

Fundamentally Flawed:

A Review of Bahrain's Prisoners and Detainees Rights Commission

September 2015



Introduction

The Prisoners and Detainees Rights Commission (PDRC) is a national preventative mechanism established by the Government of Bahrain in September 2013. The PDRC's creation followed the establishment of an Ombudsman to the Ministry of Interior and laws expanding the purview of the National Institute for Human Rights (NIHR), both in 2012. Its aim is to prevent torture and ill-treatment in places of detention through regular inspections and public reporting. The United Kingdom aided the creation of the PDRC. The UK's own prison inspection body, Her Majesty's Inspectorate of Prisons (HMIP), has been involved in preparing the PDRC for its role, including UK-based training.¹ The purpose of this report is to assess the PDRC's effectiveness and credibility as a human rights mechanism by analysing the PDRC's institutional framework and inspection and reporting methodologies.

This report is organised into two parts. The first discusses the creation and membership of the PDRC and the institutional obstacles to its functional effectiveness. It considers whether the PDRC is sufficiently independent from the police force, which continues to employ torture during interrogation and within prison, and the judiciary, which continues to accept confessions extracted under conditions of ill-treatment and torture as evidence in criminal cases. It also discusses some individuals within the Commission, particularly Ahmed Al-Malki, who publishes vitriolic hate speech online.

The second part looks at the quality and methods of the PDRC's inspections and reporting. It considers the deficiencies of the PDRC's reports and finds significant room for improvement, particularly with regards to inspecting for signs of torture and ill-treatment. The PDRC's establishment is intended to be in-line with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT), but fails to meet the standards set out. For the purpose of setting a bar of quality by which to compare the PDRC's reporting, this paper turns to the equivalent body in the United Kingdom. Her Majesty's Inspectorate of Prisons (HMIP) is an independent body created to regularly inspect prisons in England and Wales and publicly report their findings. HMIP's actualisation of OP-CAT principles in its inspection and reporting mechanisms will be used as a benchmark against which the PDRC will be measured.

It will be found that methodological issues central to the PDRC's inspection and reporting schedules significantly, negatively impact the quality of the commission's work. The laws governing the PDRC's membership prevent it being an independent body. Many of the commission's members come directly from non-independent bodies, including the judiciary and the public prosecution, which are both responsible for not pursuing perpetrators of torture and using confessions extracted under torture to sentence people to imprisonment.

Pressingly, the PDRC has not yet inspected Jau Prison, Bahrain's central and largest long-stay male prison complex. In March 2015, prisoners rioted in protest of torture, ill-treatment and poor material conditions. Though only a minority participated in the riot, police and prison authorities subjected the prison population to weeks of collective punishment.² No official has been held accountable for the excessive use of force reported during this period. The PDRC is not mandated to investigate past abuses, only inspecting facilities and reporting their observations. Yet if the PDRC does not take past abuses into consideration during inspections, it will fail to adequately protect the rights of prisoners

¹ Hansard, 17 December 2014, http://www.publications.parliament.uk/pa/ld201415/ldhansrd/text/141217w0001.htm#w_a_st_9, (accessed 26 August 2015).

² Bahrain Institute for Rights and Democracy, Americans for Democracy & Human Rights in Bahrain (ADHRB) & Bahrain Center for Human Rights (BCHR), *Inside Jau: Government Brutality in Bahrain's Central Prison*, 2015, pp. 4-5.

and detainees. Jau Prison will therefore be the litmus test to the PDRC's effectiveness. As will be seen, as of yet the PDRC does not instil confidence that it will inspect the prison adequately.

Creation and Membership of the PDRC

The PDRC is mandated to regularly visit correctional and detention facilities to investigate standards of detention and publicly report its findings. Its obligation to ensure the fair treatment of detainees and the prevention of torture is enshrined in laws defining it.⁵ The underlying theory of this mandate is that regular critical reporting of detention facilities will motivate detention authorities to improve their facilities in line with international standards and to avoid public criticism.

Bahrain has not ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT), the objective of which is enhance

Table 1. Members of the PDRC³

Members	Background ⁴
Nawaf Al-Moawada	Chief Ombudsman
Osama Ahmed Khalaf Al-Asfoor	Deputy Ombudsman
Abdullah Ahmed Al-Durazi	Vice-Chair, National Institute for Human Rights
Maria Anton Khouri	Head of Complaints, Monitoring and Follow-Up Committee, National Institute for Human Rights
Ahmed Yousif Al-Malki	Secretary-General of Karama for Human Rights
Attiyatulla Hassan Rohani	Bahrain Human Rights Watch Society Member
Dr Jowahar Shaheen Al-Madhaki	Chief Executive of the National Authority for Qualifications & Quality Assurance of Education and Training
Dr Waleed Khalifa Al-Mani'	Government Undersecretary for Hospitals
Sa'ad Abdullah Al-Shamlan	Lawyer
Mohammad Mirza Aman	Supreme Court of Appeals Judge
Mai Sami Matar	High Civil Court Judge
Wa'il Rashid BuAlay	Public Prosecution office
Ali Abbas Al-Shuwaikh	Public Prosecution office

³ As according to Royal Decree 13 of 2014, which defined the membership of the PDRC.

