

## **UPR submission of the UNCT in Bahrain:**

### **I. Background and framework**

#### ***A. Scope of International Obligation***

1. Political situation remained stagnant since Bahrain's Second UPR Review in 2012. The three rounds of National Dialogue (recommendations 40, 55, 129, 131, 134) have had little influence on changing the political scene in the country. Notwithstanding the withdrawal of the Al-Wefaq political society shortly after start of the Dialogue, the government followed up on recommendations made and introduced constitutional amendments. The second round that started on 10 February, 2013. However, following the arrest of Khalil Marzouq in September 2013, Al-Wefaq boycotted the dialogue sessions in protest. This eventually led to the suspension of the dialogue on 8 January, 2014. The authorities arrested Khalil Mrazouq, in an attempt to restore the dialogue, the Crown Prince met with key opposition members later in the same month. . Notwithstanding these attempts the escalation on ground led again to the authorities' announcement in September 2014 to suspend the national dialogue.
2. ILO noted that Bahrain has ratified 5 out of the 8 ILO fundamental conventions. The most recent ratification, of the Minimum Age Convention, 1973 (No. 138), was made on 7 March 2012. The Equal Remuneration Convention, 1951 (No. 100) as well as the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) have not been ratified.
3. UNDP noted that it will assist Parliamentary Committees in their evidence-based, decision-making effort to increase transparency and accountability, and improve the effectiveness of communications between the government and general public. This will help the Parliamentary Secretariat better understand its modified role and new functions, and Members of Parliament will receive additional support in drafting legislative documents, budgetary analysis, and adopting relevant international conventions.
4. UNDP planned a project to help the parliament assume the more central role it has recently been assigned constitutionally, legally and politically and which is vital to reinforcing national political community<sup>ii</sup>.

#### ***B. Constitution and legislative framework***

5. No amendments were introduced to the Constitution following those made in May 2012 , which concerns the Council of Representatives (COR) including: the rights of both chambers of the COR to draft legislation; and the ability to veto nominations of cabinets, but not the Prime Minister. However, amendments made remained below the expectations of the opposition. Elections were held in November, 2014 in line with constitutional amendments (recommendation 50), which was boycotted by opposition political societies.
6. ILO noted that in 2012, Bahrain adopted the Labour Law in the Private Sector, Law No. 36 of 2012, which entered into force on 2 September 2012.

7. UNESCO noted that the Bahrain's Penal Code<sup>iii</sup> considers defamation a criminal offense in Article 364. Defamation can be punished by six months and up to two years imprisonment; a fine not exceeding 200 Bahraini Dinars (BHD) was the punishment "for any person who deliberately disseminates false reports, statements or malicious rumours" (Article 168 & 169). In 2014, the Government amended the Penal Code, to make defamation punishable by up to seven years' sentence and a fine of up to 10,000 BHD for anyone who "publicly insults Bahrain's king, flag or national emblem"<sup>iv</sup>.
8. Decree 70 for 2014, was approved by the parliament in April 2016 re-articulated the wording of Bahrain's reservations to article 15 paragraph 4 and article 16 of CEDAW convention. While women's group have welcomed the step taken by the government, they still perceive that the reservations remain in place.

### ***Cooperation with OHCHR***

9. Since the UPR second cycle OHCHR aimed to increase its engagement with the Bahraini authorities, while maintaining its engagement and support to civil society actors, to support the implementation of UPR recommendations. Several missions were organised during December 2012 until May 2016.
10. In 2014, a two-month assessment mission to Bahrain was organized, with two staff members physically present during the whole mission. The mission had two main objectives: organizing national and participative consultations on which to base a draft cooperation programme and assessing the Government plans to improve the human rights situation in the country and its willingness to cooperate with OHCHR. In both regards, the mission was successful. Most recently, a mission was held in the framework of a technical cooperation programme that aims to support Bahrain in fulfilling its international obligations. The mission involved a training programme targeting civil society in cooperation with the NIHR.

