



# General Assembly

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## Human Rights Council

Thirty-fourth 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.

[07 February 2017]

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

GE.17-02219(E)



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## **Revoking Citizenship: the Silent Execution\***

### **Introduction:**

The rise of the Arab Spring in Bahrain in February 2011, where a vast and varied percentage of the Bahraini population moved to push for democracy, was accompanied by serious human rights violations; arrests, torture, abuse, unfair trials, and arbitrary revoking of citizenships.

On the 7th November 2012, the Bahraini authorities passed a decision to strip 31 Bahraini citizens of their nationalities because they “are resulting in damage to the security of the state”. The decision was aired on Bahrain’s national television channel and on Bahrain’s News Agency website.<sup>1</sup>

### **Alleged Rationales behind the Decision of Revocation:**

On August 6, 2014, the fourth Instance of the High Criminal Court stripped nine accused after convicting them of forming and joining a terrorist group, and training and receiving training on use of weapons and explosives.<sup>2</sup>

In the Appeals Court hearing on January 27 2015, the decision to strip the above nine citizens of their nationality was cancelled by a court ruling because of the occurrence of the alleged acts before the amendments to the “Anti-terrorism Act”, which allows for the deprivation of nationality in case of conviction.<sup>3</sup>

The decisions of revoking citizenships were issued continuously either by a court sentence or by Royal Decree.

Between February 2011 and September 2016, the Bahraini authorities revoked the citizenship of 304 Bahrainis, including the most prominent religious cleric in the Gulf Ayatollah Sheikh Isa Qassem and a number of activists, clerics, academics, bloggers, and journalists.<sup>4</sup>

### **Deportation of the Citizens:**

On April 23, 2014, the Bahraini authorities have proceeded through the Ministry of Interior to forcefully deport Shia cleric Hussain Al-Najati after direct and unrelenting pressure posed against him to leave the country. Sheikh Al-Najati was stripped of his citizenship in 2012.<sup>5</sup>

On February 5, 2015, the Bahraini authorities detained Farhat Khorsheed and his family in Bahrain’s airport after their return from abroad. Mr Khorsheed was prevented from entering Bahrain, as he was one of the Bahrainis that had their nationality stripped in the list released on 31 January 2015. Amnesty International revealed that it addressed the Bahraini authorities asking for an urgent action to allow Mr. Khorsheed to enter the country. The Bahraini authorities responded after several hours saying that he left Bahrain.<sup>6</sup>

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<sup>1</sup> urgent : Statement by the Ministry of Interior  
<http://www.bna.bh/portal/en/news/532098>

<sup>2</sup> Public Prosecution: 14 convicts sentenced to jail:  
<https://www.bna.bh/portal/en/news/628293?date=2014-08-07>

<sup>3</sup> A Statement for the Prosecution regarding the High Court of Appeal in the case of a Terrorist Group  
Communication with a Foreign Country & Attempting to Murder a Policeman:  
<http://www.bna.bh/portal/news/651346?date=2015-01-27>

<sup>4</sup> <http://www.gidhr.org/Home/ReportsShare/11>

<sup>5</sup> Bahrain officially Announces the Deportation of Sheikh Hussein Al-Najati:  
<http://bhmirror.myftp.biz/news/15336.html>

<sup>6</sup> Amnesty Asked to Allow “Farhat” to Enter the Country, the Authorities Responded After Hours that He Left the  
Country:  
<http://bhmirror.myftp.biz/news/22098.html>

On February 24, 2015 the Bahraini authorities deported Hussain Khairallah Mohammed Mohammedi to the Lebanese capital, Beirut. Mohammedi was stripped of his nationality.<sup>7</sup>

On May 14, 2015, the Bahraini authorities issued a decision to deport 2 citizens whose citizenships were revoked earlier in the same year. They were Sheikh Mohammed Khojasteh, the Shiite cleric and the leader in the Islamic Scholars Council, and the university professor, Dr. Massoud Johromi.<sup>8</sup>

On March 8, 2016, a Bahraini Court of Appeal approved the convict to deport 2 citizens whose citizenships were revoked; Ibrahim Karimi and Ali Isfandiar.<sup>9</sup>

### **Contravention the International Covenant for Civil and Political Rights:**

The revocation decision is a stark denial of international laws and a grave abuse of human rights. Bahrain has both signed and ratified the International Covenant for Civil and Political rights, which further ties the party of the covenant to ensure the obligations set out in the Universal Declaration of Human Rights. Within both the treaty and the declaration, the denial and revocation of nationality is warned of.

The Universal Declaration of Human Rights states:

Article 15:

- (1) Everyone has the right to a nationality; and
- (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

In the preamble of the International Covenant on Civil and Political Rights, it is stated that:

“Recognizing that, in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying civil and political freedom and freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his civil and political rights, as well as his economic, social and cultural rights.”

Further, under Article 2 it is added that:

“1. Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

“2. Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.”

Finally under Article 5:

“1. Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein or at their limitation to a greater extent than is provided for in the present Covenant.”

### **The Effects of the Revocation Decision:**

The revocation decision has severely impacted on the victims and their families and put a strain on many facets of their lives and endeavours; be it social, political, legal, employment and even their safety, as a direct result of this decision.

Some of the struggles are summed up below:

- Deprivation the new-born children from a nationality.
- The barring of the use of many services previously available to them as citizens, which including hospital and housing services

<sup>7</sup> “Khairallah” who was Stripped of his Nationality, was Deported to Beirut:  
<http://bhmirror.myftp.biz/news/29633.html>

<sup>8</sup> Approving the Detention of Nabeel Rajab & Deportation of a Shiite Cleric:  
<http://bhmirror.myftp.biz/news/23960.html>

<sup>9</sup> approving the Deportation of 2 Citizens, Increases the Number of Deported to 7:  
<http://bhmirror.myftp.biz/news/29891.html>

- Deprivation of their right to identity, documents of legal proof, and exposed to issues with immigration laws and asylum.
- A loss of feeling of security and a sense of perennial threat.
- Deprivation of the services provided for pensions and pecuniary benefits
- The barring of the right to work, especially in governmental positions. Note that the majority that were working in the private sector were immediately terminated from employment.
- The barring of the right to benefits for housing, inflation, and application for housing and social insurance.
- The barring of travel outside the country and the inability to return back to Bahrain of those that were originally abroad.
- The inability to enjoy their human and civil rights, such as to vote and elect oneself.

**Recommendations:**

- ❖ Demand the Bahraini Government rescind the revocation decision due to its breach of the Constitution, the laws governing citizenship in Bahrain, and its contravention of international treaties and declarations that Bahrain has signed and ratified.
- ❖ Urge the Bahraini Government to take swift steps to reverse decisions and procedures the Bahraini authorities have already taken to pass the unlawful revocation decision.
- ❖ Declare a decision to restrain the Bahraini authorities from ever using a revocation of nationality as a means to punish political opponents.
- ❖ Urge Bahrain to sign the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness
- ❖ Demand of the Bahraini authorities to accept and allow the visits of the UN Special Rapporteurs to meet with those that have been victims of the stripping of nationality.

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\*Gulf Institute for Democracy and Human Rights (GIDHR), Bahrain Forum for Human Rights, NGOs without consultative status, also share the views expressed in this statement.