

Charting the Seas of Abuse

ANALYSIS OF UNITED NATIONS SPECIAL PROCEDURE
COMMUNICATIONS TO THE KINGDOM OF BAHRAIN

2011-2016



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The Bahrain Center for Human Rights (BCHR) is a non-profit, non-governmental organization, registered with the Bahraini Ministry of Labor and Social Services since July 2002. Despite an order by the authorities in November 2004 to close, the BCHR is still functioning after gaining wide local and international support for its struggles to promote human rights in Bahrain.

The Bahrain Institute for Rights and Democracy (BIRD) is a London, UK-based non-profit organization focusing on advocacy, education, and awareness for the calls of democracy and human rights in Bahrain.

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Abbreviations

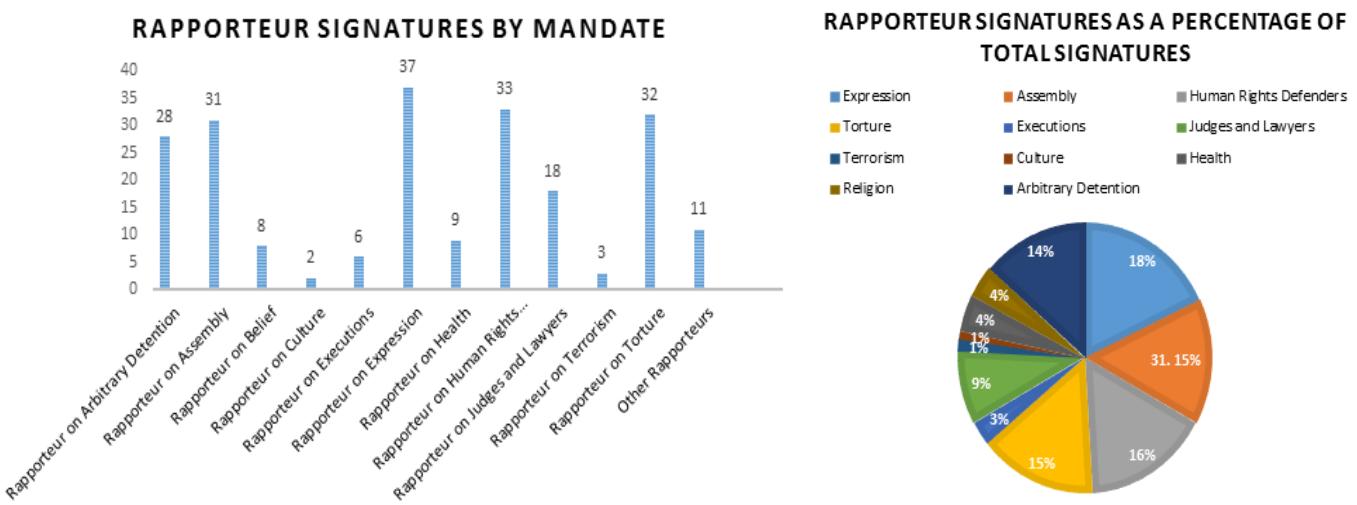
Arbitrary Detention	Chair-Rapporteur of the Working Group on Arbitrary Detention
Assembly	The Special Rapporteur on the rights to freedom of peaceful assembly and of association
Belief	The Special Rapporteur on freedom of religion or belief
Culture	The Special Rapporteur in the field of cultural rights
Disappearance	The Working Group on Enforced or Involuntary Disappearances
Education	The Special Rapporteur on the right to education
Executions	The Special Rapporteur on extrajudicial, summary or arbitrary executions
Expression	The Special Rapporteur on the promotion and protection of the right of freedom of opinion and expression
Health	The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health
Judges	The Special Rapporteur on the independence of judges and lawyers
Poverty	The Special Rapporteur on extreme poverty and human rights
Rights	The Special Rapporteur on the situation of human rights defenders
Terrorism	The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism
Torture	The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment
Violence and Women	The Special Rapporteur on violence against women, its causes and consequences
Women and Law	The Working Group on the discrimination against women in law and in practice

Introduction

On 14 February 2011, thousands of demonstrators took to the streets of Bahrain calling for more democracy and greater political liberties. The Arab Spring, it seemed, had come to Bahrain. A majority of Bahrain's population participated in the peaceful protests, occupying the Pearl Roundabout, a symbol of the country. The Government of Bahrain's response to the demonstrators and their demands was not peaceful. Beginning in February 2011, the Bahraini government embarked on a systematic campaign of repression to silence activists, suppress dissent, and preclude opposition. This campaign has not ended. It continues to this day, with protests and violent clashes nearly nightly. While Bahrain appears to be calm on the surface, underneath the veneer of tranquility, the social and political fabric of the country is in turmoil.¹

The United Nations (UN) Special Rapporteurs, a body of independent experts associated with the United Nations, have taken note of this turmoil. In the five-year period from when the mass demonstrations began until 2015, the mandates of 11 Special Rapporteurs² have combined to issue around 60 communications, many jointly issued. These 60 communications have gathered 217 Special Rapporteur signatures between them. The communications detail the Government of Bahrain's systematic efforts to discriminate against its Shia population and suppress opposition to its rule. In this way, it targets human rights defenders and political activists. The communications also allege the government's repeated violation of its populace's right to freedom of expression, assembly, and association. In addition to filing the communications, seven Procedures—torture, expression, assembly, human rights defenders, extreme poverty, migrants, and arbitrary detention—have outstanding visit requests to Bahrain since 2011.

Taken in their entirety, the Bahrain-focused communications of the Special Procedures fully describe the campaign of re-pression waged by the Bahraini government. However, while as a whole the communications offer a comprehensive view of Bahrain's human rights situation, an analysis of each Rapporteur's individual comments is valuable for detailing various patterns of abuse, discrimination, violations of fundamental human rights, marginalization, and outright violence. This report therefore sets out to present an analysis of these communications by examining trends and patterns in the issues the Rapporteurs expressed concern. Each section of the report concerns a cluster of mandates—as with the section on torture and extrajudicial killings—or a single mandate—as with the section concerning religion. It finds that the Rapporteurs, and thereby the United Nations, express varying but universally significant anxiety regarding a host of human rights issues, including most prominently torture and killing, due process issues, and free expression and assembly but also counting cultural issues, extreme levels of poverty, and health amongst their concerns. The following analysis will present the totality of their apprehensions.



¹ Christopher Mathias, "U.S. Journalist Says Bahrain Deprived Her Team of Food, Water & Sleep During Detention," *Huffington Post*, 26 February 2016. Accessed 9 May 2016. http://www.huffingtonpost.com/entry/anna-therese-day-bahrain_us_56cf34c9e4b0bf0dab310eb0.

² Expression, Assembly, Human Rights Defenders, Judges and Lawyers, Terrorism, Torture, Executions, Health, Religion, Culture, and Arbitrary Detention

Government Infringement on the Rights to Freedom of Expression and Assembly, and the Imprisonment of Human Rights Defenders

From 18 March, 2011 to 27 November, 2015, the United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, and the UN Special Rapporteur on the situation of human rights defenders submitted 43 communications to the Government of Bahrain. Over these five years, the number of communications peaked in 2011 and 2012. The three Special Rapporteurs submitted 14 communications in 2011, nine in 2012, eight again in 2013, seven in 2014, and five in 2015. Examination of the communications of these three mandates illuminates a number of seemingly disparate strands of government action against protesters and activists, that are actually interrelated. The prosecution of individuals for their religious association is not only tied to the prosecution of individuals for political associations and opinions, but also for their human rights activities. Overall, the arrest, detention, and sentencing of activists, whether human rights, political, or religious, is tied to their participation in demonstrations the government has deemed illegal.

1. Government Action Due to Religious Affiliation

Eight communications concern government action against individuals due to religious affiliation. The first communication regarding this issue was submitted on 9 June 2011 and concerns the expulsion of students and professors from the University of Bahrain not only for participating in protests, or due to their political affiliations and associations, but also because of their religious affiliations and associations.³ A 27 June 2011 communication addresses police attacks on Shia religious processions and expresses concern that the attacks “severely restrict [Shia] religious freedom, in particular curtails their right to right to assembly, worship and practice their religion”.⁴ A third communication points to the connection between religion and politics.⁵ It details the arrest and detention Matar Ebrahim Matar, a former Member of Parliament and member of al-Wefaq, Bahrain’s largest opposition political association.

2. Connection Between Religion and Politics

The connection between politics and religion becomes more apparent in the 19 April 2013 communication concerning a draft law on associations that would forbid the incorporation of groups “based on sectarian [bases],” and that “[carry] out political activities”.⁶ The law makes it harder, if not impossible, to establish civil society organizations, including human rights organizations. It would also overtly criminalize opposition political societies, including the Shia opposition group al-Wefaq. Two communications concern Sheikh Ali Salman, the General Secretary of al-Wefaq.⁷ They explicitly connect politics and religion, expressing concern over his detention due to his political opinions and his identity as a member of a religious group—Shia—and as a religious figure.⁸

3 United Nations, Office of the High Commissioner for Human Rights, *Communication concerning protests at the University of Bahrain*, AL Education (1998-11) G/SO 214 (67-17) Assembly & Association (2010-1) G/SO 214 (56-23) (9 June 2011), available at [https://spdb.ohchr.org/hrdb-b/19th/AL_Bahrain_09.06.2011_\(11.2011\).pdf](https://spdb.ohchr.org/hrdb-b/19th/AL_Bahrain_09.06.2011_(11.2011).pdf)

4 United Nations, Officer of the High Commissioner for Human Rights, *Communication concerning attacks on Shia gatherings*, AL G/SO 214 (67-17) Assembly & Association (2010-1) G/SO 214 (56-23) (27 June 2011), available at [https://spdb.ohchr.org/hrdb/19th/AL_Bahrain_27.06.2011_\(13.2011\).pdf](https://spdb.ohchr.org/hrdb/19th/AL_Bahrain_27.06.2011_(13.2011).pdf).

5 United Nations, Officer of the High Commissioner for Human Rights, *Communication concerning Matar Ebrahim Matar*, UA G/SO 214 (67-17) G/SO 214 (107-9) G/SO 214 (3-3-16) G/SO 214 (53-24) (4 July 2011), available at [https://spdb.ohchr.org/hrdb/19th/UA_Bahrain_04.07.11_\(14.2011\).pdf](https://spdb.ohchr.org/hrdb/19th/UA_Bahrain_04.07.11_(14.2011).pdf).

6 United Nations, Officer of the High Commissioner for Human Rights, *Communication concerning a draft law on associations*, AL Assembly & Association (2010-1) G/SO 214 (107-9) (19 April 2013), available at [https://spdb.ohchr.org/hrdb/24th/public_-_AL_Bahrain_19.04.13_\(1.2013\).pdf](https://spdb.ohchr.org/hrdb/24th/public_-_AL_Bahrain_19.04.13_(1.2013).pdf).

7 United Nations, Officer of the High Commissioner for Human Rights, *Communication concerning the arrest and detention of Sheikh Ahmed Ali al-Salman*, UA (16 January 2015), available at [https://spdb.ohchr.org/hrdb/29th/Public_-_UA_Bahrain_16.01.15_\(1.2015\).pdf](https://spdb.ohchr.org/hrdb/29th/Public_-_UA_Bahrain_16.01.15_(1.2015).pdf); and United Nations, Officer of the High Commissioner for Human Rights, *Communication concerning Sheikh Ali al-Salman*, UA (27 November 2015), available at [https://spdb.ohchr.org/hrdb/31st/public_-_UA_Bahrain_27.11.15_\(9.2015\).pdf](https://spdb.ohchr.org/hrdb/31st/public_-_UA_Bahrain_27.11.15_(9.2015).pdf).

8 *Communication concerning the arrest and detention of Sheikh Ahmed Ali al-Salman*, ibid. note 7.

3. Persecution of Human Rights and Political Activists

In the first two years after the initial February 2011 protests, the communications show concerted government efforts to silence human rights and political activists through incarceration and violence.

As the government violently suppressed and broke-up demonstrations and marches in March 2011 it imprisoned a number of prominent human rights, political, and religious activists. Among those imprisoned are the Bahrain 13; a group of political, religious, and human rights activists and leaders in the protests that swept the country. One communication details concerns regarding the long-term imprisonment of 15 years or more of 11 of these activists, and the imprisonment for five years, of three of these activists.⁹ It names all of the Bahrain 13. Another details the arrests, detention, harassment, and stigmatization of human rights defenders and their relatives,¹⁰ including the relatives of several of the Bahrain 13.

The harassment of human rights defenders continued to 2016. Nabeel Rajab, Naji Fateel, and Zainab al-Khawaja, in particular, are the subjects of several communications that detail their repeated arrest even as the government released them. Their arrests are continually linked to their exercise of their freedom of expression, whether over Twitter,¹¹ tearing up pictures of the king,¹² or speaking during marches and urging demonstrators to form human rights monitoring committees.¹³ They are also linked to their exercise of their right to freedom of assembly and association.

4. Suppression of Demonstrations and Associations

One communication demonstrates that protests continued into 2012 despite the government's efforts, and that authorities used excessive force to interrupt gatherings in addition to passing two laws to compromise the freedoms of association and assembly.¹⁴ It also details the government's repeated restrictions on the holding of demonstrations. The communication reports that authorities repeatedly denied protesters the necessary authorization to legally demonstrate.¹⁵ When demonstrations continued without legal authorization, government security forces responded with excessive force.¹⁶

⁹ United Nations, Officer of the High Commissioner for Human Rights, *Communication concerning the imprisonment of Abdulhadi al-Khawaja et al.*, UA G/SO 214 (67-17) G/SO 214 (107-9) G/SO 214 (3-3-16) Terrorism (2005-4) G/SO 214 (53-24) (5 August 2011), available at [https://spdb.ohchr.org/hrdb/19th/UA_Bahrain_05.08.11_\(17.2011\).pdf](https://spdb.ohchr.org/hrdb/19th/UA_Bahrain_05.08.11_(17.2011).pdf).

¹⁰ United Nations, Officer of the High Commissioner for Human Rights, *Communication concerning Hasan Abbas Omran et al.*, UA G/SO 218/2 G/SO 214 (67-17) Assembly & Association (2010-1) G/SO 214 (107-9) G/SO 214 (53-24) (9 September 2011), available at [https://spdb.ohchr.org/hrdb/19th/UA_Bahrain_09.09.2011_\(18.2011\).pdf](https://spdb.ohchr.org/hrdb/19th/UA_Bahrain_09.09.2011_(18.2011).pdf).

¹¹ United Nations, Officer of the High Commissioner for Human Rights, *Communication concerning Nabeel Rajab and Twitter*, UA G/SO 218/2 G/SO 214 (67-17) Assembly & Association (2010-1) G/SO 214 (107-9) G/SO 214 (3-3-16) (24 July 2012), available at [https://spdb.ohchr.org/hrdb/22nd/public_-_UA_Bahrain_24.07.12_\(6.2012\).pdf](https://spdb.ohchr.org/hrdb/22nd/public_-_UA_Bahrain_24.07.12_(6.2012).pdf).

¹² United Nations, Officer of the High Commissioner for Human Rights, *Communication concerning Maryam al-Khawaja, et al.*, UA (18 December 2014), available at [https://spdb.ohchr.org/hrdb/29th/Public_-_UA_Bahrain_18.12.14_\(15.2014\).pdf](https://spdb.ohchr.org/hrdb/29th/Public_-_UA_Bahrain_18.12.14_(15.2014).pdf).

¹³ United Nations, Officer of the High Commissioner for Human Rights, *Communication concerning the arrest and torture of Naji Fateel*, UA G/SO 218/2 G/SO 214 (67-17) Assembly & Association (2010-1) G/SO 214 (107-9) G/SO 214 (53-24) (10 May 2013), available at [https://spdb.ohchr.org/hrdb/24th/public_-_UA_Bahrain_10.05.13_\(2.2013\).pdf](https://spdb.ohchr.org/hrdb/24th/public_-_UA_Bahrain_10.05.13_(2.2013).pdf); and United Nations, Officer of the High Commissioner for Human Rights, *Communication concerning Naji Fateel's sentencing*, UA G/SO 218/2 G/SO 214 (67-17) Assembly & Association (2010-1) G/SO 214 (107-9) Terrorism (2005-4) G/SO 214 (53-24) (4 October 2013), available at [https://spdb.ohchr.org/hrdb/24th/public_-_UA_Bahrain_04.10.13_\(7.2013\).pdf](https://spdb.ohchr.org/hrdb/24th/public_-_UA_Bahrain_04.10.13_(7.2013).pdf).

¹⁴ United Nations, Officer of the High Commissioner for Human Rights, *Communication concerning restrictions on demonstrations*, UA G/SO 218/2 G/SO 214 (67-17) Assembly & Association (2010-1) G/SO 214 (107-9) G/SO 214 (53-24) (29 June 2012), available at [https://spdb.ohchr.org/hrdb/22nd/public_-_UA_Bahrain_29.06.12_\(5.2012\).pdf](https://spdb.ohchr.org/hrdb/22nd/public_-_UA_Bahrain_29.06.12_(5.2012).pdf).

¹⁵ *Communication concerning restrictions on demonstrations*, ibid. note 14.

¹⁶ *Communication concerning restrictions on demonstrations*, ibid. note 14.

Charting the Seas of Abuse

Four communications address the government's use of excessive force against demonstrators.¹⁷ In addition to repeatedly restricting demonstrations, the government attempted to ban all public rallies and gatherings.¹⁸

Several singular complaints addressed large thematic issues. When the government drew up a draft law on associations that would restrict the freedoms of assembly and association, as well as expression, the Procedures issued a communication alleging the law would infringe on the right to freedom of association.¹⁹ The Procedures stated that the law would not only serve to halt demonstrations, but would allow the government to criminalize civil society and human rights organizations, and also infringe on the freedom to expression, as gatherings are opportunities to voice opposition to the government.

Another communication concerns the passage of 22 recommendations to the anti-terror law on 28 July 2013.²⁰ The recommendations further restrict assembly by banning sit-ins and gatherings in Manama and providing for legal action against some political associations without defining what those associations are.²¹ The communication notes that the ban would disproportionately affect the rights to freedom of peaceful assembly and of expression, that could be used to silence dissenting voices.

5. Conclusion

The three mandates' communications repeatedly demonstrate the interconnected nature of the right to freedom of expression, assembly, and association in the context of Bahrain and the mass pro-democracy demonstrations since 2011. The Bahrain 13 were all leaders and participants of political, human rights and charitable associations; they were punished for leading protests and for their acts of expression. The communications reveal the vast curtailment of the right to free expression: the prosecution of the Bahrain 13 for expressing dissident political opinions in 2011 appeared exceptional at the time, but by 2013, the government had introduced new laws which made such prosecutions ordinary occurrences. The government's recent criminalization of free speech, assembly and association far exceeds the moderate limitations on the rights expressed in the ICCPR and has been a constant cause for concern for the UN human rights mandates. While the government has consistently responded to communications with claims that they are misinformed, and that no rights have been violated, the consistent and wide-ranging communications – 43 over 4 years – is a reflection of the lack of substantive reform.



17 United Nations, Officer of the High Commissioner for Human Rights, Communication concerning the excessive use of force by security forces, UA G/SO 218/2 G/SO 214 (67-17) G/SO 214 (107-9) G/SO 214 (33-27) G/SO 214 (53-24) (18 March 2011), available at [https://spdb.ohchr.org/hrdb/18th/Public_-_UA_Bahrain_18.03.11_\(3.2011\).pdf](https://spdb.ohchr.org/hrdb/18th/Public_-_UA_Bahrain_18.03.11_(3.2011).pdf); United Nations, Officer of the High Commissioner for Human Rights, Communication concerning Zainab al-Khawaja, et al., UA G/SO 214 (67-17) Assembly & Association (2010-1) G/SO 214 (107-9) G/SO 214 (53-24) G/SO 214 (89-15) (20 January 2012), available at [https://spdb.ohchr.org/hrdb/20th/UA_Bahrain_20.01.12_\(1.2012\).pdf](https://spdb.ohchr.org/hrdb/20th/UA_Bahrain_20.01.12_(1.2012).pdf); Communication concerning restrictions on demonstrations, ibid. note 14; and United Nations, Officer of the High Commissioner for Human Rights, Communication concerning the excessive use of force resulting in two deaths, AL G/SO 214 (67-17) Assembly & Association (2010-1) G/SO 214 (107-9) G/SO 214 (33-27) (29 October 2012), available at https://spdb.ohchr.org/hrdb/22nd/public_-_AL_Bahrain_29.10.12_%289.2012%29.pdf.

18 United Nations, Officer of the High Commissioner for Human Rights, Communication concerning the banning of public rallies and arrest of Sayed Yousif AlMuhafah, et al, UA G/SO 218/2 G/SO 214 (67-17) Assembly & Association (2010-1) G/SO 214 (107-9) (9 November 2012), available at https://spdb.ohchr.org/hrdb/22nd/public_-_UA_Bahrain_09.11.12_%2811.2012%29.pdf.

Communication concerning a draft law on associations, ibid. note 6.

