

**Universal Periodic Review (UPR) NGO Alternative Report
(41st Session)**

Bahrain

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Islamic Human Rights Commission (IHRC) is a not-for-profit campaign, research and advocacy organisation founded and based in the United Kingdom. It was set up in 1997 and works for redress of human rights violations and a better understanding of rights and norms across confessional, ethnic, national, political and other boundaries.

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Bahrain:

Pursuant to the 2017 UPR, concerns persist about Bahrain's continued violations of human rights. Bahrain's government has continued its campaign of repression against its own citizens in the last eleven years from the start of the Bahraini national protest movement, driven by calls for the respect for human rights, democratic reforms and an end to corruption.

The current report is concerned with human rights violations in the following areas:

State's violence and impunity

1. Bahrain is amongst the most heavily policed countries in the world, with approximately 46 Ministry of Interior (MOI) personnel for every 1,000 citizens. The Ministry of Interior police force is described as the single most abusive government agency in Bahrain, with more than 3,000 specific rights violations attributable to MOI agencies from 2011 to 2020, including arbitrary detention, torture, rape and extrajudicial killing.
2. Ad-hoc measures enforced through violence and human rights violations have been entrenched into Bahraini law with the objective of suppressing any form of dissent. In February 2017, under the guise of counter-terror measures, Bahrain's parliament approved a constitutional amendment aimed at repealing a constitutional principle which prevents military courts from trying civilians. Military courts have been set up to try those charged with political offences that have been deemed to be acts of treason. Furthermore, Bahrain's government restored law enforcement powers to the National Security Agency (NSA), which was directly involved in the arbitrary detention, enforced disappearance and torture of civilians in 2011.
3. The oversight mechanism through the MOI Ombudsman's service has failed to hold police accountable, and referred just 5% of cases for serious prosecution. To date, the Prosecution Agency has proved incapable of effectively addressing complaints of torture brought before them, despite widespread reports of it at specific sites, with detainees often identifying the agency and sometimes the name and rank of the alleged torturers.
4. The senior-level officer cadre is virtually immune from prosecution and has been continuously promoted since 2011 with the explicit approval of the King, Prime Minister, or Interior Minister. Reportedly, of 12 senior commanders within the MOI's top 8 abusive units, every single one reached a higher rank or command post despite evidence of severe rights violations. Just one faced prosecution, and he was promptly acquitted and promoted.

Arbitrary Detention

1. Bahrain has the highest rate of mass incarceration in the Middle East. As for 2019, human rights organizations reported that at least one in every 635 Bahrainis has been arbitrarily detained, disappeared, tortured, raped, killed, or otherwise abused by the police. Accordingly, the MOI has been directly implicated in almost 600 cases of torture and 500 arbitrary detentions, with personnel committing around 400 specific human rights violations, including 13 sexual assaults, per year.

Political prisoners

1. Bahrain has the highest incarceration rate for political prisoners anywhere in the Middle East. As of March 2020, approximately 4000 people out of a population of just 650,000 inhabitants were in prison for their political activities. Twelve of the country's most prominent Shi'a civic, religious and political leaders remain in prison. Eleven had been in prison since 2011 for their participation in mass opposition demonstrations that year.
2. Prisoners of conscience are often held on specious charges and coerced through torture into confessing to criminalised political activity or "terrorist" activities, based on their legitimate human rights activism. In 2020, the Court of Cassation rejected 48 out of 49 appeals from a mass trial of 169 individuals charged with joining a terrorist organization. A group trial of 39 Shi'a defendants, including 14 children, concluded with prison sentences for all defendants, some of whom were prevented from attending court for the verdict. In November of the same year, another mass trial of 52 alleged members of a "terrorist cell" concluded with 51 convictions.
3. In March 2020, 1,486 prisoners were released on compassionate grounds due to Covid-19, including 394 detainees who were imprisoned on political charges. Most of those released were juveniles, patients who needed special care, and foreigners. The releases so far have excluded opposition leaders, activists and human rights defenders – many of whom are older, with some also having underlying medical conditions.

