

Two Years of Deaths and Detentions

Documenting Human Rights Abuses During the Pro-Democracy Movement in Bahrain

February 2013



مركز البحرين لحقوق الانسان
Bahrain Centre for Human Rights

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Quarterly Edition of the Continuing Documentation
of Human Rights Violations in Bahrain following the
Start of the Pro-Democracy Movement on
February 14th, 2011

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A Letter From Maryam Al-Khawaja

In the two years that the pro-democracy movement has been ongoing, 87 people have died as a direct result of the excessive use of force applied by the King's brutal security forces, including thirteen children under the age of eighteen. As this report details the deaths and detentions that dominate the government's appalling repression of democracy, the Bahrain Center for Human Rights asks how long will the West continue to support these atrocities?

The first months of the government's crackdown were some of the most violent of all the pro-democracy movements in the Middle East region. Police officers killed peaceful protesters without the fear of consequences. In secretive, military trials, pro-democracy activists and human rights defenders were sentenced to lengthy prison terms, including up to life in prison, or even death. The retrials in civilian court do not follow due process, and merely represent the government's wish to present a softer image of itself to the world. The situation on the ground has not improved.

Masked men in civilian clothing regularly kick down the doors to civilian homes in the middle of the night, firing tear gas inside and harassing anyone they suspect of participating in the pro-democracy movement. People are kidnapped by security officers during such raids as well as from public places, often reappearing only after several days and with grotesque signs of torture marking their body.

My father recently began another hunger strike, along with other members of the 'Bahraini 13', to protest the unjust conditions he and his fellow prisoners are being subjected to. Hunger strikes are becoming increasingly common in Bahrain as a desperate cry for

"After two years of oppression, the majority of people in Bahrain only want peace, but they will not compromise and allow for their human rights to be trampled upon."

help from prisoners who have no other options. Political detainees are routinely beaten, verbally abused, held in solitary confinement or with inmates who do not share a common language. The mistreatment is compounded by the cramped and unsanitary conditions in which the prisoners are held.

This report aims to document the way in which King Hamid bin Al-Khalifa's government has attempted to muzzle the pro-democracy movement in Bahrain with a crackdown that has left a trail of deaths and unjust de-

tentions over the last two years. These pages document the way in which an excessive use of force has led to eighty-seven deaths at the hands of the authorities, and how the death toll continues to rise. The prisons in Bahrain are filled with political prisoners, and prisoners of conscience, and the systematic abuses they receive.

But even in the face of such brutal repression from the government, there is still reason to hope. I recently traveled to Bahrain for the first time in more than a year and a half, and was deeply moved by the peaceful resilience that I witnessed in activists and ordinary citizens across the country. After two years of attacks, the majority of people in Bahrain only want peace, but they will not compromise and allow for their human rights to be trampled upon.

Maryam Al-Khawaja
Acting-President
Bahrain Center for Human Rights

About the BCHR

The Bahrain Center for Human Rights (BCHR) is a nonprofit, non-governmental organization, registered with the Bahraini Ministry of Labor and Social Services since July 2002. Despite an order by the authorities in November 2004 to close it, the BCHR is still functioning after gaining wide internal and external support for its struggle to promote human rights in Bahrain.

The Co-Founder and former President of the BCHR is Abdulhadi Al-Khawaja, who is currently serving a life sentence in prison for charges related to freedom of speech. The current President is Nabeel Rajab, who is serving a two year prison sentence for his work as a human rights defender. The Acting President is Maryam Al-Khawaja.

For more information, please visit our website: www.bahrainrights.org

This is the fifth report by the BCHR presenting findings from the ongoing effort to document human rights violations occurring in the state of Bahrain since the publication of the Report of the Bahrain Independent Commission of Inquiry (BICI) in November 2011. Our investigative report supports the rights of victims, regardless of their political or religious background. It is unaffiliated with the Bahraini government or any foreign government and is firmly centered on domestic civil society advocacy of human rights.

a. Link to the original Bahrain Independent Commission of Inquiry Report:
<http://www.bici.org.bh/BICIreportEN.pdf>

b. Link to Part I:
<http://www.bahrainrights.org/en/node/5124>

c. Link to Part II:
<http://www.bahrainrights.org/en/node/5325>

d. Link to Part III: No Progress, No Peace
<http://bahrainrights.hopto.org/en/node/5422>

This report is the sixth publication from the BCHR chronicling the events since February 2011.

