

# Organization for Defending Victims of Violence (ODVV)

## UPR Submission

41<sup>st</sup> session of UPR Working Group (Oct - Nov 2022)

### Bahrain



سازمان دفاع از قربانیان خشونت  
Organization for Defending Victims  
of Violence

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## **About ODVV**

1. The Organization for Defending Victims of Violence (ODVV) is a non-governmental, non-profit, non-political organization in Special Consultative Status to ECOSOC. ODVV was established in 1988 in Tehran and has been active in the field of human rights and humanitarian activities.

2. ODVV is also associated to the United Nations Department of Public Information (UNDPI), a member of the Conference of Non-Governmental Organizations (CONGO) and International Rehabilitation Council for Torture Victims (IRCT). ODVV has cooperated with international organizations in a variety of issues and has working relations with many NGOs in Iran and around the globe.

3. ODVV is focused on promoting human rights, supporting victims of violence, empowering Iranian civil society, and offering human rights consultations to the Iranian institutions and organizations. ODVV is actively involved in running various human rights education courses, workshops, seminars, and conferences. Other activities include:

- Participation in UN Commission on Human Rights and the Human Rights Council sessions in Geneva;
- Publication of different books and booklets on human rights such as Rights of the Child, Unilateral Coercive Measures (Economic Sanctions), Racism, Racial Discrimination, Islamophobia and Xenophobia;
- Publishing *Defenders* Quarterly (in English), human rights news and developments *Weekly* (in Farsi), daily updating ODVV websites in English, Farsi and Arabic;

4. ODVV is submitting the following report on the human rights situation of Bahrain, as well as the human rights situations caused by its foreign policy, in order to contribute to the improvement of human rights both inside and outside the country.

## **Freedom of expression**

5. ODVV is deeply concerned about repression on freedom of expression in Bahrain. Bahrain has restricted<sup>1</sup> online content by amending the Press Law to require that news and broadcasting sites register and obtain Ministry of Information Affairs approval. According to reports, in an eleven months period, (June 2020 to) May 2021, at least 58 individuals were arrested or prosecuted based on charges for online activities<sup>2</sup>.
6. All the people who raise voice on human rights violations, and their relatives, faced harassments. Twelve of the country's high ranking Shi'a leaders remained in custody.<sup>3</sup> It is despite the fact that the government supported 19 recommendations<sup>4</sup> about ensuring freedom of expression and the freedom of the press, in the previous cycle in 2017.
7. Bahraini authorities dissolved al-Wefaq, the country's largest peaceful political opposition party and deprived members of dissolved political societies of running for parliamentary elections.

#### **Torture and other ill-treatment**

8. Bahrain is in breach of its human rights obligations in regards to absolute prohibition of torture and inhumane treatment, though, it has accepted 13 recommendations<sup>5</sup> on preventing and investigating torture and ill treatment in the last UPR cycle. In July 2020, the Court of Cassation upheld the death sentences<sup>6</sup> of Mohamed Ramadan and Hussein Ali Moosa, despite trials that did not follow international standards and existence of reliable evidence indicating that their convictions were based on forced confessions under torture.
9. In September, credible reports revealed that in Jaw prison, Ali AbdulHusain al-Wazeer<sup>7</sup> had been severely beaten, leading to breaking many bones in his body. This was while the domestic human rights institutions including the Ombudsman, the SIU and the NIHR did not fully address the case despite having information about the ill treatment.

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<sup>1</sup> <https://freedomhouse.org/country/bahrain/freedom-net/2021>

<sup>2</sup> <https://www.hrw.org/world-report/2022/country-chapters/bahrain>

<sup>3</sup> <https://www.amnesty.org/en/location/middle-east-and-north-africa/bahrain/report-bahrain/>

<sup>4</sup> Recommendations No: 114.1, 114.11, 114.12, 114.61, 114.97, 114.99, 114.100, 114.102, 114.104, 114.107, 114.108, 114.109, 114.110, 114.112, 114.113, 114.114, 114.115, 114.116, 114.117, 114.118.