⁴ ADHRB & BIRD, *Subservient and Unaccountable: A Shadow Report on the Bahraini Ministry of the Interior's Ombudsman and Bahrain National Institute for Human Rights*, 2014, p. 15; Alwatan, مرسوم ملكي بتعيين اسامة أحمد (Royal Decree Appointing Osama Ahmed Al-Asfoor Deputy Ombudsman), 16 April 2013 <http://www.alwatannews.net/NewsViewer.aspx?ID=WVfPSh833338tPyD8kzF6ePjJqQ933339933339>, (accessed 28 August 2015); National Institute for Human Rights (NIHR), Abdulla Ahmed Isa Al-Derazi CV, <http://en.nihr.org.bh/Media/pdf/directors/NIHR CV EN AAD.pdf>, (accessed 28 August 2015); NIHR, Maria Anton Khoury CV, <http://en.nihr.org.bh/Media/pdf/directors/NIHR CV EN MAK.pdf>, (accessed 28 August 2015); Twitter, Ahmed Al-Malki twitter profiler biography, <https://twitter.com/butalalbhr>, (accessed 28 August 2015); Gulf Daily News, *New Hope for Stranded Man*, 22 June 2012, <http://www.gulf-daily-news.com/source/XXXV/094/pdf/page13.pdf>, (accessed 28 August 2015); National Authority for Qualifications & Quality Assurance of Education & Training, *Chief Executive Message*, http://www.qqa.edu.bh/en/aboutqaaet/pages/chief_executive_message.aspx, (accessed 28 August 2015); Manama Voice, مرسوم ملكي بتعيين وليد المانع وفاطمة عبدالواحد وكيلين مساعدين في الصحة (Royal Decree Appointing Waleed Al-Mani' and Fatima Abdulwahid Undersecretaries in Health), 7 July 2014, http://manamavoices.com/news-news_read-21665-0.html, (accessed 28 August 2015); Ministry of Justice, قائمة بالمحامين المسجلين على حسب نوع الرخصة (List of Lawyers Recorded By Licence Type), <http://www.moj.gov.bh/pdf/lawyer-cassation.pdf>, (accessed 28 August 2015); Royal Decree 17 of 2014 Regarding the Appointment of Judges, arts. 5, 7, 8; BNA, النواب العموم والمدعين العامين ورؤساء هيئات التحقيق والإدعاء العام بدول مجلس التعاون يصلون مملكة البحرين لعقد اجتماعهم السابع غداً / موسع, 28 September 2013, <http://bna.bh/portal/news/581838>, (accessed 28 August 2015).

⁵ Royal Decree 61 of 2013, art. 1.

protection against torture and other inhuman and degrading treatment or punishment by establishing a system of inspection for places of detention. The creation of the PDRC should meet the standards established by the OP-CAT for National Preventative Mechanisms. For the PDRC to be treated as a National Preventive Mechanism, it should have the minimum power to regularly examine the treatment of the persons deprived from their liberty; make recommendations; submit proposals and observations to governing bodies. It is required to be independent. It is this final and most important requirement which the PDRC fails to meet. See also Table 2 for more OP-CAT principles which the PDRC does not meet.

Article 17 of the OP-CAT obliges state parties to establish and maintain a National Preventative Mechanism for the prevention of torture and ill treatment in places of detention. Under article 19, the National Preventative Mechanism should have the power to regularly examine the treatment of the persons deprived of their liberty in places of detention, to report effectively on their findings and to submit proposals concerning legislation. The National Preventative Mechanism and its members should be functionally independent, and have the the required capabilities and professional knowledge to conduct their role effectively.

Royal Decree 61 of 2013 established the Prisoner and Detainees Rights Commission (PDRC) under the authority of the Ministry of Interior. Article 2 of the law stipulates, the Ombudsman of the Ministry of Interior is always the chief of the PDRC; currently this is Nawaf al-Moawda. Members of the PDRC are nominated by the Ombudsman, the Public Prosecutor, the National Institute for Human Rights (NIHR), and the Supreme Judicial Council, and appointed by the King. Under article 9, the PDRC's budget is derived from the Ombudsman's own budget. Royal Decree 13 of 2014, promulgated in February that year, defined the PDRC's membership (see Table 1). The PDRC has been operational shortly afterwards, conducting its first inspection in April that year.

The four nominating bodies lack independence from the Government of Bahrain, and this directly impacts the PDRC's own independence. The Public Prosecutor's Office and the criminal courts both have a documented history of ignoring testimonies of torture and ill-treatment.⁶ In one study, Human Rights Watch found the Public Prosecution unwilling to prosecute officers implicated in torture. In cases where officers involved in extrajudicial killing and torture were pursued, the Public Prosecution called on exculpatory witnesses and pursued charges in connection to victims where strong evidence was lacking, while failing to pursue charges in relation to victims where clear evidence of abuse and torture existed.⁷

The Ombudsman and NIHR are not sufficiently independent of the Government of Bahrain, and are particularly dependent upon the Ministry of Interior, the body responsible for prisons and policing. The head of the Ombudsman Office is nominated by the Minister of Interior and Prime Minister, and

⁶ BIRD, ADHRB & BCHR, *Inside Jau*, pp. 9, 25-8; Amnesty International, *Behind the Rhetoric: Human Rights Abuses in Bahrain Continue Unabated*, 2015, p. 9; ADHRB, BIRD & BCHR, *Apart in Their Own Land: Government Discrimination Against Shia in Bahrain, Volume 1: Violence, Political Disclusion, and Attacks on the Shia Religious Establishment*, 2015, pp. 8-15; ADHRB & BIRD, *Subservient and Unaccountable*, pp. 12-4; Human Rights Watch, *Criminalizing Dissent, Entrenching Impunity: Persistent Failures of the Bahraini Justice System Since the BICI Report*, 2014; ADHRB, *A Follow-Up Report on Bahrain's UPR Second Cycle: The Deteriorating Human Rights Situation in Bahrain*, 2014, pp. 13-8, 59-62, 77-9; Redress, *Bahrain: Fundamental Reform or Torture Without End?*, 2013, pp. 33-50; HRW, *Torture Redux: The Revival of Physical Coercion During Interrogations in Bahrain*, 2010, pp. 2, 4, 33, 36, 38, 41, 43-4, 47, 50.

⁷ HRW, *Criminalizing Dissent, Entrenching Impunity: Persistent Failures of the Bahraini Justice System Since the BICI Report*, 28 May 2014, <https://www.hrw.org/report/2014/05/28/criminalizing-dissent-entrenching-impunity/persistent-failures-bahraini-justice>, (accessed 26 August 2015).