19 United Nations, Officer of the High Commissioner for Human Rights, Communication concerning amending the 2006 Law on the Protection of Society from Acts of Terrorism, UA G/SO 214 (67-17) Assembly & Association (2010-1) G/SO 214 (107-9) G/SO 214 (53-24) (14 August 2013), available at [https://spdb.ohchr.org/hrdb/24th/public_-_UA_Bahrain_14.08.13_\(5.2013\).pdf](https://spdb.ohchr.org/hrdb/24th/public_-_UA_Bahrain_14.08.13_(5.2013).pdf).

Communication, Date, Link, (endnote)	Mandates	Summary of communication	Annex Page*	Summary of Reply
BHR 9/2015 — 27/11/2015 ¹	Arbitrary Detention; Expression; Assembly; Belief; Human Rights Defenders	Alleged arbitrary detention and prosecution of Sheikh Ali Salman for expression of his political views, his political and religious associations, and allegedly as a result of his re-election as Secretary General of the main opposition party. Charged with inciting a change of regime by non-peaceful means; inciting others to break the law; and insulting the Ministry of Interior.	320	Not yet received; in process of translation.
BHR 5/2015 — 21/08/2015 ²	Expression; Human Rights Defenders	Arrest of inter-faith activist and human rights defender, Sheikh Maytham al-Salman for making comments regarding the Bahraini authorities. Officials arrested Sheikh al-Salman on accusations of “inciting hatred against the regime,” and allegedly spreading false news, thereby violating Article 165 of the Constitution.	291	None.
BHR 4/2015 — 18/08/2015 ³	Expression	Regarding the temporary suspension of the newspaper al-Wasat , the only newspaper critical of the government, and restrictions to freedom of expression and opinion. According to the government, the paper broke the law and repeatedly disseminated information that affected the national unity and the Kingdom’s relation with other countries. The paper had previously been warned of allegedly publishing “false information.”	287	Received 22/10/2015: this claim is exaggerated. Al-Wasat had used inflammatory language and failed to do proper fact checking. Bahrain is constantly working to improve its human rights situation. ⁴
BHR 2/2015 — 15/04/2015 ⁵	Arbitrary Detention; Expression; Human Rights Defenders; Torture	The alleged arrest and detention of Nabeel Rajab following his documentation of torture and ill-treatment in Jau Prison. Rajab received a summons over tweets regarding torture in Jau Prison, and was arrested for documenting the torture and for comments made about civilian casualties in the GCC intervention in Yemen.	268	Received 18/05/2015: Rajab used libel and propaganda to stir the public against the external security of the state. The government has yet to list reasons for his detention. The Special Procedures’ letter is under investigation. ⁶
BHR 1/2015 — 16/01/2015 ⁷	Arbitrary Detention; Expression; Assembly; Belief; Human Rights Defenders; Judges	Alleged arbitrary arrest and detention of Sheikh Ali Salman . His arrest comes two days after his re-election as Secretary General of al-Wefaq. He is allegedly targeted due to his public expression of political views, and his position as a political opposition leader, Shia Muslim, and religious figure. Neither Sheikh Salman nor his legal counsel have not been able to examine the evidence against him.	264	Received 12/02/2015: the accused enjoys all of his legally guaranteed rights. His crimes include insulting a State institution and inciting violence. ⁸
BHR 15/2014 — 18/12/2014 ⁹	Arbitrary Detention; Expression; Assembly; Human Rights Defenders	The sentencing of Maryam al-Khawaja , Zainab al-Khawaja , and Ghada Jamsheer , and the latter’s detention. Concern that the former two’s sentences are linked to their peaceful human rights advocacy and exercising their right to freedom of expression. Concern that their detention is a reprisal for participating with the UN, insulting a public servant, tearing up a picture of the king, and allegedly criticizing corruption on social media, respectively.	258	None.
BHR 13/2014 — 14/10/2014 ¹⁰	Arbitrary Detention; Expression; Assembly; Human Rights Defenders	Concern that the arrest and detention of Nabeel Rajab is related to his peaceful advocacy for human rights in Bahrain, his exercise of freedom of expression, and as a reprisal for cooperating with the UN.	254	Received 24/11/2014: Rajab’s charges related to terrorist ideas, <i>takfiri</i> ideology, participating in unauthorized marches, and slandering citizens. ¹¹
BHR 12/2014 — 03/09/2014 ¹²	Arbitrary Detention; Expression; Assembly; Human Rights Defenders	Concern that Maryam al-Khawaja’s arrest and detention are related to her human rights in Bahrain. Officials arrested her on charges of assaulting a police officer. It is believed the charges relate to the Bahrain Center for Human Rights’ “Wanted for Justice” campaign in which activists name alleged human rights violators.	251	None.
BHR 11/2014 — 14/08/2014 ¹³	Arbitrary Detention; Assembly; Judges; Terrorism; Torture	Allegations of the arbitrary arrest, enforced disappearance, detention, and torture, and coerced confessions of nine Bahraini nationals (two of whom are minors), the forced disappearance of some of them, and their conviction after trials that did not meet international standards of fair trial and due process. They were allegedly sentenced for their role in peaceful assemblies, and some reportedly charged with “terrorism.”	241	2 replies received. Reply 1) 26/09/2014: the defendants attacked or planned to attack security forces. ¹⁴ Reply 2) 22/10/2014: the defendants were detained due to terrorism activity; warrants were presented during their arrests. ¹⁵

BHR 10/2014 — 11/08/2014 ¹⁶	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Judges; Terrorism; Torture	Allegations of harassment and intimidation of members of the Bahrain Youth Society for Human Rights . Concern regarding the ongoing detention of Naji Fateel , a member, and allegations that he was tortured in detention, and sentenced based on coerced confessions made under torture. Officials have charged Fateel with establishing a group to disable the Constitution. Concern over the use of national security interests to justify measures and acts to suppress the opposition, including human rights defenders.	236	2 replies. received Reply 1) 15/09/2014: the defendants were arrested attacking or planning attacks on security forces, doctors found no signs of torture. ¹⁷ Reply 2) 26/09/2014: the defendants' arrests were justified due to their terrorist aims. ¹⁸ .
BHR 9/2014 — 11/07/2014 ¹⁹	Culture; Expression; Assembly	Concern regarding the alleged destruction of the “ Pearl Roundabout ” monument and related imagery, and continued prohibition against public access to the site. Imagery of the destroyed monument is “immediately” erased. Security forces interfere with peaceful protests thereby restricting freedom of expression and peaceful assembly.	232	None.
BHR 1/2014 — 10/01/2014 ²⁰	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Judges; Torture	Concern regarding the alleged arbitrary arrest and reported torture, and ill-treatment of photojournalist and photographer Ahmed Fardan . Concern that his arrest and detention might be linked to his activities documenting and photographing demonstrations in Bahrain, and his activity campaigning for photographer Ahmed Humaidan. During his initial detention he was denied access to a lawyer, and his lawyer was not present during the legal proceedings.	189	Received 11/02/2014: the case is still under investigation, but the Fardan witnessed the demonstrators and acknowledged possession of the items seized at his home. ²¹
BHR 8/2013 — 26/11/2013 ²²	Torture; Assembly	Concern that the arbitrary detention and alleged torture of an unnamed Bahraini national and student at the University of Bahrain is related to her participation in a peaceful assembly at the University calling for democratic reforms. She was expelled though later, due to international pressure, readmitted.	183	Received 23/01/2014: the individual did not lodge a complaint with the public prosecution, or the special investigation unit concerning her claims of exposure to ill-treatment. ²³
BHR 7/2013 — 04/10/2013 ²⁴	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Terrorism; Torture	Alleged sentencing of blogger, Naji Fateel to 15 years in prison in addition to allegations of torture. Before his arrest he had frequently given speeches during marches discussing the importance of documenting human rights violations. He was sentenced for attending illegal gatherings. Concern that his charges relate to his speeches and activities at marches and demonstrations. Concern his harsh sentencing is due to the anti-Terrorism law amendments. He allegedly was not offered fair legal counsel during interrogation, and allegedly did not receive a fair trial.	176	Received 05/11/2013: a forensic exam revealed no signs of ill-treatment while in detention. Fateel has confessed to involvement with the 14 February Coalition, with plans to overthrow the government and commit terrorist acts. ²⁵
BHR 6/2013 — 28/08/2013 ²⁶	Arbitrary Detention; Disappearances; Women and Law; Expression; Assembly; Human Rights Defenders; Judges; Torture; Violence and Women	Allegations of arbitrary detention, torture, ill-treatment, and lack of judicial safeguards of Rihanna al-Musawi and Nafeesa al-Asfoor , and arbitrary detention of Abas al-Asfoor , for allegedly attempting to commit a terrorist act during the Formula 1 race. They were also charged with joining and illegal group. These allegations may be related to their human rights work and reveal a pattern of targeting women protesters.	166	Received 01/10/2013: the three confessed to planning a terrorist act. No evidence of physical abuse by the authorities was found during a medical examination. The three were detained for a period of sixty days. As they were handed over to the public prosecution, their detention has been renewed. ²⁷
BHR 5/2013 — 14/08/2013 ²⁸	Expression; Assembly; Human Rights Defenders; Torture	Regarding the National Assembly’s 28 July 2013 recommendations amending the 2006 Law on Protection of Society from Acts of Terrorism , which will “severely” compromise the enjoyment of human rights and fundamental freedoms, and may lead to torture. The recommendations would ban sit-ins and public gatherings in Manama and provide for legal action against some political associations. The ban would affect the rights to freedom of peaceful assembly and expression, and could be used to silence activists.	160	Received 04/09/2013: the new laws were designed in response to recent infringements on the security of the state and protection of its citizens. Bahrain is anxious to uphold its recent laws regarding human rights protections and compensation for torture or other abuse by the authorities. ²⁹
BHR 4/2013 — 30/07/2013 ³⁰	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Judges; Torture	Allegations of torture or other cruel, inhuman or degrading forms of treatment of Zainab al-Khawaja , Mahdi Abu Dheeb , and Mohamed al-Maskati . Al-Khawaja was arrested during a peaceful sit-in and charged with taking part in an illegal gathering and insulting a police officer. Abu Dheeb was arrested on charges of “inciting hatred of the political regime” and “advocating regime change through force.” Al-Maskati was charged with “participation in illegal protests” relating to a peaceful demonstration. Concern at procedural irregularities during the named individuals’ trials.	152	Received 29/08/2013: File not found. ³¹

BHR 3/2013 — 23/05/2013 ³²	Expression; Assembly; Human Rights Defenders; Torture	Concern regarding the temporary isolation of Nabeel Rajab in his cell in Jau Prison after witnessing acts of torture of young detainees by police officers. Rajab was serving a two-year prison sentence on charges of calling for, and participating in, peaceful demonstrations. Previous communications detail his detention for publication of critical statements and calls for peaceful demonstrations.	146	Received 24/06/2013: the Special Prosecution Unit and Special Investigation Unit are currently conducting an investigation into the matter. Rajab received medical attention when he asked for it, and that his previous cell was in a fairly crowded and populated space. ³³
BHR 2/2013 — 10/05/2013 ³⁴	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Torture	Concerning the allegations of the arrest, detention, and torture of Naji Fateel , a board member of the Bahrain Youth Society for Human Rights (BYSHR), and an active blogger and social media user who publishes daily messages on human rights issues. He has given daily speeches during marches discussing the importance of documenting human rights violations, and urging people to form monitoring committees. There are indications that Fateel's arrest, detention, and torture are related to his human rights activities.	139	Received 05/06/2013: Fateel is accused of establishing a terrorist group in order to suspend the Constitution and the law. The forensic medical examiner found no evidence of mistreatment. ³⁵
BHR 1/2013 — 19/04/2013 ³⁶	Assembly; Human Rights Defenders	Concern regarding a new draft law on associations which, if adopted would violate international standards related to the right to freedom of association and could seriously compromise the work of civil society and human rights organizations. The law would forbid the formation of associations "based on sectarian [bases]," that "violate public morals," and "carry out political activities," etc. It would make it much harder, if not impossible to establish civil society and human rights organizations.	134	Received 05/06/2013: meetings were held with UN experts to discuss the draft law. It was amended and later approved by NGOs. ³⁷
BHR 12/2012 — 29/11/2012 ³⁸	Expression; Assembly; Belief; Human Rights Defenders	Concerning the alleged interrogation and deportation of Dr. Nada Dhaif and the alleged withdrawal of citizenship of 31 political activists, including human rights defenders Hasan Abbas Omran and Taymour Karimi . Dr. Dhaif was questioned about whether she participated in protests at Pearl Roundabout and whether she had visited Iran. Omran and Karimi were arrested, and their citizenship revoked, over alleged involvement with illegal protests and their human rights work.	127	Received 08/01/2013: the State has the right to withdraw citizenship if the victim's citizenship causes harm to the security of the State. This law is in line with the Convention on the Reduction of Statelessness. As regards Dr. Dhaif's travels and troubles in other countries, this is outside of Bahraini authorities' jurisdiction. ³⁹
BHR 11/2012 — 09/11/2012 ⁴⁰	Arbitrary Detention; Expression; Assembly; Human Rights Defenders	The alleged banning of all public rallies and gatherings in Bahrain and the arrest and detention of Sayed Yousif AlMuhamdah and Jalila al-Salman . AlMuhamdah was detained for "participation in illegal protests." Al-Salman was detained on charges of "inciting hatred of the regime," and "attempting to overthrow the ruling system by force," and "encouraging illegal protests."	122	2 replies received. Reply 1) 07/12/2012: the two in question were actively involved in destructive behaviors against the government. Public gatherings are permitted when the state is not concerned for the safety of its citizens. ⁴¹ Reply 2) 14/12/12 is a reiteration of the need to ban protests to restore public order. ⁴²
BHR 9/2012 — 29/10/2012 ⁴³	Expression; Assembly; Human Rights Defenders; Executions	Concerning the excessive use of force by law enforcement officers during protests, which resulted in the death of two children. As law enforcement officers violently dispersed a protest allegedly aimed at denouncing the continued detention of peaceful protesters and the acquittal of police officers accused of killing protesters, Ali Neamah , 17-years old, and an unnamed child 10-years-old, were reportedly shot dead.	110	Received 21/12/2012: force during protests was enacted by security forces in self-defense, including that against the two teenagers. ⁴⁴
BHR 10/2012 — 18/10/2012 ⁴⁵	Expression; Assembly; Human Rights Defenders	Concerning the alleged surveillance, threats, harassment, and acts of reprisal against activists Mohammed al-Maskati , Maryam al-Khawaja , Dr. Nada Dhaif , Dr. Mondher Alkhoor , Jalila al-Salman , and Sayed Yousif AlMuhamdah , some of whom were reportedly harassed and threatened because of their participation at the UN Human Rights Council.	115	Received 19/11/2012: several individuals did not lodge a report or complaint, so no investigation can take place; that police station room wherein the suspects were questioned had cameras. ⁴⁶
BHR 8/2012 — 05/10/2012 ⁴⁷	Expression; Assembly; Human Rights Defenders	Concerning the sentencing of human rights defender and blogger Zainab al-Khawaja while protesting. She has thirteen cases filed against her including charges of "illegal gathering," and "inciting hatred against the regime."	105	Received 25/10/2012: Zainab was arrested for obstructing traffic, she entered the patrol car of her own accord, tore up the King's picture at the station, and did not make a statement to the officers. ⁴⁸

BHR 7/2012 — 09/08/2012 ⁴⁹	Arbitrary Detention; Expression; Assembly; Judges	Concerning the arrest and detention of four unnamed individuals aged 20 and below during a reportedly peaceful anti-government demonstration, and charged with rioting and “illegal gathering.” The charges may be linked to the exercise of their rights to freedom of opinion and expression and of peaceful assembly.	101	Received 04/10/2012: the suspects admitted to various charges related to burning tires, riotous assembly, disturbing the peace. ⁵⁰
BHR 6/2012 — 24/07/2012 ⁵¹	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Judges	Regarding the arbitrary arrest, arbitrary detention, and forthcoming trial and sentencing of human rights defender Nabeel Rajab , who posted comments via Twitter directed at the Prime Minister, and was charged with alleged libeling of the residents of the town of al-Muharraq. Concern regarding the fairness and transparency of his trial.	94	Received 24/08/2012: Rajab's use of Twitter and his comments were “excessive and beyond the legal limits and precepts governing the exercise of political or human rights activities.” ⁵²
BHR 5/2012 — 29/06/2012 ⁵³	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Torture	Regarding repeated restrictions on the holding of peaceful demonstrations and the excessive use of force by law enforcement during peaceful assemblies. Authorities repeatedly denied protesters the necessary authorization to legally demonstrate. Law enforcement allegedly used excessive force to halt unauthorized and attempted demonstrations, arresting a number of demonstrators. Authorities also arrested, detained, and subjected a 21-year-old student to psychological pressure and threats.	88	Received 02/08/2012: allegations that authorities restrict public freedoms and impose undue restrictions on peaceful assembly are false. Not only did the MOI allow marches, but demonstrators themselves broke the law. The MOI has legal grounds for denying the holding of assemblies. ⁵⁴
BHR 1/2012 — 20/01/2012 ⁵⁵	Expression; Assembly; Human Rights Defenders; Torture; Violence and Women	Concerning the excessive use of force during peaceful demonstrations and targeted measures against human rights activists Zainab al-Khawaja, Massoma al-Sayed, Nabeel Ra-jab, and Sayed Yousif AlMuhafdhah . Riot police used tear gas to halt a protest around the roundabout. Both women were arrested while peacefully sitting-in, subjected to ill-treatment while in detention, and charged with taking part in an illegal gathering. Both men were severely beaten while participating in a peaceful demonstration.	70	Received 21/03/2012: released solely in Arabic. ⁵⁶
BHR 18/2011 — 09/09/2011 ⁵⁷	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Torture	Concerning the arrests, detention, harassment, and stigma-tization of human rights defenders and their relatives , particularly Hasan Abbas al-Omran, Ibrahim Sharif, Abduljalil al-Singace, Abduljalil Mansoor Makk, Abdulhadi al-Khawa-ja, Saeed Abdulnabi Shebab, Akeel Ahmed al-Mafoodh, and Mahdi Abu Dheeb for their participation in protests, speaking out against the government, and discussing human rights abuses and violations. Several of the named individuals were allegedly subjected to ill-treatment and torture.	60	Received 15/12/2011: the persons mentioned have been found guilty of inciting hatred of the regime or other public disturbance that can interfere with national unity and security. Bahrain follows all international standards in terms of arrest, interrogation, and imprisonment, and has put mechanisms in place to address any complaints. ⁵⁸
BHR 17/2011 — 05/08/2011 ⁵⁹	Expression; Human Rights Defenders; Torture; Judges; Terrorism	Concerning the life imprisonment of Abdulhadi al-Khawaja, Abdulwahab Hussain, Hassan Mushaima, Abduljalil al-Singace, Mohammed Habib al-Miqdad, Saeed Mirza al-Nouri, Abduljalil Mansoor al-Miqdad ; the 15-year imprisonment of Mohammed Ali Ismael, Mohammed Hassan Jawad, Abdullah Isa al-Mahroos, Abdulhadi Abdullah Mahdi al-Mukhodher ; the five-year prison sentence of Ibrahim Sharif, Abdurrahemm Mossa, Salah al-Khawaja ; and two-year prison term for Al-Hurra Yousif Mohammed for their human rights and activism work. The named individuals were reportedly subjected to torture while in detention, and it is alleged they confessed under duress. The government has alleged the named individuals form part of a “terrorist” cell. Their trials did not comply with international legal standards and access to legal counsel was restricted.	49	Received 23/09/2011: Bahrain is careful to follow international best practices of interrogation and trial. Several decrees have been enacted recently to better guarantee public safety. The persons mentioned have been convicted of terrorism charges due to their attempts at disrupting public order and damaging national unity. ⁶⁰
BHR 15/2011 — 05/08/2011 ⁶¹	Expression; Torture; Violence and Women	Concerning the case of Nazeeha Saeed —the Bahrain correspondent of France 24 and Radio Monte Carlo Doualiya—who was allegedly tortured and ill-treated in the Rifa'a police station for her alleged links to Hezbollah and Iranian news channels.	37	Received 24/08/2011: Appropriate action was taken against the officer who beat Saeed , who was convicted on 21/07/2011. ⁶²
BHR 16/2011 — 08/07/2011 ⁶³	Arbitrary Detention; Expression; Assembly; Torture; Judges	Concern regarding the case of a number of individuals including Mohammed al-Buflasa 's detention and trial. Al-Buflasa allegedly “[broke] the Bahrain Defense Force law,” and is a member of a “sedition ring.” It is alleged his arrest is for protesting corruption and lack of equal economic opportunities. Al-Buflasa was reportedly ill-treated by prison authorities. His lawyer faced significant trouble defending him.	43	Received 09/08/2011: al-Buflasa was convicted by a competent court on charges of undermining public security. He has been assured all judicial guarantees. ⁶⁴

