



**Follow up  
report on the  
recommendations  
made to  
The Kingdom of  
Bahrain  
during the  
Universal Periodic  
Review in  
May 2012**







Follow up report on the recommendations made to  
The Kingdom of Bahrain  
during the Universal Periodic Review in  
May 2012

For further informations or queries please contact  
the **Bahrain Freedom Spring** team

[info@bahrainfs.org](mailto:info@bahrainfs.org)

[twitter](https://twitter.com/bahrainfs)  /bahrainfs

[www.bahrainfs.org](http://www.bahrainfs.org)

## Introduction

In September 2012 the Human Rights Council in The United Nations will follow up on the recommendations made to The Kingdom of Bahrain in May earlier that year. During the last 4 months the people of Bahrain experienced no change in circumstances with human rights abuses continuing, demonstrating a reluctance from those within official ranks to make real changes. During the May Universal Periodic Review the President of the Human Right Council, Ms Laura Dupuy Lasserre made an unprecedented move by publicly asking the Bahrain government to avoid reprisals against the opposition attendees of the United Nations Universal Periodic Review. Ms Dupuy Lasserre said that she was

“informed about a media campaign taking place in Bahrain identifying and threatening representatives of civil society who came to Geneva who came to participate in this review, giving these press reports I would like to express my concern at those incidents reminding you that intimidation is inconsistent with the spirit of democratic participation which inspires this UPR and this mechanism in the council, for this reason I wish to remind you we are all and duty bound to make sure that nobody is persecuted on his return to his country for having participated in meetings for the human rights council or other bodies.

Also genuinely involve all civil society interested in the implementation of this 3rd review. Im making this appeal on the basis of a decision of this council which is quite clear in paragraph 30 in establishing the fact that the council energetically rejects any attempt at intimidation or reprisals against persons or groups cooperating or having cooperated with the United Nations their representatives and their HR mechanisms. We urge states to prevent such acts and to provide adequate protection in that respect”

Bahrain Freedom Spring has put together a selection of the recommendations made by various countries last May and contrasted them with events that are in directed violation of what has been recommended. The booklet is split into 11 sections:

- **Protection of Human Rights Defenders**
- **Excessive Use of Force**
- **Torture**
- **Freedom of Expression**
- **Freedom of Assembly**
- **Arbitrary Arrest**
- **Fair Trials/Law Proceedings**
- **Death penalty**
- **Accountability**
- **Migrant Workers Rights**

We were unable to include all recommendations made in this summary report, however this does not indicate a level of important, merely urgency in the repeated human rights violations that take place under the above sections. We hope that this

booklet provides readers with a snapshot of events that have taken place in Bahrain from May 2012 until early September 2012.

The information in this booklet has been gathered and verified through independent means, as well as with the help of the following groups and organisations:

- Bahrain Centre for Human Rights (BCHR)
- Bahrain Youth Society for Human Rights (BYSHR)
- Alwefaq
- Bahrain Mirror
- Alwasat Newspaper
- Bahrain Press Association
- Working Group on Bahrain Report - May 2012

Bahrain Freedom Spring is a human rights organisation committed to the idea of using knowledge to empower individuals in order for them to bring about real change and an end to human rights violations in conflict areas.

Disclaimer: this booklet includes images that some readers may find disturbing.  
All information provided in this booklet was true on the day of printing.

## Protection of Human Rights Defenders

The Declaration on human rights defenders refers to **“individuals, groups and associations ... contributing to ... the effective elimination of all violations of human rights and fundamental freedoms of peoples and individuals”** in May 2012 (Human Rights Council Session 21) during Bahrain Universal Periodic Review UPR countries made recommendations to the Government of Bahrain to stop reprisal against human rights defenders.



**Spain:** Cease all intimidation or repression against human rights defenders, journalists and Non-Governmental Organisations.

(UPR Recommendation)



**Norway:** Human rights defenders must be protected and allowed to conduct their work without hindrance, intimidation or harassment.

