



Bahrain

Submission to the UN Universal Periodic Review 13th Session of the UPR Working Group

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Submitted by CIVICUS: World Alliance for Citizen Participation, NGO in General Consultative Status with ECOSOC and the Bahrain Centre for Human Rights.

1. (A) Introduction

1.1 CIVICUS: World Alliance for Citizen Participation is an international movement with members in more than 100 countries worldwide. Established in 1993, CIVICUS nurtures the foundation, growth and protection of citizen action throughout the world, especially in areas where participatory democracy and citizen's freedom of association are threatened.

1.2 The Bahrain Centre for Human Rights (BCHR) is a non-profit, non-governmental organisation registered with the Ministry of Labour and Social Insurance in Bahrain in July 2002 to promote human rights in the country. The BCHR strives to promote basic freedoms, civil, political and economic rights and provides support and protection to victims and the vulnerable.

1.3 In this document, CIVICUS and BCHR outline urgent concerns related to the environment in which civil society, human rights activists and ordinary citizens operate in Bahrain, and the vicious attacks by government security forces on those who dare to exercise their rights of expression, assembly and association.

- Under Section B, CIVICUS and the BCHR highlight concerns about the brutal attacks on civilians, human rights and political activists, bloggers and writers who participated in or expressed solidarity with the protests.
- In section C, CIVICUS and the BCHR focus on the travesty of the justice system in Bahrain as authorities prosecute civilians in military courts through politically motivated trials.
- In section D, CIVICUS and the BCHR highlight concerns about summary and arbitrary dismissals of professionals, civil servants and other workers for allegedly participating in protests or for denouncing the repressive methods used by the authorities to halt the demonstrations.

- In section E, CIVICUS and the BCHR make a number of recommendations in the areas of the concerns listed.

2. (B) Concerns regarding the brutal response of the authorities to the protests and demonstrations

2.1 Citizens have the right to associate, assemble and freely express their opinions and governments should ensure that these rights are respected and protected.

2.2 In the lead-up to the municipal and parliamentary elections held on 23 October 2010 in Bahrain, the authorities targeted members of the political opposition and activists using the anti-terrorism legislation and in the process arrested and detained about 300 individuals. There were verified reports that some of these arrested were tortured while in detention.

2.3 This state of repression increased in February 2011, when protesters took to the streets calling for political, social and economic reforms and the release of political prisoners. The authorities with the support of troops from neighbouring Saudi Arabia and the United Arab Emirates responded by using tear gas, live and rubber bullets on the demonstrators killing and wounding hundreds in the process.

2.4 CIVICUS and the BCRH express deep concerns over the actions of the authorities in Bahrain towards human rights defenders, bloggers, poets, political activists and ordinary citizens who have spoken out against the responses of the government in the face of a brutal crackdown on peaceful protests and demonstrations. Thousands have so far been arrested, tortured and some have died in detention.

2.5 More specifically 21 human rights and political activists were charged for expressing solidarity with the protesters and sentenced to prison terms ranging from 2 years to life on 22 June 2011. Among those arrested was Mr. Abdullah al-Kawaja, former president of the BCHR and former Middle East Regional Coordinator for the human rights Foundation - Frontline. He was harassed and intimidated at his home and arrested together with two of his sons in law. Mr Al-Kawaja was later sentenced to life in prison.

2.6 The homes of some of the 21 activists were invaded at night and family members threatened, tortured and beaten sometimes to force them reveal the whereabouts of the activists. As a result some of the activists fled into hiding.

2.7 We are deeply concerned that citizens have paid the ultimate price for simply participating in peaceful protests while others have been handed life sentences, harassed and tortured based on politically motivated charges.

3. (C) Using military courts to prosecute and sentence civilians

3.2 Civilians genuinely accused of any offence have the right to be prosecuted in civilian courts that meet international fair trial standards.

3.3 Since mass demonstrations began in February of 2011, the National Safety Court, a civilian court has been used to try civilians for felony and convictions have been based on politically motivated charges ranging from “participating in unauthorised demonstrations,” and “inciting hatred” against the regime.

3.4 On 29 September 2011, 20 medical doctors were sentenced by a military court to jail terms ranging from 5 years to 15 years based on unsubstantiated evidence and charges stemming from the fact that they occupied the Salmanya medical complex, allegedly “calling for the overthrow of the regime” and for “spreading false information.” The doctors were simply carrying out their duties and treating victims injured during the protests.

3.5 Two teacher’s association leaders, Mr Mahdi Issa Abu Dheeb and Ms Jalila al-Salman were convicted by the National Safety Court and sentenced on 25 September 2011 to long prison terms on falsified charges ranging from “disrupting schooling,” “broadcasting false news” and “threatening national security.” This was driven by attempts by the authorities to silence individuals who express solidarity with ongoing protest movements in the country.

4. (D) Concerns regarding the dismissal of professionals and civil servants for perceived roles in the protests.

4.1 The government has summarily dismissed workers without any warning under the pretext that they abstained from work for several days during the protests. Victims include union and labour leaders, journalists, civil servants from government ministries, institutions and staff from hospitals and schools.

4.2 More than 2000 workers have been dismissed and suspended since the start of the protests in February 2011 in direct violation of the country’s labour laws and principles of the International Labour Organisation which challenge discrimination based on differences in political views. Those who have been fired denounced the repressive methods used by the government or participated in or expressed solidarity with the protests.

4.3 Union leaders including Mr. Abdul Abdullah Hussein a founding member of the Bahrain Union Movement was fired in March 2011 for asking workers to participate in a strike action. 30 doctors and nurses were suspended by the Ministry of Health after their personal details were forwarded to a body set up by the ministry to identify medical practitioners who treated injured protesters.

4.4 Before their dismissals, some of the workers were interrogated by authorities and questioned about any role they played at the start of the demonstrations in Pearl Roundabout in Manama, comments made in relation to the protests or taking part in funeral marches for those killed during the protests.

4.5 The dismissal of workers without a written warning and for allegedly participating in demonstrations outside of their places of work is in violation of the labour laws of Bahrain.

5. (E) Recommendations to the Bahraini government

5.1 CIVICUS and the BCHR call on the authorities in Bahrain to protect the basic rights of all Bahrainis irrespective of class, age, political, ethnic or religious affiliation and respect the freedoms of association, assembly and expression of these citizens in line with the International Covenant on Civil and Political Rights which Bahrain acceded to. In light of this, the following recommendations are made;

5.2 Regarding the use of military courts to prosecute civilians

- The government should henceforth refrain from using military courts to prosecute civilians as this violates the rights of the civilians to receive a fair trial. All cases involving civilians currently pending and those on appeal within the justice system should be transferred to civilian courts headed by civilian judges.
- The files of civilians who have been sentenced by military courts in the course of the protests should be thoroughly reviewed, the sentencing investigated and the cases should be referred to civilian courts.

5.3 Regarding the arbitrary dismissal of professionals, civil servants and other workers

- Investigate the cases of workers who have been fired for denouncing the repressive methods used in quelling the protests or for expressing their rights of assembly, expression and association and reinstate such workers immediately with full pay covering the period of their dismissals.

5.4 Regarding the use of force to quell protests and arbitrary detention of activists and political opponents

- The government should conduct an investigation into the cases of civilians, human rights and political activists, bloggers and writers who are in jail or have been detained in connection with the protests. A due process should be put in place to facilitate the release of the above mentioned individuals.

- The whereabouts of those who arrested and currently in locations not known to members of their families should be revealed.
- The government should immediately stop using live ammunition on peaceful protesters and should conduct an independent investigation into the men, women and children who have been killed during the protests or while in detention.