### ***C. Institutional and human rights infrastructure and policy measures***

11. With regards to recommendations 28, 43, 107, 124, 127, 132 – 137 on the implementation of the Bahrain Independent Commission of Inquiry's recommendations (BICI) and the need to define a clear timeframe for the implementation of these recommendations, the government of Bahrain established the BICI follow up unit by a Royal decree no.48 for the year 2011.
12. UNDP noted that a national commission was created in March 2012 comprised of politicians, thinkers, legal experts and dignitaries, to follow up on the implementation of the recommendations set out in the BICI report including proposing necessary amendments in laws, procedures and methods of implementation in a concerted effort to reform the justice, human rights, policing, security services and media sectors in a way that accords with best international practice. The reforms suggested, ranging from those to be implemented directly via administrative or legislative measures to those requiring major structural changes, were set out at the conclusion of the commission's mandate and published in a report. The human rights institutions in the country have been strengthened following the recommendations including the independent Special

- Investigations Unit. The national commission has issued since then three reports (the latest was in 2013).
13. UNDP noted that with reference to the implementation of the BICI recommendations, constitutional changes were implemented, delivering a crucial part of the recommendations. According to a recent statement by the Chair of the BICI on 5 June 2016, “of the Commission’s 26 recommendations, only 10 have been substantially implemented, while the other 16 have only been partially implemented. Two of them should remain a priority of the government, namely: the release of persons convicted on the basis of their political beliefs and actions, based on freedom of opinion and expression. This includes 16 high-level persons convicted on such grounds. And, the pursuit of investigations of those responsible for the killing of five persons under torture and the ascertainment of their superiors’ responsibility.”
  14. UNDP will build the capacity in/and assist the Special Investigations Unit in formulating and implementing a communication strategy that will improve the handling of witness protection cases and forensic evidence, and the operationalization of the case management system. The ongoing project with the SIU will focus on training the Prosecutors and Police Officers of SIU in Investigative Techniques and Legal Tools, including Crime Scene Management and International Legal Standards of Due Process, along with data analysing techniques training, and support the establishment of the witness and victim care unit within the SIU.
  15. With regards to recommendations 34 – 36 on NHRI, the Parliament approved the new NHRI law on 29 April, 2014. The new law assigned greater responsibilities, secured the institution financial and administrative independence, and brought the NHRI more in line with the Paris Principles. On 26 March, 2015, the King issued an order whereby some commissioners were renewed and other new commissioners were added. The membership remains from academic background with some members who were previously members of the legislative council.
  16. With regards to recommendations 85 – 87, 108, 111, 112, 121 on investigations in cases of torture, the government of Bahrain established a Special Investigation Unit (SIU) by decision no. 26 in 2013 as an independent unit within the general prosecutor’s office with the responsibility of documenting torture and ill-treatment cases, identify and prosecute perpetrators and provide reparation for victims. The total number of investigators working with the department is 7 and the total number of cases received by the end of 2015 is 298 cases. Statements by the SIU provided numbers on how many cases were referred to court, however, little information is available on the exact number of perpetrators who were tried and sentenced; sentences made and redress measures for the victims if any.
  17. In addition to the SIU, two other entities were established. The Ombudsman office (decree issued in February 2012, later amended in March 2013) and investigates any claims against staff of the Ministry of Interior including (passport department, traffic control, customs, prisons or department for personal

identification cards. According to the Ombudsman most recent report, published in 2016, the number of people reaching out to the Ombudsman has increased to reach 992 of which 305 are complaints, i.e require investigation of the application of relevant laws and regulations. Nearly half of these complaints were resolved/not upheld. The report does not clarify how these complaints were resolved. Ombudsman's office does not investigate claims of torture but rather transfer these to the SIU. Therefore according to the above mentioned report, 55 cases were referred to the SIU, of which 55 are classified as on-going investigation<sup>vi</sup>. In an interview (February 2015) with the head of the SIU, 15 officers and 55 personnel were identified as being involved in torture and ill treatment acts.

18. Prisoners and Detainees Rights Commission (PDRC) established by a decree 61 in 2013, works mainly on monitoring places of detention and has members who are also members of the NHRI with the main objective of assessing the condition of detainees in various facilities. PDRC produced its first annual report in 2015 and have recently issued a report on Jaw prison conditions, following the events of March 2015 which highlighted that the total number of prisoners reaching to 2,468 exceeds by 15% the capacity of the prison. It also noted that out of the total number of prisoners 1,021 are under the heading "riots", which includes: Bombing, terrorism, possession of weapons and explosive material, attempted murder, assault on police officers, use and build Molotov cocktails, block roads on major public roads and burning tires, destroying public and private property.

