



Human Rights Council
Working Group on the Universal Periodic Review
Forty-first session
7–18 November 2022

Bahrain

Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review.¹ It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with human rights mechanisms

2. The Committee against Torture and the Office of the United Nations High Commissioner for Human Rights (OHCHR) recommended that Bahrain ratify the core United Nations human rights treaties to which it was not yet party.² The Committee on Economic, Social and Cultural Rights, the Committee on the Rights of the Child and OHCHR recommended ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance.³ OHCHR recommended ratifying the first Optional Protocol to the International Covenant on Civil and Political Rights and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.⁴ The Committee on the Rights of the Child, the Human Rights Committee, the Working Group on Arbitrary Detention and OHCHR recommended acceding to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.⁵ The Human Rights Committee and OHCHR recommended ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.⁶ The Committee on the Rights of the Child and OHCHR recommended ratifying the Optional Protocol to the Convention on the Rights of Persons with Disabilities.⁷ The Committee on Economic, Social and Cultural Rights and OHCHR recommended ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.⁸ The Committee against Torture recommended that Bahrain consider ratifying the Optional Protocol to the Convention against Torture and making the declarations under articles 21 and 22 of the Convention.⁹

3. The Committee on the Rights of the Child urged Bahrain to fulfil its reporting obligations under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Optional Protocol to the Convention on



the Rights of the Child on the sale of children, child prostitution and child pornography. Those reports had been overdue since 21 September 2004.¹⁰

4. The Committee on Economic, Social and Cultural Rights recommended ratifying the Convention relating to the Status of Refugees.¹¹ Four treaty bodies recommended ratifying the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.¹²

5. The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended ratifying its Convention against Discrimination in Education and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions.¹³

6. The Committee on Economic, Social and Cultural Rights recommended ratifying the Domestic Workers Convention, 2011 (No. 189), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) of the International Labour Organization (ILO).¹⁴

7. The Human Rights Committee recommended that Bahrain withdraw its reservations to articles 3, 9 (5), 14 (7), 18 and 23 of the International Covenant on Civil and Political Rights.¹⁵ The Committee on the Elimination of Discrimination against Women asked Bahrain for a timeline for reviewing its reservations to articles 2, 9 (2), 15 (4), 16 and 29 (1) of the Convention on the Elimination of All Forms of Discrimination against Women, with a view to withdrawing them.¹⁶ OHCHR made similar recommendations.¹⁷

8. OHCHR noted that Bahrain had not implemented the recommendation regarding country visits that it had supported,¹⁸ as no special procedure mandate holder had been allowed to visit.¹⁹ The Committee against Torture and OHCHR recommended permitting visits by mandate holders who requested them, particularly the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.²⁰ OHCHR recommended that Bahrain consider issuing a standing invitation for such visits.²¹

9. The Committee on Economic, Social and Cultural Rights requested that Bahrain provide, within 24 months of the adoption of its concluding observations, information on the implementation of the recommendations in paragraphs 9, 15 (a) and 33 (a).²²

III. National human rights framework

1. Constitutional and legislative framework

10. The Human Rights Committee and the Committee on Economic, Social and Cultural Rights regretted the absence of information on how potential conflicts between domestic statutes and the guarantees in the Covenants had been resolved. They recommended that Bahrain fully incorporate those guarantees into its national legislation.²³

11. The Human Rights Committee and the Committee against Torture expressed concern about the amendment made to article 105 (b) of the Constitution, granting military courts jurisdiction over civilians, which appeared to contradict recommendation No. 1720 of the Bahrain Independent Commission of Inquiry. They recommended repealing that amendment.²⁴ The Committee against Torture also recommended that Bahrain repeal the 2017 amendments made to the Military Justice Code, implement recommendations Nos. 1718 and 1720 of the Commission of Inquiry, and ensure the National Security Agency was an intelligence-gathering agency without law enforcement and arrest authorities.²⁵

2. Institutional infrastructure and policy measures

12. OHCHR observed that Bahrain had yet to implement the three recommendations to strengthen the independence of its National Institution for Human Rights that it had supported during its previous review.²⁶ The Human Rights Committee and the Committee on Economic, Social and Cultural Rights were concerned that the Institution lacked the independence to perform its functions.²⁷ They, the Committee on the Elimination of Discrimination against Women and OHCHR recommended adopting all necessary legislative, policy and institutional measures to ensure the Institution's full compliance with the principles relating

to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and its ability to carry out its mandate fully, effectively and independently.²⁸

13. The Committee on the Rights of the Child recommended establishing a national mechanism for reporting and follow-up, mandated with coordinating and preparing reports to and engaging with international and regional human rights mechanisms.²⁹

14. OHCHR noted that in mid-2020, Bahrain had begun developing its National Human Rights Action Plan. OHCHR recommended that Bahrain take steps to implement the recommendations and concluding observations made by United Nations human rights mechanisms, including through measures to implement the Action Plan and by following up on the work of the Bahrain Independent Commission of Inquiry.³⁰

IV. Promotion and protection of human rights

A. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

15. The Human Rights Committee, the Committee on the Rights of the Child and the Committee on Economic, Social and Cultural Rights regretted the lack of comprehensive anti-discrimination legislation covering all the grounds for discrimination. They recommended adopting such legislation and a policy framework to ensure full and effective legal protection from discrimination in all spheres, containing a comprehensive list of grounds for discrimination and providing effective remedies for victims.³¹ The Committee on the Rights of the Child also recommended combating and preventing discrimination against girls, children with disabilities, children born to foreign or stateless fathers, and Baharna and Ajam children.³²

