

BAHRAIN HUMAN RIGHTS DEFENDERS UNDER ATTACK

Introduction

1. This report is a submission by Human Rights First to the Office of the High Commissioner for Human Rights (OHCHR) for consideration in its summary of stakeholder submissions for Bahrain's appearance before the Universal Periodic Review session, scheduled May 21 through June 1, 2012.
2. This submission is consistent with the guidelines approved by the Human Rights Council and the Civil Society Unit of the OHCHR. This submission focuses primarily on the situation of Human Rights Defenders, which is of particular relevance to the guidelines contained in the UN Declaration on Human Rights Defenders

Executive Summary

3. In addition to the recommendations contained in the final section, this submission makes the following key points:
 - Bahrain has undergone an alarming upsurge of violence and harassment aimed at human rights defenders since February 2011. Human rights defenders have been beaten up, their homes attacked, and banned from leaving the country. It is commonly believed that their phones are tapped. Their work in defending and promoting human rights remains dangerous, and the government of Bahrain has failed in its obligations to the 1998 UN Guidelines on Human Rights Defenders.
 - Human rights activists, journalists and medics have been particularly targeted for their defense of human rights. Dozens have been detained and subjected to torture and military trials, even though they are civilians.

Torture in Detention, Unfair Trials

4. There is strong evidence that human rights defenders have been tortured in detention. Torture included severe beatings over a prolonged period, sexual attacks, and electric shocks. On May 12, 2011 a Human Rights First observer was denied entry to the trial of 21 political and human rights activists, including Abdulhadi Al Khawaja, founder of the Bahrain Centre for Human Rights and former Front Line Middle East & North Africa Protection Coordinator. It appears he was held incommunicado and tortured for weeks after his arrest in April 2011 and denied access to his lawyer. He was repeatedly denied permission to speak at his hearings and to raise the evidence of torture inflicted on him. Human Rights First spoke to dozens of released detainees who gave consistent, credible accounts of having been tortured in custody.
5. Dozens of medics and others who spoke up for human rights were subjected to unfair military trials. Dozens were sentenced after having inadequate access to lawyers and having

been forced to sign confessions extracted under torture. Many were sentenced to long terms in prison, often in the range of 15 years.

6. In October the Bahraini Government announced some form of appeal for some of those convicted, but the remit and procedure of this court was still unclear at the time of this submission.
7. Lawyers representing those charged in connection with the government crackdown complain of inadequate time to prepare their cases and insufficient access to their clients or evidence. Lawyers representing those detained have been targeted for harassment and arrest.

Harassment of Human Rights NGO Workers

8. A range of international NGOs were denied access to Bahrain during parts of 2011. Medecins Sans Frontieres had set up a makeshift first aid clinic to treat wounded protestors and others and which had treated hundreds of people too afraid to go to government facilities in case of detention and torture. Its premises were forcibly closed following an armed raid by government security forces in July 2011, its equipment confiscated and staff arrested.
9. Staff and board members of local NGOs were also attacked over a period of many months in 2011.
10. Abdulla al-Durazi, head the Bahrain Human Rights Society (BHRS), was accused by authorities of taking part in protests and disseminating false information. He was fired from his job as a professor of English at the University of Bahrain. The University ignored all the normal disciplinary procedures as it carried out the dismissal and subsequently turned in al-Durazi and his colleagues to the public prosecutor, who then accused them of taking part in peaceful protests.
11. Nabeel Rajab and Maryam Al Khawaja of the Bahrain Centre for Human Rights were targets of an anonymous defamatory campaign which first appeared in early May 2011 and was promoted by the Bahraini authorities. A print document called “Crimes never reported by Nabeel Rajab & blessed by AMNESTY Int.,” authored by an anonymous source, accused the two of 27 crimes and grave violations. The alleged offenses include forced disappearance, torture, and murder against civilians and members of the Bahraini security forces. Rajab has also been arrested, physically assaulted, and had his house attacked.
12. Yousef Al Mahafdha a member of the Board of Directors of BCHR, was repeatedly subjected to harassment in an attempt to impede his travels when leaving and returning to Bahrain through Bahrain International Airport.

Journalists Targeted

13. Many international journalists were not permitted access to Bahrain for large parts of 2011, and some were expelled. Some international journalists were attacked for their coverage of the crackdown. Mazen Mahdi, a photojournalist with the German press agency DPA, and Nazeeha Saeed, a reporter for France24 and Radio Monte Carlo, both said they were blindfolded, handcuffed, and beaten.

14. Local journalists at *Al-Wasat*, the country's only independent newspaper, were also targeted. A founder of the newspaper, businessman Kareem Fakhrawi, was one of four people who died in custody in April. His body showed cuts and severe bruises on his arms and legs. His death certificate says he died at 1 p.m. on April 11 from kidney failure arising from heart problems, a claim strongly denied by his family.
15. Mansoor Al-Jamri, *Al-Wasat's* editor, as well as managing editor Walid Nouihid and local news editor Aqil Mirza, have been prosecuted on charges of disseminating false information and undermining the country's image. All three were forced to resign in April when the newspaper was temporarily banned.

Bahrain Government Response

16. The Bahrain Government failed to adequately investigate evidence of human rights violations presented from national and international NGOs. The King commissioned an inquiry led by Cherif Bassiouni which was supposed to report on what happened during the crackdown and make recommendations for the government to implement. The report has not yet been published and is due out November 23, 2011.
17. Notwithstanding the report commission chaired by Mr. Bassiouni, most leading international human rights organizations reported throughout the year on widespread violations, including violations against human rights defenders. By November 2011 the Bahrain Government had failed to take adequate measures to release those in detention or to drop charges against those prosecuted for legitimately promoting human rights in a peaceful way. It had failed to protect human rights defenders from attack or to initiate investigations into incidents where human rights defenders had been targeted either by Government or non-Government agents.

Recommendations for Protecting Human Rights Defenders in Bahrain

18. We urge the Universal Periodic Review to make the following recommendations in its outcome document:
 - Senior government officials should speak out against violence against human rights defenders in Bahrain and ensure that there is a rapid response of mechanisms to defend them.
 - Law enforcement agencies should publicly commit to investigate all attacks and threats to human rights defenders and to provide regular public updates into the investigation and prosecution of such crimes.
 - The Government should end its persecution of human rights defenders and nonviolent critics.
 - Independent human rights organizations should be permitted to operate free from harassment, and human rights defenders should be allowed to travel freely in and out of the country.
 - Human rights defenders who remain in detention for the peaceful expression of their views should be immediately released;

- Future court proceedings should respect international legal standards and all cases which were conducted by the National Safety Courts should be reviewed; and
- Formally invite the UN Special Rapporteur for Human Rights Defenders and the UN Special Rapporteur on Torture to visit Bahrain.

APPENDIX

For additional information:

- Human Rights First, “Bahrain: Speaking Softly” (May 2011), *available at* http://www.humanrightsfirst.org/wp-content/uploads/pdf/Bahrain_Speaking_Softly_2011.pdf.
- Human Rights First, “Bahrain: A Tortuous Process” (July 2011), *available at* http://www.humanrightsfirst.org/wp-content/uploads/pdf/Bahrain_A_Tortuous_Process_July_2011.pdf.