### **III. Implementation of international human rights obligations**

#### **A. Equality and non-discrimination**

19. In 2012, under the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the ILO Committee of Experts on the application of conventions and recommendations (hereinafter "the Committee") noted that the new Labour Law in the Private Sector, Law No. 36 of 2012 includes modern principles, which take into account international labour standards, thus addressing several gaps in the previous law. The Committee<sup>vii</sup> noted that pursuant to section 39, "Discrimination in wages based on sex, origin, language, religion or ideology shall be prohibited". Section 104 provides that the termination of an employment contract is deemed to be arbitrary dismissal if the termination is due to "sex, colour, religion, ideology, marital status, family responsibilities, or the female worker's pregnancy, delivery of a child or breastfeeding; ... complaint or formal notice or instigates an action against the employer, unless the complaint, formal notice or action are of a vexatious nature".
20. The Committee recalls its previous comments urging the Government to take steps to ensure that the new Labour Law include provisions explicitly defining and prohibiting direct and indirect discrimination, on all the grounds enumerated in Article 1(1) (a) of the Convention, with respect to all aspects of employment and occupation, and covering all workers, including domestic workers, casual workers and agricultural workers. The Committee notes that the Labour Law does not define discrimination and does not appear to prohibit indirect discrimination.
21. With regards to recommendations 39, 48, 49, 50, 51, 52, 71, 73, 77, 96 on women's advancement and elimination of discrimination against women, the

Supreme Council for Women has updated the national strategy for women's advancement in the areas of economic development, social development, health and education as well as political participation among others. However, women's representation in decision-making remains limited to three in the elected parliament out of 40 members, and 8 in the appointed Shoura Council out of 40, and three out of 22 serving cabinet members. Women's participation in the economic sector remains low and many of the women who were dismissed from work following the events of 2011 have not been re-instituted yet.

**B. *Right to life, liberty and security of persons***

22. In its Observations adopted in 2014 in relation to the application of the Forced Labour Convention, 1957 (No. 105), the Committee<sup>viii</sup> recalled its previous comments regarding legislation allowing the imposition of compulsory prison labour, pursuant to section 55 of the Penal Code, in circumstances that are incompatible with the Convention, and in particular for publishing or circulating unauthorized publications, for harming or criticizing the official religion of the State or criticizing the King, for violating certain provisions of the Act on political associations, or of the Act governing public meetings, processions, demonstrations and gatherings.
23. In August 2012, the King issued a law on children's rights. However, violations against children remain. In 2014, 28 children (1 female) were detained.
24. Through Royal decree 23 of 2013, authorities amended the scope of risk of delinquency for juveniles (children under 15), to include participation in a demonstration, a march, public gathering or a political sit-in alongside gambling, prostitution, etc... According to the decree, parents of juveniles at risk are subjected to a fine and/ or imprisonment.
25. According to reports, from 2014 till June 2016 seven men were sentenced to death. Five of the death sentences were handed on charges related to involvement in terrorist acts. The trials were criticised as unfair trials whereby defendants were denied access to lawyers and the court ruling was based on confessions that were obtained under torture without due investigation of the defendants allegations of torture. The other two death penalty sentences were handed to two nationals of Bangladesh and related to premeditated murder, illegal residency and involvement in prostitution<sup>ix</sup>. Bahrain has noted all recommendations (5, 19, 78, 80 – 83) made in relation to death penalty in the previous cycle.
26. In October 2012, Bahrain amended articles 208 and 232 of the penal code to incorporate the definition of torture as contained in article 1 of CAT.
27. Also in February 2014, the government of Bahrain issued Decree 24 for the year 2014 regulating the use of force by public security personnel. The law prohibits the use of force except in extreme necessity cases (defined as risk to life, when authorised by unit commander).