16. The Committee on Economic, Social and Cultural Rights noted with concern the existence of discriminatory legal provisions such as those on nationality and inheritance, entrenched patriarchal attitudes and the stereotyped image of women as mothers and wives only. It recommended reviewing all laws and regulations to repeal or amend those that were discriminatory.³³

2. Right to life, liberty and security of person, and freedom from torture

17. OHCHR noted that Bahrain had supported the recommendation to restrict the use of the death penalty to crimes that met the threshold of “most serious crimes” under international law.³⁴ The Human Rights Committee noted that domestic law provided for the imposition of the death penalty for crimes such as drug trafficking.³⁵ OHCHR noted that, as at April 2022, at least 12 individuals were on death row awaiting the King’s approval for execution.³⁶ The Human Rights Committee was concerned about allegations of death sentences imposed on the basis of confessions obtained under duress or torture.³⁷ That Committee, the Committee against Torture and OHCHR were gravely concerned about the lifting in January 2017 of the de facto moratorium on the death penalty, which had been in place since 2010. They recommended that Bahrain promptly reinstate the moratorium and consider pardoning and reprieving all inmates currently on death row and commuting their sentences.³⁸ United Nations experts expressed concern that the Court of Cassation had upheld the death penalty against two Bahraini men whose confessions had allegedly been extracted under torture.³⁹

18. The Human Rights Committee was concerned at reports indicating a recent increase in the use of violence by law enforcement officials during peaceful demonstrations. It recommended that Bahrain fully investigate, in accordance with international standards, all allegations of involvement by members of its law enforcement and security forces in the killing of civilians, excessive use of force, arbitrary detention, enforced disappearance, torture and ill-treatment from 2011 onward, taking due account of the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.⁴⁰

19. The Committee against Torture was concerned at the substantial gap between the amended legislative and institutional frameworks and their effective implementation in practice, with numerous and consistent allegations of torture and ill-treatment, particularly at the Criminal Investigations Directorate, and a climate of impunity seeming to prevail. It recommended investigating all alleged cases of torture and ill-treatment, strengthening measures to prevent those acts in all places, taking vigorous measures to eliminate impunity, with those with command responsibility held personally responsible, and unambiguously proclaiming at the highest level that torture would not be tolerated. It remained concerned at numerous reports of the continued widespread use of forced confessions as evidence in courts.⁴¹ The Human Rights Committee was concerned about reports of acts of torture and ill-treatment often committed by law enforcement officials, including as a means of eliciting confessions, and torture in prisons, particularly Jau Prison.⁴² The two treaty bodies recommended that Bahrain implement the relevant provisions of its Code of Criminal Procedure, including article 253, ensure the inadmissibility of evidence obtained through any form of coercion or torture and ensure that victims received full reparation.⁴³

20. The Human Rights Committee remained concerned about arbitrary and extrajudicial arrest and detention by security forces, including incommunicado detention. It recommended that Bahrain bring its legislation and practices into line with article 9 of the Covenant.⁴⁴ The Committee against Torture was concerned about allegations that most persons deprived of their liberty did not enjoy all fundamental legal safeguards. It recommended that Bahrain take effective measures to guarantee that all detained persons were afforded in practice all such safeguards, amend its legislation and take all necessary measures to shorten the duration of pretrial detention, in accordance with international standards, which should be used as an exception, as a measure of last resort and be applied for limited periods of time.⁴⁵ It was also concerned about the use of solitary confinement in different detention centres as punishment for prolonged periods of time. It recommended that Bahrain put an end to the solitary confinement of Nabeel Rajab and ensure that the practice of renewing and prolonging solitary confinement was strictly prohibited.⁴⁶ Three treaty bodies were concerned about the conditions in which persons in detention were held, including overcrowding and poor material and hygiene conditions, particularly in Jau Prison. They recommended that Bahrain address the overcrowding in detention.⁴⁷ The Committee against Torture and the Human Rights Committee recommended bringing conditions of detention into line with United Nations standards and allowing independent monitoring bodies to carry out regular unannounced visits to all places of detention.⁴⁸

21. The Working Group on Arbitrary Detention had adopted 11 opinions concerning Bahrain since 2017, regarding 58 individuals, with findings of arbitrary detention.⁴⁹

22. The Committee against Torture recommended that Bahrain ensure full implementation of the United Nations juvenile justice standards.⁵⁰

23. The same Committee was concerned that the Office of the Ombudsman (General Secretariat of Complaints), the Directorate of Internal Investigations, the General Directorate of Reform and Rehabilitation, the Ombudsman's Office of the National Security Agency and the Special Investigation Unit in the Public Prosecutor's Office, among others, were not independent, their mandates being unclear and overlapping, and that they were not effective since complaints ultimately passed through the Ministry of the Interior. It was also concerned that their activities had had little or no effect. It recommended ensuring that all mechanisms empowered to consider complaints by pretrial detainees and convicted prisoners were independent, that complainants were protected against any reprisals, and that an effective and independent monitoring system regularly inspected all places of detention.⁵¹

3. International humanitarian law

24. The Human Rights Committee regretted the lack of information on measures taken to protect the right to life in extraterritorial military operations, particularly in Yemen. It recommended that Bahrain ensure that those operations were in full compliance with its obligations, particularly with respect to the principles of precaution, distinction and proportionality in the context of an armed conflict, and that it conduct independent, impartial, prompt and effective investigations into potential violations of the right to life and bring to justice those responsible for any such violations.⁵²

4. Human rights and counter-terrorism

25. The same Committee was concerned that the Act on the Protection of Society from Acts of Terrorism included an overly broad definition of terrorism that provided too much room for interpretation. That might result in violations of the right to freedom of expression, association and assembly and could be used against human rights defenders and political activists. The Committee recommended that Bahrain bring its counter-terrorism and counter-extremism legislation and practices into full compliance with the Covenant, not least by amending the Act, and ensure that the rights to a fair trial and access to justice were respected in all criminal proceedings for terrorism.⁵³