(UPR Recommendation)

Since Bahrain's UPR Session at the Human Rights Council in May 2012 the following events took place in Bahrain in direct opposition to the above recommendations:

### Nabeel Rajab

President of the BCHR, Director of the GCHR and FIDH Deputy Secretary General was arrested on 09/09/2012 by masked security forces and later sentenced to 3 months because of a tweet in social media website Twitter.

### **Zainab Al-Khawaja**

Independent human right activist was once again arrested on 02/08/2012 while she was protesting alone at Al-Qadam roundabout against the arbitrary detention of her father Mr. Abdulhadi Al-Khawaja.

### **Said Yousif Al-Muhafda**

Head of Monitoring & Follow Up at Bahrain Centre for Human Rights was stopped at a check point and beaten in front of his 2 daughters then arrested and interrogated for 2 hours on 15/08/2012.

### **Alham Al-Kuzai**

Human right activist and Head of Women Affairs at Al Wafaq society was banned from traveling to Tunisia to participate in an event organised by Amnesty International on human rights in Bahrain on the 03/08/2012.





## Excessive Use of Force

“The use of tear gas in particular has reportedly resulted in a number of deaths of protestors and bystanders – and that number has reportedly risen in recent months,” March 2012 - Rupert Colville, Office of the UN High Commissioner for Human Rights.



**Germany:** Ensure that security forces respond proportionally and with the utmost restraint to non-peaceful protests.

(UPR Recommendation)



**Czech Republic:** Investigate the deaths in government custody.

(UPR Recommendation)



**Italy:** Investigate properly all alleged cases of mistreatment and torture and establish accountability of those responsible.

(UPR Recommendation)





Since Bahrain's UPR Session at the Human Rights Council in May 2012 the following events took place in Bahrain in direct opposition to the above recommendations:

### **Ahmed Al-Naham**

5 years old child from Al Dair has been left partially blind (lost his left eye) after he was shot with birdshot pellets by security forces on 13/06/2012.

### **Mohammed Sahwan**

36 years old from Sanabis, inflicted with 80 shrapnel in his head and neck, denied medical treatment in the prison of Bahrain. He was injured on 17/04/2011.

### **Hussam Al Haddad**

16 year old boy from Muharraq, was reportedly killed on the night of 17/08/2012, by Bahrain security forces who continue to use excessive force against protesters.

These are only a few examples of many cases being documented on a daily basis in several villages and areas around Bahrain.

It is worth mentioning that the excessive use of tear gas have resulted in at least 15 casualties and over 20 miscarriages among pregnant women who inhaled the toxic gas, 5 of which are in between the month of June 2012 and September.

Despite many reports by the international community, the Bahrain government is still excessively using toxic gases shot at houses directly and not to disperse protesters.



## Torture

“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” Article 5 of The universal Declaration of Human Rights.

Article 2 of the United Nations Convention Against Torture prohibits torture, and requires parties to take effective measures to prevent it in any territory under its jurisdiction. This prohibition is absolute and non-derogable. **“No exceptional circumstances whatsoever”** may be invoked to justify torture, including war, threat of war, internal political instability, public emergency, terrorist acts, violent crime, or any form of armed conflict.



**Spain:** Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the First and Second Optional Protocols to the International Covenant on Civil and Political Rights; the International Convention for the Protection of all Persons against Enforced.

(UPR Recommendation)



**Uruguay:** Bring in line the definition of the crime of torture with the Convention against Torture and accede to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Uruguay); Bring in line the definition of the crime of torture with the Convention against Torture and accede to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

(UPR Recommendation)

Since Bahrain's UPR Session at the Human Rights Council in May 2012 the following events took place in Bahrain in direct opposition to the above recommendations:

### **Sayed Hashim Salman Juma**

18 years old, from Malkiya village. he was beaten with batons, electrocuted 7 times on his back, attempts were made to set his hair on fire, when those failed water was poured on him. He was then taken to a deserted farm and told to run.

### **Yousif Al-Ajmi**

From Abu Saiba village was arrested on 08/06/2012 and was deprived of sleep, food and not allowed to pray for at least 24 hours before interrogation. Water was poured on him then he was made to stand against an air- conditioning unit. He was handcuffed at all times, threatened with rape and subjected to ruthless psychological torture.