Table 2. OP-CAT Principles the PDRC Does Not Meet⁸

OP-CAT Principles for National Preventative Mechanisms (NPMs)	PDRC Assessment
Is functional independence guaranteed?	No. The PDRC is under the chairmanship of the Ombudsman and the Ombudsman's Office is within the Ministry of Interior.
Does the NPM have financial autonomy?	No. The PDRC's budget is portioned from the Ombudsman's budget, which is set by the Ministry of Interior.
Is there a mechanism to follow up the recommendations of the NPM? Do the authorities have an obligation to consider the recommendations of the mechanism and start a dialogue on possible implementation measures? (OPCAT, art 22)	No. There is no known mechanism to follow up the recommendations of the PDRC.
Is there protection for people who provide information to the NPM?	No. There is no known protection protocols for people providing information to the PDRC.
Was the NPM created by a public, transparent, and inclusive process, involving civil society?	No. The creation process was not public or transparent. It is not known which bodies nominated which individuals, and did not involve civil society.
Was there a public, transparent and inclusive process, involving civil society, for the election of members of the NPM?	No. Members of the PDRC are nominated to the government. Appointments are public, but the process is not public, transparent or inclusive.
Do the members of NPM have the knowledge and experience to do their job? (OPCAT, art 18.2) Is the visiting team multidisciplinary, i.e. including human rights and health professionals?	No. Some members of the PDRC are found to have inadequate knowledge and experience of the job. Inspection teams are not made public, therefore it cannot be known whether the teams are adequately multidisciplinary.
Are there ways to avoid conflicts of interest in members of the NPM? Are provisions adequate?	No. There are no adequate provisions to prevent conflict of interests. Most if not all members of the PDRC have potential conflicts of interests.
Does the NPM prepare thematic reports?	No. The PDRC has prepared no thematic reports.
Has the NPM developed guidelines for visits? Are they published, or kept as an internal document? Does the NPM take diversity (gender, ethnicity, nationality, etc.) into account in its work?	No. The PDRC has no published guidelines for visits and there is no evidence that it takes diversity into account.
Is there a code of conduct / ethics for NPM members? What happens if the code of conduct is breached? What are the procedures?	No. There is no published code of conduct or ethics.
Are there guidelines for reporting, if necessary, on grave individual cases?	No. There are no published guidelines.
Are there guidelines to protect people from reprisals? (OPCAT Article 21.1) What kind of follow up is there to ensure there have not been reprisals?	No. There are no published guidelines.
Is there an established procedure for receiving information from NGOs?	No. There is no established procedure. The PDRC website lacks a contact form or email address, though a physical mailing address is given.

⁸ Based on the National Preventative Mechanisms Self-Assessment Matrix, OP-CAT, <http://www.ohchr.org/EN/HRBodies/OPCAT/Pages/NationalPreventiveMechanisms.aspx>, (accessed 1 September 2015). This graph is not comprehensive, and for clarity, some negative assessments have not been included.

appointed for five-year terms.⁹ The Ombudsman can be removed from office by royal decree on the recommendation of the Minister of Interior. The Ministry of Interior determines and allocates the Ombudsman's budget.¹⁰ The Ombudsman Office is therefore not in a position to strongly challenge the ministry it is intended to regulate.

The NIHR's members are also appointed by royal decree. Several of them also work in the public sector, including as members of the appointed Shura Council and of the parliament.¹¹ The Chairperson of the NIHR is a member of the Shura Council.¹² The NIHR does not meet the standards set in the Paris Principles, the internationally recognised litmus test of a national institution for human rights' legitimacy and credibility, and has yet to seek UN accreditation.¹³

Though the individual lawyers, judges and members of the Ombudsman Office and NIHR appointed to the PDRC may not have personally been involved in unfair trials, both their previous and current connections with the judicial system and government raise considerable questions of partiality. It is this partiality to the government which Amnesty International identified as a major reason for the "trust deficit" which exists between the mechanisms and the vulnerable people they are supposed to protect.¹⁴

Another flaw to the appointment process is the lack of civil society representation within the PDRC. By law, the NIHR is supposed to nominate four members of civil society.¹⁵ In practice, the NIHR nominated two of its own members, and two members of non-independent societies: Attiyatulla Hassan Rohani, a member of the Bahrain Human Rights Watch Society, whose founder is alleged to have been complicit in acts of torture in 2011;¹⁶ and Ahmed Al-Malki, the Secretary-General of Karama for Human Rights, whose organisation has no history of documenting torture.¹⁷ The inclusion of

⁹ Thorough documentation by ADHRB and BIRD have found ineffectiveness and lack of independence in these bodies. See ADHRB, *Press Release: Ombudsman's Second Annual Report*, 9 June 2015, <http://adhrb.org/2015/06/press-release-ombudsmans-second-annual-report/>, (accessed 21 August 2015); ADHRB & BIRD, *Subservient and Unaccountable*, pp. 7-16.

¹⁰ BIRD, ADHRB & BCHR, *Inside Jau*, pp. 31-2.

¹¹ NIHR members Jameela Ali Salman Nassif (Shura Council Member), Farid Ghazi Jassim Rafee (Advisory Council of the GCC Supreme Council), Jameela Mansoor AlSammak (Member of Parliament), and Dr Abdulrahman Abdulhusain Jawahery (Member of several Supreme Councils) all have roles in the public sector. NIHR Member Curriculum Vitae, http://en.nihr.org.bh/Media/pdf/directors/NIHR_CV_EN_JAS.pdf, http://en.nihr.org.bh/Media/pdf/directors/NIHR_CV_EN_FGR.pdf, http://en.nihr.org.bh/Media/pdf/directors/NIHR_CV_EN_JMJ.pdf, http://en.nihr.org.bh/Media/pdf/directors/NIHR_CV_EN_AAJ.pdf, (accessed 26 August 2015).

¹² NIHR Chairperson Curriculum Vitae, http://en.nihr.org.bh/Media/pdf/directors/NIHR_CV_EN_AHA.pdf, (accessed 26 August 2015).

¹³ ADHRB & BIRD, *Subservient and Unaccountable*, pp. 17-8.

¹⁴ Amnesty International, *Behind the Rhetoric*, p. 18.

¹⁵ Article 2, Decree 61 of 2013.

¹⁶ Tara O'Grady, 21/10/2011: Mrs Jalila Al Salman Interview & Testimony received by me today via email from source, 21 October 2011, <http://taraaogrady.blogspot.co.uk/2011/10/21102011-mrs-jalila-al-salman-interview.html>, (accessed 26 August 2015).

¹⁷ Karama for Human Rights' lack of independence may be observed by its silence over issues of arbitrary arrest, unfair trial and torture, three major rights issues still affecting Bahrain today. In March 2015, Karama for Human Rights signed a religious endorsement for the Saudi-led coalition against Houthi rebels in Yemen, published in Al Watan newspaper. One may compare his positions on the two issues with Nabeel Rajab, President of the Bahrain Center for Human Rights, whom authorities charged with "insulting a statutory body" and "spreading rumours in wartime" after he criticised torture in Bahrain's prisons and the humanitarian costs of the Yemen war and who currently faces up to 15 years in prison. Al Watan Newspaper, edition 3397, 30 March 2015, p. 4; BIRD, *ADHRB and BIRD Cautiously Welcome the Decision to Pardon Nabeel Rajab*, 14 July

representatives of these organisations cannot be expected to inspire confidence among the prison population.