The first, *Bahrain: The Human Price of Freedom and Justice*, was pivotal in addressing the widespread and systematic violations of human rights and international law.

e. Link to initial BCHR report released November 2011 for background overview:
<http://bahrainrights.hopto.org/en/node/4849>

Note on Statistics and Figures:

All statistics and figures provided by the BCHR in this report are to be considered approximate; actual figures are estimated to be much higher. Due to the limited resources of the center, the limited number of people working on the ground, and due to the fear amongst victims to come forward with their stories, it is difficult if not impossible to provide a complete record of all human rights abuses.

Map of Bahrain

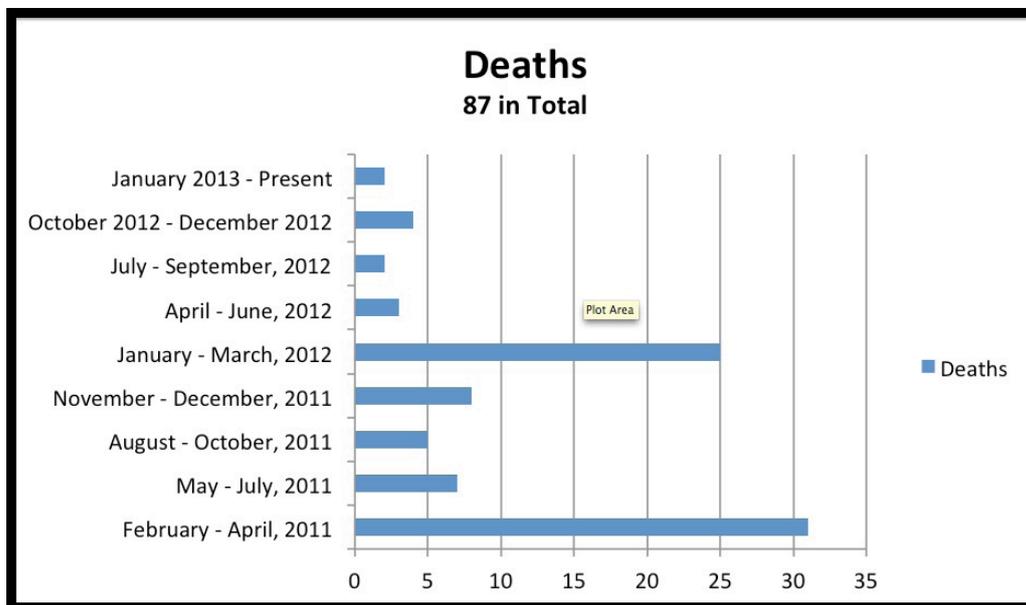


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Deaths

The BCHR documented total of 87 deaths since the start of the pro-democracy movement that began on February 14th, 2011. From the first day of the pro-democracy movement, the security forces have extra-judiciously killed protesters as part of their brutal repression. Two years ago, Ali Al Mushaima died after he was shot with shotgun pellets at a very close range, although there were no protests in his area. As can be seen in the graph below, extra judicial killings have been a constant issue for the last two years. There are spikes in the data surrounding the government's most brutal repression on the 14th of February in both 2011 and 2012, but the rest of the months have seen a steady rise in the total number of deaths. The government claims that they have reformed the security forces with additional trainings, but the data below clearly demonstrates that there has been no significant change in the security forces' behavior.

