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Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21

Bahrain*

The present report is a summary of 19 stakeholder's submissions¹ to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

I. Background and framework

A. Scope of international human rights obligations²

1. Amnesty International (AI) noted that as of November 2011, Bahrain had not signed CED, although it had accepted a recommendation to this extent at its first review under the UPR in 2008.³ Front Line Defenders (FLD) recommended that Bahrain accede to OP-CAT⁴ JS2 recommended ratification of OP-ICESCR⁵ and called upon Bahrain to ensure that all domestic laws confirm to international standards.⁶

2. AI noted that Bahrain had agreed to undertake a public education campaign aimed at withdrawing reservations to CEDAW, ratifying OP-CEDAW and harmonizing national legislation with the Convention. However, reservations made to CEDAW remained.⁷ JS4 stated that Bahrain had ignored most UPR recommendations, including recommendations to withdraw reservations to CEDAW; to sign CED; and to enact a law providing for citizenship of children whose father is not Bahraini.⁸

3. JS2 acknowledged the ratification of the UN Convention against Corruption as an achievement, but noted that the implementation of the Convention needed to be assured, with relevant amendments to domestic legislation.⁹

4. JS4 noted that Bahrain had notified the United Nations of its declaration of a State of National Safety on 15 March 2011, and of its derogation from certain provisions of ICCPR.¹⁰ AI stated that the state of emergency, declared in response to anti-government protests, had given the security forces sweeping powers of arrest and detention and established a system of military-dominated special courts, without any explicit human rights safeguards¹¹ Excessive force had still been used after the lifting of the state of emergency on 1 June 2011.¹²

B. Constitutional and legislative framework

5. According to JS4, Bahrain's human rights problems stem from a deep-rooted imbalance in its Government's administration and the exclusion of democratic oversight over the legislation, with resulting discrimination and a sectarian division and distrust in the population.¹³

6. JS2 stated that demands for equality and non-discrimination had been at the core of the peaceful protests at Pearl Roundabout in Manama after 14 February 2011, alongside the call for institutional, political, economic and social reforms aimed at reducing social inequalities.¹⁴ According to JS4, the authorities had used excessive force to remove large sit-in protests on 17 February and 16 March 2011.¹⁵

7. AI noted that several draft laws were pending approval by the Shura Council (the appointed Upper House of Parliament), including the draft press law and a draft children's law.¹⁶ In October 2011, the Shura Council had adopted an article of the latter draft law that will raise the upper age definition of a child from 16 to 18 years.¹⁷

C. Institutional and human rights infrastructure, policy measures

8. JS2 welcomed the establishment of the National Human Rights Institution (NHRI) in line with Bahrain's voluntary pledges made at the first UPR session. It noted, however, that some members, including the head of the NHRI, had resigned in April 2011 in protest

over human rights abuses.¹⁸ JS4 stated that the NHRI continued to remain silent on grave human rights violations committed since the beginning of 2011.¹⁹ JS2 urged Bahrain to ensure that the work of the NHRI is aligned with the Paris Principles and serves to document and report human rights violations.²⁰

9. AI noted the establishment of the Bahrain Independent Commission of Inquiry (BICI) in June 2011, composed of five international experts, to investigate alleged human rights abuses related to the February-March 2011 protests.²¹ AI recommended that Bahrain implement the recommendations made by BICI, with a view to ensuring full accountability, justice and reparation for the victims.²²

10. JS2 welcomed the renaming of the Ministry of Social Development to Ministry for Human Rights and Social Development, but noted that the actions of the Ministry were often not aligned with international human rights standards and obligations.²³

11. JS2 noted that further details and clarifications were needed regarding the functioning of the National Victims' Compensation Fund, established to compensate eligible victims who had suffered material, moral or physical damage from the actions of public security forces or public officials during the uprising.²⁴

12. JS2 noted that a National Consensus Dialogue had been launched in July 2011. National stakeholders called for a genuine national dialogue, led by a consensus Government that includes all major political and social forces and adopts clear mechanisms for further implementation.²⁵ JS2 urged Bahrain to submit periodic reports on the implementation of reforms.²⁶