**C. *Rights related to name, identity, nationality***

28. Since 2012, authorities have revoked the citizenship of over 250 religious figures, human rights defenders and political activists. On 6 November 2012, the Bahraini authorities announced the revocation of the Bahraini citizenship for 31 activists

(MPs, religious men, political activists). The statement of the Ministry of Interior indicated that the action is in line with the Bahraini Citizenship law Article 10 (C). In July 2014, the law was amended to include under article 10 (c) that the Minister of interior can revoke citizenship with the approval of the cabinet based on “causing damage to the interest of the state or “for those who are disloyal.” In September 2014, 9 individuals were stripped off their nationality by a court order. Another three were sentenced to 10 years imprisonment and their citizenship was revoked based on charges of being involved in terrorist acts. In February 2015, the Ministry of Interior announced the revocation of citizenship of 72 Bahrainis. In June 2015, 61 individuals were tried on charges of forming an illegal group to organise terrorist attacks; most were convicted to heavy sentences including life imprisonment. Furthermore, 56 of the defendant were stripped of their nationality in accordance with the newly amended anti-terrorism law (decree 68 of 2014), which provides courts with power to revoke citizenship. . Most recently, authorities revoked the citizenship of a top Shia religious leader Sheikh Issa Qasim.

29. In addition to revocation of citizenship, the Bahraini authorities have started deporting those who were stripped of their citizenship. Over five persons were deported since late 2014, a measure that resulted in suffering to them and their families.
30. On the other hand, with regards to recommendations 75, 95, 140-143 relating to woman's equal in conferring her citizenship to her children, the government referred in July 2014 a draft law to the legislative Council with proposed amendments to grant women equal rights upon satisfying certain conditions. The CoR has not yet approved these amendments. Finally, a royal decree has granted children of some Bahraini women married to non-Bahrainis citizenship rights. However, little is known about the criteria for selection of these children.

***D. Administration of justice, including impunity, and the rule of law***

31. The Constitution of Bahrain forbids torture in article 19 (d), stating that “no persons shall be subjected to physical or mental torture, or inducement, or undignified treatment...” and “any statement or confession proved to have been made under torture, inducement, or such treatment, or the threat thereof, shall be null and void.” Bahrain’s penal code criminalizes the use of “torture, force or threats, either personally or through a third party, against an accused person, witness or expert” in order to induce a person to confess to an offense or to offer statement or related information and civil persons engaging in torture shall be subjected to a term of imprisonment (arts. 208 and 232).
32. On March 10<sup>th</sup>2015, riots erupted in Jaw prison. According to an official statement by the head of the Department of Correction and Rehabilitation, riots followed a visit by family members to a prisoner during which a dispute between family members and police officers took place. Prison administration responded with excessive force. According to many reports produced by national and international human rights organisations, prison guards used tear gas canisters, rubber bullets and shotgun pellets to enter prison buildings heavily beating prisoners. Following that day, many of the prisoners were allegedly subjected to

torture, in-human and degrading treatment. OHCHR raised the subject in its press briefing on June 5th and “urged the authorities to conduct impartial, speedy and effective investigations to ensure that victims of torture or ill-treatment have access to appropriate remedies.” According to the Ombudsman Chairperson, the office received 15 complaints following Jaw event and referred these to the SIU. As of yet no information are made available on the results of the investigation.

33. Documentation of torture cases inside and outside of detention facilities, during detention, pre-detention, interrogation or in prison remain widely spread. The number of cases received by the SIU and the ombudsman office testify to this. Similarly, cases documented by international and national human rights organisations base their claims on interviews with victims.

#### ***E. Right to privacy, marriage and family life***

34. Women's groups are still pressing for a unified personal status law for all citizens. However, the issue is a matter of intense debate between the Sunni and Shi'a communities in Bahrain. Although, Bahrain passed its first written personal status law (Law 19/2009), the law still applies only to Sunnis. Shia religious scholars demand a constitutional guarantee that their personal status law cannot be amended. This debate has postponed any actual work on developing a unified personal status law that is in line with international standards.

#### ***F. Freedom of movement***

35. Recent measures adopted by the authorities restricted the movement of citizens. Since May 2016, the authorities imposed some travel bans on several human rights defenders who reported that when they attempted to travel, the authorities have informed them that there were orders banning them from travel.
36. Furthermore, following the revocation of Sheikh Issa Qasim's citizenship, the authorities imposed restrictions on people's movement to Duraz village in an attempt to restrict gatherings and sit-ins by supporters of the Sheikh.