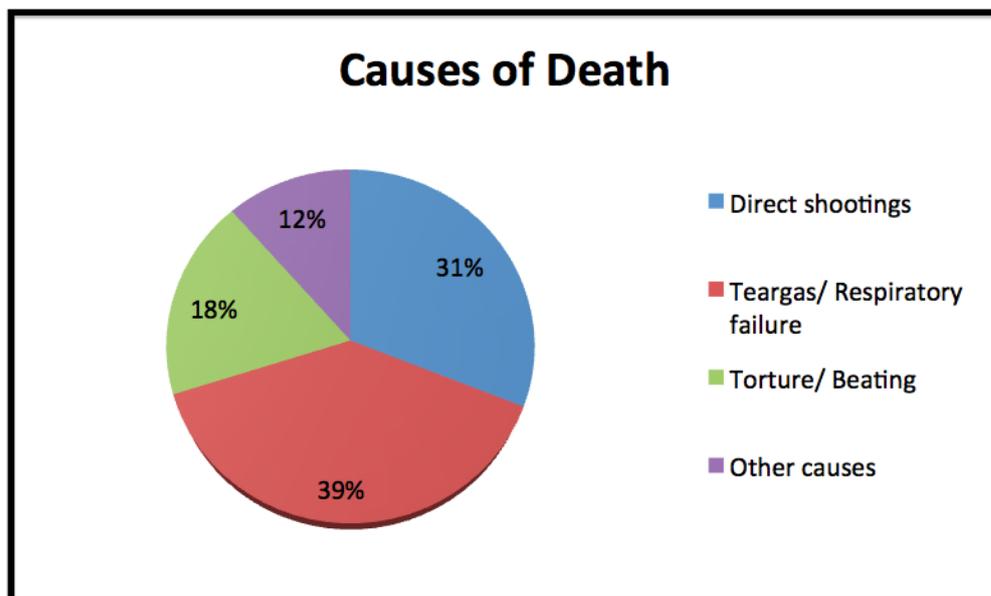


Tear gas is the number one cause of death by the Bahraini authorities, and it makes up 39% of the total deaths recorded and documented by the BCHR. The authorities in Bahrain have used teargas against their people to an extent that the world has not seen before. Villages are routinely saturated in these toxic gases, and canisters are fired into cars and private homes as a means of collective punishment. The BCHR has worked closely with Doctors to determine the cause of death in these cases, and it has been determined that such intense and prolonged exposure has been deadly for the most vulnerable members of society. Young children, adults with existing respiratory conditions, and the elderly have all died as a result of the government's indiscriminate use of tear gas; pregnant women have delivered their children still born.

Direct shootings are the second most common cause of death, comprising 31% of the total. The majority of these deaths were caused by shotgun pellets. In certain rare cases, international law allows for the use of shotguns to disperse violent, rioting crowds. However, the government of Bahrain has applied the use of these shotguns to attack not only peaceful demonstrations, but also normal citizens going about their daily lives.

87 people have been killed by the security forces since February 2011.”

Last year, a five year-old child was shot while selling fish on the street with his grandfather, no protest was ongoing at the time. The government's use of shotguns is indefensible and must be put to an immediate end.



Torture resulted in 18% of the deaths at the hands of police officers and Ministry of Interior officials. Torture remains to be an accepted practice throughout the prison system and is widely used by the security forces. The BCHR receives many reports of alleged torture on a regular basis and has documented hundreds of cases. It is impossible to compile a full account of the torture allegations as the problem is so widespread.

“Other causes” refers to victims who were run over by police officers, denied medical care, or whose death was caused at the hands of the authorities for some other reason.

The number of children who have died as a result of excessive use of force is alarming. The list of victims includes thirteen children under the age of eighteen. The highest percentage of cause of deaths amongst children is direct shootings (6), teargas (5) and 2 who were run over by police. Most recently, Qassim Habib, 8 years old, was the authorities latest victims. He died from complication due to teargas inhalation on the 26th of January, 2013.

“Thirteen children have been killed by the security forces to date.”