5. Administration of justice, including impunity, and the rule of law

26. OHCHR noted that Bahrain had supported five recommendations on torture, including the recommendation urging Bahrain to ensure that all allegations of enforced disappearance, torture or any other form of ill-treatment were independently, promptly and thoroughly investigated, and perpetrators were brought to justice.⁵⁴ The Human Rights Committee noted the affirmation by Bahrain that it had fully implemented the recommendations of the Bahrain Independent Commission of Inquiry. However, the Committee noted with concern that key recommendations had not been implemented. It recommended conducting a thorough review of the recommendations in order to fully implement them, and ensuring that all human rights violations committed during the state of national safety declared in 2011 were thoroughly, effectively, independently and impartially investigated, that perpetrators were prosecuted and sanctioned and that victims were provided with remedies.⁵⁵

27. OHCHR had continued to receive reports of unfair trials.⁵⁶ The Human Rights Committee and OHCHR confirmed that, in practice, the judiciary was neither fully independent nor impartial. They recommended safeguarding, in law and in practice, the full independence and impartiality of the judiciary, and guaranteeing that the judiciary performed its functions without any political interference.⁵⁷

28. UNESCO urged Bahrain to continue to investigate the cases of killed journalists, and to voluntarily report to UNESCO on the status of judicial follow-up.⁵⁸

6. Fundamental freedoms and the right to participate in public and political life

29. OHCHR noted that Bahrain had accepted two recommendations to adopt effective measures in law and in practice to eradicate all forms of discrimination, particularly on the basis of religion or belief.⁵⁹ The Human Rights Committee was concerned about the existence of practices that adversely affected the exercise of freedom of conscience, at reports that members of the Shia community had been subjected to restrictions on their rights to worship and profess their religious beliefs, and that liberty of conscience was not guaranteed effectively. It recommended that Bahrain decriminalize blasphemy and guarantee that all persons within its territory were able to fully enjoy the right to freedom of conscience, religion or belief.⁶⁰

30. The same Committee was concerned about the serious restrictions imposed on freedom of expression and the large number of arrests and prosecutions of individuals criticizing State authorities or political figures, including through social media. It was concerned about the broad provisions in the Criminal Code criminalizing and making punishable by imprisonment acts such as criticism of public officials, insulting the King, publishing and disseminating rumours, false news and untrue reports, and the broad and vague provisions in Decree Law No. 47 (2002). It recommended that Bahrain immediately and unconditionally release anyone held solely for the peaceful exercise of their rights, protect journalists, activists and human rights defenders from attacks or intimidation and ensure that all human rights violations perpetrated against them were thoroughly investigated, with those responsible brought to justice.⁶¹ UNESCO and the Human Rights Committee recommended amending the provisions in Decree Law No. 47 (2002) that criminalized defamation, blasphemy and criticizing public officials.⁶²

31. OHCHR noted that Bahrain had supported several recommendations to protect and ensure respect for freedom of expression, association and assembly.⁶³ The Human Rights Committee noted that reprisals against human rights defenders and journalists had also

resulted from their work in collaboration with United Nations mechanisms.⁶⁴ That Committee and OHCHR were concerned about the targeting of *Al-Wasat*, which was allegedly the country's only semi-independent newspaper, leading to its closure in 2017, despite Bahrain having supported universal periodic review recommendations on strengthening the freedom of the media.⁶⁵ OHCHR recommended finalizing and enacting the new Media Act and ensuring its compliance with international standards.⁶⁶ The Human Rights Committee, the Committee against Torture, the Committee on Economic, Social and Cultural Rights and OHCHR noted the continued suppression of persons criticizing government policies. They remained concerned about numerous and consistent allegations of serious acts of intimidation, threats, revocation of citizenship, arbitrary arrests and imprisonment of human rights defenders, journalists and their relatives as reprisals, many of them having reportedly faced arrest on criminal charges and been placed on trial without due process of law or legal safeguards. They recommended releasing those persons from detention, guaranteeing an enabling environment for civil society organizations to engage in the promotion and protection of human rights, and investigating promptly, thoroughly and impartially all allegations, prosecuting and punishing appropriately those found guilty and providing redress to the victims.⁶⁷ The Committee on the Elimination of Discrimination against Women requested information on measures taken to guarantee the freedom of speech, movement and association of all women and on measures to prevent, investigate, prosecute and punish abuses perpetrated against women activists and journalists.⁶⁸

32. The Committee on the Rights of the Child reminded Bahrain of the important role of independent civil society organizations and human rights defenders and of previous recommendations to ensure their autonomy and independence and to thoroughly investigate all cases of violence committed against them, including child human rights defenders.⁶⁹

33. The Human Rights Committee was concerned about reports that authorities had placed restrictions on human rights organizations and opposition groups and in some cases dissolved them. It noted with concern the use of restrictive legislation making it difficult for non-governmental organizations to register and pursue their activities. It recommended amending relevant laws, regulations and practices, refraining from dissolving human rights organizations and opposition groups for having legitimately exercised their rights, taking all measures to re-establish such organizations and amending its laws to allow civil society organizations to engage in political activities.⁷⁰ The Human Rights Committee and OHCHR also noted that opposition parties *Al-Wafaq* and *Wa'ad* had been dissolved and their leaders and members prosecuted. In 2018, Bahrain had adopted Act No. 25 (2018) banning members of dissolved political societies from participating in parliamentary elections. They recommended that Bahrain guarantee all citizens the right to participate in public affairs, review the decisions to dissolve opposition parties, ensure that political parties and their members were allowed to participate in political life, and repeal Act No. 25 (2018) to ensure that the Shia population was protected effectively from discrimination and represented fairly in the public and political spheres.⁷¹

