



To Permanent Representatives of
Member and Observer states of the
UN Human Rights Council

Geneva, 16 July 2015,

RE: Situation of human rights in Bahrain

Your Excellency,

We urge your delegation to promote and support the adoption of a resolution expressing concern over and calling for improvements in the human rights situation in Bahrain by the Human Rights Council.

It is now over a year since Switzerland delivered the fourth and most recent joint statement on the situation of human rights in Bahrain on behalf of 47 UN member states at the 26th session of the Council.

We are deeply concerned that during this period the Government of Bahrain has made no significant progress towards genuine cooperation with UN human rights mechanisms. To the contrary, the Government of Bahrain has intensified its repression of dissenting voices, including through the arbitrary detentions of high-profile opposition activists and human rights defenders, trials that fail to adhere to international fair trial standards, ill-treatment of detainees, excessive use of force, and restrictions on the rights to freedom of expression, association and assembly that go far beyond those permitted under international law.

We urge your delegation to resume efforts to address the human rights situation in Bahrain at the upcoming 30th session of the Council and to promote and support a resolution that calls on the Government of Bahrain to:

- Implement promptly and fully the recommendations of the Bahrain International Commission of Inquiry (BICI) and the recommendations agreed by the Bahrain Government in the context of the 2nd cycle of the Universal Periodic Review, in particular:
 - o Release protesters, activists and human rights defenders detained or convicted solely for having exercised their rights to peaceful assembly, association or expression;
 - o Ensure independent, thorough, and impartial investigations into all allegations of torture and ill-treatment;

- Demonstrate the effectiveness, impartiality and independence of newly established human rights institutions, including the National Human Rights Institution, the Ombudsman, the Special Investigations Unit and the Prisoners and Detainees Rights Commission;
 - Revise or repeal laws that unduly restrict freedom of expression and freedom of peaceful assembly and association;
 - Engage in comprehensive reform of the legal system to ensure effective independence of the judiciary; and
 - Ensure accountability for the serious human rights violations that took place during and after the 2011 protests, including but not limited to those documented in the BICI report
- Cooperate with Special Procedures of the Human Rights Council, including by swiftly providing access to Special Rapporteurs who have outstanding requests for visits to Bahrain, such as the UN Special Rapporteur on torture, and
 - Authorise the opening of a country-office of the OHCHR with a full mandate to oversee implementation of the afore-mentioned recommendations and monitor the human rights situation on the ground, with periodic reporting to the Human Rights Council.

In light of the continued deterioration in human rights conditions in Bahrain, we urge your delegation to build upon the three earlier joint statements delivered at the Human Rights Council on this issue, and to send a strong message to the Government of Bahrain that it should take urgent, concrete and effective steps to improve the human rights situation in the country. The Government of Bahrain should also allow regular access to Bahrain by independent human rights NGOs to assist in monitoring the human rights situation on the ground.

We look forward to continued collaboration on these issues and we remain available to provide further information as required.

Sincerely,

- Amnesty International
- Americans for Democracy & Human Rights in Bahrain
- Asian Legal Resource Centre
- Bahrain Center for Human Rights
- Bahrain Institute for Rights & Democracy (BIRD)
- Cairo Institute for Human Rights Studies
- CIVICUS: World Alliance for Citizen Participation
- Conectas Direitos Humanos
- Gulf Centre for Human Rights
- International Federation for Human Rights (FIDH)
- International Service for Human Rights
- Human Rights Watch

Annex:

Human rights situation in Bahrain

Bahrain's courts continue to convict and imprison peaceful dissenters. On the rare occasions when authorities have prosecuted police officers or members of the security forces, they have either acquitted them or imposed lenient sentences that do not reflect the gravity of the crimes committed. No senior officials have been held accountable for serious rights violations, including torture.

By contrast, the high rate of convictions of defendants before the courts on vague terrorism charges, the courts' imposition of long prison sentences in such cases, as well as the judiciary's failure – and that of the executive authorities – to address the security forces' repeated use of lethal and apparently disproportionate force, all reflect the lack of independence and weakness of Bahrain's criminal justice system.

Human rights activists and members of the political opposition continue to face arrest, prosecution and imprisonment for their peaceful activities.

- On June 16, for example, a Bahrain court sentenced Sheikh Ali Salman, secretary general of Al Wefaq, the country's largest legally recognized opposition political society, to four years in prison solely for public remarks he had made criticizing the government.
- On June 28, 2015 Fadhel Abbas, Secretary-General of opposition political party al-Wahdawi was sentenced to five years in prison for criticizing the Saudi-Arabia-led airstrikes in Yemen.
- On June 30, authorities called in Khalil al-Marzooq, another Al Wefaq leader, for questioning about critical remarks he made at a public meeting several days earlier, and next day arrested Majeed Milad, an Al Wefaq board member, on charges that remain unclear.
- On 12 July, Bahraini police re-arrested recently released opposition figure Ebrahim Sharif, who is now facing new charges related to his right to freedom of expression.

In this context, the pardon and release of prominent human rights defender Nabeel Rajab on July 13 is welcome. However his detention was arbitrary in the first place, because it related to peaceful criticism of the authorities and he may still face other charges related to the exercise of his freedom of expression, still pending at the time of writing of this letter. His pardon "on health grounds" follows international pressure around his case, but comes on the heels of continued detention of many other dissenting voices and human rights activists in Bahrain.

In addition, twelve high-profile activists, including Abdulhadi Al-Khawaja and Dr. Abduljalil Al-Singace, remain in prison serving lengthy prison terms. Their convictions imposed by charges that relate solely to the peaceful exercise of their rights to freedom of expression, association and assembly, notably, their participation in Bahrain's reform movement. According to local activists and legal experts, the Bahraini authorities have also arbitrarily detained many other critics and opponents of the government solely for expressing their opinions, and have detained, prosecuted and jailed scores of individuals, including children, for participating in peaceful anti-government protests.

The government also obtained powers to arbitrarily strip critics of their citizenship and the rights attached to it. The July 2014 amendments to Bahrain's citizenship laws gave the Interior Ministry further powers to revoke the citizenship of people who it deems to have failed in their "duty of

loyalty” to the state, while amendments to Bahrain’s counterterrorism law, exacerbated by the failure of the criminal justice system to provide fair trials and deliver impartial verdicts, provide further legal grounds for the arbitrary stripping of citizens’ Bahraini nationality, rendering many of them stateless, in clear violation of international law.

Bahraini authorities have set up various bodies mandated to prevent the torture and other ill-treatment of detainees, including the Ministry of Interior’s Ombudsman, the Special Investigations Unit, and the Prisoners and Detainees Rights Commission. However these bodies have yet to demonstrate their impartiality and independence in carrying out their mandates. There is evidence that the security forces continue to mistreat and in some cases torture detainees, in particular during interrogation at the Criminal Investigations Directorate.

Former inmates from Jaw Prison recently described to Human Rights Watch and Amnesty International how riot police used teargas, birdshot, and beatings to retake control of four buildings within the prison after unrest broke out there on March 10, 2015. According to the former inmates, riot police moved prisoners outside and kept them in the open, exposed to the elements, for weeks, and repeatedly beat them, doused them with cold water and forced them to shout pro-government slogans. Prison officers also took some inmates to rooms in which there were no closed-circuit TV cameras and then beat them, according to former prisoners. While the authorities said they have investigated the Jaw Prison incident, the details of the investigations are yet to be made public.

* * *