#### ***G. Freedom of religion or belief, expression, association, and peaceful assembly, and right to participate in public and political life***

37. In July 2013, the High Authority for Media and Communication was established as per royal decree 47<sup>x</sup>, as an independent body that is concerned with supervising media and communication outlets, providing feedback on draft laws, a media charter and licensing applications. The senior management of the Higher Authority is appointed by the Government of Bahrain. The legal protection for journalists' sources is not specifically guaranteed by media legislation in Bahrain. UNESCO counted the killing of three journalists in Bahrain since 2008<sup>xi</sup>.
38. Freedom of information and access to information are not guaranteed in the Constitution, however the 2002 Press and Publications Law<sup>xii</sup> provides for “any restraints on flow of information or that might cause unequal access to information for newspapers or disrupt citizens' right to knowledge are prohibited if they do not violate public security and the nation's supreme interests”, and the right to access to information is further mentioned in the Articles 31, 32 and 33.

39. In July 2016, the Information Affairs Minister issued Edict 68/2016, which poses restriction on electronic media and requests newspaper and printed media to apply annually for a license to disseminate printed content and not permitting live streaming.
40. Furthermore, minister of information issued decision 12 for 2016, which instruct internet providers to install a system that filters out and blocks certain websites that are viewed by the central administration as illegal or restricted in Bahrain.
41. Freedom of expression was targeted in law and in practice. Many human rights defenders and political activists faced trials over statements made on social media. Nabeel Rajab was arrested on 13 June 2016 on charges of “spreading false news and rumours about the internal situation in a bid to discredit Bahrain”. Charges are based on comments posted on his tweeter account. He was denied bail and is still awaiting the court ruling on his case.
42. Shia religious leaders are repeatedly intimidated and attacked. For example, Shiekh Hussain Najati’s citizenship was revoked in November 2012. He was deported in April 2014 because "was not transparent and did not communicate" on his situation and activities in Bahrain. Najati is the Bahrain representative for Grand Ayatollah Ali al-Sistani, Iraq's Shiite figure. Furthermore, the government dissolved in 2014 the Islamic Clerical Council, which is responsible for supervising religious affairs for the Shia. On 16 July 2016, Bahraini authorities announced the referral of Shia spiritual leader Sheikh Isa Qasim, and other religious figures, to court on charges related to money laundry. The charges are based on one of Shia’s religious duties collecting contribution from Shia community members.
43. On recommendations 24, 27, 98, 99, 160, 161, 163 and since August 2013, following the government’s amendments to article 11 of the Law on Public Gathering, the authorities imposed a ban on public demonstrations in the capital Manama. Other places outside Manama have witnessed several demonstrations throughout the period. Duraz<sup>xiii</sup> have recently been the stage for several public demonstrations and sit-ins in solidarity with the religious leader. Yet many reports confirm that there have been heavy clashes with security forces during the past period in that area.
44. According to recent reports by human rights groups, the total number of people arrested since February 2011, has reached by the end of 2014 8824 including 286 women and 720 children (3 girls).
45. Sheikh Ali al-Salman was arrested on 28 December 2014- two days after he was re-elected as the Secretary General of Al-Wefaq- on charges related to: (i) inciting a change of regime by non-peaceful means; (ii) inciting hatred of a segment of society against another; (iii) inciting others to break the law and; (iv) insulting the Ministry of Interior. The arrest of al-Salman triggered a surge in the number of street protests and clashes with security forces. As a result, at least 90 protesters have been seriously injured and some 116 arrested. There are concerns that security forces may have resorted to an excessive use of force while dispersing protests, including excessive use of bullet rubbers, bird shot guns and tear gas.
46. The king issued Law 12/2016 amending some of the provisions of Law 26/2005 regulating political societies. The law stipulated the amending of the method and

procedures to form the organs of the society and the choice of its leaders who must not be engaged in giving religious speeches, sermons or guidance, even without remuneration. The law also stipulated how a political society may carry out its activities, organise the relationship among its members on a democratic basis, determine the political, financial and administrative prerogatives of its organs and leaders and ensure the highest levels of democratic discussions within them. The amendment bans the simultaneous membership in a political society and engagement in religious preaching, guidance or speeches, even if there is no remuneration. Under no circumstances can anyone combine religious preaching and membership in a political society. These amendments, designed to prevent the exploitation of places of worship and the politicization of religion, were endorsed by parliament.