34. The Human Rights Committee and OHCHR were concerned that the right to freedom of assembly was severely limited and that public gatherings and marches were severely restricted by a 1973 decree and Decree No. 32/2006. They noted with concern that participating in public gatherings without government authorization was a crime punishable by a fine and/or imprisonment. They recommended removing those restrictions and ensuring that those rights were guaranteed to all individuals without discrimination.⁷²

35. UNESCO recommended that Bahrain introduce an access to information law, in accordance with international standards.⁷³

36. The Committee on Economic, Social and Cultural Rights recommended that Bahrain take legislative measures to ensure that migrant workers could take trade union leadership roles without discrimination, and that it guarantee the right to collective bargaining.⁷⁴

7. Right to marriage and family life

37. The Human Rights Committee regretted the persistence of polygamy in Bahrain, regulated in the Family Code of 2017. It recommended that Bahrain strengthen its efforts to prevent and eradicate harmful practices discriminating against women and girls. In particular,

it emphasized that Bahrain should take adequate measures to reduce the incidence of polygamy and to bring about its abolition.⁷⁵

38. The Committee on Economic, Social and Cultural Rights noted with concern the personal status laws relating to marriage, age of marriage, divorce, child custody, guardianship and inheritance, and recommended modifying them with a view to harmonizing them with the International Covenant on Economic, Social and Cultural Rights.⁷⁶

8. Prohibition of all forms of slavery, including trafficking in persons

39. OHCHR noted that, despite accepting universal periodic review recommendations to implement a national strategy to combat trafficking and ratifying the ILO Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29), those recommendations had been implemented only partially.⁷⁷

40. The Human Rights Committee was concerned at reports that human trafficking and forced labour were significant problems in Bahrain. It recommended strengthening efforts to combat, prevent, eradicate and punish such practices and in particular, ensuring that all cases were thoroughly investigated, perpetrators brought to justice and victims received full reparation and means of protection.⁷⁸

9. Right to work and to just and favourable conditions of work

41. The Committee on the Rights of the Child recommended that Bahrain align its national law with the ILO Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182), strengthen monitoring and inspection mechanisms and thoroughly investigate and sanction violations.⁷⁹

42. The Committee on Economic, Social and Cultural Rights remained concerned at the unemployment rates, which targeted policies and programmes had not reduced effectively. It recommended addressing the structural causes of unemployment.⁸⁰

43. The same Committee was concerned that domestic and informal economy workers were not sufficiently protected by existing labour laws and that some migrant workers were accommodated in unregistered and overcrowded facilities in substandard conditions. It recommended taking measures for the effective enforcement of labour laws and regulations, and providing workers with protection from exploitation and abuse.⁸¹

44. The Committee recommended that Bahrain establish an appropriate and regularly indexed national minimum wage, regardless of the type of contracts, to guarantee decent living conditions for all workers and their families.⁸²

10. Right to an adequate standard of living

45. The same Committee was concerned that the most disadvantaged and marginalized households might not be able to comply with the administrative procedures required to qualify for social security programmes aimed at alleviating poverty. It recommended that Bahrain adopt a rights-based approach to its poverty reduction programmes specifically focused on those most affected.⁸³

46. The Committee was concerned about the relatively high number of people, particularly from disadvantaged and marginalized groups, living in inadequate or substandard housing. It recommended that Bahrain strengthen its efforts to ensure access to adequate housing for all.⁸⁴

47. The Committee noted with concern that Bahrain was reportedly at a very high risk of suffering from a water crisis in the next decades and recommended implementation of the National Water Strategy 2030 to guarantee everyone's access to safe drinking water and sanitation without discrimination.⁸⁵

11. Right to health

48. The same Committee was concerned about the shortcomings regarding the capacity of hospitals, other health-care facilities, and medical infrastructure and equipment. It also noted limited availability of qualified doctors and other health-care professionals, notably as

a result of the arrest and dismissal of a large number of health-care professionals following demonstrations in 2011. It recommended that Bahrain increase the allocation of human, technical and financial resources to the health sector, and ensure services for everyone without discrimination.⁸⁶

49. The Committee on the Rights of the Child recommended that Bahrain prevent and treat iron-deficiency anaemia and sickle-cell anaemia among children, intensify measures to combat obesity, and reduce and eliminate preventable mortality and morbidity of children under 5 years old. It also recommended developing and implementing a national programme on providing treatment for mothers affected by HIV and ensuring early diagnosis.⁸⁷

50. The Human Rights Committee was concerned that articles 321–323 of the Criminal Code criminalized abortion, which led women to resort to unsafe abortions, putting their lives and health at risk. It recommended that Bahrain amend its legislation and ensure that those who had recourse to abortion and doctors were not subject to criminal penalties, and that it raise awareness of sexual and reproductive health.⁸⁸ The Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child also recommended decriminalizing abortion in all circumstances.⁸⁹

12. Right to education

51. UNESCO noted that the Constitution of Bahrain did not enshrine the right to education. It recommended that Bahrain proscribe all forms of discrimination in education in its education legislation and introduce in by law at least one year of free, compulsory pre-primary education.⁹⁰

52. The Committee on the Rights of the Child remained concerned about persistent gender stereotypes regarding certain areas of education. It recommended reviewing and updating school curricula and texts at all levels in order to eliminate those stereotypes, and addressing the structural causes of gender-based discrimination.⁹¹