PDRC member Ahmed Al-Malki characterises the very worst of the commission's problems of independence and integrity. Mr Al-Malki publicly broadcasts hate speech against Shia and, using his Twitter account (@butalalbhr),¹⁸ regularly tweets and retweets messages about Shia, in which he names them "Safavids", a derogatory reference implying that Bahraini Shia are a fifth column of Iran.¹⁹ On 23 July 2015, Mr Al-Malki replied to a tweet by Bahrain Mirror, a political opposition news site, endorsing genocide: "You cannot win the loyalty of Zionists, that's why Hitler decided to exterminate them and the British established a colony for them in Palestine; and this is what we should do with *Welayat al-Faqih*."²⁰ (*Welayat al-Faqih* refers to the government of Iran).

The majority of detainees and inmates in prison on politically-related charges are Shia and the BICI found insults against the Shia faith to be a "common" mistreatment technique used against detainees in 2011. In May 2015, BIRD, ADHRB and the Bahrain Center for Human Rights (BCHR) found that the practice continues to be employed at the Central Jau Prison.²¹

The PDRC should, first and foremost, protect the rights of prisoners and detainees. For the PDRC to effectively do so, prisoners and detainees need to consider it a credible body which they can trust in. The NIHR and the Ombudsman's Office problematic "trust deficit" with the Bahraini public is transferred directly onto the PDRC through its membership, both in the nomination method and the members nominated.



Ahmed Al-Malki tweet, 23 July 2015: "You cannot win the loyalty of Zionists, that's why Hitler decided to exterminate them and the British established a colony for them in Palestine; and this is what we should do with *Welayat al-Faqih*."

2015, <http://birdbh.org/2015/07/adhrb-and-bird-cautiously-welcome-the-decision-to-pardon-nabeel-rajab/>, (accessed 28 August 2015).

¹⁸ His biography reads: "Secretary General of Karama for Human Rights – Member of the Prisoners and Detainees Rights Commission – Masters of Business Administration – Bachelor of Computer / A country's standard is defined by how it treats prisoners" Twitter profile of Ahmed Al-Malki, <https://twitter.com/butalalbhr>, (accessed 21 August 2015)

¹⁹ Tweet by Ahmed Al-Malki, Twitter, 2 August 2015, <https://twitter.com/butalalbhr/status/627774960644194304>, (accessed 21 August 2015); Tweet by @moonnor27, retweeted by Ahmed Al-Malki, Twitter, 1 August 2015, <https://twitter.com/moonnor27/status/627426319127609344>, (accessed 21 August 2015); Tweet by Ahmed Al-Malki, Twitter, 25 July 2015, <https://twitter.com/butalalbhr/status/625052967914246144>, (accessed 21 August 2015).

²⁰ Tweet by Ahmed Al-Malki, Twitter, 23 July 2015, <https://twitter.com/butalalbhr/status/624348231481233408>, (accessed 21 August 2015).

²¹ Bahrain Independent Commission of Inquiry, *Report of the Bahrain Independent Commission of Inquiry*, 2011, para. 1696; BIRD, ADHRB & BCHR, *Inside Jau: Government Brutality in Bahrain's Central Prison*, 2015, p. 18.

Inspections and Reports

Table 3. Prison Inspections and Reports

	Place of Detention	Date Visited	Report Published
1	Dry Dock Detention Centre (DDDC)	21-24 April 2014	August 2014
2	Capital Governorate Police Directorate (CGPD)	24-25 December 2014	May 2015
3	Muharraq Governorate Police Directorate Hidd Police Station (MGPD)	24-25 December 2014	May 2015
4	Northern Governorate Police Directorate (NGPD)	24-25 December 2014	May 2015
5	Southern Governorate Police Directorate (SGPD)	24-25 December 2014	May 2015
6	General Directorate of Criminal Investigation and Forensic Science (CID)	24-25 December 2014	May 2015
7	Juveniles Care Centre (JCC)	18-20 January 2015	June 2015
8	Women's Reformation and Rehabilitation Centre (WRRC)	18-20 January 2015	July 2015
9	Women's Detention Center (WDC)	18-20 January 2015	August 2015
10	Immigration Detention Facilities	Unknown/Not Visited	Not published
11	Jau Prison	Unknown/Not Visited	Not published

The PDRC executes its mandate through regular inspections of detention centres and prisons, and producing public reports of its findings. Detailed inspections and reporting procedures should protect prisoners by allowing them to voice their concerns safely and anonymously at the time of inspection and compelling prison authorities to implement improvements, as outlined within the PDRC's report recommendations. The PDRC's inspection schedule has been erratic, though it has had a regular, monthly publishing schedule between May and August 2015.

Of the eleven detention facilities in the kingdom, two have not yet been visited: Bahrain's immigration detention facilities and Jau Prison. As the central and largest male long-stay prison complex in Bahrain, and in consideration of persistent reports of systematic torture in recent months, Jau Prison will be the PDRC's largest and most important undertaking.²² The quality of the PDRC's inspection and reporting for Jau prison will be key to determining the commission's effectiveness. However, the many methodological issues consistently present across the PDRC's reports do not instil confidence that the PDRC will conduct its final prison inspection of this first cycle satisfactorily.

Throughout this chapter, the PDRC's work will be compared that of HM Inspectorate of Prisons (HMIP), the equivalent National Preventative Mechanism in the United Kingdom. HMIP has provided training to the PDRC, its work product adequately meets the standards established by OP-CAT and the UN Subcommittee on Prevention of Torture.²³

²² See BIRD, ADHRB & BCHR, *Inside Jau: Governemnt Brutality in Bahrain's Central Prison*, 2015.

²³ Hansard, 17 December 2014,

http://www.publications.parliament.uk/pa/ld201415/ldhansrd/text/141217w0001.htm#wa_st_9, (accessed 26 August 2015).

The OP-CAT's methodologies for National Preventative Mechanisms are presented in Table 4. In the analysis of the PDRC and HMIP's inspection and reporting methodologies, it will be observed that while HMIP broadly applies the methodological guidelines, the PDRC currently fails to do so.