47. Ebrahim Sharif, the former Secretary General of the National Democratic Action Society (also known as Waad), was released on the 11 July, 2016 after completing his sentence. Sharif was initially released on 19 June, 2015 by a royal pardon after serving over 4 years of his 5 years' sentence. He was rearrested on July 12, 2015, a mere 3 weeks after his release after giving a speech at Al Hija maatam [مآتم؟] (Community centre). The Director General of Criminal Investigation and Forensic Science said that Sharif's statements incited hatred against the regime.
48. On 17 July, 2016 the Bahraini High Civil court ordered the dissolution of Al-Wefaq association and the liquidation of its assets. The decision came after one month of the administrative court ruling to suspend the association and closure of its premises. While the original date for the court hearing was scheduled in October, the court moved the hearing to earlier dates based on the request of the Ministry of Justice. According to Al-Wefaq lawyers the proceedings of the court lacked fair trial standards as lawyers were denied access to documents to help in preparing for the defence statement.

#### ***H. Right to work and to just and favourable conditions of work***

49. A recent publication by the UNESCWA have highlighted the new labour law enacted in July 2012 for the Private Sector (Law No. 36), which prohibits discriminatory practices on the basis of sex, ethnicity, language, religion and beliefs in areas of payment and termination of contracts.<sup>xiv</sup>
50. In 2014, under the Worst Forms of Child Labour Convention, 1999 (No. 182), the ILO Committee of Experts noted with satisfaction that the new Labour Law No. 36 of 2012 contains a prohibition on the employment of minors under the age of 18 years in hazardous or dangerous work and work endangering their health and morals (section 27). The Committee also noted with interest the promulgation of Order No. 23 of 2013 (by the Ministry of Labour), which contains a list of 34 occupations and industries prohibited to children under the age of 18 years.

#### ***I. Right to health***

51. Bahrain has several structures which supported progressive realization of the right to health. There is a National Coordination Committee for Human Rights, composed of representatives from relevant central agencies and service ministries.

They meet monthly and subcommittees meet on weekly basis. A newly formed Right to Health Committee in the Ministry of Health is still orienting itself to its role and how it might shape and direct its activities. It is a subcommittee of the broader National Coordination Committee for Human Rights and its existence is a clear advantage in Bahrain. There is also a Supreme Council of Health which is reported as strong, consisting of members from all relevant ministries.

52. These structures serve to create a certain momentum and visibility for the work to achieve progressive realization of the right to health in Bahrain. There are rooms for improvement to strength the work of those structures and its ability to monitor and advocate for fulfilling national commitments and obligations through the system. The following are among the agreed upon preliminary actions and next steps between WHO/EMRO and Kingdom of Bahrain:
  - a. Strengthen the Right to Health Committee and coordinate with other human rights structures with effective participation of different stakeholders.
  - b. Consider strengthening partnerships and capacities of national multidisciplinary teams including MOH and relevant sectors, parliament and civil society through launching WHO/EMRO multidisciplinary courses titled “Human Rights and Health Equity course: as well the regional course “The role of health legislations to strengthen Health Systems in Bahrain”. Those should present a very important opportunity to entrench good health governance arrangements and specifically refer to the progressive realization of the right to health and reporting on progress.
  - c. Conduct an audit of all health laws and laws affecting health for their effect of realization of the right to health for expatriate workers and recommend and implement reforms where necessary in line with national obligations, and the new health governance reform and delegated roles and responsibilities.

#### ***J. Persons with disabilities***

53. There is a national strategy for persons with disabilities (2012-2016) covering six themes health, inclusive education, accessibility, awareness and media, economic empowerment, and legislation. In 2014, with other WHO Member States, Bahrain endorsed resolution WHA67.7 on the WHO global disability action plan: Better health for persons with Disabilities 2014-2021. The global plan addresses access to inclusive health services; rehabilitation, assistive devices and support services; and data and research on disability and related services.

