



# General Assembly

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## Human Rights Council

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Agenda item 4

Human rights situations that require the Council's attention

### **Written statement\* submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[24 August 2011]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## **Bahrain: A blatant case of international double standards\*\***

The human rights situation in the Kingdom of Bahrain (Bahrain) continues to deteriorate with grave violations being committed as part of a collective campaign of retribution against citizens in response to the pro-reform mass protests starting March 2011. The Cairo Institute for Human Rights Studies (CIHRS) and the Bahrain Center for Human Rights (BCHR) expresses grave concerns over the continuing alleged violations committed by Bahraini authorities against citizens who participate or are involved in largely peaceful protests. Equally worrying is that the alleged violations have been accompanied by an exceptional policy of almost absolute impunity enjoyed by the Bahraini government and aided by the direct involvement of its allies in the region along with the reprehensible silence of other international actors, most noticeably the UN Human Rights Council (HRC).

Alleged violations in Bahrain include cases of extrajudicial killings, arbitrary arrests, incommunicado detention, attacks against medical personnel, torture, excessive use of force to quell protests, coerced televised confessions, in addition to referring civilians to exceptional courts lacking due process. Between February and April, 2011, 31 people were killed in relation to the protests, in addition to another four who died in detention facilities, either as a result of torture or lack of medical care. In addition, over 1,500 Bahrainis have been arbitrarily detained for their involvement in, or support for, the pro-reform movement, many of which were subjected to inhumane treatment while being arrested and in detention. Moreover, at least 200 detainees were brought before, and at least 90 sentenced in, unfair trials before the National Safety Courts, which were established under the State of National Safety (SNS), a martial law declared by the King of Bahrain on March 15, 2011 and which remained in operation until June.

Among those targeted in these attacks are protestors, opposition figures, human rights defenders, journalists, students and teachers, prominent athletes, and others.<sup>1</sup> Furthermore, as part of the punitive campaign waged against citizens for their participation in peaceful assemblies, over 2000 individuals have been dismissed from their jobs or expelled from their studies on the grounds of being absent around the times of protests. Such summary dismissals violate both the Bahraini Labour Law and international law and customs.

Alarmingly, medical personnel have also been targeted. Attacks on Al Salmaneya Medical Complex and other medical facilities included interfering with patients' records, arresting the wounded, and preventing medical treatment of protesters. The attacks reached their peak with the occupation of Al Salmaneya hospital by the police which created detention rooms inside the facility. Additionally, 48 medical workers face trial for helping protesters during the uprisings and are being charged with crimes ranging from deadly assault to incitement against the regime and participation in illegal gatherings.

The use of torture, both physical and psychological, has been reported by many detainees and documented by a number of organizations. The torture has including severe beatings, denial of sleep, suspension by limbs, electric shocks, religious slurs and threats to harm family members. The deaths of Hassan Jassim Mohammed Makki, Zakaria Rashid Hassan al-'Ashiri, 'Ali Isa Ibrahim Saqer, and Karim Fakhrawi, who were all taken alive into custody and whose broken bodies were returned to their families days later, clearly bear evidence of the practice of torture in Bahraini prisons. While under torture, many prisoners

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<sup>\*\*</sup> The Bahrain Centre for Human Rights (BCHR), an NGO without consultative status, also shares the views expressed in this statement.

<sup>1</sup> For compiled lists of names of individuals killed, arbitrarily detained, or facing military trials, please consult the Bahrain Center for Human Rights (BCHR) website, [www.bahrainrights.org](http://www.bahrainrights.org).

were made to sign or record pre-formulated confessions which were later publicized by government media as part of a smear campaign against supporters of the pro-democracy protests.

Despite the initiation of Bahrain Independent Commission of Inquiry (BICI)<sup>2</sup> investigation, human rights violations continue to be reported. Protest marches continue to be held, especially under the cover of night, and are often met with violence at the hands of government forces. Most recently, the government response to night marches on 11 August led to the injury of tens of protestors in Sanabis. In addition, tear gas was used excessively in attacks not only on protestors, but also on civilian homes in several villages where protests occurred. On July 16, 41-year-old Zainab Jummah died in her home due to tear gas exposure. 60-year-old 'Issa al-Toweel also died in a hospital on 1 August after being exposed to tear gas while in his home in Sitra two weeks earlier.