The foremost issue which negatively impacts all of the PDRC's work is their prison visitation schedule. Comparisons with HMIP's work is useful here: the PDRC spent three days in Dry Dock Detention Centre, which has a maximum capacity of 1020 detainees; HMIP inspections of similarly sized prisons

Table 4. OP-CAT Prison Visit and Report Methodologies²⁴

Visit Methodology
<p>On an ongoing basis, the NPM should develop guidelines for visits to the various categories of places of detention, including guidelines for conducting private interviews, policies for dealing with vulnerable groups of inmates, and ensuring that information from all available sources is collected, i.e. the administration of the visited institution, from staff, and inmates from all areas and pavilions, and from other visitors if appropriate.</p> <p>All facilities within institutions should be visited and existing registers, examples of case records and activities and services for the inmates assessed.</p> <p>Practices to cross check and assess observations should be developed and data reflecting serious and generic problems be systematized.</p> <p>There should be a policy providing for an immediate debriefing with the authorities at the end of the visit.</p> <p>The NPM could consider developing a code of conduct for a visiting team, including how to address inmates and staff; how and when to conduct individual or group interviews, handling security issues, ensuring confidentiality, managing internal debriefings, etc.</p> <p>The NPM should have clear guidelines for reporting individual cases of deliberate ill-treatment, requesting inquiries and maintaining the confidentiality of the victim, as well as having clear guidelines for protecting such persons against reprisals.</p>
Report Methodology
<p>Visit reports should focus on the most important issues, i.e. reporting ill-treatment, gaps in policies, regulations, and practices, as well as the appropriateness of conditions under which inmates are living, reflecting systematic lack of protection of the rights of inmates. Good practices should be noted and filed for systematic analysis. Cases of deliberate ill-treatment should be analysed to identify gaps in the protection of persons deprived of their liberty.</p> <p>Recommendations should be well founded and should have a preventive focus, addressing systematic gaps and practices (root causes); and be feasible in practice.</p> <p>The NPM should, based on experience, develop a strategy for the use of the report which should include submission to relevant official bodies and tiers of government for publication, dissemination and dialogue.</p>

²⁴ Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, *Analytical Self-Assessment Tool for National Preventative Mechanisms (NPM): A Preliminary Guide by the Subcommittee on Prevention of Torture regarding the functioning of an NPM*, 6 February 2012, CAT/OP/1, paras. 13-21.

last at least ten days each.²⁵ While the PDRC conducted individual visits of the four police governorates and the Criminal Investigation Directorate in three days, HMIP inspections of police stations (done in groups and not individually) are typically conducted over a period of four to ten days. In January 2015, the PDRC again visited three detention centres and prisons in just three days. The scheduled visits are both short and highly condensed, raising concern for the quality of the visits themselves. The reports do not state which members of the PDRC conducted the visits, and so it cannot be known whether medical and legal professionals were present during every prison visit.

The time dedicated to inspections is reflected in the length and detail of reports. None of the PDRC's reports are longer than 17 pages, while HMIP reports often run over a hundred pages long; their joint reports with the Inspectorate of Constabulary are typically shorter, coming in around 40 pages in length.

Though inspection time and report length are not necessarily indicators of quality, they do reflect the level of detail in each body's reports. A considerable quality gap is found when comparing the reports of the PDRC and HMIP. In all areas, the PDRC's reports lack the methodological clarity and detail that is exhibited in HMIP reports. While this gap can partially be excused for the PDRC's lack of experience, being only recently established, the extent to which their reports lack detail suggests a level of inattentiveness which cannot be explained solely on their lack of experience.

Additionally, unlike the clear standards by which HMIP conducts its inspections, the PDRC provides only a vague description of its methodology. None of the reports provide details of the questionnaires used to speak to detainees or a breakdown of the data gathered by them. There is also no indication that they inspectors are looking for signs of torture in particular, which remains a recurrent and systematic issue in Bahrain's places of detention.²⁶

PDRC reports do not provide the names of the high level officials operating the detention centres, making it difficult to know who to hold accountable for poor conditions in any particular place. All nine reports fail to present the standards by which the facilities' conditions are compared. Although the reports are typically divided into subsections (Treatment and Conditions, Rights and Guarantees and Healthcare), these subsections are very short, with no more than five pages given to them as a whole in any given report. As a result, there is insufficient information provided for each of these sections. The reports further fail to mention or account for inmates' opinions, and no results of any surveys undertaken are provided.

This compares negatively with HMIP's methodology. Within each report is a fact page identifying the prison governor and other service providers responsible for prisoners' wellbeing and safety and the maintenance of the prison. HMIP reports additionally contain detailed appendices providing all questionnaires used and the answers given by all interviewees. This data provides transparent information of a prison's quality, while the naming of the governor allows the public to know who is

²⁵ Using HMP Leeds (capacity of 1004), HMP Wayland (capacity of 1017) and HMP Hull (capacity of 1044). HMIP, *Our Reports: HMP Leeds*, 21 May 2013, <https://www.justiceinspectorates.gov.uk/hmiprison/inspections/report-on-an-announced-inspection-of-hmp-leeds-8-18-january-2013-by-hm-chief-inspector-of-prisons/#.VdcJeflViko>, (accessed 21 August 2015); HMIP, *Our Reports: HMP Wayland*, 22 January 2014, <https://www.justiceinspectorates.gov.uk/hmiprison/inspections/report-on-an-unannounced-inspection-of-hmp-wayland-22-july-2-august-2013-by-hm-chief-inspector-of-prisons/#.VdcJzflViko>, (accessed 21 August 2015); HMIP, *Our Reports: HMP Hull*, 26 March 2015, <https://www.justiceinspectorates.gov.uk/hmiprison/inspections/hmp-hull/#.VdcHzPlViko>, (accessed 21 August 2015).

²⁶ See BIRD, ADHRB & BCHR, *Inside Jau*.

directly responsible for the prison and its improvements or deteriorations. It is therefore a motivating factor for prison governors to try to achieve HMIP standards, as it reflects positively on their own performances.

The difference in level of detail is also observable in the structural differences between the two institutions' reports. The PDRC's presentation of its findings in three subsections has been mentioned above. HMIP's reports typically include an introduction, fact page, methodology ("About this inspection and report"), a summary of findings, and main text of the report, divided into six sections. Sections 1 through 4 relate to the four tests of a healthy prison: Safety, Respect, Purposeful Activity and Resettlement.²⁷ Section 5 provides recommendations and "housekeeping points", and Section 6 is the Appendices. Within the Appendices are listed the inspection team, the prison's progress in implementing the previous report's recommendations, a prison population profile, and detailed summary findings of prisoner questionnaires and interviews.