#### ***K. Migrants***

54. According to a recent UN publication the total number of migrants in Bahrain has reached 729,357 constituting %54.7 of the population and in which women constitute %27.8.<sup>xv</sup>
55. The new private sector labour law, Law 36/2012, which King Hamad signed into law on July 26, 2012. The new law extends sick days and annual leave, authorizes compensation equivalent to a year’s salary for unfairly dismissed workers, and increases fines employers must pay for violations of the labour law. Under the

new law, according to the media, employers who violate health and safety standards can face jail sentences of up to three months and fines, with punishments doubling for repeat offenders. The law covers migrant workers, but it does not offer protection for migrant domestic workers.

#### ***L. Human Rights and Counter-terrorism***

56. UNDP noted that Bahrain has been very proactive in its international role in countering the global threat from the so called Islamic State. It is an active member of the Small Group of the Global Coalition to Counter ISIL and of the Saudi-led Islamic Coalition against terrorism, alongside other states across the Muslim world. As such, Bahrain is acutely aware of the importance of multilateral cooperation on counterterrorism efforts, in particular in challenging radical ideology and preventing the rise of violent extremism.
57. OHCHR noted that the Government of Bahrain has taken seriously the threat of terrorism to its internal security, and has committed to counter extremist threats domestically, including from ISIL but also from other violent extremist groups
58. UNDP Bahrain is planning to hold a one-day regional Experts Conference<sup>xvi</sup> on the Role of Youth in Preventing Violent Extremism (PVE), in partnership with The Information Centre for Women & Children (ICWC).
59. OHCHR noted that Bahraini authorities have invoked the anti-terrorism law to detain and prosecute journalists and rights activists for belonging to “terrorist groups”<sup>xvii</sup>. In December 2014, the authorities amended the law to extend the pre-trial detention to seven months and expand the police powers to implement various measures in investigating acts of violence.

#### ***M. Right to Development and Environmental Issues***

63. The United Nations Environment Programme (UNEP) recognises and thanks the Kingdom of Bahrain for the hosting of UNEP’s Regional Office for West Asia in Manama. This provides UNEP with a strong base from which to undertake its regional operations in support of West Asia.
64. UNEP recognises the strong linkage between a healthy environment and human health and individual rights to water, shelter, food.
65. UNEP strongly advocates for the design and development of national policies that guarantee the full exercise and enjoyment of economic, social, cultural and environmental rights. Such an approach demonstrates a willingness and commitment by the Government to continue to comply with international commitments.

#### ***Key Recommendations:***

66. Recognizing the commitments made by the Government of Bahrain towards the 2030 Agenda for Sustainable Development and the Sustainable Development Goals<sup>xviii</sup> to integrate the three dimensions<sup>xix</sup> across national policy and to effectively prioritise, measure, monitor and report on them and to ensure that no citizen of the Kingdom of Bahrain is left behind.
67. To make a more direct linkage between environment, climate change adaption, sustainable development and human rights through *inter alia* considering:-

- Formalise the role of environment and right to a healthy environment under the national human rights processes, and/or incorporate an environmental addendum to human rights law;
  - Develop a national programme that focusses on provision of basic human rights relating to environment (water, land, food), that demonstrates a clear recognition in national policy of the rights and benefits of people to natural resources.
68. Incorporate human rights into climate change adaptation initiatives (relating to SDG Target 13.1<sup>xx</sup>), recognising potential displacement by sea level rise, loss of agricultural land, loss of livelihood and income etc.
69. Recognising the links between pollution and the right to health and a healthy environment (as enshrined in SDG Target 3.9<sup>xxi</sup>, SDG Target 6.3<sup>xxii</sup>), make efforts to address environmental pollution including: industrial pollution; waste management<sup>xxiii</sup>, clean fuel<sup>xxiv</sup>; and noise pollution.
70. Enhancing awareness and education on the linkages between environment, human rights and human well-being, taking advantage of the opportunity provided by the 2030 Agenda and the Sustainable Development Goals, through public awareness campaigns emphasising organisational and individual roles and responsibilities towards sustainable consumption and production (SDG 12 and all its targets<sup>xxv</sup>) and incorporation of sustainable development into education curricula in line with SDG target 4.7<sup>xxvi</sup>.