Name	Age	Area	Date of Death	Cause of death
Qassim Habib	8	Karbabad	1/26/2013	Teargas/ Respiratory failure
Ali Radhi	16	Samaheej	11/9/2012	Run over
Ali Hasan Neamah	17	Saddad	9/28/2012	Direct shooting
Hussam Al Haddad	16	Muharraaq	8/17/2012	Direct shooting
Yahya Yousif Ahmed	1 Month		3/5/2012	Teargas/ Respiratory failure
Yaseen Jassim AlAsfoor	14	Maameer	1/20/2012	Teargas/ Respiratory failure
Sayed Hashim Sayed Saeed	15	Sitra	12/31/2011	Direct shooting
Sajida Faisal	5 days	Bilad	12/11/2011	Teargas/ Respiratory failure
Ali Yousif Badah	16	Sitra	11/19/2011	Run over
Ahmed Jaber AlQattan	16	Shakhura	10/6/11	Direct shooting
Ali Alshaikh	14	Sitra	8/31/11	Direct shooting
Mohammed Farhan	6	Sitra	4/30/11	Teargas/ Respiratory failure
Sayed-Ahmad Sa'eed Shams	15	Saar	3/30/11	Direct shooting

Elderly citizens have suffered greatly from the government’s crackdown, and ten deaths have been recorded for victims aged 70 and older. Eighty percent of these are a result of excessive use of teargas and twenty percent of

these deaths were a result of torture and severe beating by the authorities. Ali Al Daihi, 70 years old, the father of the second in command of the largest opposition political society in Bahrain, was attacked and severely beaten by security officers in November 2011. He was taken to the hospital where he died from complications arising from his injuries. Recently, Habeeb Ebrahim died as a result of teargas inhalation in January, 2013. Ebrahim's health deteriorated as a result of the authorities constant targeting of his village with teargas. He was hospitalized 3 times for respiratory problems arising from tear gas inhalation, until he passed away on the 12th of January, 2013. His funeral procession was attacked with tear gas.

Despite the large number of deaths that have resulted from the government's systematic excessive use of force, no high ranking government official has been held accountable. The Bahrain Independent Commission of Inquiry concluded that "the very fact that a systematic pattern of behavior existed indicates that this is how these security forces were trained and how they were expected to act. This could not have happened without the knowledge of higher echelons of the command structure of the MoI and NSA." Still, we have seen no changes in the security forces' behavior.

Only a few cases of extra-judicial killing have been sentenced in court during long "show trials" that resulted in light sentences. Deaths caused by the authorities have been documented not only by Bahraini and international human rights organizations, but also by the report of the Bahrain Independent Commission of Inquiry, which is viewed by all parties as the most accurate and impartial account of the first three months of the pro-democracy movement. The BICI report documented 30 deaths, of which 28 are Bahraini. Only 8 cases have been sentenced or are at court while the rest have not yet been processed or been rejected according to victims' families and lawyers.

“Despite the large number of deaths that have resulted from the government’s systematic excessive use of force, no high-ranking government official has been held accountable.”

Detentions

Torture

The BCHR regularly receives reports of torture throughout the prison system in Bahrain. Two years ago, the prisons were filled far beyond capacity after months of mass arrests of pro-democracy demonstrators and human rights activists. By November of 2011, as many as seventeen prisoners were housed in cells that were not designed to accommodate more than four beds. The BICI report documented that several prisoners were tortured to death while in prison, including Hasan Jassim Mohamed Maki, Ali Isa Ibrahim Saqer, Zakariya Rashid Hassan Al Asheri, Abdulkarim Ali Ahmed Fakhrawi, Jaber Ebrahim Yousif Mohamed Alawiyat. Despite these well documented and torture related deaths at the hands of authorities, the government stubbornly refuses to reform the prison system, and torturers are allowed to continue their brutal practices in a culture of impunity. In October, Mohammed Mushaima died after the prison authorities denied to provide him with adequate medical attention.

