

Notes on Bahrain side Event

Friday 15th March 2013

Theme: Bahrain two years after the uprising: progress or regress

Summary:

The side event organized by CIVICUS on the human rights situation in Bahrain two years after the uprising had the aim of putting Bahrain back under the spotlight but also coming up with a way forward towards an effective national dialogue and concrete steps to address the concerns reflected in the country's UPR debate. The balance sheet is quite clear, two years of continuous human rights violations with the targeting and harassment of human rights defenders. Almost total impunity seems to prevail. Being the eve of a national dialogue, human rights issues should not be held hostage to political dialogue. Indeed, as Sir Nigel Rodley, commissioner of the BICI reminded us, nothing shall be done that will jeopardize the outcome of that dialogue. However one may pose the question of how to assess the possibility of a dialogue? Shotguns are used against the population while at the same time the authorities are calling for dialogue. The participants seemed to agree that we are moving toward a one side discussion and there is an urgent need to have all the side around the table.

In an attempt to pave a way out of the crisis, Maryam Al Khawajahe encouraged the Bahrain government to accept the opening of an office of the High commissioner in the country, one with full mandate and not just offering technical support. She also encouraged the EU to exercise sanctions and ensure accountability of businesses that make provision of spyware technology enabling governments to target human rights activists. Human rights protection can be made effective through an approach of conditionality in political and commercial relationships between states.

CIVICUS, through the vibrant voice of Nada Dhaif called the attention of the Human Rights Council to the possibility of reprisal against human rights defenders just as Mohamed Albuflasa for cooperating with the United Nations in the field of human rights. She strongly underlined the necessity to take measures in preventing such reprisals.

Sir Nigel Rodley

Commissioner of the Bahrain Independent Commission of Inquiry

I was very excited and I remain grateful to have been a member of the commission. This commission is the first commission of enquiry set up by the government, a strong attraction. We had a hard task. We had to do in four months what the Bloody Sunday enquiry in Ireland took 10 months to do. It still wouldn't have happened without the absolute cooperation of the Bahrain government. We had to cover a lot of cases- people sacked, killed while demonstrating, torture, arrest. The situation continued while we were working. I won't be speaking too much about the

aftermath. I had such access to such excellent information while I was on the commission. I will be measured in what I say about the aftermath. The government was not trying to hide our mandate from us; we came up with a load of recommendations. One of the issues was the almost complete impunity that was occurring. The commission looked at the different issues in its mandate. It is now clear that there has been some movement. It isn't clear how much. It isn't clear to me how high up it goes. Another area of concern was that we felt that all political prisoners should be released and have their records expunged, many are still being denied the possibility of work. They haven't been reinstated and some are serving quite long sentences. I am not clear as to what progress has been made on the integration of security forces. There has been a lot of lip service without clear absorption of our report. It is very encouraging to hear that there is a dialogue underway and that they will not do or say anything that will jeopardize the outcome of that dialogue. We have to believe that some people on either side are in favor of the dialogue. I would like to see greater implementation of the recommendations, central to a full building of dialogue. I do not think human rights issues should be held hostage to political dialogue. But that doesn't mean that they should be used to scupper political dialogue. The issues must be redressed and repaired. Criminal human rights offenders must be brought to justice. I am aware that some of the recommendations have been implemented to some extent. Others not yet. Almost total impunity seems to prevail. I will like to see more implementation of the recommendations done.

Nada Dhaif

Chair of Bahrain Rehabilitation and Anti-Violence Organisation

I will bring you to a quick journey to evaluate the situation in Bahrain. Your presence sends the message that we are not alone. Each one here has the capacity to change the future of the people in Bahrain.

(Pictures shown)

- Use of teargas for collective punishments. It is thrown indiscriminately. In cars, homes, mosques and schools. It is used to suffocate people and even kill them.
- Targeting and harassing Human Rights defenders

I was jailed, in a solitary confinement, it kills you. I want to live and to be strong and to expose their crimes, individuals murdered by the security forces. Nothing happens to them- this is the culture of impunity. In Bahrain there are two laws- for protestors and for security forces. There is a polarised and unfair judicial system.

Noor Al khalifa (member of the royal family) tortured the speaker. Case could not make it to court. People are praying in the street because 38 mosques were demolished as a reprisal by the regime. Have you ever heard of arresting and detaining a corpse (body kept for 7days) in Bahrain? Police are unfriendly, they are there to harm and kill people. Shoot to cause maximum damage. **Shotgun used to kill a 14 year old child at short range while at the same time the authorities are calling for dialogue.** Mohamed was 17 years old when he lost his eye. The

doctors who are supposed to treat them are behind bars or pressured by the regime to not treat. I do not want to see my child arrested, they are arresting children. 11 year olds arrested, they are arresting the future of Bahrain. We don't want your pity but your action.

Calling on you under the name of humanity, of democracy, freedom that you are enjoying to support us and help us protect the future of our country!

Yacoob Seyadi

Writer and Journalist, analyst and political activist

Renate Bloem introducing Yacoob Seyadi asked: How do you assess the possibility of a dialogue?