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<sup>i</sup> Agencies participating in this submission include ILO, OHCHR, UNDP, UNEP, UNESCO, and WHO

<sup>ii</sup> The project recognizes the need for further development of the skills of both members and staff within a collaborative framework. It targets the three critical functions of oversight, representation and law making as the primary means by which the Council will achieve greater centrality in the government and country as a whole.

<sup>iii</sup> [https://www.unodc.org/res/cld/document/bhr/1976/bahrain\\_penal\\_code\\_html/Bahrain\\_Penal\\_Code\\_1976.pdf](https://www.unodc.org/res/cld/document/bhr/1976/bahrain_penal_code_html/Bahrain_Penal_Code_1976.pdf)

<sup>iv</sup> <http://www.state.gov/documents/organization/236806.pdf>

<sup>v</sup> <http://mcherifbassiouni.com/bahrain-right-thing/> accessed on 16 September, 2016

<sup>vi</sup> Ombudsman publication available on <http://www.ombudsman.bh/mcms-store/pdf/862-Ombudsman%20Annual%20Report%20E%202015-2016%20L.R-120350.pdf> accessed on 16 September, 2016

<sup>vii</sup> Please refer to paragraph 19 above

<sup>viii</sup> Please refer to paragraph 19 above

<sup>ix</sup> For further information <https://www.amnesty.org/en/countries/middle-east-and-north-africa/bahrain/report-bahrain/>

<sup>x</sup> <http://bna.bh/portal/en/news/568067>;  
Full text available in Arabic on <http://www.alwasatnews.com/news/789173.html>

<sup>xi</sup> <http://www.unesco.org/new/en/communication-and-information/freedom-of-expression/press-freedom/unesco-condemns-killing-of-journalists/countries/bahrain/>

<sup>xii</sup> [http://www.bahrainijournalists.org/References\\_and\\_documents/Law](http://www.bahrainijournalists.org/References_and_documents/Law)

<sup>xiii</sup> See paragraph 36

<sup>xiv</sup> UN ESCWA (2015) Situation Report on International Migration: Migration, Displacement and Development in a Changing Arab Region

<sup>xv</sup> UN ESCWA (2015) Situation Report on International Migration: Migration, Displacement and Development in a Changing Arab Region

<sup>xvi</sup> The Experts Conference will be held in November and will provide an opportunity to explore and suggest strategies to counter violent extremism (with a focus on children and youth), and to strengthen

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prevention. The conference will include sessions on international models of youth engagement on extremism (i.e. UK Prevent, US CVE, Hedayah UAE, UN CVE, Kofi Annan Foundation CVE youth leadership initiative, etc.). Invited international speakers will include those from organisations involved in innovative work in combatting extremism, e.g. SAVE, Google Ideas, FAST, Mosaic, Global Counterterrorism Forum (GCTF) as well as other key commentators.

<sup>xvii</sup> See paragraph 25

<sup>xviii</sup> Resolution 70/1: Transforming our world: the 2030 Agenda for Sustainable Development, adopted by the General Assembly on 5 September 2015

([http://www.un.org/ga/search/view\\_doc.asp?symbol=A/RES/70/1&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E))

<sup>xix</sup> Economic, environmental and social

<sup>xx</sup> SDG Target 13.1: Strengthen resilience and adaptive capacity to climate related hazards and natural disasters in all countries

<sup>xxi</sup> SDG Target 3.9: By 2030 substantially reduce the number of deaths and illnesses from hazardous chemicals and air, water, and soil pollution and contamination

<sup>xxii</sup> SDG Target 6.3: By 2030, improve water quality by reducing pollution, eliminating dumping and minimizing release of hazardous chemicals and materials, halving the proportion of untreated wastewater and increasing recycling and safe reuse globally

<sup>xxiii</sup> Effective management of hazardous waste; provision of sanitary landfills; programmes for reducing, re-using and recycling; preventing illegal dumping

<sup>xxiv</sup> Bahrain currently has Euro 4 standard fuel, refineries equipped can make move to Euro 5 which will reduce sulphur content

<sup>xxv</sup> Goal 12: Ensure sustainable consumption and production patterns

(<http://www.un.org/sustainabledevelopment/sustainable-consumption-production/>)

<sup>xxvi</sup> SDG Target 4.7: By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development