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Human rights situations that require the Council's attention

Written statement* submitted by Americans for Democracy & Human Rights in Bahrain Inc, 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.

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* Issued as received, in the language(s) of submission only.



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Bahrain must take steps to ease political, social and economic tensions

Americans for Democracy & Human Rights in Bahrain would like to take this opportunity at the 43rd session of the United Nations (UN) Human Rights Council (HRC) to highlight Bahrain's precarious political situation in regards to tensions with the political opposition. We also wish to call attention to the critical need for meaningful political, social, and economic policies to address deep-seated dissatisfaction among the majority of the citizen population concerning access to jobs and social services, political disenfranchisement, and increasingly strict laws governing speech, assembly, and association.

Currently there are over 4,000 political prisoners in Bahrain, torture remains widespread, arbitrary arrests and enforced disappearances are frequent, and there is a pervasive culture of impunity that allows security force officers to avoid prosecution and accountability for rights abuses. These factors, coupled with the closure of civil society space, the dissolution of political opposition societies, and political disenfranchisement has created deep-seated tensions between the government and a majority of the citizen population. These troubling human rights violations and widespread repression have led Bahrain to the brink of a political crisis and spurred an economic crisis in which the government spends exorbitantly on repression while neglecting social services. The best way for the Bahraini government to resolve these twin crises is by reducing spending on repression, releasing political prisoners, and engaging in a dialogue with the leaders of the political opposition.

Among the reports of rights abuses are accounts of security force arresting human rights defenders and political opposition activists, as well as bloggers and protesters.¹ Naji Fateel, a blogger and a co-founder of the Bahrain Youth Society for Human Rights, is one of those who has been detained arbitrarily. He was arrested without a warrant in 2013 and tortured before being sentenced on spurious charges to 25 years in prison for his human rights activism. He is currently suffering from health concerns and is being denied necessary medical attention. Bahrain has also detained Nabeel Rajab, a prominent human rights defender, in a manner the UN Working Group on Arbitrary Detention has twice declared arbitrary: in July 2013² and in August 2018.³

There have also been detailed accounts of widespread torture by Bahrain's security forces, which the UN Committee against Torture in its May 2017 concluding observations to Bahrain's review noted were "numerous" in "all places of detention and elsewhere, particularly at the Criminal Investigations Directorate, [from] the moment of arrest, during pretrial detention and in prisons, in order to extract confessions or as punishment."⁴ The Committee also highlighted the government's failure to hold alleged torturers and abusers accountable for committing violations. Indeed, impunity for crimes like torture remains deeply problematic and extends into the government, with Nasser bin Hamad – a son of Bahrain's King Hamad – being accused of torturing dissidents, which led the United Kingdom of Great Britain to strip him of his diplomatic immunity.⁵

¹ "Concluding Observations on the initial report of Bahrain," UN Human Rights Committee, 26 July 2018,
https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/BHR/CCPR_C_BHR_CO_1_3186_0_E.pdf.

² "Nabeel Abdulrasool Rajab v. Bahrain," UN Working Group on Arbitrary Detention, Opinion No. 12/2013, A/HRC/WGAD/2013/12, 25 July 2013, <http://hrlibrary.umn.edu/wgad/12-2013.html>.

³ "Nabeel Abdulrasool Rajab v. Bahrain," UN Working Group on Arbitrary Detention, Opinion No. 13/2018, A/HRC/WGAD/2018/13, 13 August 2018,
https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session81/A_HRC_WGAD_2018_13.pdf.

⁴ "Concluding Observations on the second and third periodic reports of Bahrain," UN Committee against Torture, 29 May 2017,
https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2fBHR%2fCO%2f2-3&Lang=en.

⁵ See "Bahrain: A System of Injustice," Human Rights Watch, 28 May 2014,
<https://www.hrw.org/news/2014/05/28/bahrain-system-injustice#>; and Cahal Milmo, "Prince Nasser

In addition, there have been allegations of abuse against minors as well as against female political prisoners. In particular, the Committee on the Rights of the Child has expressed concern that security forces arbitrarily arrest and detain children, torture them, and coerce them into confessing to bogus state security crimes.⁶ There have also been reports of several women detained because of their peaceful activism or the activism of their relations.⁷ Among them are Medina Ali and Hajar Mansoor. Mansoor did not commit a crime, but was arrested in retaliation and in reprisal for the activism of her son-in-law Sayed Ahmed Alwadaei – an arrest that the UN Working Group on Arbitrary Detention declared to be arbitrary.⁸

Beyond these human rights violations, the Government of Bahrain has taken steps to restrict political engagement, all but closing civil and political society space. In 2014, the government arrested Sheikh Ali Salman, the Secretary General of Al-Wefaq National Islamic Society, the largest opposition political society in the country, later sentencing him to four years in prison on charges relating solely to his political speeches. In 2015, the government released and then immediately rearrested Ebrahim Sharif, the leader of the National Democracy Action Society, also known as Wa'ad, sentencing him to a year in prison on charges related to a political speech. Authorities also took action against Al-Wahdawi, a smaller leftist political society.