I will speak to you about the possibility of dialogue in Bahrain, we are governed by tribal laws and all this is the absence of state institution and laws. It rejects the publication of the dialogue and by political corruption and the policy of naturalisation and dialogue. They selected people who are not the representatives of the people. Members of the party do not have any hope of dialogue. Each dialogue should gather different parties with the objective of reaching consensus. This party can accept or reject them and the dialogue continues and we have the negotiations. We have attempts to make the violence sectarian when it is not. They are not doing this but simply defending their interest. It was on 23 August 1975 when the assembly was dissolved and its representatives sent home and the royal family took the power for themselves. There were attempts to use fake constitution to allow people to become citizens to help the royal families. We cannot speak of any acceptable laws defending human rights inside Bahrain and we do not have any institution that can help prevent atrocities. There is no institution that can receive claims/complaints of human rights violations. Impunity is imposed on us by the authorities and we cannot tolerate the present situation. We must react.

Renate Bloem: All the sides should be around the table. So far it is only a one sided dialogue

Julie Grommelon

FIDH

The situation HR defenders in Bahrain are facing. **Judicial observation of Nabeel Rajab trial. Report available [“Bahrain: Sentenced to two years in prison for advocating and exercising the right to peaceful assembly”](#)**. Nabeel Rajab, due to his notoriety, was one of the few people to have been arrested. His detention is worrying. His arrest constitutes a very worrying message sent by the Bahrain authorities.

September - December 2012, mission to Manama made by FIDH. The report shows that the trial of Nabeel failed to conform to international standards of a fair trial. He is held in a prison with normal prisoners whereas prisoners of conscience are locked up together. We believe that his detention was arbitrary. Criminalising and silencing human rights defenders. The Bahraini authorities have committed several times to implement the recommendations including the

release of prisoners of conscience. EU public statements have failed to make explicit requests for release of public activists. Call on the EU to join Switzerland and take a stand.

Moderator, Renate Bloem: Need to see more support, and this should go beyond the EU. More cross regional support needed within the Council to move forward

Mohamed Albuflasa
Political prisoner

I was arrested on the 15th of February and was presented to court twice because I spoke about a political reality that they did not want to hear about. I only criticised the political way. When I was arrested no one knew where I was or where I was arrested, before I was presented to the court they made a deal with me and let me free, I shouldn't ask for a lawyer because I would only be sentenced for two months, after 2 months my sentence was reviewed under Marshall law to 1 year. They put conditions on me. After a time my wife wanted to be treated- for 24 hours she was still waiting for treatment. My wife does not do any work for the opposition. I wasn't allowed to come to Geneva because they told me they needed to review my data. All these decision were personal decisions. They don't have the rights to oppose the decision. Every time we say anything we are told we work for an opposition. Even if I am in the opposition I am still a citizen of Bahrain and we want to improve our land and the regime in Bahrain must not use official channels to repress people. The regime must know that our generation will use all the force to make a future change for all citizens of Bahrain. We will not permit them to destroy our society. They are using their position to misuse democracy. I am a citizen of Bahrain and we want to improve the situation in the country, we want a better future. I don't have any hostility against the government. The new generation will do all it takes to make sure the future is not jeopardised.

Maryam Al khawajah
Acting president Bahrain Center for Human Rights

My focus is on the Human Rights council and recommendations on how to help people in Bahrain.

For anyone interested in how successful the implementation of the recommendations of the Bahrain independent enquiry commission was there is a local NGO report available. After installing cameras in police stations as requested within the report, the authorities set up unofficial torture centers. There is a culture of impunity from the very high level of government. There is also a lack of accountability for the Bahraini government.

4 recommendations:

- The government accepting recommendations is not sufficient. Real steps on the ground should be taken

- 44 countries signing the joint statement. Need for a stronger reaction. A resolution to set up a fact finding mission. Investigate on all acts of torture and release of prisoners of conscience. Reprisals in Geneva. Persons accredited by their mission harassing HR defenders within the UN.
- Encourage the Bahrain government to accept the establishment/the opening of an office of the High commissioner. One with full mandate and not just technical support.
- Encourage the EU to stop provision of spyware technology that enables governments to target human rights activists, these businesses should be held accountable for allowing human rights violations. (sale of technologies) measures and mechanisms should be put in place.

Questions:

Striking difference between Sir Nigel optimism and the pessimism of other speakers.

- 6 monarchies and the golf regions are connected. The main issue in the country is corruption and it led people to come out in the street and fight for their rights.
- Protester shot in the head on Thursday 14th went to hospital and received summons to come for interrogation. Some choose not to go to the hospital. Call for the withdrawal of the ECC troops...
- National dialogue is not conforming. 5days after the call, 24 people arrested during peaceful protest. Need for necessary trust measures (to implement reports).

Medical doctors not allowed to work

Former President of the HRC, Ambassador of Uruguay comment: Highlight the important role of the HC and the Council. Invitation for the SR against torture in May a good step forward.

What further steps can be taken?

GoB refuses to respect people's demand from 2011. Political demands of people have been shifted to HR problems. Biggest issue now is that authorities don't want to admit that there are both difficulties in the HR and political field. International community should put more efforts to help improve Bahrain.

Tweeting is risky and can be arrested for 1month for that.

Is there just a civic movement or does it have ethnic or religious background?

There is need for a genuine dialogue and not just an appeasement for the international community.

There is blatant inequality in the country, working with conditionality is it a possibility? HR support through that approach can surely be the solution.

"Don't be late to be on the right side of history."