Torture and the use of death penalty

1. Torture is systematically perpetrated by Bahraini officials in government buildings and prisons, reportedly most of them at the Criminal Investigation Directorate (CID) headquarters facility. The patterns of torture include: blindfolding and handcuffing, forced standing, sleep deprivation, severe beatings, the use of electro-shock devices and cigarette burns, beating soles of feet, verbal abuse and threats of rape, sexual abuse and rape, hanging, solitary confinement, exposure to extreme temperatures and other humiliating and degrading techniques. According to many HR organizations, minors are also exposed to ill-treatment, torture and jail.
2. These patterns of torture have become an intrinsic part of the Bahraini justice system, where torture is used to extract forced confessions under duress for vague and spurious charges. These confessions are then routinely used as admissible, incriminating evidence in trials. Local organizations reported that at least five of the six individuals executed by Bahrain government in 2020 were convicted on the basis of confessions obtained under torture in trials (*see case of Husain Ali Moosa's complaint against Prosecution's Special Investigation Unit*).
3. The resumption of executions, started in 2017 with five executions by firing squads, formally has ended a de facto moratorium on the death penalty in place since 2010. In July 2020, the Court of Cassation, Bahrain's highest judicial authority, upheld for the second time the death sentences handed down in 2014 on Mohamed Ramadhan Isa and Husain Ali Moosa.

Revocation of citizenship

1. Shia dissidents, members of the political opposition and Shia clerics have been charged with "acts of terrorism" and denaturalised by the government either under the Bahrain Citizenship Act or Protection of Society against Acts of Terror Law, both of which allow the authorities to revoke the citizenship of any person deemed to have "harmed the interests of the Kingdom". The

government did not report how many persons had their citizenship revoked; international human rights NGOs placed the total number at more than 700 since 2012.

Religious discrimination and Sectarianism against Shia majority

1. Since June 2016, there has been a dramatic increase in arrests, interrogations and charges laid against 75 Shia religious clerics, including on the grounds of “illegal assembly”, “inciting hatred against the regime” or “offending the Constitution”.
2. A major source of conflict has been the use of Sunni foreign recruits in the security services by Bahraini authorities. They have been seen by protesters, especially from the Shia community, as “the repressive arm of the state”, brought in to ruthlessly quell protests. The use of mercenaries, mostly recruited from Saudi Arabia and Pakistan, and the adoption of a sectarian security policy, is trying to foment sectarian division in the country, and risks the country being drawn into a civil war.

Curbing dissent and political opposition

1. Protests and associated violence have been repressed in the run-up to the eleventh anniversary of the beginning of the Shi'a uprising of 2011 throughout the country, particularly in the predominantly Shi'a towns outside of Manama, such as Abu Saiba, Al-Dair, Al-Markh, Buri, Diraz, Karbabad, Ma'ameer, Malkiya, Shakhura, and Sitra. First-hand witnesses reported the use by the police of stun grenades, beating, the illegal arrests, birdshot pellets, rubber bullets, and tear gas.
2. In 2021, Bahraini police used unnecessary and disproportionate force to dismantle a peaceful sit-in at the Jau prison, against detention conditions, in particular, the lack of access to medical treatment.

Recommendations:

Despite the intensified efforts in the last three years by the international community, culminating in three EU resolutions, four EU parliamentary questions and three UN reports by the High Commissioner for Human Rights, the Special Rapporteur on Extrajudicial Killings and the Special Rapporteur on Torture, IHRC is deeply concerned that the human rights situation in Bahrain continues to deteriorate.

Therefore, IHRC condemns the government of Bahrain's entrenchment of human rights violations and urges the following actions to be undertaken by the UN and international community:

1. To immediately stop approving all arms exports to Bahrain to prevent Bahrain's police forces from violating the human rights of its citizens.
2. To challenge the use of torture by police and security services at the highest levels possible. Bahrain must be pressured to end the culture of impunity that ensures that both the policymakers and perpetrators of torture remain in positions of authority.

3. To urge democratic reforms to take place, strike off citizenship revocation laws and allow human rights defenders and activists to freely express themselves and to report human rights violations in Bahrain.
4. To firmly condemn the use of mercenaries and foreign recruits in Bahrain and push the issue to the top of human rights priorities in 2022.

IHRC urges the following actions to be undertaken by the Bahraini government:

1. To establish an independent and effective national preventive mechanism in compliance with the Optional Protocol to the Convention against Torture requirements, by strengthening the Office of the Ombudsman of the Ministry of the Interior, the Ombudsman of the National Security Agency and the Special Investigations Unit.
2. To immediately drop all trumped-up charges towards all political prisoners and to unconditionally released them.
3. To allow invitation to UN Special Procedures for the visit of UN Special Rapporteurs