53. The Committee on Economic, Social and Cultural Rights remained concerned that the laws and regulations on education did not provide non-citizen children, including children of migrant workers and stateless children, with access to primary and secondary education free of charge. It was also concerned about cases of children deprived of their liberty being denied access to education in detention facilities. It recommended that Bahrain guarantee in law and in practice non-discriminatory access to compulsory, free-of-charge primary and secondary education for all.⁹²

13. Cultural rights

54. UNESCO encouraged Bahrain to facilitate participation in cultural life by communities, practitioners, cultural actors, civil society organizations and vulnerable groups and to ensure that equal opportunities were given to women and girls to address gender disparities.⁹³

55. The Committee on Economic, Social and Cultural Rights noted that members of the Shia community reportedly faced discrimination in the exercise of their cultural rights. It was concerned about the reported restrictions on access to a number of religious and cultural sites for the Shia community. It recommended that Bahrain ensure that everyone was able to exercise their right to take part in cultural and religious life without discrimination or undue restrictions and that it continue to take measures to restore damaged religious sites.⁹⁴

14. Development, the environment, and business and human rights

56. The same Committee recommended that Bahrain support the global commitment of the decade of action to achieve the Sustainable Development Goals on the basis of the principles of participation, accountability and non-discrimination, ensuring that no one was left behind.⁹⁵

57. The Human Rights Committee recommended that Bahrain step up its efforts to combat corruption, particularly among government figures.⁹⁶

58. The Committee on Economic, Social and Cultural Rights was concerned that desertification, degradation of arable land, droughts, dust storms, coastal degradation owing to oil spills and lack of freshwater resources considerably affected the enjoyment of economic, social and cultural rights. It recommended that Bahrain take measures to protect the environment and address environmental degradation, and respect its human rights obligations in its natural resource exploitation.⁹⁷

59. The same Committee was concerned about the absence of legal obligations on businesses under Bahraini jurisdiction to exercise human rights due diligence.⁹⁸ That Committee and the Committee on the Rights of the Child recommended that Bahrain adopt a national action plan and a regulatory framework requiring businesses operating in Bahrain and those domiciled under its jurisdiction to be held accountable for violations, and that Bahrain comply with international and national human rights, labour, environmental and other standards.⁹⁹

B. Rights of specific persons or groups

1. Women

60. The Human Rights Committee was concerned about the persistence of patriarchal stereotypes about the role of women and men in the family and society. It recommended that Bahrain strengthen measures to ensure gender equality and develop strategies to combat patriarchal attitudes and stereotypes, step up efforts to achieve the equitable representation of women in the public and political spheres, particularly in decision-making positions, and ensure that women had equal access to employment opportunities and that labour laws did not perpetuate stereotypes about women.¹⁰⁰ The same Committee and OHCHR were concerned that women did not enjoy equal rights with men. They recommended that Bahrain repeal all discriminatory provisions against women in its legislation and, in particular, adopt the amendments to the Nationality Act and ensure that women were granted equal rights to divorce, including economic rights.¹⁰¹

61. The Committee against Torture and the Human Rights Committee were concerned about reports of violence against women, including domestic violence. They recommended that Bahrain define all forms of violence against women and include domestic violence, including sexual violence and marital rape as specific criminal offences in its Criminal Code, with appropriate sanctions; amend the Criminal Code by repealing articles 334 and 353; and expedite the adoption of the bill on domestic violence, the drafting of which had begun in 2007.¹⁰² The Committee on the Elimination of Discrimination against Women asked Bahrain to provide detailed information on the forms of violence against women and girls, and on raising the minimum age of sexual consent to 18 years.¹⁰³

2. Children

62. The Committee on the Rights of the Child noted the adoption of Act No. 17 (2015) concerning protection against domestic violence. It recommended that Bahrain enforce the Act and take measures to change practices that often served as justification for domestic violence, especially against girls, repeal articles 334 and 353 of the Criminal Code, and ensure that all forms of sexual abuse against children were criminalized, all children subjected to any form of sexual exploitation were treated as victims, and child victims and witnesses of crime were provided with the protection required.¹⁰⁴

63. The same Committee recommended that Bahrain conduct a comprehensive review of existing legislation to ensure that all laws, including under Sunni, Jaffari and civil law, and established interpretations thereof, were harmonized and in full compliance with the Convention.¹⁰⁵

64. The Committee remained deeply concerned at the arbitrary detention and ill-treatment of children by police and in detention centres. It recommended taking measures to prevent and prohibit, and to protect children from, all forms of torture and ill-treatment; strengthening independent monitoring of child detention facilities and investigating thoroughly all

allegations of torture and ill-treatment of children in detention by public officials; and ensuring that perpetrators were prosecuted.¹⁰⁶

65. The Committee urged Bahrain to halt all executions of persons who had committed crimes while under 18 years of age, and ensure that incommunicado detention, torture and ill-treatment of children did not occur.¹⁰⁷ The same Committee, the Committee on Economic, Social and Cultural Rights and OHCHR noted with concern that the Act on Restorative Justice for Children did not exempt children from appearing before military courts in some cases. They recommended that Bahrain amend the Citizenship Act and take other measures to harmonize national legislation with the Convention on the Rights of the Child and international human rights standards.¹⁰⁸

66. The Human Rights Committee, the Committee on the Rights of the Child and UNESCO recommended amending the Family Act to set the minimum age of marriage at 18 years for both girls and boys, and removing all exceptions.¹⁰⁹

67. The Committee against Torture and the Committee on the Rights of the Child were concerned that corporal punishment was still permitted in alternative care settings, at home and in the administration of justice. They recommended that Bahrain enact legislation and administrative provisions to explicitly and clearly prohibit corporal punishment in all settings.¹¹⁰