## Freedom of Expression

“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.” Article 19 of The universal Declaration of Human Rights.

---



**Norway:** Release unconditionally the individuals who were convicted by special courts, or are awaiting trial, for merely exercising their fundamental rights of expression and assembly.

(UPR Recommendation)



**Austria:** Repeal or amend the 2002 Press Law eliminating all restrictions upon the freedom of the press not in line with relevant provisions of the ICCPR.

(UPR Recommendation)



**Switzerland:** Release persons imprisoned as required by freedom of expression and repeal all legislation that criminalises the exercise of this right.

(UPR Recommendation)

Since Bahrain's UPR Session at the Human Rights Council in May 2012 the following events took place in Bahrain in direct opposition to the above recommendations:

### **Ahmed Radhi**

Bahraini journalist and blogger was arrested after his house was raided at dawn on 16/05/2012. Public prosecution accused him of “illegal gathering, storing Molotovs for terrorism purposes”. Whereas it is obvious that he was arrested because of his articles published in his blog. It is worth mentioning that during the Human Right Council last May, Bahrain's minister for human rights Dr. Salah Ali stated in public that there are no prisoners of conscience in Bahrain. Mr. Rahdi remains in prison.

### **Islamic Action Society (Amal)**

Was closed down on 09/07/2012 after Bahrain's justice minister asked the court for the closure on the basis “major violations” of Bahrain's constitution and laws. The move is a major violation of freedom of expression. Islamic Action Society supported the popular uprising on February 14 last year and most of their members are either in exile or in jail. Current chairman Shiekh Mohammed Ali Al-Mahfoodh is serving a 25 years jail sentence after he was tried in a military court.

According to initial figures collected by NGOs in Bahrain over 5000 people have been arbitrarily arrested and 4500 dismissed from the jobs (both private and public sector) between 2011-2012 in Bahrain for expressing their views.

The background image features a large, white, abstract sculpture of a person with their arms raised, standing in a public square. The sculpture is composed of thick, rounded forms. In the background, there is a modern, multi-story building with a grid-like facade. The foreground is filled with a dense crowd of people, and the overall scene is bathed in a soft, blue and purple light, suggesting a sunset or sunrise. The text is overlaid on the right side of the image.

## Freedom of Assembly

“Everyone has the right to freedom of peaceful assembly and association.”  
Article 20(a) of  
The universal  
Declaration of  
Human Rights.

“The fact that a peaceful protest has not been granted an official permit does not justify arbitrary arrest or the unnecessary or disproportionate use of force by police.” Amnesty International's Deputy Director for MENA Hassiba Hadj Sahraoui



**Slovakia:** Align the national legislation on freedom of expression, association and assembly with country's international HR obligations.

(UPR Recommendation)



**France:** Accept the visit of the Special Rapporteur on Freedom of assembly and association.

(UPR Recommendation)

Since Bahrain's UPR Session at the Human Rights Council in May 2012 the following events took place in Bahrain in direct opposition to the above recommendations:

On the 22/06/2012 thousands of people gathered protesting against the Government. Led by opposition societies carrying nothing but flowers, they were tear gassed, shot with bird shots and stun grenades. Ali Al-Mually, 27 years old, was seriously injured in the head after his was hit directly with a tear gas canister. He is still in hospital.

Peaceful protesters are being attacked on a daily basis for demonstrating in their area. This has been routine for over a year, analysts and observers describe it as an "unannounced martial law".



## Arbitrary Arrest/Detention

“No one shall be subjected to arbitrary arrest, detention or exile.” Article 9 of The universal Declaration of Human Rights.

“Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.” Article 9(1) of the International Covenant on Civil and Political Rights.



**Netherlands:** Entrench in the standard procedures that every person arrested be given a copy of the arrest warrant and no person should be held incommunicado. In any event, all detention should be subject to effective monitoring by an independent body.

(UPR Recommendation)





**Czech Republic:** Investigate and prosecute all those responsible for torture and ill-treatment, unlawful killings and widespread arbitrary arrests.