13. JS4 stated that in the last UPR follow-up report, Bahrain claimed to have involved all relevant stakeholders in the implementation of the action plan, including the Bahrain Human Rights Society (BHRS) and the Bahrain Human Rights Watch Society (BHRWS). However, while BHRS had been closed down in the same year and its board replaced by Government officials, BHRWS was a Government affiliated organization. The Bahrain Centre for Human Rights (BCHR) had never been consulted.²⁷

II. Cooperation with human rights mechanisms

Cooperation with special procedures

14. JS4 encouraged Bahrain to accept visits by Special Rapporteurs, including the Special Rapporteur on Torture and the Special Rapporteur on Freedom of Association and Assembly.²⁸ AI recommended that Bahrain agree a firm date for the visit by the Special Rapporteur on torture.²⁹ Front Line Defenders (FLD) recommended that Bahrain ensure full cooperation with the Special Rapporteur for Human Rights Defenders and invite the mandate to visit.³⁰

III. Implementation of international human rights obligations

A. Equality and non-discrimination

15. JS2 noted that, although Bahrain had received appreciation for its achievements on economic and social rights during the first UPR session,³¹ the 2011 protests signalled a lack of equality in the implementation of social and economic policies among Bahraini citizens and geographic regions.³² JS2 urged Bahrain to ensure that the principles of equality and non-discrimination are well implemented.³³

16. AI stated that women were still subject to discrimination in law, as well as in practice. For example, while Bahraini men married to foreign spouses can pass on Bahraini nationality to their children this is still not possible for Bahraini women married to foreign men.³⁴

17. AI noted that Bahrain had supported a recommendation to undertake consultations towards the adoption of a family law. In May 2009, the King had approved a new family law for Sunni Muslims, which protects the rights of women in Shari'a law courts. However, Bahrain's Shi'a Muslim population was excluded from the legislation after scholars and members of parliament from the Shi'a community had threatened to organize widespread protests against the law.³⁵

18. JS2 stated that the difference in wages between men and women was getting wider, especially in the private sector, where women earn only 70 per cent of men's wages.³⁶ JS2 urged Bahrain to take corrective measures to address persistent wage gaps ensuring the principles of equality and non-discrimination.³⁷

B. Right to life, liberty and security of the person

19. AI stated that since February 2011, large anti-Government protests had been held mostly by members of the Shi'a Muslim community. They complained of discrimination, especially in employment and housing, and called for reforms. The Government had dispersed the first protests using excessive force. Seven protesters had been killed and others injured; some due to the use of live ammunition and shotguns at close range by the police and army. Pen International (PEN) stated that repression had escalated in March 2011, when the Government invited security forces under the aegis of the Gulf Cooperation Council (GCC) to help manage the unrest. The King had announced a state of emergency under which curfews were imposed and all public assembly were banned. The combined security forces had then initiated a brutal crackdown on protesters and supporters.³⁸

20. JS4 stated that numerous violations had occurred after lifting the National Safety Acts, including the arbitrary detention of protesters and the establishment of punitive checkpoints outside villages by which civilians were targeted because of their religion or the contents of their mobile phones. Many had had their houses raided and their property destroyed or confiscated, and had been beaten by the police before and after arrest.³⁹

21. The Islamic Human Rights Commission (IHRC) noted that according to accounts of Bahraini human rights activists, 34 people had been killed, mostly in the weeks after Pearl Roundabout had been cleared.⁴⁰ AI reported that more than 1,000 people had been detained since the start of the protests. In virtually all cases the whereabouts of detainees had remained unknown for weeks after their arrest. In most cases the Government had refused to allow any contact with the detainees, prompting anxiety about their safety and welfare.⁴¹

22. FLD stated that doctors and nurses who had treated the injured had subsequently been arrested and charged with harbouring anti-government opponents. The military prosecutor had charged 24 doctors and 23 nurses and paramedics with various offences. In addition, the heads of 21 out of 23 health centres had been removed from their jobs. Excessive use of force had been used during their arrest, and many of them had been held incommunicado for weeks, without access to their families and lawyers. Allegations of torture and ill treatment had not been investigated or acknowledged by the court.⁴²

