to take the issue of human rights and democracy as a basis for building and continuing relationships.
 - For the United Nations to assume a protective role for the Bahraini people, by preventing countries that export weapons from dealings with the authorities in Bahrain.
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