



## BAHRAIN

In mid-2012, the EU confirmed and strengthened its commitment to foster human rights in its external relations. The EU notably stated that it would raise human rights issues vigorously in all appropriate forms of bilateral political dialogue, including at the highest level and that when faced with violations of human rights, the EU will make use of the full range of instruments at its disposal, including sanctions or condemnation.

The research for results and or increased efficiency clearly underpins the adopted 2012 EU strategic framework and action plan on human rights and democracy . The human rights situation in Bahrain hasn't progressed since the finalisation of the 2011 report of the Bahrain Independent Commission of Inquiry (BICI). The 2012 UPR recommendations equally lack implementation. The authorities have actually increasingly demonstrated their determination to restrict freedom of expression, freedom of peaceful assembly and association. Impunity, lack of fair trial guarantees and reports of ill-treatment and torture in detention facilities remain. More recently, the Government of Bahrain has increasingly resorted to arbitrary deprivation of nationality without due process in order to sanction opponents and dissenting voices. Finally, and as shown in the present note, three years after the establishment of the Bahrain Independent Commission of Inquiry, the situation in the country is still characterised by: - repression and imprisonment of human rights defenders and journalists - the use of the anti-terrorism measures to crackdown on rights and freedoms - repressive measures against political societies - prevalent impunity To address the situation, the EU has put some effort into mobilisation but has underestimated the efficiency of public diplomacy. Strong condemnations of human rights violations and a clear call for the release of prisoners arbitrarily arrested and detained are required. Bahrain has shown that it can be sensitive to public condemnations. It was the case when, last June, 47 countries – including all 28 EU Member States - signed a joint Statement during the 26th session of the Human Rights Council<sup>3</sup> which expressed “serious concerns” with regards to the human rights situation in the country. In the same vein, the strong appeal made by Member States (including Ireland and Denmark) during the 27th Session of the Human Rights Council, by Members of the European Parliament<sup>4</sup> added to the international community's mobilisation<sup>4</sup> for the release of Maryam Al Khawaja. These actions should be maintained and further efforts pursued. Her release on September 18 is not unconditional, and other peaceful human rights defenders and activists remain behind bars. Among them Mr. Abdulhadi al Khawaja, sentenced to life, and suffering, on 22 September, his 28th day of hunger strike. This hunger strike is a desperate call, shared by many others within the Bahraini civil society, for genuine reforms rather than

cosmetic changes aimed at calming the expectations of international diplomacies, whose silence diminishes their credibility.

## **The proposed solution**

The European Union and its Member States should increase their efforts in order for Bahrain to

- Cease harassment against civil society and human rights defenders, including at the judicial level, and immediately release and drop charges against human rights defenders and other prisoners of conscience detained for merely exercising legitimate rights to freedom of expression, assembly and association.
- Put an immediate end to all forms of harassment of political societies, engage in credible democratic reforms and a meaningful and inclusive national dialogue.
- Repeal the decision revoking nationality for 40 Bahraini citizens, and put the legislative framework in accordance with international law.
- Amend the anti-terrorism act in order to bring it in-line with international human rights standards.
- Ensure effective, prompt and independent investigation into all human rights violations committed since 2011, and ensure the victims' right to effective remedy according to international standards.
- Effectively implement BICI and UPR recommendations, as well as other unimplemented UN mechanisms' recommendations such as the 2006 CAT and CERD recommendations and those issued by international NGOs.
- Cooperate with UN Special Procedures - in particular the Special Rapporteur on torture but also on the rights to freedom of peaceful assembly and of association, on the independence of judges and lawyers and on the situation of human rights defenders - and allow the previously planned visits.
- Ratify the Optional Protocol of the Convention Against Torture, the Second Optional Protocol to the ICCPR aiming at the abolition of the Death Penalty, the Convention for the Protection of All Persons from Enforced Disappearances, International Convention on the Protection of the Rights of Migrant Workers and Members of Their Families.