23. According to JS4, torture has had a long history of being used with impunity by the state security apparatuses.⁴³ AI noted that legislation did not explicitly prohibit the use of torture and other ill-treatment; nor provide a clear definition of torture in line with CAT. Torture and other ill-treatment of detainees remained widespread.⁴⁴ It recommended that Bahrain explicitly prohibit torture and other ill-treatment in national legislation and in

practice; incorporate a clear and comprehensive definition of torture in national legislation, and ensure that all allegations of torture or other ill-treatment are independently, promptly and thoroughly investigated, and that those responsible are brought to justice.⁴⁵

24. REDRESS stated that over the past eighteen months Bahrain had seen a massive increase in the use of torture within its police stations and by its state security services. The frequency and recurring patterns of torture suggested that it had been carried out in a systematic way, at least in respect of the recent crackdown against protesters.⁴⁶ JS4 stated that Bahraini NGOs had documented over 1800 reports of individuals being tortured since February 2011.⁴⁷

25. Human Rights First (HRF) noted that there was strong evidence that human rights defenders had been tortured in detention. On 12 May 2011 a HRF observer had been denied entry to the trial of 21 political and human rights activists, including Abdulhadi Al Khawaja, founder of the BCHR. HRF had spoken to dozens of released detainees who gave consistent, credible accounts of having been tortured in custody. Dozens had been sentenced after having inadequate access to lawyers and having been forced to sign confessions extracted under torture. Many had been sentenced to long terms, often in the range of 15 years.⁴⁸ JS4 reported that at least four detainees had died in custody in suspicious circumstances.⁴⁹ FLD recommended that Bahrain conduct an independent, impartial and thorough inquiry into the source of threats, ill-treatment, torture and all forms of intimidation and harassment as well as unfair trial and initial arbitrary detention.⁵⁰ Alkarama recommended that Bahrain annul the judgements rendered by the Court of National Safety and release all detainees.⁵¹

26. The Organization for Defending Victims of Violence (ODVV) stated that women had not been immune from arrests, abuse and torture. Reportedly more than 25 women had been arrested during various protests in the country, and some had been raped. Allegedly children and youths had also been victims of the recent crisis.⁵²

27. AI recommended that Bahrain ensure that all allegations of unlawful killings and excessive force against protesters are independently, promptly and thoroughly investigated; that those responsible are brought to justice; and that appropriate reparation are provided to victims.⁵³

28. Global Initiative to End All Corporal Punishment of Children (GIEACPC) highlighted with concern lack of progress towards prohibiting corporal punishment of children, and strongly recommended that legislation be introduced to prohibit all forms of corporal punishment of children in all settings.⁵⁴

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

29. FLD stated that since the intensification of mass protests, the use of the judicial system to silence protest leaders and human rights defenders had increased. Many of the trials that followed had been held before the National Safety Court, which was a military court established by the decree proclaiming the State of National Safety.⁵⁵ AI stated that prominent opposition activists, health workers, teachers, students and human rights activists had appeared before this court on a wide range of charges.⁵⁶ JS4 noted that cases which had received sufficient international condemnation were sometimes moved to civilian courts, such as the case against the medics involved in treating injured protesters in Salmaniya hospital. It stated that Bahrain had committed serious violations by denying defendants time to prepare legal counsel, not presenting the evidence against them or informing them of the charges, interrogating them without the presence of a lawyer, and often ignoring evidence that they had been tortured into confessing.⁵⁷ AI reported that the court had neither

investigated allegations of torture nor dismissed contested “confessions”, and it had not referred defendants for independent medical examination.⁵⁸

30. JS3 stated that on 29 September 2011, 20 medical doctors had been sentenced by a military court, based on unsubstantiated evidence and charges stemming from the fact that they had occupied the Salmaniya medical complex, allegedly calling for the overthrow of the regime and for spreading false information.⁵⁹