3. Persons with disabilities

68. The Committee on the Rights of the Child recommended that Bahrain continue to promote a human rights-based approach to disability; ensure that laws, policies and programmes, including the education development plan, guaranteed all children with disabilities the right to inclusive education in mainstream schools; and continue to give priority to measures facilitating their full inclusion.¹¹¹

4. Lesbian, gay, bisexual, transgender and intersex persons

69. The Human Rights Committee was concerned about the criminalization of homosexual acts. It requested that Bahrain decriminalize sexual relations between consenting adults of the same sex and prohibit and prevent all forms of discrimination against persons based on their sexual orientation or gender identity.¹¹²

5. Migrants, refugees and asylum-seekers

70. OHCHR noted that Bahrain had partially implemented accepted recommendations to ensure the effective protection of all workers. OHCHR recommended taking legislative measures to ensure that workers in all sectors, including domestic workers, were protected by labour laws and regulations.¹¹³ The Human Rights Committee was concerned at reports that migrant domestic workers were subjected to abuse and exploitation. It recommended that Bahrain expand labour law protection to domestic workers and provide access to effective legal remedies.¹¹⁴

71. The same Committee noted with concern the assertion by Bahrain that there were no refugees in the State. It was concerned that the lack of adequate protection had led to instances of refoulement. It recommended adopting a comprehensive legal framework on asylum- and refugee-related matters, and ensuring that the prohibition of refoulement was strictly respected in all circumstances.¹¹⁵

6. Stateless persons

72. The same Committee was concerned about the number of persons who had had their citizenship revoked, including pursuant to anti-terrorism laws.¹¹⁶ OHCHR noted that Bahrain had revoked the nationality of 985 people between 2011 and 2019, and that on 20 April 2019, the King had reinstated the citizenship of 551 individuals whose citizenship had been stripped by a court order, leaving 434 persons without nationality. A number of the country's most prominent Shia civic, religious and political leaders remained in prison, while others remained in exile after having their citizenship revoked.¹¹⁷ The Human Rights Committee and OHCHR recommended that Bahrain amend its legislation to ensure that citizenship was

not revoked, and adopt all necessary legal and practical measures to prevent and reduce statelessness.¹¹⁸

73. OHCHR noted that Bahrain had not implemented the supported recommendations to consider adopting a unified personal status law and to amend its legislation to grant women the right to transmit their nationality to their children when married to foreigners.¹¹⁹ The Human Rights Committee and OHCHR were concerned that women, who could not confer their nationality on their children without a royal decision, did not enjoy equal rights with men in that regard. They recommended that Bahrain repeal all discriminatory provisions against women in its legislation.¹²⁰ The Committee on the Rights of the Child recommended that Bahrain expeditiously amend its Citizenship Act to ensure the right to a nationality for all children of Bahraini women married to non-Bahraini men.¹²¹ OHCHR recommended expediting the legislative reform process of the Personal Status Law and the Citizenship Act to ensure the equality of men and women.¹²² The Committee on the Elimination of Discrimination against Women asked Bahrain to provide a timeline for the adoption of the amendment to the Nationality Law.¹²³

Notes

- ¹ See [A/HRC/36/3](#), [A/HRC/36/3/Add.1](#) and [A/HRC/36/2](#).
- ² [CAT/C/BHR/CO/2-3](#), para. 43, and OHCHR submission for the universal periodic review of Bahrain, p. 1.
- ³ [E/C.12/BHR/CO/1](#), para. 53, [CRC/C/BHR/CO/4-6](#), para. 47, and OHCHR submission, p. 1.
- ⁴ OHCHR submission, p. 1.
- ⁵ [CRC/C/BHR/CO/4-6](#), para. 47, [CCPR/C/BHR/CO/1](#), paras. 31–32, [A/HRC/WGAD/2021/4](#), para. 119, and OHCHR submission, p. 2. See also [CAT/C/BHR/CO/2-3](#), paras. 12–13.
- ⁶ [CCPR/C/BHR/CO/1](#), para. 38, and OHCHR submission, p. 1.
- ⁷ [CRC/C/BHR/CO/4-6](#), para. 47, and OHCHR submission, p. 1.
- ⁸ [E/C.12/BHR/CO/1](#), para. 52, and OHCHR submission, p. 1.
- ⁹ [CAT/C/BHR/CO/2-3](#), paras. 31 (c) and 43. See also [CAT/C/CR/34/BHR](#), para. 9.
- ¹⁰ [CRC/C/BHR/CO/4-6](#), para. 47.
- ¹¹ [E/C.12/BHR/CO/1](#), para. 53.
- ¹² [CCPR/C/BHR/CO/1](#), paras. 61–62, [CRC/C/BHR/CO/4-6](#), para. 22, [E/C.12/BHR/CO/1](#), paras. 14–15, and [CEDAW/C/BHR/Q/4](#), para. 15.
- ¹³ UNESCO submission for the universal periodic review of Bahrain, paras. 1–2, 11 and 18.
- ¹⁴ [E/C.12/BHR/CO/1](#), paras. 22–25.
- ¹⁵ [CCPR/C/BHR/CO/1](#), paras. 7–8.
- ¹⁶ [CEDAW/C/BHR/Q/4](#), para. 2.
- ¹⁷ OHCHR submission, p. 5.
- ¹⁸ [A/HRC/36/3](#), para. 114.27, and [A/HRC/36/3/Add.1](#).
- ¹⁹ OHCHR submission, paras. 2–3. See also <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&country=BHR&Lang=en>.
- ²⁰ [CAT/C/BHR/CO/2-3](#), paras. 30–31 and 40–41, and OHCHR submission, paras. 2–3.
- ²¹ OHCHR submission, paras. 2–3. See also <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&country=BHR&Lang=en>.
- ²² [E/C.12/BHR/CO/1](#), para. 56.
- ²³ [CCPR/C/BHR/CO/1](#), paras. 5–6, and [E/C.12/BHR/CO/1](#), paras. 4–5.
- ²⁴ [CCPR/C/BHR/CO/1](#), paras. 13–14, and [CAT/C/BHR/CO/2-3](#), paras. 10–11.
- ²⁵ [CAT/C/BHR/CO/2-3](#), paras. 10–11.
- ²⁶ OHCHR submission, p. 1.
- ²⁷ [CCPR/C/BHR/CO/1](#), paras. 9–10, and [E/C.12/BHR/CO/1](#), paras. 6–7.
- ²⁸ [CCPR/C/BHR/CO/1](#), paras. 9–10, [E/C.12/BHR/CO/1](#), paras. 6–7, [CEDAW/C/BHR/Q/4](#), para. 5, and OHCHR submission, p. 2.
- ²⁹ [CRC/C/BHR/CO/4-6](#), para. 50.
- ³⁰ OHCHR submission, pp. 1–2.
- ³¹ [CCPR/C/BHR/CO/1](#), paras. 15–16, [CRC/C/BHR/CO/4-6](#), paras. 16–17, and [E/C.12/BHR/CO/1](#), paras. 14–15.
- ³² [CRC/C/BHR/CO/4-6](#), paras. 16–17. See also [CRC/C/BHR/CO/2-3](#), para. 31.
- ³³ [E/C.12/BHR/CO/1](#), paras. 16–17.