For each of the four tests, HMIP provides a series of assessments. Under 'Safety', for example, HMIP consistently inspects prison safety under the following criteria and contexts: "courts, escorts and transfers, early days in custody, bullying and violence reduction; self-harm and suicide prevention; safeguarding (protection of adults at risk); security; incentives and earned privileges; disciplinary procedures; and substance misuse."²⁸ Under each of these subsection, HMIP provides an expected finding, a summary of actual findings, and recommendations.

Comparison of Blantyre House and Women's Reformation and Rehabilitation Center Reports

The importance in detailed assessment may be observed in a comparison of HMIP's and the PDRC's approaches towards self-harm, using HMIP's report of Blantyre House prison and the PDRC's inspection of the Women's Reformation and Rehabilitation Center.²⁹ The facilities are roughly equivalent, with capacities of 122 and 115 inmates respectively. "Self-harm and suicide" is an assessment under the "Safety" test in HMIP's reports.

The Blantyre House report presents an "expected outcome" of a "safe and secure environment" in which vulnerable prisoners are identified "at an early stage" and supported and where all staff are appropriately trained to identify vulnerable individuals and act supportively and effectively. It then provides an assessment of the change in policy since HMIP's previous inspection of the prison.³⁰ The report then assesses the prison administration's response to a recent inmate's suicide; staff's case management training; prisoners' opinions on whether they were well-supported; and the quality of the self-harm prevention helpline offered by the prison and prisoners' opinions on it. Finally, HMIP provides two recommendations for improvements based on its findings, in this case, that staff

²⁷ The four tests were first introduced in HMIP, *Suicide is Everyone's Concern: A Thematic Review by HM Chief Inspector of Prisons for England and Wales*, May 1999, pp 59-63.

²⁸ HMIP, *Expectations: Criteria for Assessing the Treatment of Prisoners and Conditions in Prisons*, version 4, 2012, p.13, <http://www.justiceinspectors.gov.uk/prisons/wp-content/uploads/sites/4/2014/02/adult-expectations-2012.pdf>.

²⁹ HMIP, *Report on the Unannounced Inspection of Blantyre House by HM Chief Inspector of Prisons*, 2013, <http://www.justiceinspectors.gov.uk/prisons/wp-content/uploads/sites/4/2014/03/blantyre-house-2013.pdf>, (accessed 27 August 2015); PDRC, *Unannounced Visit to the Women's Reformation and Rehabilitation Center (WRRRC)*, 2015, [http://www.pdrc.bh/mcms-store/pdf/aa3910d7-7470-480d-9c4e-d8fb30f8a6e0_Reformation%20and%20Rehabilitation%20Center%20\(WRRRC\).pdf](http://www.pdrc.bh/mcms-store/pdf/aa3910d7-7470-480d-9c4e-d8fb30f8a6e0_Reformation%20and%20Rehabilitation%20Center%20(WRRRC).pdf), (accessed 27 August 2015).

³⁰ The PDRC cannot be expected to do this particular assessment yet, as they are still in the first cycle of reporting.

undergo relevant training and that the helpline be made effective and accessible to inmates. At each stage of its assessment, HMIP reflects the opinions of prisoners, both positive and negative.³¹

The PDRC's report of the Women's Detention Centre, one of its most thorough reports, gives just two sentences to the issue of self-harm. Contextually, they appear within paragraphs which briefly list a host of issues, none of which are analysed in detail. Under the "Treatment and Conditions" subsection, the PDRC states that "[e]mployees are have limited awareness of and understand the concept of self-harm but do not undergo training on the management of risk, and therefore unaware of the risk some prisoners might pose on themselves or others [sic]."³² It later adds that "[c]ells are new, clean and free of any objects that may lead to self-harm."³³ No relevant recommendation is provided. Nowhere does the PDRC appear to have interviewed detainees or otherwise consulted their opinion on whether self-harm is an issue for them, and whether or not they can access the necessary support.

The comparison may be repeated with other tests and assessments. Taking the same two reports, HMIP provides a lengthy analysis into "Learning and Skills and Work", an assessment under the "Purposeful Activity" test. This four-page analysis is divided under the following subsections: management of learning and skills and work; provision of activities; quality of provisions; educational and vocational achievements; and library. HMIP relies substantially on prisoner self-reports to assess their satisfaction with the prison facilities and provides six recommendations across the subsections. HMIP found the library to be "good", yet still devoted three paragraphs to explain how, detailing its maintenance, open hours, variety of stock, activities, and prisoners' use of the facilities.³⁴

Table 5. Comparison of HMIP and PDRC reports

	HMIP reports	PDRC reports
Report Chapters	Introduction, Fact Sheet, Summary, Assessments (Safety, Respect, Purposeful Activity, Resettlement), Recommendations, Appendices	Introduction, Background, Assessments (Treatment & Conditions, Rights & Guarantees, Health Care), Recommendations
Information Presented	Governors and service providers named	Governors and service providers are not named
	Inspection team members are named	Inspection team members are not named
	Methodology explained in detail, including presentation of prisoner questionnaires and analysis of findings	Methodology briefly explained, no evidence of prisoner questionnaires
Report Methodology	Presentation of expected findings, previous findings, current findings and recommendation	Presentation of unsorted findings, absence of expectations, findings do not always have a corresponding recommendation

³¹ HMIP, *Blantyre House*, pp. 21-2.

³² PDRC, *Women's Reformation and Rehabilitation Center (WRRRC)*, p. 9.

³³ *Ibid*, p. 10.

³⁴ HMIP, *Blantyre House*, pp. 39-42.

The PDRC's report discusses learning, skills and work under "Treatment and Conditions." Once again, they are discussed within paragraphs which list a variety of issues. The PDRC has only four relevant sentences to the subject, stating that books, newspapers, rehabilitation programs and classes "in various activities" are available, though available resources are "not effectively used to achieve desired objectives for skills and the provision of employment." One recommendation is made for the provision of more programmes and reading materials and for staff to "try to motivate" prisoner participation.³⁵

These brief and vague assessments are typical of the PDRC's reports. There is a comprehensive absence of detail across all reports, comparing negatively with HMIP reports, which extensively describe every aspect of the prison, both its qualities and its flaws. The comparison serves to highlight how HMIP adheres to the principles of the OP-CAT more effectively than the PDRC does.