31. AI noted that at the end of August 2011, the King had issued a decree referring all cases being examined by the National Safety Court to civilian courts, and by early October 2011 all such cases had been referred to civilian courts; however, many people had already received lengthy prison terms at the National Safety Court. Out of four persons who had been sentenced to death by this Court, two had had their sentences commuted to life imprisonment, while the other two remained under sentence of death by early November 2011. AI recommended that all detainees be released; and that all receive a fair trial. All death sentences should be commuted and a moratorium on executions be declared.⁶⁰

32. JS3 similarly recommended that the files of civilians sentenced by military courts be thoroughly reviewed and the sentencing investigated.⁶¹ FLD recommended the immediate release of those human rights defenders who remained on trial.⁶²

33. JS4 observed a culture of impunity within the security services, although the King had repeatedly promised to investigate and hold responsible those individually responsible for human rights abuses. JS4 stated that even if there was no clear official policy by the Government to torture and kill dissidents, these abuses had become a regular occurrence.⁶³ FLD recommended that Bahrain fully investigate allegations of torture and take urgent measures to prevent its re-occurrence.⁶⁴

34. Alkarama noted that decree 56/2002 had granted amnesty to the perpetrators of acts of torture committed during the 1990s. It recommended that Bahrain combat impunity by amending this decree.⁶⁵

D. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

35. IHRC stated that, in an attempt to prevent freedom of expression of the anti-government protestors, security checkpoints and a heavy police presence had been set up around the country.⁶⁶

36. ODVV was deeply concerned over attacks on mosques and destruction of holy Islamic property, the banning of Shia from holding religious ceremonies and attacks on mourners, all of which were grave violations of international law.⁶⁷ JS4 stated that the rights of Shiites to practice their religious beliefs had come under attack by the Government.⁶⁸ JS4 noted the presence of checkpoint used to punish Shiite villages by beatings, confiscating property, robbing and arresting people, or preventing people from practicing their religious rituals.⁶⁹ ODVV recommended an immediate stop to the destruction, provisions for compensation and the reconstruction of centres and properties that had been destroyed.⁷⁰

37. HRW indicated that for the past four years Bahrain had failed to pass new and progressive legislation to regulate press freedoms, but rather introduced new amendments that would impose further restrictions. It stated that the current Press Law (47/2002) contained unduly restrictive measures. The government had stepped up efforts to further silence criticism by introducing new measures to clamp down on press freedoms. Alkarama stated that Bahrain’s voluntary commitment “to take care that the press bill does not restrict freedom of expression unduly” did not seem to have been met. On 28 March 2011, the

Government had promulgated decree No 5/2011, which prohibits the publication of any information on investigations in progress for reasons of “national security”, thus allowing the authorities to penalize any denunciation of human rights violations. Consequently, on 3 April 2011, the principal newspaper of the opposition, Al Wasat, had been suspended. PEN recommended repealing the 2002 Press Law or amending it to eliminate all restrictions upon the freedom of the press; and enacting a progressive, substantive Freedom of Information law.⁷¹

38. JS4 stated that Bahrain had derogated from its obligation to respect freedom of expression under ICCPR during the period of National Safety in 2011. However, attacks on journalists, both foreign and native, had occurred on numerous occasions also outside this period.⁷² JS4 and PEN stated that two of those who had died in detention under torture were journalists: Zakariya Rashid Hassan AlAshiri and Kareem Fakhrawi. Many more journalists had been harassed, beaten, and arrested. PEN was especially concerned that the crackdown particularly had targeted writers, academics, and journalists who were attempting to exercise these fundamental rights.⁷³

39. PEN stated that Nazeeha Saeed, a reporter for France24, had been arrested on 22 May 2011 for reporting a story about a death perpetrated by security forces. She reported that she had been tortured and beaten so badly while in custody that she had to be airlifted to France to recover in hospital.⁷⁴ Hayder Mohamed, a journalist for the independent newspaper Al Wasat, had allegedly been abducted from his house by security forces and then been tortured. He was subsequently released without charge. Similarly, 10 lawfully registered photographers had also been detained and some of them reported torture in custody. They, too, were subsequently released without having been charged or tried.⁷⁵ PEN recommended the release of all journalists, writers and activists held in custody for practicing their right to freedom of expression; that Bahrain fully implements the recommendations by BICI; and civilian courts be used in place of military tribunals for charges of free expression in order to guarantee due process.⁷⁶

