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Human rights situations that require the Council's attention

Written statement* submitted by Alsalam Foundation, a non-governmental organization in special consultative status

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

[27 August 2016]

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

“Repression Will Not End People’s Grievances”

Alsalam Foundation, together with Americans for Democracy & Human Rights in Bahrain (ADHRB), the Bahrain Center for Human Rights (BCHR), and the Bahrain Institute for Rights and Democracy (BIRD) would like to take this opportunity on the occasion of the 33rd Session of the United Nations Human Rights Council (UNHRC) to discuss ongoing, and recently intensified, violations of the rights to freedom of expression, assembly, association, and religion in the Kingdom of Bahrain.

Since June 2016, the Bahraini government has taken a series of repressive and restrictive measures the levels of which are unprecedented since the suppression of the 2011 pro-democracy movement. Bahraini authorities have constrained individuals’ rights to freedom of expression and assembly and have also implemented new restrictive regulations. In addition to these regulations, authorities have increasingly arbitrarily arrested and prosecuted human rights defenders, activists, religious and political figures, and other members of civil society. These measures have added to, and considerably heightened, the government’s ongoing campaign of discrimination against Bahrain’s Shia community.

1. Freedom of Expression

Bahraini authorities have increasingly targeted human rights defenders, political activists, and social media users over remarks and speeches they have made, restricting citizens’ right to free expression. In the last several months, the government has arrested and harassed several prominent civil society figures, including Nabeel Rajab, Sheikh Maytham Salman, and Nazeeha Saeed, for their activism.

The government has leveled a number of charges against prominent human rights defender Nabeel Rajab related solely to his expression. On 13 June 2016, on the first day of HRC 32, authorities arrested Rajab and the public prosecution charged him with "spreading false news and rumors about the internal situation in a bid to discredit Bahrain." The charge is in response to statements Rajab made during television interviews.

On 26 June 2016, authorities notified Rajab that his first court hearing – for another case – would be on 12 July 2016. This separate case is related to tweets and retweets about credible torture allegations in Bahrain’s prisons and the war in Yemen. Since 12 July, the court has postponed his trial twice. If the government finds him guilty, Rajab may face up to 15 years in prison.

While he awaits his trials, the government has imprisoned Rajab in solitary confinement. The living conditions in his cell are unsanitary, as the toilet and shower are unclean and unhygienic. As a result of these poor conditions, his health is deteriorating. Furthermore, the authorities have delayed important medical treatments and an operation without justification.

On 30 May 2016, Bahrain’s Court of Appeals increased political opposition leader Sheikh Ali Salman’s sentence, to nine years in prison over a peaceful speech he delivered. In another case, Bahraini authorities forced Zainab Al-Khawaja and her children into exile after releasing her from prison. Al-Khawaja’s release came following intense international pressure, yet the government threatened her with imminent detention if she did not leave Bahrain. Moreover, since June 2016, Bahraini authorities have imposed travel bans on at least 23 individuals, including human rights defenders. This included the entire Bahraini delegation to the HRC 32.

The authorities have also introduced restrictive regulations and laws concerning media. On 26 July 2016, the Minister of Information issued decree 68/2016, which is an extension of the 2002 Press Law regulating the press, printing, and publications, and that the government uses to target journalists. This decree increases government oversight over all electronic media and allows it to target and prosecute content producers. The decree requires that newspapers apply for a one-year license to disseminate electronic media. Newspapers are required to submit a list of social media accounts, website addresses, and the names of those responsible for them. However, the decree does not detail the criteria that is

used to judge and approve applications for this license, potentially giving the authorities wide discretion to prosecute members of the media. In addition to Decree 68/2016, on 5 August 2016, the Bahrain Telecommunication Regulatory Authority issued Decision 12/2016. This decision orders all internet providers in Bahrain to use a unified technical system for blocking websites. It would allow the government to take direct control over websites and block content they deem undesirable.

This network of laws has had a negative effect on media in the country. For example, on 17 July 2016, Bahraini authorities interrogated journalist Nazeera Saeed for “exercising media work without an authorization,” according to the Information Affairs Authority. Saeed had allegedly violated Article 88 of 2002 Bahraini Press Law.

