



# General Assembly

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## Human Rights Council

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Agenda item 6

Universal Periodic Review

### **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.

[10 February 2017]

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

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## Implementation of UPR Recommendations in Bahrain\*

The Kingdom of Bahrain was among the firsts states to accept being reviewed under the Universal Periodic Review (UPR) mechanism and undertook two reviews in 2008 and 2012, which resulted in 165 recommendations in total (those accepted by Bahrain).

Since its second review in May 2012, Bahrain's government committed to introduce the reforms recommended by the Human Rights Council as well as by the Bahrain Independent Commission of Inquiry. The government's acceptance of the majority of the recommendations was welcomed by the international community as an incentive to foster reform and reconciliation in the country. Today, however, although the Bahraini government has claimed that it has implemented more than 90 percent of UPR recommendations, the reality on the ground is very different. These reforms are not really being implemented in practice, and the situation pre-2011, before the handing down of the report of the Bahrain Independent Commission of Inquiry (BICI) remains largely the same.

### Negligence of the UPR Stake Holder Report Recommendations, 2012

In the 2012 UPR Stakeholder Report for Bahrain, several human rights organisations noted the strong evidence that human rights defenders in detention had been tortured and ill-treated. Moreover, the stakeholders highlighted that dozens of people had been sentenced after being prohibited from adequate access to lawyers and having been forced to sign confessions extracted under torture.

#### Respecting Human Rights

After a review of the 176 recommendations made during the second Universal Periodic Review in May 2012, the government of Bahrain issued an official statement reflecting Bahrain's policy to fully cooperate with the Human Rights Council. Regarding the **Respect of Human Rights**, the government fully supported recommendations **115.37, 115.41, 115.93, 115.103, 115.115, 115.119, 115.123** and **115.161** of the second UPR. Followings are some of the recommendations:

- **115.41** Take immediate actions to restore peace and the respect of human rights and fundamental freedoms (Slovenia)
- **115.93** Prevent incidents of violence against members of ethnic and religious communities (Canada)
- **115.161** Respect the legitimate rights of all its citizens to freedom of assembly and expression, and maintain its commitment to achieving concrete political reform based on respect for the legitimate rights and aspirations of all its citizens (Australia)

Although the Constitution of Bahrain enshrines the right to assemble peacefully, the government of Bahrain has taken a series of repressive and restrictive measures that are unprecedented since the suppression of the 2011 demonstrations. The authorities have constrained rights to freedom of expression and assembly and implemented new restrictive regulations. In addition, there has been a marked increase in the number of arbitrary arrests in the country targeting human rights defenders, activists, religious and political figures and members of civil society. Bahraini authorities have also increasingly discriminated against the countries' Shia majority. One of the most prominent cases is the one of the spiritual leader of Bahrain's Shia population, Sheikh Isa Qassim, who's citizenship has been revoked on 20 June. Since then, Bahraini authorities have summoned and interrogated over fifty senior Shia clerics for illegal assembly, preaching without permit or inciting hatred against the government.

### Abandon any Restriction on Human Rights Defenders, Journalists, NGOs

Regarding the restrictions on human rights defenders, journalists and NGOs, the response of the government of Bahrain to the UN illustrated that Bahrain fully supports recommendations **115.147, 115.150, 115.156 and 115.158** of the UPR pertaining to the abandonment of restrictions on human rights defenders:

- **115.147** That human rights defenders must be protected and allowed to conduct their work without hindrance, intimidation or harassment (**Norway**)
- **115.150** Abandon any restriction or obstacle to the work of persons and institutions engaged in the protection and promotion of human rights (**Switzerland**)
- **115.158** Cease all intimidation or repression against human rights defenders, journalists, and Non-Governmental Organizations (**Spain**)

However, recent developments have shown that restrictions against journalists, human rights defenders and civil society in Bahrain is still rife with many being imprisoned or threatened with imprisonment. Sheikh Ali Salman, the leader of Alwefaq party now serves a nine-year sentence after appealing against a four-year sentence, whilst the prominent human rights defender Nabeel Rajab has been charged with “defaming the state” by publishing “false news and malicious rumours that undermine the prestige of the kingdom”, following the publication of an article by him on the op-ed page of the New York Times. In July 2016, a court in Bahrain ordered the country’s main Shia opposition group Alwefaq to be dissolved in a further crackdown on national civil society, one of the sharpest blows yet against civil society activists in the country. All these examples demonstrate that the government of Bahrain still fails to meet the commitments to its international human rights obligations. Instead, it only escalated its use of criminal charges and restrictive legislation to silence human rights activists, religious scholars and civil societies in the country.

### **Recommendations**

#### To the Government of Bahrain, we call for:

- To recommit to its international human rights obligations.
- The establishment of proper timelines for the implementation of the 2011 recommendations of the Bahrain Independent Commission of Inquiry
- The full implementation of the recommendations of the 2011 Bahrain Independent Commission of Inquiry and the recommendations of the Universal Periodic Review of the Human Rights Council
- The immediate release of all prisoners of conscience, including activists, political dissidents, and those detained for merely exercising their fundamental rights to freedom of expression and assembly
- To lift the restrictions on the freedom of movement including travel bans imposed on different Shia religious leaders and human rights defenders
- Stop using the Bahrain Citizenship Act or the Protection of Society against Acts of Terror law to revoke citizenship, leaving people stateless and facing deportation from the country

- A review of domestic laws and practices to ensure compliance with Bahrain's obligations under human rights law
- Standing invitations to be issued to the UN Special Procedures to visit Bahrain
- Amend any article of its Penal Code that can be used to prosecute individuals for the exercise of the rights to freedom of expression, peaceful assembly or association, and bring its laws into line with international standards established by the International Covenant for Civil and Political Rights.
- Undertake all efforts to relax censorship and to grant oppositional groups the possibility to establish their own media outlets.
- To enter in dialogue with all relevant parties in order to prevent unnecessary conflict and violence.

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
- 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, and to hold the government of Bahrain fully accountable if this does not take place in a prompt manner

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