40. Article 19 was concerned by the lack of independent broadcast media, noting that much of TV and radio was state-controlled and used to systematically attack activists and dissidents. Newspapers and journalists who operate independently of the State were accused of receiving funds and instructions from foreign powers, and warned of imminent prosecution. Self-censorship was prevalent.⁷⁷ AI reported that more than 68 journalists and media workers, including some 30 journalists working for pro-government newspapers, had been dismissed from their jobs. Allegedly a number of journalists and bloggers had been detained.⁷⁸ AI recommended that Bahrain cease all intimidation and respect and protect the right of human rights defenders to conduct their work without hindrance, intimidation or harassment.⁷⁹

41. Article 19 noted that internet freedom remained of concern, both in terms of legislation and practice. It stated that Resolution No.1 of 2009, adopted pursuant to the 2002 Telecommunications Law, gave the Ministry of Information full control over the blocking of websites. According to Article 19, much censorship of politically sensitive material took place under the pretext of protecting citizens from offensive material such as pornography. The Ministry of Information had been actively blocking websites with content critical of the Government.⁸⁰

42. JS3 expressed deep concerns over the actions of the authorities towards human rights defenders, bloggers, poets, political activists and ordinary citizens who had spoken out against the brutal crackdown on peaceful protests and demonstrations. Thousands had been arrested and tortured and some had died in detention.⁸¹ JS3 stated that on 22 June 2011, 21 human rights and political activists had been sentenced to prison terms ranging from 2 years to life.⁸² Among those arrested was Abdullah al-Khawaja, former president of the BCHR, who had allegedly been harassed and intimidated at his home and arrested

together with two of his sons in law. According to JS3, Mr. Al-Khawaja was later sentenced to life in prison.⁸³

43. Human Rights Watch (HRW) reported that laws that regulate freedom of assembly are not in compliance with ICCPR and regularly used to restrict the freedom to assemble peacefully. Bahrain's Public Gathering Law 32/2006 defines a public gathering as any meeting in which "more than five people" participate; requires that organizers give notice three days before holding such meetings; and grants sweeping power to local security authorities to turn down requests, depending on their purpose or any other circumstance. The law authorizes prison sentences of up to six months and/or fines for alleged breaches.⁸⁴ HRW estimated that at least 1,600 people had been arrested since mid-March and that authorities had charged many of those arrested for "participating in illegal protests".⁸⁵ AI recommended that Bahrain ensure that meetings held in private and involving a small number of people are not subject to obtaining prior official notification; amend or repeal Article 10(a) of Law 32 of 2006 in order to allow political rallies and meetings for non-citizens; and to allow demonstrations for election purposes.⁸⁶

44. JS3 stated that in the lead-up to the municipal and parliamentary elections held on 23 October 2010, the authorities had targeted members of the political opposition and activists using the anti-terrorism legislation and in the process arrested and detained about 300 individuals, some of whom were tortured while in detention.⁸⁷

45. FLD stated that legislation regulating the establishment and functioning of NGOs had been used to restrict the creation of human rights groups.⁸⁸ FDL recommended that Bahrain review the 1989 Societies Act No 21 with a view to strictly defining the criteria upon which registration can be denied or the leadership of a registered NGO replaced by government administrators.⁸⁹

46. HRF stated that a range of international NGOs had been denied access to Bahrain during parts of 2011. Premises of Médecins Sans Frontières had been forcibly closed following an armed raid by security forces in July 2011, its equipment confiscated and staff arrested.⁹⁰

E. Freedom of movement

47. AI stated that some activists were banned from travelling abroad. On 31 May, Nabeel Rajab, director of the banned BCHR, was ordered to report to the military prosecutor's office, where he was questioned without the presence of a lawyer for five hours. He was not charged, but threatened with prosecution before the National Safety Court. Two days earlier, officials at Manama airport had prevented him from boarding a flight and told him he had been banned from leaving Bahrain; although the ban was later lifted⁹¹