Protestors continue to be attacked, abducted, and beaten, at times resulting in serious injuries. On 23 July, an 18-year-old protestor (who requested anonymity for fear of retribution)<sup>3</sup> was beaten with rifles by Bahraini riot police in 'Aker, where he was found bleeding in the street but refused to be taken to a hospital for fear of being arrested. On 27 July, Mahdi Hassan al-'Akri, 24, suffered a direct blow to his head (thought to be from a tear gas canister or sound grenades) and was taken to Doctors Without Borders and later transferred to Salmaniya Hospital, where he remains in a coma. In a similar incident of abuse, 'Ammar Mudun was kidnapped on 30 July by Bahraini police and severely beaten, then thrown into a nearby street after which he was hospitalized. This is perceived by some as intimidation tactics to deter witnesses from testifying to the BICI, which has no power to ensure the safety of those who report to it. Arbitrary arrests also persist. On 28 July, the local office of Doctors Without Borders was attacked in an armed raid and local coordinator Said Ayyad was arrested; he was later released on August 4.

Although the establishment of the BICI and its works so far in helping to release over 130 prisoners represents a first step towards justice in Bahrain, CIHRS and BCHR urge that the findings of the Commission must lead to accountability for perpetrators as well as justice and reparation for victims so as not to be rendered a mere ploy used to sooth public opinion. We further urges that the Commission be tasked with exposing ongoing alleged violations beyond its current mandate, which only covers the proceedings of the mass events in March 2011.

Despite Bahrain's membership in the HRC until very recently, the international community has not held the Bahraini government accountable for the blatant alleged violations that have occurred under its authority. While the UN and individual states have responded strongly to human rights violations committed in other Arab countries in recent months, it would appear that that political will to act with consistency in regards to the analogous situation in Bahrain is severely lacking. CIHRS and BCHR urge the international community to acknowledge the role it has played in allowing and contributing to the alleged violations in Bahrain.

In light of the aforementioned assertions, CIHRS and BCHR call upon the government of Bahrain to:

<sup>2</sup> The Bahrain Independent Commission of Inquiry was established by the King under Royal Decree 28 (2011) with the purpose of investigating alleged crimes committed in February and March 2011. For more information on the mandate and works of the Commission: <http://www.bici.org.bh/>

<sup>3</sup> Information in this submission is mainly obtained from national partners, mainly the Bahrain Center for Human Rights ([www.bahrainrights.org](http://www.bahrainrights.org)) and other international and national sources.

1. Immediately cease the violent repression of protestors and pro-democracy sympathizers;
2. Release all prisoners who are being held or who have faced trial or been sentenced merely for exercising their right to freedom of expression and association;
3. Ensure that the work of the BICI be independent of any government influence, and allow for full transparency and unrestricted access to any and all sources of evidence and witnesses, and to ensure protection for these witnesses;
4. Move to protect the essential rights and freedoms of all Bahraini citizens, including the right to freedom of expression, association, and peaceful assembly;
5. Move to meet the legitimate demands of peaceful protestors, including implementing democratic reforms and ensuring all essential rights and freedoms to Bahrain's citizens.
6. Following the findings of the BICI investigations, offer reparations and compensation to victims of government repression.

Considering the importance of the role of the HRC and the negligence with which this responsibility has thus far been born with regards to Bahrain, CIHRS and BCHR call upon the HRC member states to:

1. Call on the Bahraini government to cease the violent crackdown on peaceful protestors and to comply with international human rights standards,
  2. Publicly condemn alleged human rights violations that have been committed by Bahraini forces.
  3. Urge the Bahraini government to release all prisoners, including human rights defenders and opposition leaders currently in detention, who have been detained solely for their connection with the anti-government demonstrations, or bring recognizable criminal charges against them, and ensure an immediate end to alleged torture and ill-treatment in detention facilities.
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