<sup>5</sup> Recommendations No: 114.4, 114.8, 114.13, 114.16, 114.17, 114.79, 114.80, 114.81, 114.82, 14.83, 114.87, 114.94, 114.130

<sup>6</sup> <https://www.amnesty.org/en/latest/news/2020/01/bahrain-death-sentences-upheld-for-two-men-tortured-to-confess/>

<sup>7</sup> <https://reliefweb.int/sites/reliefweb.int/files/resources/POL1032022021ENGLISH.PDF>

## **Migrant Rights**

10. The sponsorship (kafala) system for employing migrant workers in Bahrain put migrant workers in a more vulnerable position and the situation worsened during the Covid-19 pandemic. Under the kafala system, the migrant domestic worker is removed from the protection of the host country's labour laws, leaving their legal status solely in the hands of their sponsor. This was in addition to unsanitary living conditions in overcrowded accommodation, scarce legal protection and limited access to preventive health care and treatment.<sup>8</sup>
11. Migrant workers reported facing dismissal, reduced or unpaid wages, and evictions<sup>9</sup> from their accommodation. The discriminatory treatment of migrants continues while Bahrain accepted 6 recommendations<sup>10</sup> in 2017, on improvement of the situation of migrant workers, especially women and putting in place the necessary domestic legislation and access to strengthening their rights.

## **Women's rights**

12. Women continued to face discrimination under Bahraini law. According to Article 353 of the penal code, perpetrators of rape can continue their life with impunity if they marry their victims. Bahrain's parliament proposed to repeal that article in 2016, but the cabinet rejected the proposal.
13. According to the Nationality Law, Bahraini women are not able to transfer their nationality to their children, however, Bahrain supported 5 recommendations<sup>11</sup> in this regard in the previous cycle. In August 2021, women launched a campaign with the Arabic hashtag "Citizenship is My Right and My Children's" to demand the right to transmit Bahraini nationality to their children on an equal basis to men.<sup>12</sup>

## **Engagement in War**

14. Bahrain continued to be a member of the Saudi-led Coalition which has been fighting Yemen for the past seven years, while the Coalition has been under UN scrutiny and criticism for violation of international laws. The conflict has killed more than 377,000<sup>13</sup> people and led to the world's largest humanitarian catastrophe, with widespread concerns about food insecurity, famine, access to medicine, access to

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<sup>8</sup> <https://www.amnesty.org/en/documents/mde11/2168/2020/en/>

<sup>9</sup> <https://www.migrant-rights.org/2020/09/migrants-in-bahrain-face-an-eviction-crisis-amid-covid-19-pandemic/>

<sup>10</sup> Recommendations No.: 114.17, 114.88, 114.132, 114.154, 114.171, 114.172

<sup>11</sup> Recommendations No.: 114.149, 114.150, 114.151, 114.152, 114.153

<sup>12</sup> <https://carnegieendowment.org/sada/85560>

<sup>13</sup> <https://www.undp.org/publications/assessing-impact-war-yemen-pathways-recovery>

potable water, and the spread of diseases like cholera.

15. The Bahraini Government has made it a point to silence any criticism of the War in Yemen in the kingdom. Bahrain's Court of Cassation upheld a five-year prison sentence against human rights defender Nabeel Rajab in relation to tweets critical of involvement in Yemen.

## **Recommendations**

ODVV urges Bahraini government to:

16. Allow journalists and media to safely operate in all areas without fear of harassment, detention, or death.
17. Avoid the intimidation and harassment of human rights defenders, journalists and civil society organizations and allowing them to freely exercise their rights to freedom of expression, association and assembly.
18. Release political prisoners and human rights activists being imprisoned for peaceful exercise of their human right to freedom of expression.
19. Ensure fair trials and take serious measures to prevent torture and other inhumane treatment and investigate all allegations of torture.
20. Ensure the effective protection, security and dignity of migrant workers.
21. Make necessary efforts to reform all legislation that is discriminatory towards women and further its work in empowering women, promoting gender equality and eliminating violence against women and girls by amending and promulgating relevant laws.
22. Amend the citizenship law to enable women to transfer nationality to their children without restriction.
23. Bahrain should halt its support for Saudi-led coalition and allow for an independent investigation into allegations of war crimes in Yemen.