- 34 OHCHR submission, p. 2.
- 35 [CCPR/C/BHR/CO/1](#), paras. 31–32 and 66.
- 36 OHCHR submission, p. 2.
- 37 [CCPR/C/BHR/CO/1](#), paras. 31–32 and 66.
- 38 *Ibid.*, [CAT/C/BHR/CO/2-3](#), paras. 12–13, and OHCHR submission, p. 2. See also <https://www.ohchr.org/en/statements/2020/07/comment-un-human-rights-office-spokesperson-liz-throssell-decision-bahrain?LangID=E&NewsID=26088>.
- 39 See <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26088&LangID=E>. See also <https://www.ohchr.org/en/press-releases/2019/07/un-expert-urges-bahrain-halt-executions-two-men-amid-torture-allegations?LangID=E&NewsID=24855>.
- 40 [CCPR/C/BHR/CO/1](#), paras. 35–36.
- 41 [CAT/C/BHR/CO/2-3](#), paras. 6–9 and 16–17.
- 42 [CCPR/C/BHR/CO/1](#), paras. 37–38.
- 43 [CAT/C/BHR/CO/2-3](#), paras. 16–17, and [CCPR/C/BHR/CO/1](#), paras. 37–38.
- 44 [CCPR/C/BHR/CO/1](#), paras. 39–40.
- 45 [CAT/C/BHR/CO/2-3](#), paras. 14–15 and 18–19.
- 46 *Ibid.*, paras. 20–21.
- 47 [CCPR/C/BHR/CO/1](#), paras. 41–42, [CAT/C/BHR/CO/2-3](#), paras. 22–23, and [E/C.12/BHR/CO/1](#), paras. 38–39.
- 48 [CAT/C/BHR/CO/2-3](#), paras. 22–23, and [CCPR/C/BHR/CO/1](#), paras. 41–42.
- 49 See <https://wgad-opinions.ohchr.org/Search/Search>.
- 50 [CAT/C/BHR/CO/2-3](#), paras. 26–27.
- 51 *Ibid.*, paras. 28–31.
- 52 [CCPR/C/BHR/CO/1](#), paras. 33–34.
- 53 *Ibid.*, paras. 29–30.
- 54 OHCHR submission, p. 2.
- 55 [CCPR/C/BHR/CO/1](#), paras. 11–12.
- 56 OHCHR submission, p. 5.
- 57 [CCPR/C/BHR/CO/1](#), paras. 13 and 45–46, and OHCHR submission, p. 5. See also [A/HRC/36/3](#), para. 114.128.
- 58 UNESCO submission, paras. 9 and 16.
- 59 OHCHR submission, p. 4. See also [A/HRC/36/3](#), paras. 114.62–114.63.
- 60 [CCPR/C/BHR/CO/1](#), paras. 51–54. See also [E/C.12/BHR/CO/1](#), para. 14.
- 61 [CCPR/C/BHR/CO/1](#), paras. 53–54.
- 62 UNESCO submission, paras. 3–7 and 16, and [CCPR/C/BHR/CO/1](#), para. 54.
- 63 OHCHR submission, p. 3. See also <https://www.ohchr.org/en/press-releases/2021/06/bahrain-un-expert-alarmed-prolonged-detention-human-rights-defenders>.
- 64 [CCPR/C/BHR/CO/1](#), paras. 49–50 and 59–60.
- 65 *Ibid.*, paras. 53–54, and OHCHR submission, p. 3.
- 66 OHCHR submission, p. 4.
- 67 [CCPR/C/BHR/CO/1](#), paras. 49–50 and 59–60, [CAT/C/BHR/CO/2-3](#), paras. 32–33, [E/C.12/BHR/CO/1](#), paras. 8–9, and OHCHR submission, p. 3. See also <https://www.ohchr.org/en/press-briefing-notes/2019/01/press-briefing-note-bahrain>.
- 68 [CEDAW/C/BHR/Q/4](#), para. 6.
- 69 [CRC/C/BHR/CO/4-6](#), para. 13. See also [CRC/C/BHR/CO/2-3](#), para. 27.
- 70 [CCPR/C/BHR/CO/1](#), paras. 57–58. See also <https://www.ohchr.org/en/press-briefing-notes/2019/01/press-briefing-note-bahrain>.
- 71 *Ibid.*, paras. 63–64, and OHCHR submission, p. 4. See also [A/HRC/36/3](#), paras. 114.96, 114.101 and 114.115–114.117.
- 72 [CCPR/C/BHR/CO/1](#), paras. 55–56, and OHCHR submission, pp. 3–4.
- 73 UNESCO submission, para. 17.
- 74 [E/C.12/BHR/CO/1](#), paras. 24–25.
- 75 [CCPR/C/BHR/CO/1](#), paras. 17–18.
- 76 [E/C.12/BHR/CO/1](#), paras. 30–31.
- 77 OHCHR submission, p. 6. See also [E/C.12/BHR/CO/1](#), para. 23 (a).
- 78 [CCPR/C/BHR/CO/1](#), paras. 47–48.
- 79 [CRC/C/BHR/CO/4-6](#), para. 42. See also [CRC/C/BHR/CO/2-3](#), para. 66.
- 80 [E/C.12/BHR/CO/1](#), paras. 18–19.
- 81 *Ibid.*, paras. 22–23.
- 82 *Ibid.*, paras. 20–21.
- 83 *Ibid.*, paras. 36–37.
- 84 *Ibid.*, paras. 38–39.
- 85 *Ibid.*, paras. 34–35.