Then, in July 2016, the government dissolved Al-Wefaq, shut down its website, closed its headquarters, and seized its assets. In May 2017, the authorities closed Wa'ad over unfounded allegations of “incitement of acts of terrorism and promoting violent and forceful overthrow of the [government]” after the society criticized the closure of Al-Wefaq. The High Court of Appeals confirmed the ruling in October 2017, leaving Al-Wahdawi as the only legal opposition group still operating in Bahrain.

Amid this direct assault on the opposition, the Bahraini government has taken steps to undermine popular representation in the lower house of parliament and control the outcomes of elections. Years of gerrymandering have ensured that the lower house does not proportionately represent Bahrain's population, with a significant majority of members representing only a small minority of the electorate. Bahraini authorities have specifically redistricted to dilute the influence of the Shia Muslim majority, amplify that of government supporters, and prevent opposition groups like Al-Wefaq from securing a larger proportion of the ballots.

In addition, ahead of the elections for the lower house of parliament on 24 November 2018, the government took additional steps to disenfranchise the political opposition. In May 2018, the government passed legislation banning members of dissolved political opposition societies from seeking office and forbidding anyone sentenced to a prison sentence of six months or more to prison from running for office. These two measures effectively outlawed nearly all of Bahrain's political opposition groups and activists from seeking office.⁹ On 4 November 2018, only weeks before the election, a Bahraini appeals court sentenced Sheikh Salman to life in prison. On 13 November 2018, authorities arrested former Member of

of Bahrain stripped of UK diplomatic immunity, sparking demands for fresh probe into torture allegations,” The Independent, 7 October 2014, <https://www.independent.co.uk/news/uk/crime/prince-nasser-of-bahrain-stripped-of-uk-diplomatic-immunity-over-torture-allegations-9779815.html>.

⁶ “Committee on the Rights of the Child considers the report of Bahrain,” United Nations, 21 January 2019, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24095&LangID=E>

⁷ “The Bahraini Government is Attacking Female Activists – and Trump’s Policies are Emboldening Them,” Ms. Magazine, 24 October 2019, <https://msmagazine.com/2019/10/24/the-bahraini-government-is-attacking-female-activists-and-trumps-policies-are-emboldening-them/>.

⁸ “Opinions adopted by the Working Group on Arbitrary Detention at its eighty-second session, 20-24 August 2018; Opinion No. 51/2018 concerning Sayed Nazar Naama Baqer Ali Yusuf Alwadaei, Mahmood Marzooq Mansoor, and Hajar Mansoor Hassan (Bahrain),” United Nations Working Group on Arbitrary Detention, 7 January 2019, https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session82/A_HRC_WGAD_2018_51.pdf.

⁹ “Bahrain Moves to Ban Opposition Ahead of 2018 Elections,” ADHRB, 30 May 2018, <https://www.adhrb.org/2018/05/bahrain-moves-to-ban-opposition-ahead-of-2018-elections/>.

Parliament Ali Rashed al-Asheeri in relation to tweets in which he argued for individuals to boycott the 24 November 2018 elections because they would be neither free nor fair.¹⁰

This litany of human rights violations and of political disenfranchisement is deeply concerning, because the Bahraini government is relying upon force, coercion, violence, and other heavy-handed tactics to impose social cohesion. These methods have brought the kingdom to the brink of political and economic crises that threaten to deteriorate further. Doubling down repression has pulled the kingdom into debt and forced the government to accept billions of dollars in economic support.¹¹ Yet, this repression has only led to ongoing protests even now, nine years after the Arab Spring. It has also led to arrests that have filled prisons. This widespread repression and targeting of political opposition activists has created and perpetuated a chasm of mistrust between the government and the people, which has only widened with the electoral malpractices that disenfranchised thousands during the 2018 elections for the lower house of parliament.

The best way to move beyond these political and economic crises is to release all political prisoners and start a comprehensive dialogue with the political opposition, including Sheikh Salman, as well as other leaders like Hassan Mushaima. Such a dialogue would establish trust-building measures and lay the ground for an end to security force violence and constant protests and set the foundation for future economic sustainability. To this end, the Government of Bahrain should:

- Release political prisoners, in particular those convicted on spurious national security charges;
 - Start an open dialogue with the political opposition;
 - Commit to reforms in the political, social, and economic spheres.
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¹⁰ “Election Tracker: Bahrain Criminalizes Calling for Boycott of Upcoming Elections,” ADHRB, 15 November 2018, <https://www.adhrb.org/2018/11/election-tracker-bahrain-criminalizes-calling-for-boycott-of-upcoming-elections/>.

¹¹ Davide Barbuscia, “Bahrain promised \$10 billion of support from Gulf neighbors,” Reuters, 4 October 2018, <https://www.reuters.com/article/us-bahrain-economy/bahrain-promised-10-billion-of-support-from-gulf-neighbors-idUSKCN1ME294>.