

## **Salam DHR**

Salam DHR's mission to promote human rights and representative democracy in Bahrain and greater Gulf region. It works to amplify and protect human rights defenders and pro-democracy advocates in Bahrain and Kuwait.

## **National Consultations**

Bahrain is a signatory of the International Covenant on Economic, Social and Cultural Rights. It claims it consults with NGOs in Bahrain, but no NGO in the country can exist legally without state approval. Moreover, Bahrain has not consulted with independent, international NGOs.

Salam DHR actively sought to engage with the Ombudsman for the Ministry of Interior and National Institute of Human Rights without success.

## **Outline**

Our UPR report has thematic focus on civil and human rights abuses towards Bahrain's Shi'a and migrant populations.

Our primary topics of concern: cultural rights, social rights, economic rights, migrant rights, and Bahrain's response to COVID-19 in relation to prisoners' rights.

## **Economic Rights**

Bahraini Shias remain underrepresented in public sector jobs. They have disproportionately high rates of unemployment.

Additionally, domestic labourers suffer a range of economic abuses in Bahrain. These include:

- Not being granted their required annual leave
- Possessing no official dispute mechanisms for resolving pay disputes
- Enduring religious impositions; and
- Suffering from physical, psychological, and sexual abuse

Moreover, the system forces a victim to either sue or return to their home country, being prohibited from seeking alternative employment while the case is ongoing. Worse still, domestic workers are not protected under Bahrain's labour laws.

## **Social Rights**

Bahrain continues to violate social rights, having arbitrarily revoked the nationality of 635 citizens between 2017 and 2019. 96% of them were Shi'a. These decisions have little to no oversight from regulatory bodies.

Bahrain currently prevents women from passing their citizenship onto their children. This potentially makes any male victim's future children stateless.

## **Cultural Rights**

Bahrain's continues to violate the cultural rights its citizens by victimising the Shia community. Stripping has disproportionately targeted Bahraini Shias. Bahrain has frequently used Ashura as an opportunity for repression, despite its constitution guaranteeing religious freedom. There were 32 recorded instances of repressive activities during Ashura 2020 alone. This included confiscation of

banners and arrests of participants. In 2021 the head of the procession was arbitrarily detained. The situation has been no better during Ashura 2022, with:

- Attacks on demonstrators having occurred in Abu Saiba on 18 July 2022
- The removal of religious Shia flags; and
- Numerous arbitrary arrest

There are currently no laws banning discrimination in Bahrain, which enables these practices.

### **COVID-19 & Prisoners' Rights**

During the COVID-19 pandemic, Bahrain failed to take necessary precautions to protect prisoners. Prison officials refused to supply prisoners in Jau Central Prison with face masks or hand sanitiser. Moreover, they failed to adequately treat prisoners once infected. This resulted in the death of at least one prisoner, Husain Barakat, who died on 9 June 2021. It reflects a major contrast as Bahrain had a generally effective public response to the pandemic.

### **Migrant Rights**

Bahrain has perpetrated wholesale violation of the rights of migrants, most clearly by continuing to engage in Kafala practices. This refers to the system of permitting employers to hold the passports of migrant workers, undermining their freedom of movement. They often work and live in unsafe and unhealthy conditions, and there are numerous accounts of migrants being withheld several months' pay, with no accountability from employers. Bahrain has failed to prosecute any individuals involved in human trafficking or deploy proactive identification and referral mechanisms for migrants, which has resulted in the penalisation of victims.

### **Conclusion & Recommendations**

Each of these instances must be considered with upcoming November elections in Bahrain and the forthcoming publication of the National Human Rights Plan. There is a clear opportunity to facilitate reform in Bahrain.

Salam DHR urges countries recommend that Bahrain:

- Remove all restrictions on marginalised groups working in the public sector
- Implement an affirmative action plan, with publicly published targets to be met by the 5th UPR cycle in 2027
- Create an independent and effective dispute resolution body for domestic workers
- Ratifies the ILO Domestic Workers Convention of 2011
- Amends the labour law to include domestic workers
- End the practice of citizenship revocation and restore all revoked nationalities
- Amend laws to enable women to their pass their citizenship on to their children
- End the harassment of senior Shia figures and repressive acts during Ashura
- Establish an independent inquiry into the impact of COVID-19 in Bahrain's prisons and ensures this inquiry is established within 6 months and reports its findings within 2 years of its establishment
- Allow visits from UN Special Rapporteurs
- Enforce the abolition of Kafala practices by employers
- Produce plans to implement an effective complaints mechanism for migrant workers.
- Amend local legislation to meet standards of international conventions signed by Bahrain

- Amend Law No. 25 of 2018, which prevents leaders of dissolved political societies from running for parliament and Decree-Law No. 36 of 2018ix, members of dissolved political societies from running for boards of directors of charitable societies, civil organizations, and sports clubs
- Pass legislation criminalizing discrimination