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

48. JS1 stated that 2815 workers in both public and private sector had been dismissed and that the Government had largely failed to reinstate workers illegally dismissed.⁹² AI stated that those who had joined the protests and were dismissed from their employment included university lecturers, school teachers, medical doctors and nurses. The justification put forward was generally that the employees had breached the terms of their employment by joining the protests.⁹³ JS3 stated that before their dismissals, some of the workers had been interrogated by authorities and questioned about any role they had played at the start of the demonstrations. JS1 reported on arrest and prosecution of trade union leaders.⁹⁴ JS1 stated that prominent trade union leaders and hundreds of members had been fired, and

some faced criminal prosecution for their role in organizing and participating in strikes and/or demonstrations.⁹⁵ JS1 expressed concern that trade union leaders continued to face charges.⁹⁶ JS3 recommended Bahrain to reinstate and fully compensate workers covering the period of their dismissals.⁹⁷ FDL called on Bahrain to ensure that all human rights defenders are fully reinstated in their positions and free to carry out their human rights activities free from persecution.⁹⁸

49. ODVV noted grave violations and highlighted that ambulances, hospitals, clinics, doctors, nurses and medical staff had been targeted. While observing their code of ethics in fair treatment of injured protestors, doctors and nurses had been dismissed from medical treatment centres, and in instances arrested and detained.⁹⁹

50. JS2 stated that the number of women who occupy leading positions in both the private and public sector was still disproportionately low. Although the rise of the maternity leave from 45 days to 60 days was a positive step, it was still far below the 14 weeks ILO standard, necessitating the revision of the Labour Code to promote gender equality.¹⁰⁰ JS2 urged Bahrain to reform the Labour Code to promote gender equality and ensure that all labour legislation and policy meets international human rights standards.¹⁰¹

51. Bahrain Human Rights Watch Society (BHRWS) stated that a number of individual expatriates, some of them female domestic workers, who had debts, were banned from travel and ordered to pay back the debts. Bahrain's Immigration Department refused to renew the residency of individuals who had a travel ban, due to which they could not get a work permit, which in consequence meant that they could not work and pay off the debts.¹⁰² BHRWS stated that employers were often not paying salaries to expatriates.¹⁰³ It recommended that Bahrain adopt new legislation on female domestic workers as soon as possible.¹⁰⁴

G. Right to social security and to an adequate standard of living

52. JS2 stated that although Bahrain was a welfare state subsidizing many utilities, the elimination of wide income gaps that generate relative poverty remained a core challenge. In this regard, the adoption and revision of the national strategy to decrease relative poverty and to support needy families was a positive achievement.¹⁰⁵

53. JS2 stated that crony capitalism and corrupt privatization practices exacerbated the income inequalities. JS2 called upon Bahrain to ensure the availability and accessibility of up-to-date data on poverty; and open transparent and independent investigations of cases raised by the Parliament in regards to privatization of public land and its implications on the realization of economic and social rights.¹⁰⁶

54. The European Centre for Law and Justice (ECLJ) stated that Shia Muslims composed the majority of the lower socio-economic status and had a higher unemployment rate. The Government's religious prejudice was manifested in political and employment discrimination, and Shia Muslims complained that they were denied desirable government jobs due to their religion.¹⁰⁷

55. JS2 noted discrimination between different regions with regard to the implementation of the state-subsidized housing projects, with more such services being offered in the Southern region.¹⁰⁸

H. Right to health

56. JS2 stated that the targeting of medical personnel and patients in Salmaniya Medical Complex during the protests had curtailed the enjoyment of the right to access to healthcare

and led to degradation of medical services. In March 2011, military and security forces had taken over the Salmaniya Medical Complex and undertaken interrogations of patients.¹⁰⁹ JS2 urged Bahrain to take immediate measures to redress the violations of the right of health and restore the civil nature of the Salmaniya Medical Complex.¹¹⁰ JS4 similarly reported that the Government had blocked medical treatment to wounded protestors. The Government had prevented medical facilities from reaching the Salmaniya Medical Complex, which had deterred many injured protestors from seeking treatment because of the sweeping arrests at similar medical facilities.¹¹¹