Consistent Flaws in PDRC's Methodology

These methodological issues contribute to an overall assessment that the PDRC's reports do not adequately protect the rights of detainees and prisoners or meet the standards of an effective National Preventative Mechanism. This is further visible in the omission in almost all reports of any mention of torture. Torture in the Dry Dock Detention Centre and General Directorate of Criminal Investigation and Forensic Science (CID) in particular are well documented. The Bahrain Independent Commission of Inquiry, which investigated human rights violations occurring in February-May 2011 during the Arab Spring movement, found numerous cases of torture in both places. In particular, three persons were tortured to death in Dry Dock and the interrogating officers at the CID often employ torturous practices.³⁶

More recent documentation reveals continued torture and ill-treatment at the CID, with allegations of torture made both before and after the PDRC's visit on 24-25 December 2014. The Bahrain Center for Human Rights (BCHR) published testimonies of torture and ill-treatment at the CID that allegedly occurred just days after the PDRC's visit. BCHR documented the case of two men arrested on 28 December 2014 "at serious risk of torture and ill-treatment." One of them was not informed of the reason for his arrest. When their families visited the CID to inquire as to the detainees' conditions there, officers shouted at them and ordered them to leave. CID officials also deprived persons of their medicine.³⁷ More recently, police arbitrarily arrested Husain Jawad Parweez, founder of the European-Bahraini Organization for Human Rights, and transferred him to the CID. There, officers tortured him physically and psychologically, sexually harassed him, denied him access to toilets, and insulted him.³⁸ Amnesty International also found that torture continued to occur in the CID in 2014-15, where detainees reported denial of access to lawyers and family and a range of torture practices, including beating, electric shocks, sexual harassment and deliberate exposure to extreme cold.³⁹

³⁵ PDRC, Women's Reformation and Rehabilitation Center (WRRC), pp. 10, 14

³⁶ Bahrain Independent Commission of Inquiry, *Report of the Bahrain Independent Commission of Inquiry*, 2011.

³⁷ BCHR, *Bahrain: Detainees at Risk of Torture after More Than Seven Days of Incommunicado Detention*, 5 January 2015, <http://www.bahrainrights.org/en/node/7223>, (accessed 1 September 2015).

³⁸ Asma Darwish, *Tell US ally Bahrain to release my husband*, Al Jazeera America, 4 March 2015, <http://america.aljazeera.com/opinions/2015/3/tell-us-ally-bahrain-to-release-my-husband.html>, (accessed 1 September 2015).

³⁹ Amnesty International, *Amnesty International Report 2014/15: Bahrain*, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/bahrain/report-bahrain/>, (accessed 1 September 2015).

The PDRC's report of the General Directorate of Criminal Investigation and Forensic Science (CID) inspection is alone in mentioning one case of torture, although it failed to mention that the case in question had led to a detainee's death. The case related to the November 2014 death of Hassan al-Sheikh, a Jau Prison inmate whom CID officers beat severely. Afterwards, authorities placed him in a solitary confinement cell, where he died overnight of organ failure.⁴⁰ The report only states that the PDRC "took into account human rights reports published regarding CGPDS [CID] as well as reports that a detainee had been tortured by officers from Anti-Narcotics Directorate ... The case is currently in the courts and the next hearing will take place on 4 June 2015."⁴¹

The PDRC does not mention the case again, neither providing an analysis nor any recommendations regarding it. This case provided the PDRC with an opportunity: using interviews, questionnaires and thorough analysis of available information, the PDRC could have investigated the reasons why the torture took place and formulated recommendations towards an end to such acts. The PDRC did not do this, and does not even appear to have investigated whether personnel on trial had been suspended, fired or are on active duty.

The PDRC also failed to account the detailed testimonies of torture published by national and international human rights organisations, discussed above. While it is possible that the PDRC did not observe signs of torture in the CID, there is no indication that inspectors took into account any cases of abuse at the CID. The Bahrain Center for Human Rights documented reports of ill-treatment and risks of torture at the CID just days after the PDRC's inspection of the CID.⁴² The PDRC identified some risks to detainee health and safety in its six-page report, but did not draw the connection between these risks and the potential for torture and ill-treatment.

In other reports, lack of prisoner interviews and detailed inspection procedures also prevent a clear assessment on whether torture and ill-treatment occur. All of the PDRC's reports recommend training in the legal use of force.⁴³ Yet the reports do not provide any evidence of interviewing inmates regarding the legal use of force, nor questioning whether illegal use of force has ever been applied. The PDRC's methodology glosses over the reasons why training in the use of force is needed, without questioning or investigating any problems that may currently exist due to the lack of training identified.

While the premise of the PDRC's methodology is to investigate detention standards as they are at the time of investigation, there is no indication that the commission has taken into account the history of systematic abuse in the places of detention they have investigated. The PDRC's reporting does not satisfactorily focus on "the most important issues" (in most Bahrain's places of detention, torture and

⁴⁰ BIRD, *Inmate Beaten to Death at Bahrain's Central Prison*, 14 November 2014, <http://birdbh.org/2014/11/inmate-beaten-to-death-at-bahrains-central-prison/>, (accessed 21 August 2015).

⁴¹ PDRC, *Unannounced Visit to the General Directorate of Criminal Investigation and Forensic Science (GDCIFS)*, 2015, p. 3.

⁴² BCHR, *Bahrain: Detainees at Risk of Torture After More Than Seven Days of Incommunicado Detention*, 5 January 2015, <http://www.bahrainrights.org/en/node/7223>, (accessed 1 September 2015).

⁴³ PDRC, *Unannounced Visit to the Dry Dock Detention Centre (DDDC)*, 2014, p. 18; PDRC, *Unannounced Visit to the Capital Governorate Police Directorate (CGPD)*, 2015, p. 5; PDRC, *Unannounced Visit to the Muharraq Governorate Police Directorate: Hidd Police Station (MGPD)*; 2015, p. 6; PDRC, *Unannounced Visit to the Northern Governorate Police Directorate (NGPD)*, 2015, p. 5; PDRC, *Unannounced Visit to the Southern Governorate Police Directorate (SGPD)*, 2015, p. 5; PDRC, *Unannounced Visit to the General Directorate of Criminal Investigation and Forensic Science (GDCIFS)*, 2015, p. 5; PDRC, *Unannounced Visit to the Juveniles Care Centre (JCC)*, 2015, p. 14; PDRC, *Unannounced Visit to the Women's Reform and Rehabilitation Center*, 2015, p. 14; PDRC, *Unannounced Visit to the Women's Detention Center (WDC)*, 2015, p. 13.

ill-treatment), as the UN Subcommittee on Prevention of Torture outlined in its methodology guide (see Table 4).