(UPR Recommendation)

Since Bahrain's UPR Session at the Human Rights Council in May 2012 the following events took place in Bahrain in direct opposition to the above recommendations:

It is very hard to keep track of arbitrary arrests in Bahrain as there are night house raids taking place almost on a daily basis in villages. Since June in Aldair village alone, there has been 33 arbitrary arrest cases. 41 in Sitra, 37 in Nuwidrat and many other villages.

According to figures we collected, there are at least 150 arbitrary arrest cases since June 2012 around Bahrain, not taking into consideration cases of kidnaping. Most of the times police send a group of masked personnel to kidnap and beat ordinary civilians who they believe have taken part in protests.

After their ordeal they are left on the street covered in bruises and bleeding from various injuries sustained during their attack.





## Fair Trials

“Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.” Article 10 of The universal Declaration of Human Rights.



**Finland:** Ratify and fully align its national legislation with all obligations under the Rome Statute of International Criminal Court, including incorporating the Statute definition of crimes and general principles, as well as adopting provisions enabling cooperation with the Court, and to accede to the Agreement on Privileges and Immunities of the Court.

(UPR Recommendation)



**Belgium:** Incorporate into national law Bahrain's obligations under the International Covenant on Civil and Political Rights, the Convention against Torture and the Convention on the Rights of the Child.

(UPR Recommendation)

Since Bahrain's UPR Session at the Human Rights Council in May 2012 the following events took place in Bahrain in direct opposition to the above recommendations:

Bahrain's court has been described by many spectators as "Kangaroo Trails" where sentenced are being handed depending on the mood of the judge presiding over the case. Individuals who are arrested expect to be kept in custody for an average of 45 days, after which they face a judge who decided whether they are released or kept in jail.

In most cases those trialled received a jail sentence of 6 to 12 months in jail. Trials take place without a lawyer present, most often without the individual being aware that they will be put on trial that day.

The sentences at the military trials last year have upheld guilty verdicts and harsh jail terms – including life sentences – for many, some of which weren't turned to re-trial in civilian courts, which means sentences in military trials for activists and teachers on charges related to the protests earlier this year are still standing.

One of the original demands of the people of Bahrain were independent judiciary system that is not influenced by the royal family and this is yet to be realised.



## Death penalty

United Nations President Ban Ki-moon called on member states which use the death penalty to abolish this practice, stressing that the right to life lies at the heart of international human rights law. "The taking of life is too absolute, too irreversible, for one human being to inflict on another, even when backed by legal process" The High Commissioner for Human Rights, Navi Pillay, has also repeatedly called for the universal abolition of the death penalty.



**Austria:** Abolish the death penalty, introducing in the meantime a formal moratorium.

(UPR Recommendation)



**Italy & Spain:** Establish a moratorium on executions with a view to abolishing the death penalty.

(UPR Recommendation)

Since Bahrain's UPR Session at the Human Rights Council in May 2012 the following events took place in Bahrain in direct opposition to the above recommendations:

### **Ali Al Sinkais and Abdulaziz Al Taweel**

Have both been sentenced to death since the beginning of the uprising in Bahrain, their sentences are yet to be overturned. The 2 youth have faced and endured the brutal psychological and physical torture in prison to admit to a crime they did not committed. They were kept in solitary confinement to prevent them from hearing any news about their trial or their families. The death toll of those who died in prison through torture and out of prison due to wound or excessive use of force has now exceeded 100.

It is worth mentioning that Bahrain has executed protester Isa Qambar in the 1990s uprising on the 26/03/1996. A decision that has been condemned by many human rights organisations around the the world.



## Accountability

“Ensure that all those suspected of torture and unlawful killing, including those with command responsibility, or those who condoned or committed torture, unlawful killings and other human rights violations, regardless of their position or status in the government and ranking in the security and military forces, are held accountable, including in trials consistent with international fair trial guarantees and without recourse to the death penalty.”  
Amnesty International



**Germany:** Hold officials of all ranks accountable for their actions, especially regarding allegations of killings, torture and other ill-treatment.

(UPR Recommendation)



**Switzerland:** Without delay, carry out an in-depth inquiry into past and present allegations of torture as well as all allegations of excessive and illegal use of force and bring those responsible to justice.