57. JS2 stated that the need to improve national health standards through a comprehensive strategy and in closer coordination with the private sector, while ensuring equal access to quality services across the country, had been pointed out during the National Consensus Dialogue. However, the Government should ensure that privatization of the health sector does not violate the right to health and that it is accompanied by relevant measures that guarantee equal access of all to quality health care without discrimination.¹¹²

I. Right to education

58. JS2 stated that while universal primary education was nearly achieved, providing quality education for all remained a challenge.¹¹³ JS2 recommended that Bahrain reform its education policy to ensure non-discrimination in access to quality education among all and in all geographic regions.¹¹⁴

59. ECLJ stated that public education includes an exclusively Sunni-based Islamic studies curriculum that is mandatory for all students. The Shia Islamic tradition was not represented in the mandatory curriculum and Shia teachers were discouraged from including any materials about Shia traditions or practices.¹¹⁵

60. JS4 stated that 40 students had been expelled from educational institutions, while others had been forced to sign a loyalty pledge.¹¹⁶ JS2 stated that students that had taken part in the anti-government protests had been arrested and suspended from their universities and many subjected to trials by military courts.¹¹⁷ JS2 called for immediate corrective measures redressing violations against the rights of students and academics.¹¹⁸

J. Human rights and counter-terrorism

61. AI noted that the “Protecting Society from Terrorist Acts Law” (2006) allows the death penalty for anyone convicted of committing or planning terrorist acts.¹¹⁹ Alkarama noted that the provisions of the 2006 anti-terrorism law contains a vague definition of terrorism, and grants to the public prosecutor an excessive capacity as regards police custody, authorizing its prolongation for fifteen days without control of a legal authority. Alkarama recommended the abolition of the anti-terrorism law and a revision of all judgements, while guaranteeing fair trials to those prosecuted.¹²⁰ AI recommended that Bahrain repeal Article 6 of this law¹²¹

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

AI Amnesty International (NGOs in Consultative Status with ECOSOC)
 (London, United Kingdom);

Alkarama	Alkarama (Geneva, Switzerland)
ARTICLE 19	Global Campaign for Free Expression (ARTICLE 19)
BHRWS	Bahrain Human Rights Watch Society (Manama, Bahrain);
ECLJ	European Centre for Law and Justice (Strasbourg, France);
FLD	Front Line Defenders (Brussels, Belgium);
GECHR	Gulf-European Center for Human Rights (Manama, Bahrain);
GIEACPC	Global Initiative to End All Corporal Punishment of Children;
HRF	Human Rights First;
HRW	Human Rights Watch (New York, USA);
IHRC	Islamic Human Rights Commission (Wembley, UK);
JS1	Joint Submission 1 – by the International Trade Union Confederation (ITUC), Education International (EI), a global union federation;
JS2	Joint Submission 2 – by: Arab NGO Network for Development (Beirut, Lebanon), Bahrain Transparency Association (Manama, Bahrain), and Bahrain Human Rights Society (Manama, Bahrain);
JS3	Joint Submission 3 - CIVICUS: World Alliance for Citizen Participation and Bahrain Centre for Human Rights (BCHR) (Manama, Bahrain).
JS4	Bahrain Centre for Human Rights (BCHR) (Manama, Bahrain) and Cairo Institute for Human rights (Cairo, Egypt);
ODVV	Organization for Defending Victims of Violence (New York, USA);
PEN	PEN International;
REDRESS	Ending Torture, Seeking Justice for Survivors (London, UK);

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
CED	International Convention for the Protection of All Persons from Enforced Disappearance

³ AI, page 1.

⁴ FLD, para. 25.

⁵ JS2, paras. 10-12.