BHR 14/2011 — 04/07/2011 ⁶⁵	Expression; Human Rights Defenders; Torture; Judges	Regarding the arrest, detention, and ill-treatment of Matar Ebrahim Matar , former MP and member of al-Wefaq. He was charged with “public incitement for regime change and deliberately spreading biased rumors,” in addition to taking part in public gatherings. He was allegedly denied access to a lawyer.	29	Received 24/08/2011: Matar had already resigned from Parliament, and therefore does not have Parliamentary immunity. He is charged with spreading information and participating in gatherings for the purpose of violating public security. He was not kidnapped, and his trial has occurred in accordance with the law. ⁶⁶
BHR 13/2011 — 27/06/2011 ⁶⁷	Expression; Assembly; Belief	Regarding police attacks on religious processions by Shia on 5 June 2011. During Shia religious processions commemorating the Imam Hadi, police attacked the procession. There are concerns that such attacks curtail their right to assemble and express their religious beliefs.	25	Received 09/08/2011: there is no evidence for reports of a house being set on fire or any injuries of residents. The religious gatherings were bellicose and violent, with marchers chanting anti-regime slogans and requiring security forces to supervise and defend themselves. ⁶⁸
BHR 12/2011 — 16/06/2011 ⁶⁹	Expression; Assembly; Human Rights Defenders	Regarding allegations of acts of violence, intimidation, and enactment of travel bans against, as well as the interrogation of, a number of human rights defenders over the previous weeks. According to the UNHCHR, the government's measures appear to be aimed at silencing dissent and dissuading further protests.	17	2 replies received. Reply 1) 02/09/2011: PDF not accessible. ⁷⁰ Reply 2) 29/08/2011: all allegations are false pertaining to the cases of these individuals. Rajab was allowed access to a lawyer. ⁷¹
BHR 11/2011 — 09/06/2011 ⁷²	Expression; Assembly; Belief; Education	Regarding the expulsion of students and professors from the University of Bahrain due to their religious and political affiliations. 35 students were expelled after they participated in protests. Questioners asked the students why they are calling for the withdrawal of the regime.	12	Received 25/07/2011: all measures taken against students were in accordance with the laws and policies of the University of Bahrain. Some students interfered with University property and became aggressive with the authorities. ⁷³
BHR 9/2011 — 20/05/2011 ⁷⁴	Human Rights Defenders; Judges; Torture	Concerning Abdulhadi Al-Khawaja , a human rights defender, whom the government charged with terrorism and attempting to overthrow the government. Concern over allegations of torture in detention. His trial did not comply with international standards.	File not found.	Received 08/06/2011: file not found. ⁷⁵
BHR 6/2011 — 21/04/2011 ⁷⁶	Arbitrary Detention; Disappearances; Human Rights Defenders	Concerning the arrest of human rights lawyer Mohammed al-Tajir , and his detention in an undisclosed location. His fate and whereabouts remain unknown.	File not found.	Received 07/06/2011: file not found. ⁷⁷
BHR 5/2011 — 12/04/2011 ⁷⁸	Disappearances; Human Rights Defenders; Torture	Police carried out forced searches in the homes of Zainab al-Khawaja , her father Abdulhadi Al-Khawaja , and Khalil Al-Halwachi . Police officers assaulted Abdulhadi al-Khawaja. Officers assaulted Zainab Al-Khawaja when she tried to intervene.	File not found.	Received 07/06/2011: file not found. ⁷⁹
BHR 4/2011 — 22/03/2011 ⁸⁰	Arbitrary Detention; Disappearances; Expression; Human Rights Defenders	Concerning the harassment and arbitrary arrests of human rights defenders Abduljalil al-Singace , Hassan Mushaima , AbdulGhani al -Kanja , and Abdulhadi al-Khawaja . Al-Singace's and Mushaima's fates and whereabouts remain unknown. Al-Khawaja has received death threats.	File not found.	Received 26/04/2011: file not found. ⁸¹
BHR 3/2011 — 18/03/2011 ⁸²	Arbitrary Detention; Expression; Human Rights Defenders; Torture; Executions	Concerning the security forces' excessive use of force against protestors resulting in the deaths of the three victims and the arrest of five opposition leaders: Hassan Mushaima , Ibrahim Sharif , Abdulwahab Hussain , Kareem Radhi Hassan al-Hadad , Abdul Jalil al-Sankees , Ali al-Ekri and Mohammed al-Buflasa . Al-Buflasa was detained and then put on trial. Police attacked protest camps , medical personnel , NGO premises , and the offices of al-Wasat newspaper.	4	Two replies received. Reply 1) 20/04/2011: the MOI categorically denies the incidents mentioned took place. ⁸³ Reply 2) 14/12/2012: medical professionals were charged with felonies, not treating patients. The reporting bodies like Human Rights Watch and Physicians for Human Right used flawed methodology. ⁸⁴
BHR 1/2011 — 17/02/2011 ⁸⁵	Expression; Human Rights Defenders; Executions; Torture	Security forces' excessive use of force during peaceful protests resulting in the deaths of Ali Abdulkhadi al-Mushaima , Fadel Salman al-Matrook , Issa Abdel Hassan , Mahmoud Makki , Ali Khudair , and Hussain Zayed .	File not found.	Received 05/04/2011: file not found. ⁸⁶

Government Practice of Torture, Ill-Treatment, and Extrajudicial, Summary, or Arbitrary Executions

From March 2011, a month after the start of the mass pro-democracy protests that took place in Bahrain, the mandates of the Special Rapporteur on torture and other cruel, inhuman or degrading punishment and the Special Rapporteur on extra-judicial, summary or arbitrary executions evince repeated concern regarding the Government of Bahrain's use of torture and ill-treatment against detainees. Over the five years, beginning in March 2011 and continuing until November 2015, the two mandates submitted 34 communications.

The communications are spread evenly over the five years. The two mandates together submitted ten communications in 2011 and six in 2012. The two mandates combined to submit seven communications in 2013 and seven in 2014. There was a slight decrease in the number of communications in 2015, when the two mandates together submitted five communications. However, while the number of communications decreased, the communications concern more cases: one communication in particular concerns 39 cases.²² Of the 34 communications the two mandates submitted, the Special Rapporteur on torture and other cruel, inhuman or degrading punishment signed on to 32. The Rapporteur on extrajudicial, summary or arbitrary executions signed on to six communications. Three communications concern the excessive use of force by law enforcement resulting in the deaths of protesters. In one case, two minors died: Ali Neamah, 17-years-old, and an unnamed 10-year-old child.²³ The two other communications combined concern the death of eight victims.²⁴ The other three communications detail the sentencing to death of seven victims to death and three to life imprisonment without due process, and often after torture.²⁵

1. Consistent Use of Torture and Ill-Treatment

The communications detail repeated allegations and reports of torture and ill-treatment, and are spread evenly over the five years in question. This leads to the conclusion that the Government of Bahrain systematically engages in torture and other cruel, inhuman or degrading treatment or punishment. Beneath the umbrella of systematic torture, the communications demonstrate three broad trends concerning the government's use of torture and ill-treatment: the torture and ill-treatment of human rights and political activists, the ill-treatment of individuals taking part in gatherings, demonstrations, and other forms of assembly and association, and the use of torture or threat of torture to extract confessions from detainees. These trends are not mutually exclusive. In attempting to suppress demonstrations and criminalize certain forms of association, expression, and activism, the government has detained, mistreated, and tortured demonstrators and individuals.

A. Human Rights and Political Activists

The first broad trend demonstrated by communications from the mandate of the Special Rapporteur on torture is repeated allegations of torture and mistreatment of human rights and political activists due to their work. One communication concerns the imprisonment of many human rights, religious, and political activists, including members of the informally-named Bahrain 13, and allegations of their torture while in detention.²⁶ The Bahrain 13 are 13 political, religious, and human rights activists who were active and leaders in the mass pro-democracy demonstrations in 2011.

24 United Nations, Office of the High Commissioner for Human Rights, *Communication concerning 39 unnamed minors*, UA (13 May 2015), available at [https://spdb.ohchr.org/hrdb/30th/public_-_UA_Bahrain_13.05.15_\(3.2015\)_pro.pdf](https://spdb.ohchr.org/hrdb/30th/public_-_UA_Bahrain_13.05.15_(3.2015)_pro.pdf).

23 *Communication concerning the excessive use of force resulting in two deaths*, ibid. note 17.

24 *Communication concerning excessive use of force by security forces*, ibid. note 17 and *Communication concerning the excessive use of force resulting in Ali Abdulhadi al-Mushaima's*, et al. death, ibid. note 106.

25 United Nations, Office of the High Commissioner for Human Rights, *Communication concerning Mohammad Ramadan, et al.*, UA (20 November 2015), available at [https://spdb.ohchr.org/hrdb/31st/public_-_UA_Bahrain_20.11.15_\(7.2015\).pdf](https://spdb.ohchr.org/hrdb/31st/public_-_UA_Bahrain_20.11.15_(7.2015).pdf); United Nations, Office of the High Commissioner for Human Rights, *Communication concerning Maher al-Khabbaz*, UA (8 July 2014), available at [https://spdb.ohchr.org/hrdb/28th/Public_-_UA_Bahrain_08.07.14_\(8.2014\)_Pro.pdf](https://spdb.ohchr.org/hrdb/28th/Public_-_UA_Bahrain_08.07.14_(8.2014)_Pro.pdf); and United Nations, Office of the High Commissioner for Human Rights, *Communication concerning the sentencing of four to death and three to life in prison*, (4 May 2011), available at [http://spcomms.ohchr.org/Docs/01ComRepSep2011/Com/2011_05/UA_Bahrain_04.05.11_\(7.2011\).pdf](http://spcomms.ohchr.org/Docs/01ComRepSep2011/Com/2011_05/UA_Bahrain_04.05.11_(7.2011).pdf).

26 *Communication concerning the imprisonment of Abdulhadi al-Khawaja, et al.*, ibid. note 9.

Two communications detail the Special Rapporteurs' concern regarding the health of two prominent activists who have been the subject of previous communications regarding their torture and ill-treatment.²⁷ Likewise, Naji Fateel, a human rights activist, is the subject of two communications in 2013 concerning his torture due to his activism.²⁸ More recently, according to one communication, in 2014 Bahraini authorities allegedly tortured political activist Ahmed al-Arab.²⁹

B. In Relation to Assembly and Association

The second broad trend is the ill-treatment of individuals who either participated in demonstrations, were in close proximity to demonstrations, or were thought to be either. One communication addresses the authorities' tear-gassing of activists Zainab al-Khawaja and Massoma al-Sayed, and their severe beating of activists Nabeel Rajab and Sayed Yousif AlMuhamad, for taking part in gatherings and sit-ins.³⁰ Another communication details the Special Rapporteurs' concern over the passage of recommendations amending the anti-terror law that may lead to torture for persons who take part in demonstrations and who are part of certain unspecified political associations.³¹ A third communication concerns the alleged arrest, charging, detention, torture, and sentencing of 39 minors, many of whom were arrested due to their proximity to a protest taking place nearby.³²

C. Coerced Confessions

The mandates' concern with use of torture or the threat of torture to extract confessions is a fairly recent phenomenon. Seven communications regard the government's use of these tactics, with six dating from March 2014 to November 2015.³³ All seven of the communications detail the extraction of confessions from the accused individuals and their use in court to find them guilty of the crimes of which the authorities accused them. Two of the communications concern the extraction of a confession from political activists,³⁴ while one details the extraction of confessions under torture of 39 minors who were arrested due to their proximity to demonstrations.³⁵

2. Extrajudicial, Summary or Arbitrary Executions

27 United Nations, Office of the High Commissioner for Human Rights, Communication concerning Abdulhadi al-Khawaja's health, UA Health (2002-7) G/SO 214 (53-24) (12 March 2012), available at [https://spdb.ohchr.org/hrdb/20th/UA_Bahrain_12.03.12_\(3.2012\).pdf](https://spdb.ohchr.org/hrdb/20th/UA_Bahrain_12.03.12_(3.2012).pdf); and United Nations, Office of the High Commissioner for Human Rights, Communication concerning Hassan Mushaima, UA Health (2002-7) G/SO 214 (53-24) (16 March 2012), available at https://spdb.ohchr.org/hrdb/21st/public_-_UA_Bahrain_16.03.12_%284.2012%29.pdf.

28 *Communication concerning the arrest and torture of Naji Fateel*, ibid. note 13; and *Communication concerning Naji Fateel's sentencing*, ibid. note 13.

29 United Nations, Office of the High Commissioner for Human Rights, *Communication concerning Ahmed al-Arab*, UA G/SO 218/2 G/SO 214 (3-3-16) G/SO 214 (53-24) (15 April 2014), available at [https://spdb.ohchr.org/hrdb/27th/public_-_UA_Bahrain_15.04.14_\(4.2014\).pdf](https://spdb.ohchr.org/hrdb/27th/public_-_UA_Bahrain_15.04.14_(4.2014).pdf).

30 *Communication concerning Zainab al-Khawaja*, et al., ibid. note 17.

31 *Communication concerning amending the 2006 Law on the Protection of Society from Acts of Terrorism*, ibid. note 20.

32 *Communication concerning 39 unnamed minors*, ibid. note 108.

33 United Nations, Office of the High Commissioner for Human Rights, Communication concerning Mahdi Abu Dheeb's health, UA Health (2002-7) G/SO 214 (53-24) (9 February 2012), available at [https://spdb.ohchr.org/hrdb/20th/UA_Bahrain_09.02.2012_\(2.2012\).pdf](https://spdb.ohchr.org/hrdb/20th/UA_Bahrain_09.02.2012_(2.2012).pdf); United Nations, Office of the High Commissioner for Human Rights, Communication concerning the torture of an unnamed minor, UA G/SO 218/2 Health (2202-7) G/SO 214 (3-3-16) G/SO 214 (53-24) (31 Mar 2014), available at [https://spdb.ohchr.org/hrdb/27th/Public_-_UA_Bahrain_31.03.14_\(3.2014\)_pro.pdf](https://spdb.ohchr.org/hrdb/27th/Public_-_UA_Bahrain_31.03.14_(3.2014)_pro.pdf); Communication concerning Ahmed al-Arab, ibid. note 115; Communication concerning Maher al-Khabbaz, ibid. note 111; Communication concerning BYSHR members and Naji Fateel, ibid. note 37; Communication concerning 39 unnamed minors, ibid. note 108; and Communication concerning Mohammad Ramadan, et al., ibid. note 111.

34 *Communication concerning Ahmed al-Arab*, ibid. note 115 and *Communication concerning BYSHR members and Naji Fateel*, ibid. note 37.

35 *Communication concerning 39 unnamed minors*, ibid. note 108.

The Special Rapporteur on extrajudicial, summary or arbitrary executions signed on to six communications.³⁶ Three communications concern the deaths of individuals involved in demonstrations dispersed by security forces through the excessive use of force.³⁷ In one communication, the Special Rapporteur notes the two individuals killed were minors.³⁸ Three other communications concern the imposition of the death penalty on eight individuals, including Maher al-Khabbaz, Mohammad Ramadan, and Husain Ali Moosa.³⁹ In each of these three communications, the defendants were denied their right to due process and internationally-sanctioned and fair trials. In the cases of Maher al-Khabbaz, Mohammed Ramadan, and Husain Ali Moosa, the court sentenced them to death on the grounds of confessions they retracted in court, and which they report authorities extracted through torture.

3. Conclusion

Overall, there are several themes running through the communications of the mandates of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Special Rapporteur on extrajudicial, summary or arbitrary executions. These two mandates find themselves apprehensive regarding the government's infringement on the rights to freedom of expression, assembly, and association, as evidenced by government suppression of demonstrations and their actions against demonstrators and opposition leaders. Authorities' suppression of demonstrations and their actions against the demonstrations' leaders often leads them to torture, mistreat, and extract confessions not only from human rights defenders and political and religious activists, but also regular individuals and minors. Similarly, in suppressing demonstrations, security forces have used excessive force which has resulted in the deaths of demonstrators. The two mandates demonstrate the interconnected nature of Bahrain's suppression of dissent, and the consistent use of torture and ill-treatment against dissidents.



³⁶ *Communication concerning the excessive use of force by security forces*, ibid. note 17; *Communication concerning the excessive use of force resulting in two deaths*, ibid. note 17; *Communication concerning Maher al-Khabbaz*, ibid. note 111; *Communication concerning Mohammad Ramadan, et al.*, ibid. note 111; *Communication concerning the excessive use of force resulting in Ali Abdulhadi al-Mushaima's, et al. death*, ibid. note 106; and *Communication concerning the sentencing of four to death and three to life in prison*, ibid. note 111.

³⁷ *Communication concerning the excessive use of force by security forces*, ibid. note 17; *Communication concerning the excessive use of force resulting in two deaths*, ibid. note 17; and *Communication concerning the excessive use of force resulting in Ali Abdulhadi al-Mushaima's, et al. death*, ibid. note 106.

³⁸ *Communication concerning the excessive use of force resulting in two deaths*, ibid. note 17

³⁹ See *Communication concerning Maher al-Khabbaz*, ibid. note 111 for Maher al-Khabbaz's case; *Communication concerning Mohammad Ramadan, et al.*, ibid. note 111 for the cases of Mohammad Ramadan and Husain Ali Moosa; and *Communication concerning the sentencing of four to death and three to life in prison*, ibid. note 111 for the other victims.

Communication, Date, Link (foot-note)	Mandates	Summary of Communication	Annex Page*	Summary of Reply
BHR 8/2015 — 25/11/2015 ⁸⁷	Health; Torture	Concerning detention conditions in Jau Prison including inadequate or no access to medical care, as well as torture and ill-treatment suffered during and following the violent suppression of a prison protest, and the absence of any investigation into these allegations.	314	None.
BHR 7/2015 — 23/11/2015 ⁸⁸	Judges; Executions; Torture	Concern over the alleged imminent execution of Mohammed Ramadan and Husain Ali Moosa following trials that did not meet international standards of fair trial and due process. Officials tortured Moosa and Ramadan, forcing them to confess. Though they recanted in the courtroom there is concern that their confessions were used as a basis for their verdicts.	310	None.
BHR 3/2015 — 15/05/2015 ⁸⁹	Arbitrary Detention; Health; Judges; Torture	The alleged arbitrary arrests, charges, detention, torture, and sentencing of 39 unnamed minors . All minors were boys aged between 10- and 17-years-old. In all but one instance, the minors were coerced into confessing to the crimes put to them, and found guilty based on their confessions. Throughout their arrest, initial detention, interrogation, and confession none of the minors had access to a lawyer. Many face ongoing ill-treatment and torture without access to adequate medical care.	273	Received 13/07/2015: The government responded in Arabic; the document was never fully translated or uploaded. ⁹⁰
BHR 2/2015 — 15/04/2015 ⁹¹	Arbitrary Detention; Expression; Human Rights Defenders; Torture	The alleged arrest and detention of Nabeel Rajab following his documentation of torture and ill-treatment in Jau Prison. Rajab received a summons over tweets regarding torture in Jau Prison, and was arrested for documenting the torture and for comments made about civilian casualties in the GCC intervention in Yemen.	268	Received 18/05/2015: Rajab used libel and propaganda to stir the public against the external security of the state. The government has yet to list reasons for his detention. The Special Procedures' letter is under investigation. ⁹²
BHR 11/2014 — 14/08/2014 ⁹³	Arbitrary Detention; Assembly; Judges; Terrorism; Torture	Allegations of the arbitrary arrest, enforced disappearance, detention, and torture, and coerced confessions of nine Bahraini nationals (two of whom are minors), the forced disappearance of some of them, and their conviction after trials that did not meet international standards of fair trial and due process. They were allegedly sentenced for their role in peaceful assemblies, and some reportedly charged with "terrorism.", some of whom signed confessions under threats of torture.	241	2 replies received. Reply 1) 26/09/2014: the defendants attacked or planned to attack security forces. ⁹⁴ Reply 2) 22/10/2014: the defendants were detained due to terrorism activity; warrants were presented during their arrests. ⁹⁵
BHR 10/2014 — 11/08/2014 ⁹⁶	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Judges; Terrorism; Torture	Allegations of harassment and intimidation of members of the Bahrain Youth Society for Human Rights . Concern regarding the ongoing detention of Naji Fateel , a member, and allegations that he was tortured in detention, and sentenced based on coerced confessions made under torture. Officials have charged Fateel with establishing a group to disable the Constitution. Concern over the use of national security interests to justify measures and acts to suppress the opposition, including human rights defenders.	236	2 replies. received Reply 1) 15/09/2014: the defendants were arrested attacking or planning attacks on security forces, doctors found no signs of torture. ⁹⁷ Reply 2) 26/09/2014: the defendants' arrests were justified due to their terrorist aims. ⁹⁸
BHR 8/2014 — 08/07/2014 ⁹⁹	Arbitrary Detention; Judges; Torture; Executions	Regarding the arbitrary arrest and sentencing of Maher al-Khabbaz to death, allegedly on the basis of a false confession extracted through torture. During the interrogation, the public prosecutor did not allow his lawyer to be present, and during the trial, the court did not allow him to call witnesses.	228	Received 29/08/2014: the charges are based on testimony of police officers present at the time. Al-Khabbaz made no claims about being tortured while at the Officer of the Public Prosecutor. He enjoyed his full legal guarantees. ¹⁰⁰
BHR 4/2014 — 15/05/2014 ¹⁰¹	Arbitrary Detention; Judges; Torture	Regarding the alleged torture and other ill-treatment of Ahmed al-Arab , a political activist, and the alleged use of confessions extracted under torture during court proceedings. Although al-Arab's lawyer attended the court proceedings, al-Arab himself was never brought to the court in person.	208	Received 14/05/2014: al-Arab was found to be guilty of activities supporting terrorism. Any injuries were sustained during his fight with the police. A full range of medical services are provided to all inmates of Jaw prison. ¹⁰²