2. Freedom of Religion

The authorities have increasingly discriminated against the country’s Shia majority. On 20 June 2016, the government announced the revocation of the citizenship of the spiritual leader of Bahrain’s Shia population, Sheikh Isa Qassim. Since then, Bahraini authorities have summoned and interrogated over fifty senior Shia clerics. Among other offenses, authorities have charged them with illegal assembly, preaching without permit, and inciting hatred against the government.

On 27 July 2016, Bahrain’s High Criminal Court commenced the trial of Sheikh Qassim and other clerics. The public prosecution charged them with allegedly receiving secret foreign funding, and “withdrawing, depositing, purchasing, allocating, and distributing the amounts in a way that shows that their sources are illicit, contrary to the facts/reality.” Despite authorities’ denials, these charges are related to the Shia religious practice of *Khoms*, and the trials are ongoing.

On 13 June 2016, Bahrain’s king promulgated a bill amending the 2005 Political Societies Law and banning religious figures from participation in politics. The new law includes an article stating, “political societies’ leaders should not be religious preachers, even if they occupy the position in the societies without being paid.” Although this amendment restricts an individual’s ability to practice political activity via civil society associations, government appointed clerics have maintained their positions in the Shura council. The king has appointed at least two clerics to this council by royal decree.

3. Freedom of Assembly

Shortly after the government’s decision to revoke Sheikh Qassim’s citizenship, when news spread of the authorities’ plan to forcibly deport him, protesters assembled in front of his home in Duraz and initiated an ongoing peaceful sit-in. Bahraini authorities have thus far summoned more than 70 of these protesters. They detained the majority of them overnight before presenting them to the public prosecution. The public prosecution has remanded at least 26 of them to 15 days in detention over charges of participating in an illegal assembly. The government forced those it released to sign a pledge that they will not participate again in the sit-in.

The Bahraini authorities have also disrupted protests and restricted Duraz residents’ freedom of movement. For over two months, the authorities have closed all entrances to the town and placed checkpoints at two of the entrances. Non-residents of Duraz are not allowed into the town under any circumstances. Authorities also cut off all Internet and mobile services from the early evening until the early hours of the morning in an attempt to restrict the flow of information to and from those gathered in front of Sheikh Qassim’s home. This tactic negatively affects both Duraz residents and business owners.

4. Freedom of Association

On 17 July 2016, the High Civil Court ordered the dissolution and the liquidation of assets of the largest political opposition bloc in Bahrain, Al-Wefaq Political Society. Al-Wefaq’s trial was marred by several violations. During the trial, the court refused Al-Wefaq’s defense team from having access to necessary and relevant documents. With the

dissolution of Al-Wefaq, the government has closed the largest peaceful space for dissenting political expression in the country.

On 14 June 2016, the Ministry of Social Development closed down Al-Risala Islamic Society and the Islamic Enlightenment Society. These were the two remaining Shia Muslim civil society organizations in Bahrain. In the process, the government referred several of these two societies' members to court. More broadly, authorities have targeted political activists and members of opposition political societies with summons, interrogation, and arrest. As a result, the majority of prominent opposition political figures in the country remain jailed.

5. Recommendations

Bahrain has intensified its repression rather than meeting its own commitments to address the human rights situation. As a consequence, this situation has significantly deteriorated since the last the 32nd Session of the HRC, and Bahraini officials have violated cooperation agreements with the OHCHR and the Council. We strongly agree with the UN High Commissioner for Human Rights that "repression will not end people's grievances," and we therefore call on the HRC to urge the Bahraini government to:

- Recommit to its international human rights obligations;
- Effectively end the use of torture, ill-treatment, and the death penalty;
- Release all prisoners of conscience;
- Immediately and unconditionally release Nabeel Rajab and drop all charges against him;
- Stop the ongoing reprisals against human rights defenders who cooperate with UN mechanisms;
- Hold all perpetrators of human rights violations accountable for their actions; and,
- Provide space to exercise fundamental rights of free expression, assembly, religion, and association without reprisal.
