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Human rights situations that require the Council's attention

Written statement* submitted by the Arab NGO Network for Development, a non-governmental organization on the roster

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

[18 August 2014]

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

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Implementation of UPR recommendations in Bahrain*

The Kingdom of Bahrain was among the first states to accept being reviewed under the Universal Periodic Review (UPR) mechanism and undertook two reviews in 2008 and 2012, which resulted in 165 recommendations in total (those accepted by Bahrain).

The government always claims that it has implemented more than 90% of UPR recommendations (and as well of the BICI recommendations), but the fact is that the government did not implement UPR recommendation in essence, but indeed committed serious abuses of human rights on larger scale.

Bahrain is in serious crises of human rights since February 2011, with more than 150 persons killed, thousands injured, around 3500 prosecuted and imprisoned, more than 5000 arbitrarily dismissed, though majority re-instated, hundreds sought asylum in exile, public freedoms are constrained, relative democracy demised, and civil society and human right defenders are under threat. Together with national CSOs, prominent figures including UN Secretary General Ban Ki-Moon, UN High Commissioner for Human Rights Navi Pillay, BICI President Cherif Bassiouni and major international human rights organizations have repeatedly urged the government to stop these abuses and address the political and human crises through conciliation and implementation of UPR recommendations.

This written statement presents a brief assessment of selected UPR recommendations' implementation in Bahrain and calls HRC members to urge Bahraini government to fully implement them.

- Ratification of conventions, lifting reservations and accepting optional protocols: The government did not ratify any conventions nor lifted any reservations
- Death penalty: Death penalty is not abolished
- Incorporate into national law Bahrain's obligations under the International Covenant on Civil and Political Rights, the Convention against Torture and the Convention on the Rights of the Child :Bahrain's juvenile law was amended to indicate that the parents of anyone under the age of 15 who takes part in a demonstration, public gathering or sit-in would receive a written warning from the Ministry of Interior. If a second offence is recorded within six months the child's father could face jail, a fine or both. Thus the amendment puts responsibility on parents, instead of protecting children participants in protests.
- Align the national legislation on freedom of expression, association and assembly with country's international HR obligation Bahrain did not align the national legislation on freedom of expression, association and assembly with country's international human rights obligations. The government even abuses the existing Law on Assembly and demonstrations, by refusing to observe notification for assembly and demonstration, practically banning peaceful assembly and demonstrations. Even the draft Law on Publication and Printing and draft Law on Electronic Publication and draft Law on Civil Society Organizations are short of international Human rights obligations.
- Enhance the protection for child rights by issuing the child law: Law on Rights of Child was issued but short of rights stipulated in the CRC.
- Amend any article of its Penal Code that can be used to prosecute individuals for the exercise of the rights to freedom of expression, peaceful assembly or association, and bring its laws into line with international standards established by the International Covenant for Civil and Political Rights: Penal Code is toughened the sentences for the exercise of the rights to freedom of expression, peaceful assembly or association, contrary to international standards established by the International Covenant for Civil and Political Rights and victims are in hundreds.
- Facilitate the work and function of the national human rights institution in accordance with the Paris Principles:The NHRI does not meet Paris principles.
- Include opposition parliamentary groups and invite civil society in the implementation of the National Consensus Dialogue: No opposition parliamentary groups exist after the resignation of Alwefaq opposition block, and independent civil society is excluded from dialogue with officials where the so called National Consensus Dialogue stands as a public relation event, where real dialogue is needed
- Establish an adequate time frame and a transparent follow-up mechanism for an accelerated implementation of the recommendations by the Independent Commission of Inquiry: No adequate time frame and a transparent follow-up mechanism for an accelerated implementation of the recommendations by the Independent Commission of Inquiry were taken. The measures were limited to governmental and pro-government committee.

-Implement the recommendations of BICI in such a way to foster a spirit of national unity and consensus conducive to the advancement of the reform process in line with the legitimate aspirations of the people: No serious steps were taken to implement the recommendations of BICI in such a way to foster a spirit of national unity and consensus conducive to the advancement of the reform process in line with the legitimate aspirations of the people. On the contrary the discriminative policies continue to widen the rift in the national unity

- Step up its cooperation with special procedures' mandate holders by responding positively to the visit request of the Special Rapporteurs including the Special Rapporteur on torture: There is no real cooperation with special procedures' mandate holders, and Bahrain is not responding positively to the visit request of the Special Rapporteurs, including Special Rapporteur on torture.

* Bahrain Transparency Society(BTS) NGO without consultative status, also share the views expressed in this statement.