BHR 3/2014 — 31/03/2014 ¹⁰³	Arbitrary Detention; Health; Judges; Torture	Regarding allegations of torture and ill-treatment of an unnamed individual , who was 15-years old at the time of arrest, and the use of confessions extracted under torture. Despite his age, the individual was not tried in a juvenile court. Serious concern regarding the individual's health and alleged lack of medical treatment.	201	Received 27/05/2014: no injuries were found on the accused , who said nothing about any assault. In accordance with proper court procedures, he was found guilty and will be punished accordingly. ¹⁰⁴
BHR 2/2014 — 17/01/2014 ¹⁰⁵	Arbitrary Detention; Disappearances; Torture	Regarding the alleged arrest and detention of Aqeel Abdul Rasool Mohamed Ahmed , and the alleged enforced disappearances of an unnamed individual and Ahmed Mohammed Saleh al-Arab, Mansoor Ali Mansoor al-Jamri , and Hussain al-Ghasra . Concern that Ahmed confessed to the crimes he was accused of as a result of torture. Concern that al-Arab, al-Jamri, and al-Ghasra are at risk of torture.	196	Received 17/02/2014: al-Arab remains in detention. The unnamed individual remains in detention; the forensic medical examiner has not yet submitted a report. Al-Jamri remains in detention. Al-Ghasra remains in detention. There is no information about a suspect with the name Aqeel Abdul Rasool Mohammed Ahmed . ¹⁰⁶
BHR 1/2014 — 10/01/2014 ¹⁰⁷	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Judges; Torture	Concern regarding the alleged arbitrary arrest and reported torture, and ill-treatment of photojournalist and photographer Ahmed Fardan . Concern that his arrest and detention might be linked to his activities documenting and photographing demonstrations in Bahrain, and his activity campaigning for photographer Ahmed Humaidan. During his initial detention he was denied access to a lawyer, and his lawyer was not present during the legal proceedings.	189	Received 11/02/2014: the case is still under investigation , but the suspect witnessed the demonstrators and acknowledged possession of the items seized at his home. ¹⁰⁸
BHR 8/2013 — 26/11/2013 ¹⁰⁹	Torture; Assembly	Concern that the arbitrary detention and alleged torture of an unnamed Bahraini national and student at the University of Bahrain is related to her participation in a peaceful assembly at the University calling for democratic reforms. She was expelled though later, due to international pressure, readmitted.	183	Received 23/01/2014: the individual did not lodge a complaint with the public prosecution, or the special investigation unit concerning her claims of exposure to ill-treatment. ¹¹⁰
BHR 7/2013 — 04/10/2013 ¹¹¹	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Terrorism; Torture	Alleged sentencing of blogger, Naji Fateel to 15 years in prison in addition to allegations of torture. Before his arrest he had frequently given speeches during marches discussing the importance of documenting human rights violations. He was sentenced for attending illegal gatherings. Concern that his charges relate to his speeches and activities at marches and demonstrations. Concern his harsh sentencing is due to the anti-Terrorism law amendments. He allegedly was not offered fair legal counsel during interrogation, and allegedly did not receive a fair trial.	176	Received 05/11/2013: a forensic exam revealed no signs of ill-treatment while in detention. Fateel has confessed to involvement with the 14 February Coalition, with plans to overthrow the government and commit terrorist acts. ¹¹²
BHR 6/2013 — 28/08/2013 ¹¹³	Arbitrary Detention; Disappearances; Women and Law; Expression; Assembly; Human Rights Defenders; Judges; Torture; Violence and Women	Allegations of arbitrary detention, torture, ill-treatment, and lack of judicial safeguards of Rihanna al-Musawi and Nafeesa al-Asfoor , and arbitrary detention of Abas al-Asfoor , for allegedly attempting to commit a terrorist act during the Formula 1 race. They were also charged with joining and illegal group. These allegations may be related to their human rights work and reveal a pattern of targeting women protesters.	166	Received 01/10/2013: the three confessed to planning a terrorist act. No evidence of physical abuse by the authorities was found during a medical examination. The three were detained for a period of sixty days. As they were handed over to the public prosecution, their detention has been renewed. ¹¹⁴
BHR 5/2013 — 14/08/2013 ¹¹⁵	Expression; Assembly; Human Rights Defenders; Torture	Regarding the National Assembly's 28 July 2013 recommendations amending the 2006 Law on Protection of Society from Acts of Terrorism , which will "severely" compromise the enjoyment of human rights and fundamental freedoms, and may lead to torture. The recommendations would ban sit-ins and public gatherings in Manama and provide for legal action against some political associations. The ban would affect the rights to freedom of peaceful assembly and expression, and could be used to silence	160	Received 04/09/2013: the new laws were designed in response to recent infringements on the security of the state and protection of its citizens. Bahrain is anxious to uphold its recent laws regarding human rights protections and compensation for torture or other abuse by the authorities. ¹¹⁶

BHR 4/2013 — 30/07/2013 ¹¹⁷	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Judges; Torture	Allegations of torture or other cruel, inhuman or degrading forms of treatment of Zainab al-Khawaja , Mahdi Abu Dheeb , and Mohamed al-Maskati . Al-Khawaja was arrested during a peaceful sit-in and charged with taking part in an illegal gathering and insulting a police officer. Abu Dheeb was arrested on charges of "inciting hatred of the political regime" and "advocating regime change through force." Al-Maskati was charged with "participation in illegal pro-tests" relating to a peaceful demonstration. Concern at procedural irregularities during the named individuals' trials.	152	Received 29/08/2013: File not Found. ¹¹⁸
BHR 3/2013 — 23/05/2013 ¹¹⁹	Expression; Assembly; Human Rights Defenders; Torture	Concern regarding the temporary isolation of Nabeel Rajab in his cell in Jau Prison after witnessing acts of torture of young detainees by police officers. Rajab was serving a two-year prison sentence on charges of calling for, and participating in, peaceful demonstrations. Previous communications detail his detention for publication of critical statements and calls for peaceful demonstrations.	146	Received 24/06/2013: the SPI is currently conducting an investigation into the matter. It should be noted that Rajab received medical attention when he asked for it, and that his previous cell was in a fairly crowded and populated space. ¹²⁰
BHR 2/2013 — 10/05/2013 ¹²¹	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Torture	Concerning the allegations of the arrest, detention, and torture of Najla Fateel , a board member of the Bahrain Youth Society for Human Rights (BYSHR), and an active blogger and social media user who publishes daily messages on human rights issues. He has given daily speeches during marches discussing the importance of documenting human rights violations, and urging people to form monitoring committees. There are indications that Fateel's arrest, detention, and torture are related to his human rights activities.	139	Received 05/06/2013: Fateel is accused of establishing a terrorist group in order to suspend the Constitution and the law. The forensic medical examiner found no evidence of mistreatment. ¹²²
BHR 9/2012 — 29/10/2012 ¹²³	Expression; Assembly; Human Rights Defenders; Executions	Concerning the excessive use of force by law enforcement officers during protests, which resulted in the death of two children. As law enforcement officers violently dispersed a protest allegedly aimed at denouncing the continued detention of peaceful protesters and the acquittal of police officers accused of killing protesters, Ali Neamah , 17-years old, and an unnamed child 10-years-old, were reportedly shot dead.	110	Received 21/12/2012: force during protests was enacted by security forces in self-defense, including that against the two teenagers. ¹²⁴
BHR 5/2012 — 29/06/2012 ¹²⁵	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Torture	Regarding repeated restrictions on the holding of peaceful demonstrations and the excessive use of force by law enforcement during peaceful assemblies. Authorities repeatedly denied protesters the necessary authorization to legally demonstrate. Law enforcement allegedly used excessive force to halt unauthorized and attempted demonstrations, arresting a number of demonstrators. Authorities also arrested, detained, and subjected a 21-year-old student to psychological pressure and threats.	88	Received 02/08/2012: allegations that authorities restrict public freedoms and impose undue restrictions on peaceful assembly are false. Not only did the MOI allow marches, but demonstrators themselves broke the law. The MOI has legal grounds for denying the holding of assemblies. ¹²⁶
BHR 4/2012 — 16/03/2012 ¹²⁷	Health; Torture	Concerning the situation of Hassan Mushaima , aged 64, a Bahraini national and opposition leader. Despite his age and medical condition, authorities allegedly subjected him to physical and psychological torture.	84	Received 18/04/2012: In Arabic only. ¹²⁸
BHR 3/2012 — 12/03/2012 ¹²⁹	Health; Torture	Concerning the health condition of Abdulhadi al-Khawaja who had been the subject of previous communications regarding allegations of torture.	81	3 replies received. Reply 1) 13/04/2012: al-Khawaja has good quarters and is treated well and said the medical treatment was good. ¹³⁰ Reply 2) 27/04/2012: there is no threat to al-Khawaja's health; he is in a comfortable and stable condition. ¹³¹ Reply 3) 11/06/2012: al-Khawaja's health condition is currently stable. ¹³²
BHR 2/2012 — 09/02/2012 ¹³³	Health; Torture	Concerning the deteriorating health conditions of Mahdi Abu Dheeb , Bahraini national and president of the Bahrain Teachers Association who was allegedly beaten in detention and suffers severe pain. Abu Dheeb allegedly confessed under torture to committing the crimes he stands accused of.	77	Received 19/03/2012: In Arabic only. ¹³⁴

BHR 1/2012 — 20/01/2012 ¹³⁵	Expression; Assembly; Human Rights Defenders; Torture; Violence and Women	Concerning the excessive use of force during peaceful demonstrations and targeted measures against human rights activists Zainab al-Khawaja , Massoma al-Sayed , Nabeel Rajab , and Sayed Yousif AlMuha�dha . Riot police used tear gas to halt a protest around the roundabout. Both women were arrested while peacefully sitting-in, subjected to ill-treatment while in detention, and charged with taking part in an illegal gathering. Both men were severely beaten while participating in a peaceful demonstration.	70	Received 21/03/2012: In Arabic only. ¹³⁶
BHR 18/2011 — 09/09/2011 ¹³⁷	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Torture	Concerning the arrests, detention, harassment, and stigma-tization of human rights defenders and their relatives, particularly Hasan Abbas al-Omran , Ibrahim Sharif , Abduljalil al-Singace , Abduljalil Mansoor Makk , Abdulhadi al-Kha-waja , Saeed Abdulnabi Shebab , Akeel Ahmed al-Mafoodh , and Mahdi Abu Dheeb for their participation in protests, speaking out against the government, and discussing human rights abuses and violations. Several of the named individuals were allegedly subjected to ill-treatment and torture.	60	Received 15/12/2011: the persons mentioned have been found guilty of inciting hatred of the regime or other public disturbance that can interfere with national unity and security. Bahrain follows all international standards in terms of arrest, interrogation, and imprisonment, and has put mechanisms in place to address any complaints. ¹³⁸
BHR 17/2011 — 05/08/2011 ¹³⁹	Expression; Human Rights Defenders; Torture; Judges; Terrorism	Concerning the life imprisonment of Abdulhadi al-Khawaja , Abdulwahab Hussain , Hassan Mushaima , Abduljalil al-Sin-gace , Mohammed Habib al-Miqdad , Saeed Mirza al-Nouri , Abduljalil Mansoor al-Miqdad ; the 15-year imprisonment of Mohammed Ali Ismael , Mohammed Hassan Jawad , Ab-dullah Isa al-Mahroos , Abdulhadi Abdullah Mahdi al-Muk-hodher ; the five-year prison sentence of Ibrahim Sharif , Abdulrahemm Mossa , Salah al-Khawaja ; and two-year prison term for Al-Hurra Yousif Mohammed for their human rights and activism work. The named individuals were reportedly subjected to torture while in detention, and it is alleged they confessed under duress. The government has alleged the named individuals form part of a "terrorist" cell. Their trials did not comply with international legal standards and access to legal counsel was restricted.	49	Received 23/09/2011: Bahrain is careful to follow international best practices of interrogation and trial. Several decrees have been enacted recently to better guarantee public safety. The persons mentioned have been convicted of terrorism charges due to their attempts at disrupting public order and damaging national unity. ¹⁴⁰
BHR 15/2011 — 05/08/2011 ¹⁴¹	Expression; Torture; Violence and Women	Concerning the case of Nazeeha Saeed —the Bahrain correspondent of France 24 and Radio Monte Carlo Doualiya—who was allegedly tortured and ill-treated in the Rifa'a police station for her alleged links to Hezbollah and Iranian news channels.	37	Received 24/08/2011: appropriate action was taken against the officer who beat Saeed , who was convicted on 21/07/2011. ¹⁴²
BHR 16/2011 — 08/07/2011 ¹⁴³	Arbitrary Detention; Expression; Assembly; Torture; Judges	Concern regarding the case of a number of individuals including Mohammed al-Buflasa 's detention and trial. Al-Buflasa allegedly "[broke] the Bahrain Defense Force law," and is a member of a "sedition ring." It is alleged his arrest is for protesting corruption and lack of equal economic opportunities. Al-Buflasa was reportedly ill-treated by prison authorities. His lawyer faced significant trouble defending him.	43	Received 09/08/2011: al-Buflasa was convicted by a competent court on charges of undermining public security. He has been assured all judicial guarantees. ¹⁴⁴
BHR 14/2011 — 04/07/2011 ¹⁴⁵	Expression; Human Rights Defenders; Torture; Judges	Regarding the arrest, detention, and ill-treatment of Matar Ebrahim Matar , former MP and member of al-Wefaq. He was charged with "public incitement for regime change and deliberately spreading biased rumors," in addition to taking part in public gatherings. He was allegedly denied access to a lawyer.	29	Received 24/08/2011: Matar had already resigned from Parliament, and therefore does not have Parliamentary immunity. He is charged with spreading information and participating in gatherings for the purpose of violating public security. He was not kidnapped, and his trial has occurred in accordance with the law. ¹⁴⁶
BHR 9/2011 — 20/05/2011 ¹⁴⁷	Human Rights Defenders; Judges; Torture	Concerning Abdulhadi Al-Khawaja , a human rights defender, whom the government charged with terrorism and attempting to overthrow the government. Concern over allegations of torture in detention. His trial did not comply with international standards.	File not found.	Received 08/06/2011: file not found. ¹⁴⁸
BHR 7/2011 — 04/05/2011 ¹⁴⁹	Judges; Executions	Sentencing of four to death and three to life imprisonment in the National Safety Court of First Instance and the National Safety Appeals Court, following the declaration of a state of emergency. There was no explicit recognition of due process safeguards.	File not found.	Received 08/06/2011: file not found. ¹⁵⁰

BHR 5/2011 — 12/04/2011 ¹⁵¹	Disappearances; Human Rights Defenders; Torture	Police carried out forced searches in the homes of Zainab al-Khawaja , her father Abdulhadi Al-Khawaja , and Khalil Al-Halwachi . Police officers assaulted Abdulhadi al-Khawaja. Officers assaulted Zainab Al-Khawaja when she tried to intervene.	File not found.	Received 07/06/2011: file not found. ¹⁵²
BHR 3/2011 — 18/03/2011 ¹⁵³	Arbitrary Detention; Expression; Human Rights Defenders; Torture; Executions	Concerning the security forces' excessive use of force against protestors resulting in the deaths of the three victims and the arrest of five opposition leaders: Hassan Mushaima, Ibrahim Sharif, Abdulwahab Hussain, Kareem Radhi Hassan al-Hadad, Abdul Jalil al-Sankees, Ali al-Ekri and Mohammed al-Buflasa . Al-Buflasa was detained and then put on trial. Police attacked protest camps, medical personnel, NGO premises , and the offices of al-Wasat newspaper .	4	2 replies received. Reply 1) 20/04/2011: the MOI categorically denies the incidents mentioned took place. ¹⁵⁴ Reply 2) 14/12/2012: medical professionals were charged with felonies, not treating patients. The reporting bodies like Human Rights Watch and Physicians for Human Right used flawed methodology. ¹⁵⁵
BHR 1/2011 — 17/02/2011 ¹⁵⁶	Expression; Human Rights Defenders; Executions; Torture	Security forces' excessive use of force during peaceful protests resulting in the deaths of Ali Abdulhadi al-Mushaima, Fadhel Salman al-Matrook, Issa Abdel Hassan, Mahmoud Makki, Ali Khudair, and Hussa	File not found.	Received 05/04/2011: file not found. ¹⁵⁷

Impediments to Fair and Impartial Trials and Convictions on Charges of National Security and Terrorism

The combined mandates of the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism issued 19 communications over the five-year period of July 2011 to November 2015. The Rapporteur on the independence of judges and lawyers signed on to all but one communication.⁴⁰ The Rapporteur on terrorism signed on to four communications. After 2011, both mandates' communications display an increase over the three years, from 2012 to 2014, when they peak. Though the Rapporteurs submit fewer communications in 2015, the communications concern multiple cases. One communication regards two individuals,⁴¹ while a second concerns 39 individuals.⁴² The Rapporteur on judges and lawyers submitted five communications in 2011, one in 2012, two in 2013, seven in 2014, and three in 2015. The Rapporteur on terrorism submitted one communication in 2011, one in 2013, and two in 2014, but did not submit any in 2012 and 2015.

The two mandates' nearly four communications per year for this five-year period demonstrate the Government of Bahrain's use of legal tools, partial trials, and terror-related charges to silence members of the opposition. The several themes that run through the communications by both mandates reveal systematic attempts by the government to rig trials, place impediments in front of defendants, and more generally produce convictions to imprison or otherwise silence the opposition.

In terms of the communications regarding the independence of judges and lawyers, the communications generally fall into three expansive categories. The first is confessions extracted under torture and their use as evidence in the courtroom to obtain a conviction. The second concerns difficulties in the courtroom broadly understood as restrictions on the presence of lawyers in the courtroom, the withholding of information from legal counsel, general restrictions faced by legal counsel, and procedural irregularities. Lastly, there are the cases of defendants denied access to legal counsel. In terms of the communications regarding terrorism, though the Rapporteur on terrorism only signed on to four communications, two additional communications detail charges related to terrorism. There is significant overlap between the two Rapporteurs, as defendants charged with terrorism also face legal irregularities.

1. Impediments to Fair and Impartial Trials

A. Confessions Extracted under Torture used as Evidence

Eight communications detail the use of confessions extracted under torture in the courtroom as evidence used to convict the defendant(s). The admission of testimony extracted under torture represents a breach of international legal standards, and thereby calls into question the legitimacy of the defendants' trials and sentencing. Eight communications detail the use of evidence admitted under torture.⁴³ This demonstrates that the Government of Bahrain utilized torture against not only human rights defenders and political activists as detailed in three communications,⁴⁴ but also against regular citizens and residents, as shown in three other communications.⁴⁵ The broad use of torture as a tool for extracting confessions and obtaining convictions evidences the wide-spread nature of the practice. Of the eight, three are joint communications with the Rapporteur

40 *Communication concerning Naji Fateel's sentencing*, ibid. note 13.

41 *Communication concerning Mohammad Ramadan, et al.*, ibid. note 111.

42 *Communication concerning 39 unnamed minors*, ibid. note 108.

43 *Communication concerning the imprisonment of Abdulhadi al-Khawaja, et al.*, ibid. note 9; *Communication concerning the torture of an unnamed minor*, ibid. note 119; *Communication concerning Ahmed al-Arab*, ibid. note 115; *Communication concerning Maher al-Khabbaz*, ibid. note 111; *Communication concerning BYSHR members and Naji Fateel*, ibid. note 37; *Communication concerning the arrest, torture, coerced confessions of nine Bahrainis*, ibid. note 35; *Communication concerning 39 unnamed minors*, ibid. note 108; and *Communication concerning Mohammad Ramadan, et al.*, ibid. note 111.

44 *Communication concerning the imprisonment of Abdulhadi al-Khawaja, et al.*, ibid. note 9, *Communication concerning Ahmed al-Arab*, ibid. note 115, and *Communication concerning BYSHR members and Naji Fateel*, ibid. note 37.

45 *Communication concerning the torture of an unnamed minor*, ibid. note 119, *Communication concerning the arrest, torture, coerced confessions of nine Bahrainis*, ibid. note 35, and *Communication concerning 39 unnamed minors*, ibid. note 108.

on Terrorism,⁴⁶ indicating the use of anti-terror language and legislation to convict the defendants in unfair trials.