- 6 JS2, paras. 10-12.
- 7 AI, page 1.
- 8 JS4, page 2.
- 9 JS2, para. 31.
- 10 JS4, page 5.
- 11 AI, page 2.
- 12 AI, page 3.
- 13 JS4, page 5.
- 14 JS2, paras. 1-2.
- 15 JS4, page 5.
- 16 AI, page 1.
- 17 AI, page 1.
- 18 JS2, paras. 13-16.
- 19 JS4, page 3.
- 20 JS2, para. 17. See also AI, pages 5 and 6.
- 21 AI, page 2.
- 22 AI, pages 5 and 6.
- 23 JS2, paras. 13-16.
- 24 JS2, paras. 13-16.
- 25 JS2, para. 21.
- 26 JS2, paras. 22-24.
- 27 JS4, page 2.
- 28 JS4, page 3.
- 29 AI, pages 5 and 6.
- 30 FLD, para. 25.
- 31 JS2, para. 5.
- 32 JS2, para. 25.
- 33 JS2, para. 27.
- 34 AI, page 1.
- 35 AI, page 1.
- 36 JS2, para. 38.
- 37 JS2, paras. 43-46.
- 38 PEN, para. 6.
- 39 JS4, para. 5.
- 40 IHRC, page 2. See also JS4, paras. 4-5 and AI, page 3.
- 41 AI, pages 3-4.
- 42 FLD, paras. 15-19.
- 43 JS4, para. 5.
- 44 AI, page 2.
- 45 AI, pages 5 and 6.
- 46 REDRESS, para. 3.
- 47 JS4, para. 5.
- 48 HRF, paras. 4-7.
- 49 JS4, para. 5.
- 50 FLD, para. 25.
- 51 Alkarama, p. 6.
- 52 ODVV, para. 13.
- 53 AI, pages 5-6.
- 54 GIEACPC, page 1.
- 55 FLD, Para. 6.
- 56 AI, page 4.
- 57 JS4, page 6.
- 58 AI, page 4. See also PEN, para 12.
- 59 JS3, para. 3.4.
- 60 AI, pages 4 - 6.
- 61 JS3, para. 5.2.



- 62 FLD, para. 25.
63 JS4, pages 6 and 7.
64 FLD, para. 25.
65 Alkarama, pp. 5-6.
66 IHRC, page 2.
67 ODVV, para. 12.
68 JS4, page 5.
69 JS4, page 5.
70 ODVV, para. 16.
71 PEN, para. 25. See also Alkarama, pp. 3 and 6.
72 JS4, page 4.
73 JS4, pages 5 and 6. PEN, paras. 7, 9 and 10.
74 PEN, para. 11.
75 PEN, para. 12.
76 PEN, para. 25.
77 ARTICLE 19, paras. 8-12.
78 AI, paras. 4-5.
79 AI, paras. 5-6.
80 ARTICLE 19, paras. 13-15.
81 JS3, para. 2.4.
82 JS3, para. 2.6.
83 JS3, para. 2.5.
84 HRW, page 1. See also AI, page 2.
85 HRW, page 1. See also AI, page 2.
86 AI, pages 5 and 6.
87 JS3, para. 2.2.
88 FLD, para. 20.
89 FLD, para. 25.
90 HRF, paras. 8-12.
91 AI, paras. 4-5.
92 JS1, page 5. See also JS2 paras 34 to 42.
93 AI, paras. 4-5. See also JS3, paras. 4.1 to 4.5; and JS2, para. 40.
94 JS1, page 1.
95 JS1, page 3.
96 JS1, page 5.
97 JS3, paras. 4.4 and 5.3. See also AI, pages 5 and 6.
98 FLD, paras. 23 and 25.
99 ODVV, paras 7 and 8.
100 JS2, paras. 41-42.
101 JS2, paras. 43-46.
102 BHRWS, page 1.
103 BHRWS, page 2.
104 BHRWS, page 4.
105 JS2, paras. 29-31.
106 JS2, paras. 32-33.
107 ECLJ, para. 13.
108 JS2, para. 26.
109 JS2, paras. 53-54.
110 JS2, para. 56.
111 JS4, para. 5.
112 JS2, para. 55.
113 JS2, paras. 47-48.
114 JS2, paras. 51-52.
115 ECLJ, para. 15.
116 JS4, page 5.
117 JS2, paras. 49-50.

¹¹⁸ JS2, paras. 51-52.

¹¹⁹ AI, page 2.

¹²⁰ Alkarama, pp. 5-6.

¹²¹ AI, pages 5 and 6.