- ⁸⁶ Ibid., paras. 40–41.
- ⁸⁷ CRC/C/BHR/CO/4-6, para. 37.
- ⁸⁸ CCPR/C/BHR/CO/1, paras. 27–28.
- ⁸⁹ E/C.12/BHR/CO/1, paras. 44–45, and CRC/C/BHR/CO/4-6, para. 38.
- ⁹⁰ UNESCO submission, paras. 1–2 and 11.
- ⁹¹ CRC/C/BHR/CO/4-6, para. 39.
- ⁹² E/C.12/BHR/CO/1, paras. 46–47. See also E/C.12/BHR/1, para. 365.
- ⁹³ UNESCO submission, para. 18.
- ⁹⁴ E/C.12/BHR/CO/1, paras. 48–49.
- ⁹⁵ Ibid., para. 54.
- ⁹⁶ CCPR/C/BHR/CO/1, paras. 63–64.
- ⁹⁷ E/C.12/BHR/CO/1, paras. 10–11.
- ⁹⁸ Ibid., paras. 12–13.
- ⁹⁹ Ibid. and CRC/C/BHR/4-6, para. 14.
- ¹⁰⁰ CCPR/C/BHR/CO/1, paras. 21–22.
- ¹⁰¹ Ibid., paras. 19–20, and OHCHR submission, p. 5.
- ¹⁰² CAT/C/BHR/CO/2-3, paras. 34–35, and CCPR/C/BHR/CO/1, paras. 25–26.
- ¹⁰³ CEDAW/C/BHR/Q/4, para. 10.
- ¹⁰⁴ CRC/C/BHR/CO/4-6, paras. 29–31 and 45.
- ¹⁰⁵ Ibid., para. 6. See also CRC/C/BHR/CO/2-3, paras. 9 and 48.
- ¹⁰⁶ CRC/C/BHR/CO/4-6, paras. 26–27. See also CCPR/C/BHR/CO/1, para. 38, and CAT/C/BHR/CO/2-3, para. 25.
- ¹⁰⁷ CRC/C/BHR/CO/4-6, paras. 43–44. See also CCPR/C/BHR/CO/1, paras. 32, 38 and 42, and CAT/C/BHR/CO/2-3, para. 27.
- ¹⁰⁸ CRC/C/BHR/4-6, para. 6, E/C.12/BHR/CO/1, paras. 32–33, and OHCHR submission, p. 6.
- ¹⁰⁹ CCPR/C/BHR/CO/1, paras. 17–18, CRC/C/BHR/4-6, para. 15, and UNESCO submission, paras. 1–2. See also CRC/C/BHR/CO/2-3, para. 29.
- ¹¹⁰ CAT/C/BHR/CO/2-3, paras. 36–37, and CRC/C/BHR/4-6, para. 28.
- ¹¹¹ CRC/C/BHR/CO/4-6, para. 36.
- ¹¹² CCPR/C/BHR/CO/1, paras. 23–24.
- ¹¹³ OHCHR submission, p. 6. See also E/C.12/BHR/CO/1, para. 23 (a).
- ¹¹⁴ CCPR/C/BHR/CO/1, paras. 47–48.
- ¹¹⁵ Ibid., paras. 43–44.
- ¹¹⁶ Ibid., paras. 61–62.
- ¹¹⁷ OHCHR submission, p. 4. See also E/C.12/BHR/CO/1, para. 15 (d), and <https://www.ohchr.org/en/hr-bodies/upr/upr-implementation>.
- ¹¹⁸ CCPR/C/BHR/CO/1, paras. 61–62, and OHCHR submission, p. 5. See also A/HRC/36/3, paras. 114.175–114.176, and CERD/C/BHR/8-14.
- ¹¹⁹ OHCHR submission, p. 5. See also E/C.12/BHR/CO/1, para. 30, and <https://www.ohchr.org/en/hr-bodies/upr/upr-implementation>.
- ¹²⁰ CCPR/C/BHR/CO/1, paras. 19–20, and OHCHR, p. 5.
- ¹²¹ CRC/C/BHR/CO/4-6, paras. 21–22.
- ¹²² OHCHR submission, p. 5.
- ¹²³ CEDAW/C/BHR/Q/4, para. 15. See also CEDAW/C/BHR/CO/2, para. 31, and CEDAW/C/BHR/CO/3, para. 34.