B. Denial of legal counsel

Four communications detail the outright denial of legal counsel to defendants for portions of either their trials or initial periods of detention.⁴⁷ One of the four is a joint communication with the Special Rapporteur on terrorism.⁴⁸ Three of the communications detail the denial of legal counsel to prominent individuals, including those of former Member of Parliament and al-Wefaq opposition party member Matar Ebrahim Matar, blogger and human rights defender Naji Fateel, and photo-journalist and photographer Ahmed Fardan.⁴⁹ However, one communication details the denial of access to legal counsel for 39 unnamed minors who were tortured, confessed, and were found guilty based on their confessions.⁵⁰

C. Courtroom Difficulties

According to the communications, defendants and lawyers face general difficulty defendants when appearing in the court-room, including restrictions on the presence of lawyers in the courtroom, the withholding of information from legal counsel, general restrictions faced by legal counsel, and procedural irregularities.⁵¹ Two of these communications are also signed by the Rapporteur on terrorism.⁵²

It is difficult to characterize the communications in this category more precisely, because of the wide-ranging set of problems defendants and their lawyers face in court. Though these irregularities and difficulties are not as severe as confessing under torture or threat thereof, and being denied a lawyer, they are not insignificant, representing concerted efforts to place legal and procedural road blocks in front of defendants, infringing on, and subverting, the rule of law. In this way, even factors that may seem insignificant such as “procedural irregularities”⁵³ become very significant. Small clerical problems or procedural issues undermine faith in the ability of the law to deliver fair and impartial trials and results.

2. Terrorism Charges

Six communications include counts and charges of terrorism.⁵⁴ Though the Rapporteur on terrorism signed on to only four of the six communications,⁵⁵ the other two also detail terror-related charges. The increase in communications concerning

⁴⁶ *Communication concerning the imprisonment of Abdulhadi al-Khawaja, et al., ibid. note 9, Communication concerning BYSHR members and Naji Fateel, ibid. note 37 and Communication concerning the arrest, torture, coerced confessions of nine Bahrainis, ibid. note 35.*

⁴⁷ *Communication concerning Matar Ebrahim Matar, ibid. note 5; Communication concerning Naji Fateel's sentencing, ibid. note 13; Communication concerning Ahmed Fardan, ibid. note 41; and Communication concerning 39 unnamed minors, ibid. note 108.*

⁴⁸ *Communication concerning Naji Fateel's sentencing, ibid. note 13.*

⁴⁹ For the case of Mater Ebrahim Matar see the *Communication concerning Matar Ebrahim Matar, ibid. note 5*. For the case of Naji Fateel, see the *Communication concerning Naji Fateel's sentencing, ibid. note 13*. For the case of Ahmed Fardan see *Communication concerning Ahmed Fardan, ibid. note 41*.

⁵⁰ *Communication concerning 39 unnamed minors, ibid. note 108.*

⁵¹ *Communication concerning Mohammed al-Buflasa, ibid. note 84; Communication concerning the imprisonment of Abdulhadi al-Khawaja, et al., ibid. note 9; Communication concerning the torture of Zainab al-Khawaja, et al., ibid. note 51; Communication concerning the arrest and torture of Rihanna al-Musawi, et al., ibid. note 47; Communication concerning Naji Fateel's sentencing, ibid. note 13; Communication concerning Maher al-Khabbaz, ibid. note 111; and Communication concerning the arrest and detention of Sheikh Ahmed Ali al-Salman, ibid. note 7.*

⁵² *Communication concerning the imprisonment of Abdulhadi al-Khawaja, et al., ibid. note 9, and Communication concerning Naji Fateel's sentencing, ibid. note 13.*

⁵³ As in the case of the *Communication concerning the torture of Zainab al-Khawaja, et al., ibid. note 51*.

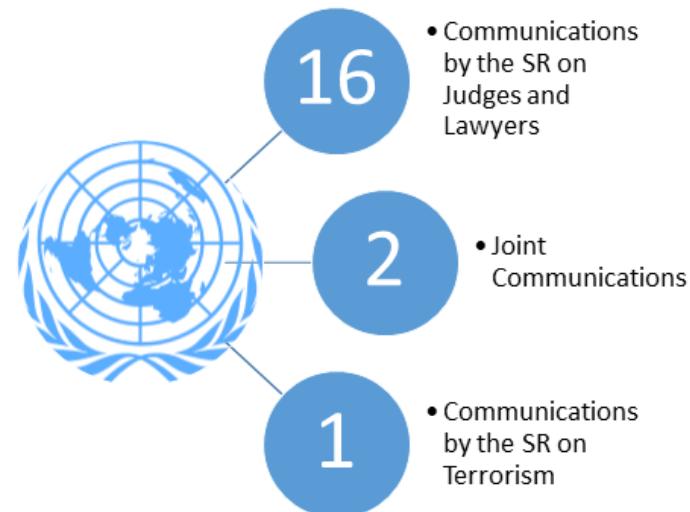
⁵⁴ *Communication concerning Mohammed al-Buflasa, ibid. note 84; Communication concerning the imprisonment of Abdulhadi al-Khawaja, et al., ibid. note 9; Communication concerning the arrest and torture of Rihanna al-Musawi, et al., ibid. note 47; Communication concerning Naji Fateel's sentencing, ibid. note 13; Communication concerning BYSHR members and Naji Fateel, ibid. note 37; and Communication concerning the arrest, torture, coerced confessions of nine Bahrainis, ibid. note 35.*

⁵⁵ *Communication concerning the imprisonment of Abdulhadi al-Khawaja, et al., ibid. note 9, Communication concerning Naji Fateel's sentencing, ibid. note 13, Communication concerning BYSHR members and Naji Fateel, ibid. note 37, and Communication concerning the arrest, torture, coerced confessions of nine Bahrainis, ibid. note 35.*

terror charges comes after the Government of Bahrain approved a number of recommendations amending the 2006 Law on Protecting Society from Acts of Terrorism, which was the subject of a communication dated 14/08/2013.⁵⁶ The recommendations expanded the government's power by banning gatherings in Manama, thereby affecting the rights to freedom of assembly and expression. Two communications came only weeks after the passage of the law.^{57,58} The communications regarding terror charges are not only joint communications with the Special Rapporteur on the independence of judges and lawyers but are also noted in conjunction with the use of torture to extract confessions used on courtrooms, the denial of legal counsel, and difficulties encountered in the courtroom.

3. Conclusion

The communications issued by these mandates detail the systematic use of legal methods and courtroom impediments as tools for the suppression of opposition figures. Of the 17 communications signed by the mandates, nearly half concern the use of confessions extracted under torture as evidence to convict defendants. Almost a fourth of the communications regard the outright denial of legal counsel for defendants. All of the communications detail difficulties and impediments to fair and impartial trials. Charges of terrorism and terror-related activities are a significant and important tool in the government's efforts to suppress members of the opposition and silence them through imprisonment. The increase in terror-related communications is notable, particularly because they come after the expansion of anti-terror legislation allows for expanded powers granted to security forces. The issues and communications addressed by these two mandates detail the legal, courtroom facet of the Government of Bahrain's multi-pronged efforts to silence dissent.



56 Communication concerning amending the 2006 Law on the Protection of Society from Acts of Terrorism, ibid. note 20.

57 Communication concerning the arrest and torture of Rihanna al-Musawi, et al., ibid. note 47.

58 Communication concerning Naji Fateel's sentencing, ibid. note 13.

Communications, Date, Link (foot-note)	Mandates	Summary of Communication	Annex Page*	Summary of Reply
BHR 7/2015 — 23/11/2015 ¹⁵⁸	Judges; Executions; Torture	Concern over the alleged imminent execution of Mohammed Ramadan and Husain Ali Moosa following trials that did not meet international standards of fair trial and due process. Officials tortured Moosa and Ramadan, forcing them to confess. Though they recanted in the courtroom there is concern that their confessions were used as a basis for their verdicts.	310	None.
BHR 3/2015 — 15/05/2015 ¹⁵⁹	Arbitrary Detention; Health; Judges; Torture	The alleged arbitrary arrests, charges, detention, torture, and sentencing of 39 unnamed minors . All minors were boys aged between 10- and 17-years-old. In all but one instance, the minors were coerced into confessing to the crimes put to them, and found guilty based on their confessions. Throughout their arrest, initial detention, interrogation, and confession none of the minors had access to a lawyer. Many face ongoing ill-treatment and torture without access to adequate medical care.	273	Received 13/07/2015: the government's reply has been received and is being translated. ¹⁶⁰
BHR 1/2015 — 16/01/2015 ¹⁶¹	Arbitrary Detention; Expression; Assembly; Belief; Human Rights Defenders; Judges	Alleged arbitrary arrest and detention of Sheikh Ali Salman . His arrest comes two days after his re-election as Secretary General of al-Wefaq. He is allegedly targeted due to his public expression of political views, and his position as a political opposition leader, Shia Muslim, and religious figure. Neither Sheikh Salman nor his legal counsel have not been able to examine the evidence against him.	264	Received 12/02/2015: the accused enjoys all of his legally guaranteed rights. His crimes include insulting a State institution and inciting violence. ¹⁶²
BHR 11/2014 — 14/08/2014 ¹⁶³	Arbitrary Detention; Assembly; Judges; Terrorism; Torture	Allegations of the arbitrary arrest, enforced disappearance, detention, torture, and coerced confessions of nine Bahraini nationals (two of whom are minors), and their conviction after trials that did not meet international standards of fair trial and due process. They were allegedly sentenced for their role in peaceful assemblies, and some reportedly charged with "terrorism."	241	2 replies received. Reply 1) 26/09/2014: the defendants attacked or planned to attack security forces. ¹⁶⁴ Reply 2) 22/10/2014: the defendants were detained due to terrorism activity; warrants were presented during their arrests. ¹⁶⁵
BHR 10/2014 — 11/08/2014 ¹⁶⁶	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Judges; Terrorism; Torture	Allegations of harassment and intimidation of members of the Bahrain Youth Society for Human Rights . (BYSHR). Concern regarding the ongoing detention of BYSHR member Naji Fateel , a member, and allegations that he was tortured in detention, and sentenced based on coerced confessions made under torture. Officials have charged Fateel with establishing a group to disable the Constitution. Concern over the use of national security interests to justify measures and acts to suppress the opposition, including human rights defenders.	236	2 replies. received Reply 1) 15/09/2014: the defendants were arrested attacking or planning attacks on security forces, doctors found no signs of torture. ¹⁶⁷ Reply 2) 26/09/2014: the defendants' arrests were justified due to their terrorist aims. ¹⁶⁸
BHR 8/2014 — 08/07/2014 ¹⁶⁹	Arbitrary Detention; Judges; Torture; Executions	Regarding the arbitrary arrest and sentencing of Maher al-Khabbaz to death, allegedly on the basis of a false confession extracted through torture. During the interrogation, the public prosecutor did not allow his lawyer to be present, and during the trial, the court did not allow him to call witnesses.	228	Received 29/08/2014: the charges are based on testimony of police officers present at the time. Al-Khabbaz made no claims about being tortured while at the Officer of the Public Prosecutor. He enjoyed his full legal guarantees. ¹⁷⁰
BHR 7/2014 — 26/05/2014 ¹⁷¹	Arbitrary Detention; Judges; Migrants	Concern regarding the alleged arbitrary arrest, detention, and risk of summary expulsion of Mudassir Ali , a Pakistani national and Bahrain resident to the UAE. Authorities allegedly continued to bring new charges against Ali but do not inform him of them.	224	Received 01/10/2014: Ali is still being held in detention. He is wanted by Sharjah, UAE. A request for his extradition to Sharjah has been issued. Upon the completion of his case he will be extradited to the UAE. ¹⁷²
BHR 4/2014 — 15/04/2014 ¹⁷³	Arbitrary Detention; Judges; Torture	Regarding the alleged torture and other ill-treatment of Ahmed al-Arab , a political activist, and the alleged use of confessions extracted under torture during court proceedings. Although al-Arab's lawyer attended the court proceedings, al-Arab himself was never brought to the court in person.	208	Received 14/05/2014: al-Arab was found to be guilty of activities supporting terrorism. Any injuries were sustained during his fight with the police. A full range of medical services are provided to all inmates of Jaw prison. ¹⁷⁴

BHR 3/2014 — 31/03/2014 ¹⁷⁵	Arbitrary Detention; Health; Judges; Torture	Regarding allegations of torture and ill-treatment of an unnamed individual , who was 15-years old at the time of arrest, and the use of confessions extracted under torture. Despite his age, the individual was not tried in a juvenile court. Serious concern regarding the individual's health and alleged lack of medical treatment.	201	Received 27/05/2014: no injuries were found on the accused , who said nothing about any assault. In accordance with proper court procedures, he was found guilty and will be punished accordingly. ¹⁷⁶
BHR 1/2014 — 10/01/2014 ¹⁷⁷	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Judges; Torture	Concern regarding the alleged arbitrary arrest and reported torture, and ill-treatment of photojournalist and photographer Ahmed Fardan . Concern that his arrest and detention might be linked to his activities documenting and photographing demonstrations in Bahrain, and his activity campaigning for photographer Ahmed Humaidan. During his initial detention he was denied access to a lawyer, and his lawyer was not present during the legal proceedings.	189	Received 11/02/2014: the case is still under investigation , but the suspect witnessed the demonstrators and acknowledged possession of the items seized at his home. ¹⁷⁸
BHR 7/2013 — 04/10/2013 ¹⁷⁹	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Terrorism; Torture	Alleged sentencing of blogger, Naji Fateel to 15 years in prison in addition to allegations of torture. Before his arrest he had frequently given speeches during marches discussing the importance of documenting human rights violations. He was sentenced for attending illegal gatherings. Concern that his charges relate to his speeches and activities at marches and demonstrations. Concern his harsh sentencing is due to the anti-Terrorism law amendments. He allegedly was not offered fair legal counsel during interrogation, and allegedly did not receive a fair trial.	176	Received 05/11/2013: a forensic exam revealed no signs of ill-treatment while in detention. Fateel has confessed to involvement with the 14 February Coalition, with plans to overthrow the government and commit terrorist acts. ¹⁸⁰
BHR 6/2013 — 28/08/2013 ¹⁸¹	Arbitrary Detention; Disappearances; Women and Law; Expression; Assembly; Human Rights Defenders; Judges; Torture; Violence and Women	Allegations of arbitrary detention, torture, ill-treatment, and lack of judicial safeguards of Rihanna al-Musawi and Nafeesa al-Asfoor , and arbitrary detention of Abas al-Asfoor , for allegedly attempting to commit a terrorist act during the Formula 1 race. They were also charged with joining and illegal group. These allegations may be related to their human rights work and reveal a pattern of targeting women protesters.	166	Received 01/10/2013: the three confessed to planning a terrorist act. No evidence of physical abuse by the authorities was found during a medical examination. The three were detained for a period of sixty days. As they were handed over to the public prosecution, their detention has been renewed. ¹⁸²
BHR 4/2013 — 30/07/2013 ¹⁸³	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Judges; Torture	Allegations of torture or other cruel, inhuman or degrading forms of treatment of Zainab al-Khawaja , Mahdi Abu Dheeb , and Mohamed al-Maskati . Al-Khawaja was arrested during a peaceful sit-in and charged with taking part in an illegal gathering and insulting a police officer. Abu Dheeb was arrested on charges of "inciting hatred of the political regime" and "advocating regime change through force." Al-Maskati was charged with "participation in illegal protests" relating to a peaceful demonstration. Concern at procedural irregularities during the named individuals' trials.	152	Received: 29/08/2013: File not found. ¹⁸⁴
BHR 6/2012 — 24/07/2012 ¹⁸⁵	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Judges	Regarding the arbitrary arrest, arbitrary detention, and forthcoming trial and sentencing of human rights defender Nabeel Rajab , who posted comments via Twitter directed at the Prime Minister, and was charged with alleged libeling of the residents of the town of al-Muharraq. Concern regarding the fairness and transparency of his trial.	94	Received 24/08/2012: Rajab's use of Twitter and his comments were "excessive and beyond the legal limits and precepts governing the exercise of political or human rights activities." ¹⁸⁶

BHR 17/2011 — 05/08/2011 ¹⁸⁷	Judges; Terrorism; Expression; Human Rights Defenders; Torture	Concerning the life imprisonment of Abdulhadi al-Khawaja, Abdulwahab Hussain, Hassan Mushaima, Abduljalil al-Singace, Mohammed Habib al-Miqdad, Saeed Mirza al-Nouri, Abduljalil Mansoor al-Miqdad ; the 15-year imprisonment of Mohammed Ali Ismael, Mohammed Hassan Jawad, Abdullah Isa al-Mahroos, Abdulhadi Abdullah Mahdi al-Mukhodher ; the five-year prison sentence of Ibrahim Sharif, Abdulrahem Mossa, Salah al-Khawaja ; and two-year prison term for Al-Hurra Yousif Mohammed for their human rights and activism work. The named individuals were reportedly subjected to torture while in detention, and it is alleged they confessed under duress. The government has alleged the named individuals form part of a "terrorist" cell. Their trials did not comply with international legal standards and access to legal counsel was restricted.	49	Received 23/09/2011: Bahrain is careful to follow international best practices of interrogation and trial. Several decrees have been enacted recently to better guarantee public safety. The persons mentioned have been convicted of terrorism charges due to their attempts at disrupting public order and damaging national unity. ¹⁸⁸
BHR 16/2011 — 08/07/2011 ¹⁸⁹	Arbitrary Detention; Judges; Expression; Assembly; Torture	Concern regarding the case of a number of individuals including Mohammed al-Buflasa 's detention and trial. Al-Buflasa allegedly "[broke] the Bahrain Defense Force law," and is a member of a "sedition ring." It is alleged his arrest is for protesting corruption and lack of equal economic opportunities. Al-Buflasa was reportedly ill-treated by prison authorities. His lawyer faced significant trouble defending him.	43	Received 09/08/2011: al-Buflasa was convicted by a competent court on charges of undermining public security. He has been assured all judicial guarantees. ¹⁹⁰
BHR 14/2011 — 04/07/2011 ¹⁹¹	Judges; Expression; Human Rights Defenders; Torture	Regarding the arrest, detention, and ill-treatment of Matar Ebrahim Matar , former MP and member of al-Wefaq. He was charged with "public incitement for regime change and deliberately spreading biased rumors," in addition to taking part in public gatherings. He was allegedly denied access to a lawyer.	29	Received 24/08/2011: Matar had already resigned from Parliament, and therefore does not have Parliamentary immunity. He is charged with spreading information and participating in gatherings for the purpose of violating public security. He was not kidnapped, and his trial has occurred in accordance with the law. ¹⁹²
BHR 9/2011 — 20/05/2011 ¹⁹³	Human Rights Defenders; Judges; Torture	Concerning Abdulhadi Al-Khawaja , a human rights defender, whom the government charged with terrorism and attempting to overthrow the government. Concern over allegations of torture in detention. His trial did not comply with international standards.	File not found.	Received 08/06/2011: file not found. ¹⁹⁴
BHR 7/2011 — 04/05/2011 ¹⁹⁵	Judges; Executions	Sentencing of four to death and three to life imprisonment in the National Safety Court of First Instance and the National Safety Appeals Court, following the declaration of a state of emergency. There was no explicit recognition of due process safeguards.	File not found.	Received 08/06/2011: file not found. ¹⁹⁶

Policing Bahrain's Cultural Narrative

The Special Rapporteur on Cultural Rights signed on to two communications, one in 2014 and the other in 2015. The Rapporteur's two communications demonstrate a broad and comprehensive effort by Bahrain's government to enforce a single narrative that discriminates against its Shia population. The first communication concerns the destruction of the "Pearl Roundabout" monument in 2011 after the outbreak of the mass pro-democracy demonstrations in 2011, and the government's efforts to erase unofficial narratives related to the protests. The second communication tells, in detail, of the Bahraini government's efforts to marginalize its Shia population, both physically through the destruction of important sites, and historically by spreading misinformation regarding their religious and cultural identity and role in Bahrain's history. Together, the communications paint a comprehensive picture of government action to erase pieces of Bahrain's culture that did not conform to its own narrative.

1. Erasing pro-democracy symbols

The first communication concerns the destruction of the "Pearl Roundabout" monument in 2011, which had become a symbol of the mass pro-democracy demonstration.⁵⁹ In the communication, the Rapporteurs express concern that the government's actions stem from an effort to remove from public memory and public space symbols of the pro-democracy movement and expunge all narratives "deviating from official discourses regarding the events of February and March 2011".⁶⁰ The government did not simply destroy the monument. It attempted to erase it from the collective memory. It removed coins engraved with its image from circulation, removed post-cards and pictures, and erased graffiti depicting the monument. Furthermore, security forces interfered with peaceful protests that displayed replicas of the monument by confiscating or destroying the replicas.

2. Policing the government's narrative

The second communication details the Bahraini government's systematic discrimination against its Shia population. The government discriminated against Shia by destroying their places of worship and other signs of Shia presence in the country and by marginalizing Shia historical narratives in Bahrain. The discrimination also manifested itself in government-sanctioned misinformation regarding Shia religious and cultural identity in education and media, and violence against Shia. The government destroyed Shia mosques, including several that were centuries old, and turned another one into a museum, denying worshipers their ability to pray. It also renamed places and areas traditionally inhabited by Shia, thereby erasing traces of their Shia heritage. Moreover, the government used the media and education system to marginalize and erase the impact Shia have had on Bahrain's history. The communication describes one tactic the state media used that portrays Shia as being associated with a Safavid loyalist movement, thereby painting Bahraini Shia as traitors and a foreign-led threat to the country. The Rapporteur expresses concern that through these actions, the government has worked to create and police a narrative that portrays Bahrain as a Sunni country where Shia are interlopers, effectively rewriting the country's history in a way that excludes the Shia.