(UPR Recommendation)



**Kuwait:** Develop procedures for accountability and compensation in place in accordance with best practices and related international standards.

(UPR Recommendation)

Since Bahrain's UPR Session at the Human Rights Council in May 2012 the following events took place in Bahrain in direct opposition to the above recommendations:

No high ranking officer or officials have been tried for their wrong doings since February 2011. A small number of low ranking police officers are said to be under trial, but they are not in prison and are still serving in their previous positions while their trial continues. Others were reshuffled within the existing policing framework.

No senior officials were held accountable for crimes such as torture or for failing to free protesters who were jailed for exercising their right to free expression and peaceful assembly. No resignations have been made by individuals directly involved in human rights abuses.



## Migrant Workers

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families takes into account also the principles and standards set forth in the relevant instruments elaborated within the framework of the International Labour Organisation, especially the Convention concerning Migration for Employment (No. 97), the Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (No.143), the Recommendation concerning Migration for Employment (No. 86), the Recommendation concerning Migrant Workers (No.151), the Convention concerning Forced or Compulsory Labour (No. 29) and the Convention concerning Abolition of Forced Labour (No. 105), Reaffirming the importance of the principles contained in the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organisation.



**Indonesia:** Step up its efforts in promoting and protecting migrant workers.

(UPR Recommendation)





**Algeria:** Continue efforts to ensure a larger and more inclusive protection for foreign workers.

(UPR Recommendation)



**Egypt:** Implements both procedural and legislative measures to protect to the utmost extent possible migrant workers in the country.

(UPR Recommendation)



**Lebanon:** Intensify efforts and measures to enhance and expand protection for migrant workers in Bahrain.

(UPR Recommendation)

Since Bahrain's UPR Session at the Human Rights Council in May 2012 the following events took place in Bahrain in direct opposition to the above recommendations:

Bahrain has a slow Judiciary process. Many cases which are filed by workers for cheating, abuse and labour law violations drag on indefinitely in the courts. In the interim period the worker is denied alternative employment and has no means to survive.

Lack of adequate numbers of Safety Inspectors in the Ministry of Labour. Often, accidents at the work place are not reported to the relevant authorities or even the Embassy of the involved migrant worker. In a number of cases the worker does not receive adequate compensation as prescribed by the labour laws.

Unhygienic and sub standard labour camps that provide accommodation to workers. The labour camps that house the workers do not meet the acceptable industry standards.

Since January 2012, there has been at least 35 reported cases of suicided amongst migrant worker in Bahrain, this has been links to the aforementioned conditions they are expected to live under.



- Security force personnel who have been accused of killing detainees in custody have been released by court, while over 1000 Bahrainis are in jail charged with «illegal gathering» and their sentences are renewed every 45 days. This clearly demonstrates the biased nature of the Bahrain justice system currently in place.
- Torture has now been outsourced from official police buildings to other buildings that belong to the security department such as the youth hotels and Budaiya stable. This information was passed on to the British advisor John Yates and he has refused to comment on it.
- Injured protesters are being treated at home due to fears for their safety should they seek treatment at a hospital. The Ministry of Health issued an order to all clinics, public and private, to report any injury being treated at their clinics to the authorities.

## About Bahrain Freedom Spring

### **Vision:**

- Working towards a peaceful and democratic Bahrain based on the principle of "one person, one vote".

### **Mission:**

- To bring together the various voices of the Bahraini movement abroad and to highlight the challenges of Bahrainis to officials and civil societies outside of Bahrain.

### **Goals:**

- To impartially represent the various voices of the Bahraini opposition.
- To advocate within government and civil societies by highlighting the plight and serve the interests of the people in Bahrain.
- To promote the self-determination of Bahraini people, giving them a sense of power and helping them achieve a legitimate government.
- To promote freedom and human rights.



[info@bahrainfs.org](mailto:info@bahrainfs.org)

[twitter](https://twitter.com/bahrainfs)  [/bahrainfs](https://twitter.com/bahrainfs)

[www.bahrainfs.org](http://www.bahrainfs.org)



Follow up report on the recommendations made to  
The Kingdom of Bahrain  
during the Universal Periodic Review in  
May 2012