The PDRC's inspections also fail to exhibit a coherent methodology. The poorly detailed reports do not suggest that clear guidelines were followed, or that a code of conduct has been developed (see Table 4). The example of HMIP, used throughout this chapter, shows how a National Preventative Mechanism can apply the UN Subcommittee on Prevention of Torture's methodological guidelines practically and effectively. While the difference in inspection and reporting experience between HMIP and PDRC is visible in the difference in the quality of the two bodies' work, the PDRC's inexperience cannot be a justifiable defence for its chequered implementation of UN guidelines.

Jau Prison is expected to be the final prison visited by the PDRC in its first cycle of inspections. In Jau, collective punishment and torture of prisoners has been a common occurrence for years, reaching its worst in March 2015, when government security forces retaliated against a prison riot by torturing, beating, starving, and otherwise subjecting to extreme or harsh conditions hundreds of prisoners in the facility.⁴⁴ Inmates have separately testified to the prison governor's presence during periods of collective punishment.⁴⁵ The PDRC can play a critical role in identifying the reasons behind the use of torture and ill-treatment in Jau Prison, the officials responsible for its use, whether prisoners feel safe in prison and why. The PDRC's previous inspections and reports do not yet suggest that the commission can satisfactorily challenge the issues of torture and the culture of impunity within the Ministry of Interior as of yet.

Conclusion and Recommendations

The Prisoners and Detainees Rights Commission is well-placed to challenge torture, which has continued unabated and with impunity in Bahrain's prisons. But whether it will achieve its stated objective of preventing torture is yet to be seen. Lacklustre attention to detail characterises all of the PDRC's reports. The result is that the PDRC's reports often fail to shine light on areas where prisoners are most vulnerable and set recommendations for new protections in such areas. The PDRC was established to prevent torture and ill-treatment, yet it is this violation which the PDRC has almost entirely ignored investigation into the subject, in both their inspections and their reports.

Beyond inexperience, which cannot be a defence for a body charged with protecting the rights of vulnerable persons operating at a sub-par level, brevity in all of the PDRC's reports is a product of the commission's condensed inspection schedules and the counterproductive laws which define its membership under the leadership of the the Ombudsman. As the Ombudsman is entirely reliant on the Ministry of Interior for funding, and the Minister can have the Ombudsman fired, the Ombudsman is therefore discouraged from pursuing lines of investigation which may substantial hurt his own position, including torture.

The other three nominating bodies have equally problematic issues affecting their objectivity. Members from the Public Prosecutor's Office and the judiciary cannot adequately challenge issues of prison overcrowding and ill-treatment, as these institutions are partially responsible for them.⁴⁶ The National Institution for Human Rights is supposed to nominate members of civil society to the PDRC, but have failed to do so meaningfully. Members like Ahmed Al-Malki, who publicly expresses hate

⁴⁴ BIRD, ADHRB & BCHR, *Inside Jau*, pp. 15-24.

⁴⁵ *Ibid*, p. 17.

⁴⁶ "Purposeful criminalisation of peaceful activities" is a major factor in Bahrain's rapidly growing prison population. The population of Jau Prison is estimated to be over twice its known intended capacity, largely due to an influx of prisoners sentenced on politically-related charges. BIRD, ADHRB & BCHR, *Inside Jau*, pp. 9-11.

towards Shia, cannot be expected to sympathise with or work to improve the lives of a prison population with a predominantly Shia demographic.

The comparison between HMIP and PDRC sheds light on degree to which the PDRC fails to protect detainees from torture and ill-treatment. The two bodies are established in line with the OP-CAT, which the United Kingdom is a state party to but Bahrain is not. Whereas HMIP meets its inspection and reporting standards and is adequately independent, the PDRC has neither a decent quality of work nor independence. Without independence, it cannot effectively challenge torture and ill-treatment, its own stated objective. This paradox of the PDRC's theoretical objectives and its actual institutional framework is a core reason as to why it fails to qualify as an effective National Preventative Mechanism in line with the OP-CAT.

The PDRC is now nearing the end of its first cycle of reporting, with only two places of detention left to inspect. It has already failed to challenge torture allegations surrounding the CID and other prevailing issues from self-harm to education in its other prison reports. The final prison requiring review, Jau Prison, is the most important prison in Bahrain, housing prisoners of conscience alongside criminals. It is incumbent on the PDRC to thoroughly inspect Jau Prison for signs of torture and ill-treatment, both past and present. If the PDRC inspects and reports on Jau Prison using the same vague and insufficient methodology of the past inspections, it will have failed to establish itself as an effective and serious institution.

Institutional weakness and methodological flaws colour the PDRC's work and negatively impacts its capacity to effectively prevent human rights violations in Bahrain's prisons. This flaw is shared with the Ombudsman's Office and the National Institute for Human Rights and is fundamentally enshrined within the law governing its existence. This is not accidental: had the Government of Bahrain wanted to establish a truly independent commission, it would not have formulated the nomination process which exists, nor placed the PDRC within the Ombudsman's umbrella, itself functioning within the Ministry of Interior. The conflicts of interest which characterise the PDRC as an institution render impartiality and objectivity impossible.

The Bahrain Institute for Rights and Democracy and Americans for Democracy & Human Rights in Bahrain therefore recommend:

To the Prisoners and Detainees Rights Commission:

- Improve inspection and reporting methodologies in line with UN guidelines; and
- List all members present at an inspection, names of prison governors and other relevant officials, all questionnaires used, and the data gathered from them in all future reports; and
- Inspect with all due diligence for any signs of torture and ill-treatment, and to report fully its findings.

To the Government of Bahrain:

- Amend Royal Decree 61 of 2013 regarding the creation of the Prisoners and Detainees Rights Commission to separate the PDRC's budget from the Ombudsman's Office, remove the PDRC from the authority of any ministry, and reform the commission leadership and membership nomination process into a transparent election system requiring public approval;
- Amend the membership of the PDRC to remove persons of questionable independence and integrity from the commission; and
- Amend the PDRC's laws in line with the standards set by the OP-CAT in all ways possible; and
- Sign the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

To the Government of the United Kingdom:

- Reconsider its working relationship with the Government of Bahrain and the PDRC, in light of its non-transparency, non-independency and partiality to the Government of Bahrain.