3. Conclusion

The Government of Bahrain's destruction of sites and imagery related to the 2011 pro-democracy protests, and its comprehensive attempts to erase the historical narratives of its Shia population demonstrate an attempt to create and reinforce a single narrative. Its efforts to preclude the emergence of alternative narratives leads it to suppress demonstrations, jail opposition figures, and restrict free expression, assembly, and association. In this manner, the Rapporteur on Culture's communications add a dimension to other Rapporteurs' communications; while other Procedures deal more with the government's abusive actions, the cultural mandate appears to be concerned in many ways with purpose, thereby placing acts of torture and other human rights violations in the context of a government campaign to discriminate against its Shia citizens.

59 Communication concerning the Pearl Roundabout, *ibid.* note 40.

60 Communication concerning the Pearl Roundabout, *ibid.* note 40.

Communications, Date, Link (endnote)	Mandates	Summary of Communication	Annex Page*	Summary of Reply
BHR 6/2015 – 30/10/2015 ¹⁹⁷	Culture; Poverty; Belief	Alleged patterns of continuous discrimination against Shia citizens , particularly Baharna and Ajam, since 2011 that undermine their rights to freedom of religion, expression, and culture. The discrimination includes violence, destruction of Shia places of worship and symbols, marginalization in historical narratives, and misinformation regarding their religious and cultural identity.	297	Received 25/12/2015: Bahrain requests an extension of the deadline until the end of January 2016 to answer to the complaint. ¹⁹⁸
BHR 9/2014 – 11/07/2014 ¹⁹⁹	Culture; Expression; Assembly	Concern regarding the alleged destruction of the “Pearl Roundabout” monument and related imagery, and continued prohibition against public access to the site. Imagery of the destroyed monument is “immediately” erased. Security forces interfere with peaceful protests thereby restricting freedom of expression and peaceful assembly.	232	None.

Government Denial of Medical Care and Assistance

The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health signed on to nine communications between 2011 and 2015, and they are spread somewhat evenly over this time period. The only year the Rapporteur did not issue a communication was 2013. The Rapporteur issued two communications in 2015, two communications in 2014, three in 2012, and two communications in 2011.

The communications illustrate two broad trends. The first is the need for and subsequent denial of medical attention to in-carcerated victims due to government-practiced torture. This trend corresponds with the fact that of the eight communications the Rapporteur on health issued, six are joint communications with The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment. The second trend is the suggestion of the denial of health care and medical assistance as a government tactic used against opposition members; half of the Rapporteur on health’s communications concern prominent human rights and political activists Hassan Mushaima, Abdulhadi al-Khawaja, and Mahdi Abu Dheeb.

1. Health care and torture

Five of the communications detail allegations of torture.⁶¹ Four of these communications (all but in the case of Hassan Mushaima) concern the authorities' withholding of much-needed medical care and assistance from victims of torture.⁶² Three communications detailing torture concern its use as a method to extract confessions which were then used to convict the individual in court.⁶³ The communications suggest that after the government tortures victims, it routinely denies them much-needed health care and medical assistance.

2. Tactical denial of health care

Taken together, all eight of the communications suggest the government withholds health care as a tactic against opposition members. The Rapporteur's first communication, submitted in 2011 in response to the army's takeover of the Salmaniya hospital, demonstrates the government's perception of health care as a tool.⁶⁴ The communication details the army's occupation of the hospital, how it blocked access to it, and cut off its electricity, and also how security forces targeted health care workers more generally, attacking medical workers and occupying smaller medical centers. Another communication concerns the authorities' denial of medical care to prisoners in the case of a prison riot in Jau Prison over the assault of a female relative visiting an inmate by security personnel.⁶⁵ After violently suppressing the protest, security forces tortured and abused the prisoners and denied them the necessary medical care for their injuries sustained during government assault.

3. Conclusion

The Special Rapporteur on health signed on to eight communications, indicating a routine denial of much-needed medical care on the part of the Bahraini authorities, including in the aftermath of torture. The Rapporteur's communications also indicate the comprehensive use of medical care as a tool to be used or withheld, particularly in the case of the occupation of Salmaniya Hospital. Understanding the government's approach to health care and medical assistance through these two lenses adds a dimension to Bahrain's ongoing attempts to silence dissent and suppress anti-government voices.

⁶¹ *Communication concerning Mahdi Abu Dheeb's health*, ibid. note 119; *Communication concerning Hassan Mushaima*, ibid. note 113; *Communication concerning the torture of an unnamed minor*, ibid. note 119; *Communication concerning 39 unnamed minors*, ibid. note 108; and *Communication concerning conditions in Jau Prison*, ibid. note 126.

⁶² *Communication concerning Mahdi Abu Dheeb's health*, ibid. note 119; *Communication concerning the torture of an unnamed minor*, ibid. note 119; *Communication concerning 39 unnamed minors*, ibid. note 108; and *Communication concerning conditions in Jau Prison*, ibid. note 126.

⁶³ *Communication concerning Mahdi Abu Dheeb's health*, ibid. note 119; *Communication concerning the torture of an unnamed minor*, ibid. note 119; and *Communication concerning 39 unnamed minors*, ibid. note 108.

⁶⁴ United Nations, Office of the High Commissioner for Human Rights, *Communication concerning the army takeover of Salmaniya hospital*, UA Health (2002-7) (17 March 2011:), available at https://spdb.ohchr.org/hrdb/18th/Public_-_UA_Bahrain_17.03.11_%282.2011%29.pdf.

⁶⁵ *Communication concerning conditions in Jau Prison*, ibid. note 126.

Communication, Date, Link (Foot-note)	Mandates	Summary of Communication	Annex Page*	Summary of Reply
BHR 8/2015 — 25/11/2015 ²⁰⁰	Health; Torture	Concerning detention conditions in Jau Prison including inadequate or no access to medical care, as well as torture and ill-treatment suffered during and following the violent suppression of a prison protest, and the absence of any investigation into these allegations.	314	None.
BHR 3/2015 — 15/05/2015 ²⁰¹	Arbitrary Detention; Health; Judges; Torture	The alleged arbitrary arrests, charges, detention, torture, and sentencing of 39 unnamed minors . All minors were boys aged between 10- and 17-years-old. In all but one instance, the minors were coerced into confessing to the crimes put to them, and found guilty based on their confessions. Throughout their arrest, initial detention, interrogation, and confession none of the minors had access to a lawyer. Many face ongoing ill-treatment and torture without access to adequate medical care.	273	Received 13/07/2015: The government responded in Arabic, however, the document was never fully translated or uploaded. ²⁰²
BHR 5/2014 — 16/04/2014 ²⁰³	Health	Alleged denial of medical treatment for the deteriorating health condition of Hassan Mushaima , a 64-year-old Bahraini political activist who is detained in the Bahrain State Prison.	215	Received 14/05/2014: Mushaima has been provided with proper medical treatment, including several procedures to correct ear and nose problems. ²⁰⁴
BHR 3/2014 — 31/03/2014 ²⁰⁵	Arbitrary Detention; Health; Judges; Torture	Regarding allegations of torture and ill-treatment of an unnamed individual , who was 15-years old at the time of arrest, and the use of confessions extracted under torture. Despite his age, the individual was not tried in a juvenile court. Serious concern regarding the individual's health and alleged lack of medical treatment.	201	Received 25/07/2014: no injuries were found on the accused , who said nothing about any assault. In accordance with proper court procedures, he was found guilty and will be punished accordingly. ²⁰⁶
BHR 4/2012 — 16/03/2012 ²⁰⁷	Health; Torture	Concerning the situation of Hassan Mushaima , aged 64, a Bahraini national and opposition leader. Despite his age and medical condition, authorities allegedly subjected him to physical and psychological torture.	84	Received 18/04/2012: In Arabic only. ²⁰⁸
BHR 3/2012 — 12/03/2012 ²⁰⁹	Health; Torture	Concerning the health condition of Abdulhadi al-Khawaja who had been the subject of previous communications regarding allegations of torture.	81	3 replies received. Reply 1) 13/04/2012: al-Khawaja he has good quarters and is treated well and said the medical treatment was good. ²¹⁰ Reply 2) 27/04/2012: there is no threat to al-Khawaja's health; he is in a comfortable and stable condition. ²¹¹ Reply 3) 11/06/2012: al-Khawaja's health condition is currently stable. ²¹²
BHR 2/2012 — 09/02/2012 ²¹³	Health; Torture	Concerning the deteriorating health conditions of Mahdi Abu Dheeb , Bahraini national and president of the Bahrain Teachers Association who was allegedly beaten in detention and suffers severe pain. Abu Dheeb allegedly confessed under torture to committing the crimes he stands accused of.	77	Received 19/03/2012: In Arabic only. ²¹⁴
BHR 10/2011 — 30/05/2011 ²¹⁵	Health	The arrest and trial of 24 doctors and 23 nurses in relation to alleged crimes during protests. One nurse, Hassan Salman al-Maatoq , was sentenced to three years' imprisonment.	File not found.	Received: 23/06/2011: file not found. ²¹⁶
BHR 2/2011 — 17/03/2011 ²¹⁷	Health	Regarding the alleged takeover of Salmaniya Hospital in Manama by Bahrain's army, blocking access to it and cutting off electricity, thereby endangering the lives of critical care patients. Reports that security forces attacked medical workers and occupies smaller medical centers.	2	2 replies received. Reply 1) 18/04/2011: in Arabic. ²¹⁸ Reply 2) 14/12/2012: Protestors and in some cases medical professionals were disrupting medical facilities, and some doctors refused to treat Sunni or expatriates. This thus required involvement by security forces. ²¹⁹

Patterns of Continuous Government Discrimination Against Shia

The Special Rapporteur on Religion signed onto eight communications in the period between 2011 and 2015. The Rapporteur issued three communications in 2011, one in 2012, one in 2014, and three in 2015. The only year the Special Rapporteur did not issue a communication was in 2013. One particular 2015 communication does not address a single individual or event, but instead references “alleged patterns of discrimination since 2011”.⁶⁶ Thus, the decrease in communications from 2012-2014 is not a matter of lack of religion-related complaints.

The Rapporteur on Religion’s communications in Bahrain approach a broader meaning: they are not solely related to religion; there is also a political element to them. In this way, the Rapporteur’s communications illustrate the broad and comprehensive nature of the government’s actions against its Shia population. The government’s actions against Shia from many walks of life demonstrate the wide-spread nature of the religiously-tinged campaign of suppression.

1. Action against Shia religious leaders

Three of the Rapporteur’s eight communications concern government action against two Shia religious leaders: Sheikh Ali Salman and Husain Mirza Abdelbaqi Najati.⁶⁷ Sheikh Ali Salman and Husain Najati are two prominent and influential Shia leaders. As the Secretary General of the main political opposition society, which is a Shia party, al-Wefaq, Sheikh Salman is the subject of two communications.⁶⁸ In both communications, the Rapporteur alleges that the government detained and prosecuted Sheikh Salman on charges related to his expression of his political views, his religious associations, as a result of his then-recent re-election as Secretary General of al-Wefaq, and ultimately as a result of his position as a political opposition leader, Shia Muslim, and religious figure.

Husain Najati is the most senior religious leader of the Bahraini Shia community. The Rapporteur alleges that Government of Bahrain’s revocation of Husain Najati’s citizenship is directly related to the influence he wields as the most senior religious leader of the Shia community in Bahrain. In both cases, the Bahraini government targeted senior and influential Shia religious and political leaders in an effort to weaken Shia’s organized opposition to the government.

2. Widespread Repression

Bahraini authorities also targeted human rights defenders, political activists, and normal citizens due to their religious and political affiliations. The Rapporteur on Religion issued two communications demonstrating this more widespread repression based on religious belief. The first of these focuses on human rights and political activists;⁶⁹ the other focuses on the expulsion of students and professors from the University of Bahrain due to their religious and political affiliations.⁷⁰ These communications demonstrate the interrelationship between religion and politics. One communication details that, before the government deported her, authorities questioned human rights defender Dr. Nada Dhaif concerning whether she had participated in the Pearl Roundabout protests and whether she had visited Iran.⁷¹ Both questions have religious and political overtones. The same communication expresses concern regarding the government’s potentially religion-inspired withdrawal of 31 political and human rights activists’ citizenship, including human rights defenders Abbas Omran and Taymour Karimi.

⁶⁶ *Communication concerning discrimination against Shia citizens*, ibid. note 257.

⁶⁷ United Nations, Office of the High Commissioner for Human Rights, *Communication concerning Husain Mirza Abdelbaqi Najati*, UA G/SO214 (56-23) (17 April 2014), available at [https://spdb.ohchr.org/hrdb/27th/public_-_UA_Bahrain_17.04.14_\(6.2014\).pdf](https://spdb.ohchr.org/hrdb/27th/public_-_UA_Bahrain_17.04.14_(6.2014).pdf); *Communication concerning the arrest and detention of Sheikh Ahmed Ali al-Salman*, ibid. note 7; *Communication concerning Sheikh Ali al-Salman*, ibid. note 7.

⁶⁸ *Communication concerning the arrest and detention of Sheikh Ahmed Ali al-Salman*, ibid. note 7; and *Communication concerning Sheikh Ali al-Salman*, ibid. note 7.

⁶⁹ *Communication concerning Dr. Nada Dhaif, et al.*, ibid. note 59.

⁷⁰ *Communication concerning protests at the University of Bahrain*, ibid. note 3.

⁷¹ *Communication concerning Dr. Nada Dhaif, et al.*, ibid. note 59.

The second communication illustrates how the Government of Bahrain not only targets Shia leaders and activists but also normal citizens for their religious and political opinions.⁷² The communication regards the expulsion of students and pro-fessors from University of Bahrain due to their religious and political affiliations. According to the Rapporteur, 35 students were expelled after they participated in protests. Authorities explicitly linked politics to religion by asking the students why they were calling for the withdrawal of the government. The government's targeting of students and professors is significant because, unlike Sheikh Ali Salman or Husain Najati, they do not wield significant influence. Further, unlike Abbas Omran and Taymour Karimi, the students and professors have not participated in activism either in their job or the work. Due to this, by targeting the students and professors, the government illustrates that its campaign of repression against religious as well as political dissension extends to all portions of the Bahraini Shia population.

3. Structural Discrimination Against Shia

The Government of Bahrain has also engaged in structural discrimination and persecution of its Shia majority. While the government's actions in this respect often revolve around an event, its actions exhibit a larger, broader, and deeper pattern of systemic discrimination. Three communications point to this: the government's destruction of two Shia mosques,⁷³ police attacks on Shia religious processions,⁷⁴ and patterns of continuous discrimination against Shia since 2011.⁷⁵

The government's destruction of two Shia mosques demonstrates a fundamental disrespect of Shia beliefs and history. Their destruction points to a larger, systematic government attempt to marginalize Shia historical narratives and negatively impact their culture.⁷⁶ The police attacks on Shia religious processions commemorating the Imam Hadi further illustrate the government's willingness to use violence to suppress its Shia population.⁷⁷ Significantly, the Rapporteur expressed concern that the attacks were an attempt to curtail the Shia's right to assemble and express their religious beliefs.

The third communication regards alleged patterns of continuous discrimination against Shia citizens.⁷⁸ This communication details the Government of Bahrain's comprehensive and structural attempts to marginalize and repress its Shia population through campaigns of media misinformation, destruction of Shia places of worship,⁷⁹ destruction of Shia symbols,⁸⁰ marginalization of Shia narratives in Bahrain's history, and ultimately violence. This communication does not reference single events, but rather pertains to actions and events since 2011. As such, it demonstrates the government's attempts to repress its Shia population through a variety of tactics.

4. Conclusion

The government's actions against its Shia majority population are primarily related to religion, but they also contain political elements. Sheikh Ali Salman's arrest and interrogation is related to his actions as the Secretary General of the main Shia political opposition society. The deportation of Husain Najati was alleged to have been due to his influence in the Shia community, which is also the center of political opposition to the government. Likewise, the denaturalizations of 31 political and human rights activists are due not only to their religious affiliations, but also to their political actions and stances against the government. The reasoning behind the expulsions of 35 students and professors from the University of Bahrain is also centered in the nexus of religion and politics: the students and professors protested against the government, but they were also

72 *Communication concerning protests at the University of Bahrain*, ibid. note 3.

73 United Nations, Office of the High Commissioner for Human Rights, *Communication concerning the destruction of two Shia mosques*, (5 May 2011), available at [http://spcomms.ohchr.org/Docs/01ComRepSep2011/Com/2011_05/AL_Bahrain_05.05.2011_\(8.2011\).pdf](http://spcomms.ohchr.org/Docs/01ComRepSep2011/Com/2011_05/AL_Bahrain_05.05.2011_(8.2011).pdf).

74 *Communication concerning attacks on Shia gatherings*, ibid. note 4.

75 *Communication concerning discrimination against Shia citizens*, ibid. note 257.

76 See *Communication concerning discrimination against Shia citizens*, ibid. note 257.

77 *Communication concerning attacks on Shia gatherings*, ibid. note 4.

78 *Communication concerning discrimination against Shia citizens*, ibid. note 257.

79 See *Communication concerning the destruction of two Shia mosques*, ibid. note 292.

80 See section on Culture



Charting the Seas of Abuse

Shia. These individual cases grow into a system-wide pattern of discrimination against Bahraini Shia when viewed within the context of government violence against a religious procession and its destruction of two mosques. When added together, these incidents represent what the Rapporteur called patterns of continuous discrimination against Shia citizens.⁸¹

⁸¹ *Communication concerning discrimination against Shia citizens*, ibid. note 257.

Communication, Date, Link (foot-note)	Mandates	Summary of Communication	Annex Page*	Summary of Reply
BHR 9/2015 – 27/11/2015 ²²⁰	Arbitrary Detention; Expression; Assembly; Belief; Human Rights Defenders	Alleged arbitrary detention and prosecution of Sheikh Ali Salman for expression of his political views, his political and religious associations, and allegedly as a result of his re-election as Secretary General of the main opposition party. Charged with inciting a change of regime by non-peaceful means; inciting others to break the law; and insulting the Ministry of Interior.	320	Not yet received; in the process of translation.
BHR 6/2015 – 30/10/2015 ²²¹	Culture; Poverty; Belief	Alleged patterns of continuous discrimination against Shia citizens , particularly Baharna and Ajam, since 2011 that undermine their rights to freedom of religion, expression, and culture. The discrimination includes violence, destruction of Shia places of worship and symbols, marginalization in historical narratives, and misinformation regarding their religious and cultural identity.	297	Received 25/12/2015: Bahrain asks for an extension until the end of January 2016 to answer to these complaints. ²²²
BHR 1/2015 – 16/01/2015 ²²³	Arbitrary Detention; Expression; Assembly; Belief; Human Rights Defenders; Judges	Alleged arbitrary arrest and detention of Sheikh Ali Salman . His arrest comes two days after his re-election as Secretary General of al-Wefaq. He is allegedly targeted due to his public expression of political views, and his position as a political opposition leader, Shia Muslim, and religious figure. Neither Sheikh Salman nor his legal counsel have not been able to examine the evidence against him.	264	Received 12/02/2015: the accused has been able to enjoy all of his legally guaranteed rights. His crimes include insulting a State institution and incitement to violence. ²²⁴
BHR 6/2014 – 17/04/2014 ²²⁵	Belief	The government's revocation of Husain Mirza Abdelbaqi Najaati 's nationality on 15 April 2014 because of his influence as the most senior religious leader of the Shia community in Bahrain.	219	None.
BHR 12/2012 – 29/11/2012 ²²⁶	Expression; Assembly; Belief; Human Rights Defenders	Concerning the alleged interrogation and deportation of Dr. Nada Dhaif and the alleged withdrawal of citizenship of 31 political activists, including human rights defenders Hasan Abbas Omran and Taymour Karimi . Dr. Dhaif was questioned about whether she participated in protests at Pearl Roundabout and whether she had visited Iran. Omran and Karimi were arrested, and their citizenship revoked, over alleged involvement with illegal protests and their human rights work.	127	Received 08/01/2013: the State has the right to withdraw citizenship if the victim's citizenship causes harm to the security of the State. This law is in line with the Convention on the Reduction of Statelessness. As regards Dr. Dhaif's travels and troubles in other countries, this is outside of Bahraini authorities' jurisdiction. ²²⁷
BHR 13/2011 – 27/06/2011 ²²⁸	Expression; Assembly; Belief	Regarding police attacks on religious processions by Shia on 5 June 2011. During Shia religious processions commemorating the Imam Hadi, police attacked the procession. There are concerns that such attacks curtail their right to assemble and express their religious beliefs.	25	Received 09/08/2011: there is no evidence for reports of a house being set on fire or of any injuries of Sitra residents. Those attending the religious gatherings were bellicose and violent, chanting anti-regime slogans and requiring security forces to supervise and defend themselves. ²²⁹
BHR 11/2011 – 09/06/2011 ²³⁰	Education; Expression; Assembly; Belief	Regarding the expulsion of students and professors from the University of Bahrain due to their religious and political affiliations. 35 students were expelled after they participated in protests. Questioners asked the students why they are calling for the withdrawal of the regime.	12	Received 25/07/2011: all measures taken against students were in accordance with the laws and policies of the University of Bahrain. Some students interfered with University property and became aggressive with the authorities. ²³¹
BHR 8/2011 – 05/05/2011 ²³²	Belief	Security forces demolished two Shia mosques : the Emir Mohammed Al-Berbegi mosque and the Imam Sadeq mosque.	File not found.	2 replies received. Reply 1 received 11/05/2011: not found. ²³³ Reply 2 received 01/07/2011: file not found. ²³⁴

Government Use of Arbitrary Detention to Suppress Opposition and Silence Dissent

In the five-year period between 2011 and 2015, the Working Group on Arbitrary Detention issued 28 communications. The communications stay steady during these years except when they suddenly peak in 2014: the Working Group issued five communications in 2011, four in 2012 and in 2013, 11 in 2014, and four in 2015. The consistent number of communications throughout these years, and their spike in 2014, demonstrates the Government of Bahrain's systematic use of arbitrary arrest and detention as a tool to suppress dissent and silence opposition voices.

The Working Group on Arbitrary Detention understands the deprivation of liberty as arbitrary if one of five conditions are met: first, when it is clearly impossible to invoke any legal basis justifying the deprivation of liberty; second, when the deprivation of liberty results from the exercise of the rights or freedoms guaranteed by articles 7, 13, 14, 18, 19, 20, and 21 of the Universal Declaration of Human Rights⁸² and insofar as States parties are concerned, by articles 12, 18, 19, 21, 22, 25, 26, and 27 of the International Covenant on Civil and Political Rights;⁸³ third, when the total or partial non-observance of the international norms relating to the right to a fair trial is of such gravity as to give the deprivation of liberty an arbitrary character; fourth, when asylum seekers, immigrants, or refugees are subjected to prolonged administrative custody without the possibility of review; and fifth, when the deprivation of liberty constitutes a violation of international law for reasons of discrimination, including political or other opinion.⁸⁴

In the context of Bahrain, the second, third, and fifth cases are the most relevant. The government's practice of arbitrary detention often violates the right to freedoms of expression, assembly, and association. Additionally, authorities regularly do not give arbitrarily detained victims fair trials or provide sufficient access to due process. Furthermore, the government exhibits discriminatory behavior towards those it detains by persecuting certain groups of people due to their religious or political views. Lastly, in nearly all cases, the Bahraini government does not produce an arrest warrant when detaining and arresting victims.

1. Assembly

A. During Protests

The Working Group on Arbitrary Detention issued 12 communications detailing the Government of Bahrain's arbitrary detention of victims in violation of their right to freedom of assembly and association. Authorities have arbitrarily detained people due to their participation in, or proximity to demonstrations,⁸⁵ which it calls "illegal gatherings".⁸⁶ Two communications in particular describe the authorities' arrest and detention of activists and citizens taking part in demonstrations. One concerns Zainab al-Khawaja and Mahdi Abu Dheeb, who were peacefully sitting-in when the authorities arrested them and

83 Universal Declaration of Human Rights, G. A. res. 217A (III), U.N. Doc A/810 at 71 (1948), available at <http://www.un.org/en/universal-declaration-human-rights/>.

82 International Covenant on Civil and Political Rights. United Nations G. A. res. 2200A [XX1]. 16 December 1966, available at <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>.

84 United Nations Human Rights Council, "*Opinions adopted by the Working Group on Arbitrary Detention at its sixty-third session, 30 April–4 May 2012, No. 6/2012*," A/HRC/WGAD/2012/6, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G12/152/53/PDF/G1215253.pdf?OpenElement>

85 *Communication concerning excessive use of force by security forces*, ibid. note 18; *Communication concerning Hasan Abbas Omran et al.*, ibid. note 10; *Communication concerning restrictions on demonstrations*, ibid. note 14; *Communication concerning Ahmed Fardan*, ibid. note 41; and *Communication concerning 39 unnamed minors*, ibid. note 108.

86 *Communication concerning Mohammed al-Buflasa*, ibid. note 84; *Communication concerning the arrest of four unnamed individuals*, ibid. note 70; *Communication concerning banning of public rallies and arrest of Sayed Yousif AlMuhaftah, et al.*, ibid. note 19; *Communication concerning the torture of Zainab al-Khawaja, et al.*, ibid. note 51; *Communication concerning the arrest and torture of Rihanna al-Musawi, et al.*, ibid. note 47; *Communication concerning Aqeel Abdul Rasool Mohamed Ahmed, et al.*, ibid. note 144; and *Communication concerning the arrest, torture, coerced confessions of nine Bahrainis*, ibid. note 35.

arbitrarily detained them.⁸⁷ The second regards four unnamed individuals who were peacefully protesting.⁸⁸ Security forces arrested them, detained them at a police station, and charged them with participating in an “illegal gathering”.

B. Near Protests

Two communications in particular illustrate authorities’ practice of arbitrarily detaining victims solely due to their proximity to demonstrations regardless of their actual participation in the demonstration. One details the arrest of 39 unnamed minors.⁸⁹ The communication alleges that security forces arrested over half of them at their family homes or at the homes of family members or friends before subjecting them to incommunicado detention. In many of these cases, the minor victims were accused without evidence of either of participating in nearby protests, or alternately arrested from their homes that were near the sites of protests. The second communication regards security forces’ arrest of photographer Ahmed Fardan at his house. After his arrest, the government charged him with intent “to participate in gatherings”.⁹⁰ The communication expresses concern that Fardan’s arrest was in fact related to his attempts to document the protest.

2. Association and Human Rights and Political Activists

According to the Working Group’s allegations, the Government of Bahrain persecutes people for their associations, whether with “illegal groups” or for their religious and political affiliations.⁹¹ The Working Group issued 17 communications detailing the Bahraini authorities’ repeated targeting of human rights and political activists for their associations.⁹² For instance, the Working Group has issued three communications regarding the persecution of Naji Fateel for his membership in the Bahrain Youth Society for Human Rights.⁹³ The Working Group has also detailed the arbitrary arrests and detention of Maryam al-Khawaja, Zainab al-Khawaja, and Ghada Jamsheer, which it alleges is due to their activities and associations with the United Nations.⁹⁴

The Working Group has issued two communications regarding Sheikh Ali Salman, the Secretary General of the main opposition party which is also Shia. The communications express concern that his arbitrary arrest and detention is due to his political and religious affiliations.⁹⁵

87 *Communication concerning the torture of Zainab al-Khawaja, et al.*, ibid. note 51.

88 *Communication concerning the arrest of four unnamed individuals*, ibid. note 70.

89 *Communication concerning 39 unnamed minors*, ibid. note 108.

90 *Communication concerning Ahmed Fardan*, ibid. note 41.

91 See *Communication concerning Mohammed al-Buflasa*, ibid. note 84; *Communication concerning the arrest of four unnamed individuals*, ibid. note 70; *Communication concerning banning of public rallies and arrest of Sayed Yousif AlMuhaftah, et al.*, ibid. note 19; *Communication concerning the torture of Zainab al-Khawaja, et al.*, ibid. note 51; *Communication concerning the arrest and torture of Rihanna al-Musawi, et al.*, ibid. note 47; and *Communication concerning the arrest, torture, coerced confessions of nine Bahrainis*, ibid. note 35. For persecution on religious grounds see *Communication concerning the arrest and detention of Sheikh Ahmed Ali al-Salman*, ibid. note 7, and *Communication concerning Sheikh Ahmed Ali al-Salman*, ibid. note 7.

92 *Communication concerning excessive use of force by security forces*, ibid. note 18; *Communication concerning the arrests of Abduljalil al-Singace, et al.*, ibid. note 101; *Communication concerning Mohammed al-Tajir*, ibid. note 97; *Communication concerning Hasan Abbas Omran et al.*, ibid. note 10; *Communication concerning Nabeel Rajab and Twitter*, ibid. note 11; *Communication concerning banning of public rallies and arrest of Sayed Yousif AlMuhaftah, et al.*, ibid. note 19; *Communication concerning the arrest and torture of Naji Fateel*, ibid. note 13; *Communication concerning the torture of Zainab al-Khawaja, et al.*, ibid. note 51; *Communication concerning the arrest and torture of Rihanna al-Musawi, et al.*, ibid. note 47; *Communication concerning Naji Fateel’s sentencing*, ibid. note 13; *Communication concerning Ahmed al-Arab*, ibid. note 115; *Communication concerning BYSHR members and Naji Fateel*, ibid. note 37; *Communication concerning Maryam al-Khawaja’s arrest for human rights work*, ibid. note 34; *Communication concerning the arrest of Nabeel Rajab upon his return from Europe*, ibid. note 31; *Communication concerning Maryam al-Khawaja, et al.*, ibid. note 12; *Communication concerning the arrest and detention of Sheikh Ahmed Ali al-Salman*, ibid. note 7; *Communication concerning Nabeel Rajab and documentation of torture in Jau Prison*, ibid. note 26; and *Communication concerning Sheikh Ahmed Ali al-Salman*, ibid. note 7.

93 *Communication concerning the arrest and torture of Naji Fateel*, ibid. note 13; *Communication concerning Naji Fateel’s sentencing*, ibid. note 13; and *Communication concerning BYSHR members and Naji Fateel*, ibid. note 37.

94 *Communication concerning Maryam al-Khawaja, et al.*, ibid. note 12.

95 *Communication concerning the arrest and detention of Sheikh Ahmed Ali al-Salman*, ibid. note 7 and *Communication concerning Sheikh Ahmed Ali al-Salman*, ibid. note 7.

3. Allegations of False Claims of Violence

Working Group communications also reveal that the government utilizes charges of criminal violence in an attempt to obfuscate its arbitrary detentions. Oftentimes, victims are tortured into confessing to violent crime, or are convicted without sufficient evidence to prove their guilt of violent crime.⁹⁶ One 2014 communication details the arbitrary arrest of Maher al-Khabbaz and his torture at the hands of security forces.⁹⁷ The communication states that the security forces forced him to sign a confession stating he had killed a police officer. A second communication concerns the arbitrary arrests and detentions of Elyas al-Mula, Husain al-Singace, and Mohammad Ramadan. Reportedly, security forces coerced them into signing confession that stated they were guilty of violent acts, including against security forces.⁹⁸ Two other communications detail the arbitrary arrests of Maryam al-Khawaja⁹⁹ and Zainab al-Khawaja¹⁰⁰ over charges of assaulting security officials. In all of these cases, Working Group expresses doubt regarding the veracity of authorities' allegations.

4. Arbitrary Detention and Torture

Of the 28 communications the Working Group on Arbitrary Detention has issued, 16 are jointly signed with the Special Rapporteur on torture.¹⁰¹ These communications indicate that, in over half of the cases where the victim alleges they were arbitrarily detained, their detention marked only the beginning of their abuse by the government. In the 16 communications, the Working Group and Rapporteur on torture demonstrate that detention in Bahrain is often closely followed by torture. This torture can lead to coerced confessions and convictions and sentences, as in the cases of Maher al-Khabbaz, Elyas al-Mula, and Husain al-Singace, but this is not always the case.

5. Working Group Decisions Confirming Arbitrary Detention

The Working Group on Arbitrary Detention has adopted nine opinions officially stating in its capacity as a UN body that 15 victims, including Abdulhadi al-Khawaja, Nabeel Rajab, and Tagi al-Maidan, were, in fact, arbitrarily detained. Al-Khawaja, Rajab, and al-Maidan are the subject of several of Working Group communications. In a majority of the cases, security forces

96 Communication concerning the torture of Zainab al-Khawaja, et al., ibid. note 51; Communication concerning Maher al-Khabbaz, ibid. note 111; and Communication concerning the arrest, torture, coerced confessions of nine Bahrainis, ibid. note.

97 *Communication concerning Maher al-Khabbaz*, ibid. note 111.

98 *Communication concerning the arrest, torture, coerced confessions of nine Bahrainis*, ibid. note 35.

99 *Communication concerning Maryam al-Khawaja's arrest for human rights work*, ibid. note 34.

100 *Communication concerning the torture of Zainab al-Khawaja, et al.*, ibid. note 51.

101 Communication concerning Mohammed al-Buflasa, ibid. note 84; Communication concerning Hasan Abbas Omran et al., ibid. note 10; Communication concerning restrictions on demonstrations, ibid. note 14; Communication concerning Nabeel Rajab and Twitter, ibid. note 11; Communication concerning the arrest and torture of Naji Fateel, ibid. note 13; Communication concerning the torture of Zainab al-Khawaja, et al., ibid. note 51; Communication concerning the arrest and torture of Rihanna al-Musawi, et al., ibid. note 47; Communication concerning Naji Fateel's sentencing, ibid. note 13; Communication concerning Ahmed Fardan, ibid. note 41; Communication concerning Aqeel Abdul Rasool Mohamed Ahmed, et al., ibid. note 144; Communication concerning the torture of an unnamed minor, ibid. note 119; Communication concerning Ahmed al-Arab, ibid. note 115; Communication concerning Maher al-Khabbaz, ibid. note 111; Communication concerning BYSHR members and Naji Fateel, ibid. note 37; Communication concerning the arrest, torture, coerced confessions of nine Bahrainis, ibid. note 35; Communication concerning Nabeel Rajab and documentation of torture in Jau Prison, ibid. note 26; Communication concerning 39 unnamed minors, ibid. note 108.

arrested the victims at their homes,¹⁰² or as they were engaged in various normal tasks, such as sitting in a coffee shop.¹⁰³ Oftentimes, the Working Group's opinions indicate that security forces did not present an arrest warrant when making the arrest, though the government claims it did in several instances.¹⁰⁴

The opinions describe a variety of ways the victims can be said to have been arbitrarily detained. For instance, in determining that security forces had arbitrarily detained Abdulhadi al-Khawaja, the Working Group notes that the "vague nature of the charges raises doubts as to the actual purpose of the detention".¹⁰⁵ It also describes the government's violation of the victims' rights to freedom of expression and opinion,¹⁰⁶ and most consistently, the lack of due process during the victims' detention and trial.¹⁰⁷ More fundamentally, in each its nine opinions, the Working Group indicates that the Government of Bahrain violated numerous articles of both the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. In several of these opinions, the Working Group expresses concern regarding the apparently systematic character of arbitrary detention in Bahrain, citing that such issues may amount to crimes against humanity.

An official decision from the Working Group appears to have more weight in Bahrain than a normal Special Procedure communication, leaving open the possibility of an appeal by the international community that Bahrain follow international law and release victims. On 21 April 2016, Bahrain's king gave American citizen and victim of arbitrary detention Tagi al-Maidan a royal pardon. The Government of Bahrain had previously sentenced al-Maidan to 10 years in jail in 2013 on charges of attempted murder during a disturbance related to Shia demands for greater rights, although al-Maidan had maintained the charge were false.¹⁰⁸ Prior to his release, the Working Group's opinion on his detention confirmed the arbitrary nature of his arrest and charges.¹⁰⁹ His pardon and subsequent release, which came during United States President Barack Obama's visit to Saudi Arabia, may be related to the arbitrary element of his case.

102 United Nations Human Rights Council, *Opinion adopted by the Working Group on Arbitrary Detention at its sixty-third session*, 30 April-4 May 2012, No. 6/2012, 13 July 2012, A/HRC/WGAD/2012/6, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G12/152/53/PDF/G1215253.pdf?OpenElement>; United Nations Human Rights Council, *Opinion adopted by the Working Group on Arbitrary Detention at its sixty-sixth session*, 29 April-3 May 2013, No. 12/2013, 25 July 2013, A/HRC/WGAD/2013/12, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/159/40/PDF/G1315940.pdf?OpenElement>; United Nations Human Rights Council, *Opinion adopted by the Working Group on Arbitrary Detention at its sixty-ninth session* 22 April-1 May 2014, No. 1/2014, 21 July 2014, A/HRC/WGAD/2014/1, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/089/78/PDF/G1408978.pdf?OpenElement>; United Nations Human Rights Council, *Opinion adopted by the Working Group on Arbitrary Detention at its seventieth session* 25 to 29 August 2014, No. 22/2014, 20 November 2014, A/HRC/WGAD/2014/22, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/224/20/PDF/G1422420.pdf?OpenElement>; and United Nations Human Rights Council, *Opinion adopted by the Working Group on Arbitrary Detention at its seventieth session* 25-29 August 2014, No. 34/2014, 21 November 2014, A/HRC/WGAD/2014/34, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/227/57/PDF/G1422757.pdf?OpenElement>; and <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/227/54/PDF/G1422754.pdf?OpenElement>.

103 United Nations Human Rights Council, *Opinion adopted by the Working Group on Arbitrary Detention at its seventieth session* 25 to 29 August 2014, No. 27/2014, 20 November 2014, A/HRC/WGAD/2014/27, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/224/43/PDF/G1422443.pdf?OpenElement>.

104 *Opinion adopted by the Working Group on Arbitrary Detention at its sixty-sixth session*, 29 April-3 May 2013, No. 12/2013, ibid. note 336 and *Opinion adopted by the Working Group on Arbitrary Detention at its seventieth session* 25-29 August 2014, No. 34/2014, ibid. note 336.

105 *Opinion adopted by the Working Group on Arbitrary Detention at its sixty-third session*, 30 April-4 May 2012, No. 6/2012, ibid. note 336

106 *Opinion adopted by the Working Group on Arbitrary Detention at its sixty-sixth session*, 29 April-3 May 2013, No. 12/2013, ibid. note 336 and *Opinion adopted by the Working Group on Arbitrary Detention at its seventieth session* 25 to 29 August 2014, No. 22/2014, ibid. note 336.

107 *Opinion adopted by the Working Group on Arbitrary Detention at its sixty-ninth session* 22 April-1 May 2014, No. 1/2014, ibid. note 336; *Opinion adopted by the Working Group on Arbitrary Detention at its seventieth session* 25 to 29 August 2014, No. 22/2014, ibid. note 336, United Nations Human Rights Council, *Opinion adopted by the Working Group on Arbitrary Detention at its seventieth session* 25-29 August 2014, No. 25/2014, 19 November 2014, A/HRC/WGAD/2014/25, available at http://repository.un.org/bitstream/handle/11176/310799/A_HRC_WGAD_2014_25-EN.pdf?sequence=3&isAllowed=y; and *Opinion adopted by the Working Group on Arbitrary Detention at its seventieth session* 25 to 29 August 2014, No. 27/2014, ibid. note 337.

108 Yara Bayoumy, "U.S. prisoner in Bahrain says he has been freed via royal pardon," *Reuters*, 21 April 2016, available at <http://www.reuters.com/article/us-bahrain-usa-idUSKCN0XI2K8>.

Prior to his release, the Working Group's opinion on his detention confirmed the arbitrary nature of his arrest and charges.¹⁰⁹ His pardon and subsequent release, which came during United States President Barack Obama's visit to Saudi Arabia, may be related to the arbitrary element of his case.

4. Conclusion

The Working Group on Arbitrary Detention's 28 communications demonstrate the Government of Bahrain's systematic use of arbitrary detention as a tool to silence dissent and suppress opposition members. The communications suggest several different patterns: first, the use of arbitrary detention of participants in what authorities call "illegal gatherings." Second, the arbitrary arrest and detention of activists for their political, religious, and human rights associations. Lastly, the frequently-used combination of arbitrary detention and torture demonstrates that a victim's detention is likely only the start of their mistreatment in police custody. Indeed, the extent of the Working Group's communications suggests that, among the government's tactics to suppress dissent, arbitrary detention is the most basic. After the initial detention, courts may charge them with a crime, security forces may torture or disappear them, and the victim could be sentenced to death. In this manner, the communication's patterns demonstrate the comprehensive nature of the Government of Bahrain's attempts to suppress dissidents and silence opposition, whereby arbitrary detention is only one of the government's tools, and may in fact only be the beginning.

¹⁰⁹ *Opinion adopted by the Working Group on Arbitrary Detention at its sixty-ninth session 22 April-1 May 2014, No. 1/2014*, ibid. note 336.

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BHR 9/2015 – 27/11/2015 ²³⁵	Arbitrary Detention; Expression; Assembly; Belief; Human Rights Defenders	Alleged arbitrary detention and prosecution of Sheikh Ali Salman for expression of his political views, his political and religious associations, and allegedly as a result of his re-election as Secretary General of the main opposition party. Charged with inciting a change of regime by non-peaceful means; inciting others to break the law; and insulting the Ministry of Interior.	320	Not yet received; in process of translation.
BHR 3/2015 – 15/05/2015 ²³⁶	Arbitrary Detention; Health; Judges; Torture	The alleged arbitrary arrests, charges, detention, torture, and sentencing of 39 unnamed minors . All minors were boys aged between 10- and 17-years-old. In all but one instance, the minors were coerced into confessing to the crimes put to them, and found guilty based on their confessions. Throughout their arrest, initial detention, interrogation, and confession none of the minors had access to a lawyer. Many face ongoing ill-treatment and torture without access to adequate medical care.	273	Received 13/07/2015: the government responded in Arabic; the document was never fully translated or uploaded. ²³⁷
BHR 2/2015 – 15/04/2015 ²³⁸	Arbitrary Detention; Expression; Human Rights Defenders; Torture	The alleged arrest and detention of Nabeel Rajab following his documentation of torture and ill-treatment in Jau Prison. Rajab received a summons over tweets regarding torture in Jau Prison, and was arrested for documenting the torture and for comments made about civilian casualties in the GCC intervention in Yemen.	268	Received 18/05/2015: Rajab used libel and propaganda to stir the public against the external security of the state. The government has yet to list reasons for his detention. The Special Procedures' letter is under investigation. ²³⁹
BHR 1/2015 – 16/01/2015 ²⁴⁰	Arbitrary Detention; Expression; Assembly; Belief; Human Rights Defenders; Judges	Alleged arbitrary arrest and detention of Sheikh Ali Salman . His arrest comes two days after his re-election as Secretary General of al-Wefaq. He is allegedly targeted due to his public expression of political views, and his position as a political opposition leader, Shia Muslim, and religious figure. Neither Sheikh Salman nor his legal counsel have not been able to examine the evidence against him.	264	Received 12/02/2015: the accused enjoys all of his legally guaranteed rights. His crimes include insulting a State institution and inciting violence. ²⁴¹
BHR 15/2014 – 19/12/2014 ²⁴²	Arbitrary Detention; Expression; Assembly; Human Rights Defenders	The sentencing of Maryam al-Khawaja , Zainab al-Khawaja , and Ghada Jamsheer , and the latter's detention. Concern that the former two's sentences are linked to their peaceful human rights advocacy and exercising their right to freedom of expression. Concern that their detention is a reprisal for participating with the UN, insulting a public servant, tearing up a picture of the king, and allegedly criticizing corruption on social media, respectively.	258	None.
BHR 13/2014 – 14/10/2014 ²⁴³	Arbitrary Detention; Expression; Assembly; Human Rights Defenders	Concern that the arrest and detention of Nabeel Rajab is related to his peaceful advocacy for human rights in Bahrain, his exercise of freedom of expression, and as a reprisal for cooperating with the UN.	254	Received 24/11/2014: Rajab's charges related to terrorist ideas, <i>takfiri</i> ideology, participating in unauthorized marches, and slandering citizens. ²⁴⁴
BHR 12/2014 – 03/09/2014 ²⁴⁵	Arbitrary Detention; Expression; Assembly; Human Rights Defenders	Concern that Maryam al-Khawaja's arrest and detention are related to her human rights advocacy in Bahrain. Officials arrested her on charges of assaulting a police officer. It is believed the charges relate to the Bahrain Center for Human Rights' "Wanted for Justice" campaign in which activists name alleged human rights violators.	251	None.
BHR 11/2014 – 14/08/2014 ²⁴⁶	Arbitrary Detention; Assembly; Judges; Terrorism; Torture	Allegations of the arbitrary arrest, enforced disappearance, detention, and torture, and coerced confessions of nine Bahraini nationals (two of whom are minors), the forced disappearance of some of them, and their conviction after trials that did not meet international standards of fair trial and due process. They were allegedly sentenced for their role in peaceful assemblies, and some reportedly charged with "terrorism."	241	2 replies received. Reply 1) 26/09/2014: the defendants attacked or planned to attack security forces. ²⁴⁷ Reply 2) 22/10/2014: the defendants were detained due to terrorism activity; warrants were presented during their arrests. ²⁴⁸
BHR 10/2014 – 11/08/2014 ²⁴⁹	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Judges; Terrorism; Torture	Allegations of harassment and intimidation of members of the Bahrain Youth Society for Human Rights . Concern regarding the ongoing detention of Naji Fateel , a member, and allegations that he was tortured in detention, and sentenced based on coerced confessions made under torture. Officials have charged Fateel with establishing a group to disable the Constitution. Concern over the use of national security interests to justify measures and acts to suppress the opposition, including human rights defenders.	236	2 replies received. Reply 1) 15/09/2014: the defendants were arrested attacking or planning attacks on security forces, doctors found no signs of torture. ²⁵⁰ Reply 2) 26/09/2014: the defendants' arrests were justified due to their terrorist aims. ²⁵¹

BHR 8/2014 – 08/07/2014 ²⁵²	Arbitrary Detention; Judges; Executions; Torture	Regarding the arbitrary arrest and sentencing of Maher al-Khabbaz to death, allegedly on the basis of a false confession extracted through torture. During the interrogation, the public prosecutor did not allow his lawyer to be present, and during the trial, the court did not allow him to call witnesses.	228	Received 29/08/2014: the charges are based on testimony of police officers present at the time. Al-Khabbaz made no claims about being tortured while at the Officer of the Public Prosecutor. He enjoyed his full legal guarantees. ²⁵³
BHR 7/2014 – 26/05/2014 ²⁵⁴	Arbitrary Detention; Judges; Migrants	Concern regarding the alleged arbitrary arrest, detention, and risk of summary expulsion of Mudassir Ali , a Pakistani national and Bahrain resident to the UAE. Authorities allegedly continued to bring new charges against Ali but do not inform him of them.	224	Received: 01/10/2014: Ali is still being held in detention. He is wanted by Sharjah, UAE. A request for his extradition to Sharjah has been issued. Upon the completion of his case he will be extradited to the UAE. ²⁵⁵
BHR 4/2014 – 15/04/2014 ²⁵⁶	Arbitrary Detention; Judges; Torture	Regarding the alleged torture and other ill-treatment of Ahmed al-Arab , a political activist, and the alleged use of confessions extracted under torture during court proceedings. Although al-Arab's lawyer attended the court proceedings, al-Arab himself was never brought to the court in person.	208	Received: 14/05/2014: al-Arab was found to be guilty of activities supporting terrorism. Any injuries were sustained during his fight with the police. A full range of medical services are provided to all inmates of Jaw prison. ²⁵⁷
BHR 3/2014 – 31/03/2014 ²⁵⁸	Arbitrary Detention; Health; Judges; Torture	Regarding allegations of torture and ill-treatment of an unnamed individual , who was 15-years old at the time of arrest, and the use of confessions extracted under torture. Despite his age, the individual was not tried in a juvenile court. Serious concern regarding the individual's health and alleged lack of medical treatment.	201	Received: 27/05/2014: No injuries were found on the accused , who said nothing about any assault. In accordance with proper court procedures, he was found guilty and will be punished accordingly. ²⁵⁹
BHR 2/2014 – 17/01/2014 ²⁶⁰	Arbitrary Detention; Disappearances; Torture	Regarding the alleged arrest and detention of Aqeel Abdul Rasool Mohamed Ahmed , and the alleged enforced disappearances of an unnamed individual , and Ahmed Mohammed Saleh al-Arab , Mansoor Ali Mansoor al-Jamri , and Hussain al-Ghasra . Concern that Ahmed confessed to the crimes he was accused of as a result of torture. Concern that al-Arab, al-Jamri, and al-Ghasra are at risk of torture.	196	Received: 17/02/2014: al-Arab remains in detention. The unnamed individual remains in detention; the forensic medical examiner has not yet submitted a report. Al-Jamri remains in detention. Al-Ghasra remains in detention. There is no information about a suspect with the name Aqeel Abdul Rasool Mohammed Ahmed . ²⁶¹
BHR 1/2014 – 10/01/2014 ²⁶²	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Judges; Torture	Concern regarding the alleged arbitrary arrest and reported torture, and ill-treatment of photojournalist and photographer Ahmed Fardan . Concern that his arrest and detention might be linked to his activities documenting and photographing demonstrations in Bahrain, and his activity campaigning for photographer Ahmed Humaidan. During his initial detention he was denied access to a lawyer, and his lawyer was not present during the legal proceedings.	189	Received 11/02/2014: the case is still under investigation, but Fardan witnessed the demonstrators and acknowledged possession of the items seized at his home. ²⁶³
BHR 7/2013 – 04/10/2013 ²⁶⁴	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Terrorism; Torture	Alleged sentencing of blogger, Naji Fateel to 15 years in prison in addition to allegations of torture. Before his arrest he had frequently given speeches during marches discussing the importance of documenting human rights violations. He was sentenced for attending illegal gatherings. Concern that his charges relate to his speeches and activities at marches and demonstrations. Concern his harsh sentencing is due to the anti-Terrorism law amendments. He allegedly was not offered fair legal counsel during interrogation, and allegedly did not receive a fair trial.	176	Received 05/11/2013: a forensic exam revealed no signs of ill-treatment while in detention. Fateel has confessed to involvement with the 14 February Coalition, with plans to overthrow the government and commit terrorist acts. ²⁶⁵
BHR 6/2013 – 28/08/2013 ²⁶⁶	Arbitrary Detention; Disappearances; Women in Law; Expression; Assembly; Human Rights Defenders; Judges; Torture; Violence and Women	Allegations of arbitrary detention, torture, ill-treatment, and lack of judicial safeguards of Rihanna al-Musawi and Nafeesa al-Asfoor , and arbitrary detention of Abas al-As-foor , for allegedly attempting to commit a terrorist act during the Formula 1 race. They were also charged with joining and illegal group. These allegations may be related to their human rights work and reveal a pattern of targeting women protesters.	166	Received 11/10/2013: the three confessed to planning a terrorist act. No evidence of physical abuse by the authorities was found during a medical examination. The three were detained for a period of sixty days. As they were handed over to the public prosecution, their detention has been renewed. ²⁶⁷

BHR 4/2013 – 30/07/2013 ²⁶⁸	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Judges; Torture	Allegations of torture or other cruel, inhuman or degrading forms of treatment of Zainab al-Khawaja , Mahdi Abu Dheeb , and Mohamed al-Maskati . Al-Khawaja was arrested during a peaceful sit-in and charged with taking part in an illegal gathering and insulting a police officer. Abu Dheeb was arrested on charges of "inciting hatred of the political regime" and "advocating regime change through force." Al-Maskati was charged with "participation in illegal protests" relating to a peaceful demonstration. Concern at procedural irregularities during the named individuals' trials.	152	Received 29/08/2013: File not found. ²⁶⁹
BHR 2/2013 – 10/05/2013 ²⁷⁰	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Torture	Concerning the allegations of the arrest, detention, and torture of Naji Fateel , a board member of the Bahrain Youth Society for Human Rights (BYSHR), and an active blogger and social media user who publishes daily messages on human rights issues. He has given daily speeches during marches discussing the importance of documenting human rights violations, and urging people to form monitoring committees. There are indications that Fateel's arrest, detention, and torture are related to his human rights activities.	139	Received 05/06/2013: Fateel is accused of establishing a terrorist group in order to suspend the Constitution and the law. The forensic medical examiner found no evidence of mistreatment. ²⁷¹
BHR 11/2012 – 09/11/2012 ²⁷²	Arbitrary Detention; Expression; Assembly; Human Rights Defenders	The alleged banning of all public rallies and gatherings in Bahrain and the arrest and detention of Sayed Yousif Al-Muhafidhah and Jalila al-Salman . AlMuhafidhah was detained for "participation in illegal protests." Al-Salman was detained on charges of "inciting hatred of the regime," and "attempting to overthrow the ruling system by force," and "encouraging illegal protests."	122	2 replies received. Reply 1) 07/12/2012: the two in question were actively involved in destructive behaviors against the government. Public gatherings are permitted when the state is not concerned for the safety of its citizens. ²⁷³ Reply 2) 14/12/12 is a reiteration of the need to ban protests to restore public order. ²⁷⁴
BHR 7/2012 – 09/08/2012 ²⁷⁵	Arbitrary Detention; Expression; Assembly	Concerning the arrest and detention of four unnamed individuals aged 20 and below during a reportedly peaceful anti-government demonstration, and charged with rioting and "illegal gathering." The charges may be linked to the exercise of their rights to freedom of opinion and expression and of peaceful assembly.	101	Received 04/10/2012: the suspects admitted to various charges related to burning tires, riotous assembly, disturbing the peace. ²⁷⁶
BHR 6/2012 – 24/07/2012 ²⁷⁷	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Judges	Regarding the arbitrary arrest, arbitrary detention, and forthcoming trial and sentencing of human rights defender Nabeel Rajab , who posted comments via Twitter directed at the Prime Minister, and was charged with alleged libeling of the residents of the town of al-Muharraq. Concern regarding the fairness and transparency of his trial.	94	Received 24/08/2012: Rajab's use of Twitter and his comments were "excessive and beyond the legal limits and precepts governing the exercise of political or human rights activities." ²⁷⁸
BHR 5/2012 – 29/06/2012 ²⁷⁹	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Torture	Regarding repeated restrictions on the holding of peaceful demonstrations and the excessive use of force by law enforcement during peaceful assemblies. Authorities repeatedly denied protesters the necessary authorization to legally demonstrate. Law enforcement allegedly used excessive force to halt unauthorized and attempted demonstrations, arresting a number of demonstrators. Authorities also arrested, detained, and subjected a 21-year-old student to psychological pressure and threats.	88	Received 02/08/2012: allegations that authorities restrict public freedoms and impose undue restrictions on peaceful assembly are false. Not only did the Ministry of Interior (MOI) allow marches, but demonstrators themselves broke the law. The MOI has legal grounds for denying the holding of assemblies. ²⁸⁰
BHR 18/2011 – 09/09/2011 ²⁸¹	Arbitrary Detention; Expression; Assembly; Human Rights Defenders; Torture	Concerning the arrests, detention, harassment, and stigmatization of human rights defenders and their relatives , particularly Hasan Abbas al-Omran , Ibrahim Sharif , Abduljalil al-Singace , Abduljalil Mansoor Makk , Abdulhadi al-Khawaja , Saeed Abdulnabi Shebab , Akeel Ahmed al-Mafoodh , and Mahdi Abu Dheeb for their participation in protests, speaking out against the government, and discussing human rights abuses and violations. Several of the named individuals were allegedly subjected to ill-treatment and torture.	60	Received 15/12/2011: the persons mentioned have been found guilty of inciting hatred of the regime or other public disturbance that can interfere with national unity and security. Bahrain follows all international standards in terms of arrest, interrogation, and imprisonment, and has put mechanisms in place to address any complaints. ²⁸²
BHR 16/2011 – 08/07/2011 ²⁸³	Arbitrary Detention; Expression; Assembly; Judges; Torture	Concern regarding Concerning the case of a number of individuals including Mohammed al-Buflasa's Buflasa regarding his detention and trial. Al-Buflasa allegedly "[broke] the Bahrain Defense Force law," and is a member of a "sedition ring." It is alleged his arrest is for protesting corruption and lack of equal economic opportunities. Al-Buflasa was reportedly ill-treated by prison authorities. His lawyer faced significant trouble defending him.	43	Received 09/08/2011: al-Buflasa was convicted by a competent court on charges of undermining public security. He has been assured all judicial guarantees. ²⁸⁴

BHR 6/2011 — 21/04/2011 ²⁸⁵	Arbitrary Detention; Disappearances; Human Rights Defenders	Concerning the arrest of human rights lawyer Mohammed al-Tajir , and his detention in an undisclosed location. His fate and whereabouts remain unknown.	File not found.	Received: 07/06/2011: file not found. ²⁸⁶
BHR 4/2011 — 22/03/2011 ²⁸⁷	Arbitrary Detention; Disappearances; Expression; Human Rights Defenders	Concerning the harassment and arbitrary arrests of human rights defenders Abduljalil al-Singace , Hassan Mushaima , AbdulGhani al -Kanja , and Abdulhadi al-Khawaja . Al- Singace's and Mushaima's fates and whereabouts remain unknown. Al-Khawaja has received death threats.	File not found.	Received: 26/04/2011: file not found. ²⁸⁸
BHR 3/2011 — 18/03/2011 ²⁸⁹	Arbitrary Detention; Expression; Human Rights Defenders; Summary Executions; Torture	Concerning the security forces' excessive use of force against protestors resulting in the deaths of the three victims and the arrest of five opposition leaders: Hassan Mushaima , Ibrahim Sharif , Abdulwahab Hussain , Kareem Radhi Hassan al-Hadad , Abdul Jalil al-Sankees , Ali al-Ekri and Mohammed al-Buflasa . Al-Buflasa was detained and then put on trial. Police attacked protest camps , medical personnel , NGO premises , and the offices of al-Wasat newspaper.	4	2 replies received. Reply 1) 20/04/2011: the MOI categorically denies the incidents mentioned took place. ²⁹⁰ Reply 2) 14/12/2012: medical professionals were charged with felonies, not treating patients. The reporting bodies like Human Rights Watch and Physicians for Human Right used flawed methodology. ²⁹¹

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Endnotes

*A copy of the annex is available on ADHRB's website.

¹ *Communication concerning Sheikh Ali al-Salman*, ibid. note 7.

² United Nations, Officer of the High Commissioner for Human Rights, *Communication concerning the arrest of Sheikh Maytham al-Salman*, AL (21 August 2015), available at [https://spdb.ohchr.org/hrdb/31st/public_-_AL_Bahrain_21.08.15_\(5.2015\).pdf](https://spdb.ohchr.org/hrdb/31st/public_-_AL_Bahrain_21.08.15_(5.2015).pdf).

³ United Nations, Officer of the High Commissioner for Human Rights, *Communication concerning the temporary suspension of independent newspaper al-Wasat*, AL (18 August 2015), available at [https://spdb.ohchr.org/hrdb/31st/public_-_AL_Bahrain_18.08.15_\(4.2015\).pdf](https://spdb.ohchr.org/hrdb/31st/public_-_AL_Bahrain_18.08.15_(4.2015).pdf).

⁴ Government of Bahrain, *Response to "Communication concerning the temporary suspension of independent newspaper al-Wasat"*, (22 October 2014), available at [https://spdb.ohchr.org/hrdb/31st/Bahrain_22.10.14_\(4.2015\).pdf](https://spdb.ohchr.org/hrdb/31st/Bahrain_22.10.14_(4.2015).pdf).

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⁷ *Communication concerning the arrest and detention of Sheikh Ahmed Ali al-Salman*, ibid. note 7.

⁸ Government of Bahrain, *Response to "Communication concerning the arrest and detention of Sheikh Ahmed Ali al-Salman,"* HRC/NONE/2015/20 (12 February 2015), available at https://spdb.ohchr.org/hrdb/29th/Page_-_missing_translation.pdf.

⁹ *Communication concerning Maryam al-Khawaja, et al.*, ibid. note 12.

¹⁰ United Nations, Office of the High Commissioner for Human Rights, *Communication concerning the arrest of Nabeel Rajab upon his return from Europe*, UA (14 October 2014), available at [https://spdb.ohchr.org/hrdb/28th/Public_-_UA_Bahrain_14.10.14_\(13.2014\).pdf](https://spdb.ohchr.org/hrdb/28th/Public_-_UA_Bahrain_14.10.14_(13.2014).pdf).

¹¹ Government of Bahrain, *Response to "Communication concerning the arrest of Nabeel Rajab upon his return from Europe,"* HRC/NONE/2014/128 (24 November 2014), available at [https://spdb.ohchr.org/hrdb/28th/Bahrain_24.11.14_\(13.2014\)_Trans.pdf](https://spdb.ohchr.org/hrdb/28th/Bahrain_24.11.14_(13.2014)_Trans.pdf).

¹² United Nations, Officer of the High Commissioner for Human Rights, *Communication concerning Maryam al-Khawaja's arrest for human rights work*, UA (3 September 2014), available at [https://spdb.ohchr.org/hrdb/28th/public_-_UA_Bahrain_03.09.14_\(12.2014\).pdf](https://spdb.ohchr.org/hrdb/28th/public_-_UA_Bahrain_03.09.14_(12.2014).pdf).

¹³ United Nations, Office of the High Commissioner for Human Rights, *Communication concerning the arrest, torture, and coerced confessions of nine Bahrainis*, UA (14 August 2014), available at [https://spdb.ohchr.org/hrdb/28th/Public_-_UA_Bahrain_14.08.14_\(11.2014\)_Pro.pdf](https://spdb.ohchr.org/hrdb/28th/Public_-_UA_Bahrain_14.08.14_(11.2014)_Pro.pdf).

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²¹ Government of Bahrain, *Response to "Communication concerning Ahmed Fardan,"* (11 February 2014), available at [https://spdb.ohchr.org/hrdb/25th/Bahrain_11.02.14_\(1.2014\)_Trans.pdf](https://spdb.ohchr.org/hrdb/25th/Bahrain_11.02.14_(1.2014)_Trans.pdf).

²² United Nations, Officer of the High Commissioner for Human Rights, *Communication concerning an unnamed Bahraini national and student*, AL G/SO 214 (53-24) Assembly & Association (2010-1) (26 November 2013), available at [https://spdb.ohchr.org/hrdb/24th/Public_-_AL_Bahrain_26.11.13_\(8.2013\)_Pro.pdf](https://spdb.ohchr.org/hrdb/24th/Public_-_AL_Bahrain_26.11.13_(8.2013)_Pro.pdf).

²³ Government of Bahrain, *Response to "Communication concerning an unnamed Bahraini national and student,"* (23 January 2014), available at [https://spdb.ohchr.org/hrdb/25th/Bahrain_23.01.14_\(8.2013\)_TPro.pdf](https://spdb.ohchr.org/hrdb/25th/Bahrain_23.01.14_(8.2013)_TPro.pdf).

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- ²⁸ *Communication concerning amending the 2006 Law on the Protection of Society from Acts of Terrorism*, ibid. note 20.
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