It is not uncommon for political detainees to have their fingernails removed, be forced to stand for long periods of time, severely beaten, cut with knives, threatened with rape, and even sexually violated. Not only are prison authorities unpunished for these acts, but they are at times rewarded. A member of the security forces, Bassam Al-Muraj, has had many torture accusations brought against dating from 2010 to the present. However, instead of investigating these charges, the King reinforced the culture of impunity by promoting him in February 2013 to a high government position.

“Despite these well documented and torture related deaths... the government stubbornly refuses to reform the prison system.”

Political prisoners are often held in solitary confinement, such as the case of Ali Yousef Abdul Wahab Al-Taweel, who was tortured and sentenced to death in a trial riddled with inconsistencies and lacking in transparency and fairness. The only contact Al-Taweel is allowed to have with the outside world is during bi-weekly visits from his family, and his lawyer fears that the effect is

causing serious psychological damages. Prisoners are also detained in a cells as small as two by two meters with another prisoner who does not share a common language. If these prisoners attempt to communicate with each other, they are beaten. The drinking water is of poor quality, and many prisoners report that they do not feel that it is safe. Medical care is lacking or non-existent.

Political Detainees

On the first day of the Bahraini pro-democracy movement, Mohammed Al Boflasi disappeared after giving a speech in the Pearl Roundabout. It was later discovered that he had been detained, which made him the first political prisoner in the pro-democracy movement. After the crackdown on protesters and the declaration of the state of national safety (a state of martial law) the authorities started a campaign of arrests and detentions targeted at the political opposition and human rights activists. Thousands have been arrested for politically motivated reasons and more are being detained every day.

Currently some of the most prominent political activists and human rights activists are in detention, such as the President of the BCHR, Nabeel Rajab, who was sentenced to three years in prison for a tweet (later reduced to two years), and Abdulhadi Al-Khawaja, the founder of the BCHR, who is serving a life sentence for charges related to freedom of expression, and the President of Bahrain Teachers Association, Mahdi Abu Deeb . Other recent arrests include:

- renowned photographer, Ahmed Humaidan, who was kidnapped by masked police officers, subjected to psychological torture and denied access to his lawyer.
- chants leader at the opposition political societies demonstrations and assembly, Mahdi Sahwan, who was interrogated and detained for the slogans he chanted.
- more than 40 arrested after peacefully protesting in the capital Manama on 25 January 2013, including activist Nader Abdulemam.

The BCHR receives daily reports of arrests and detentions from different areas of Bahrain. Political prisoners are ill-treated, harassed, tortured and denied proper medical care. The BCHR has recently issued a report about the prisons in Bahrain that demonstrates the poor prison conditions, the lack of the basic needs and the ill-treatment to which political prisoners are subjected. The government continues to deny that they have any political prisoners or prisoners of conscience in the prison system, which indicates that they do not perceive any need for reforms.

Their health is deteriorating and they are denied proper medical care like many prisoners. Mohammed Mushaima, 22 years old, died on 2 October 2012 due to the lack of adequate medical care. He was arrested in 2011 from the hospital and sentenced to 7 years' imprisonment on fabricated charges including "illegal gathering". The mistreatment of prisoners clearly violates the United Nations' "Standard Minimum Rules from the Treatment of Prisoners" and must be stopped immediately.

“When you want to judge a human rights situation in any country, look where the human rights defenders are. In Bahrain, they are in prison.”

Kidnappings

The Bahraini security forces consider the kidnapping of suspects to be a legitimate form of law enforcement. These kidnappings circumvent the individuals' rights to due process, and represent an outrageous violation of human rights. Kidnappings are as common now as they were two years ago in Bahrain, and hundreds of cases have been reported since the movement started in 2011.

The BCHR has documented numerous incidents of kidnappings by the security forces; the majority of victims in these cases are boys under the age of 18. Many of the kidnapped children are often tortured into providing false confessions and forced to provide information about other children in the neighborhood. These attempts to intimidate citizens typically involve taking people from the streets or their homes by force, and then brutalizing them and interrogating them without the presence of a lawyer. Victims are then either dumped back on the street

“Victims will disappear for weeks, only to emerge in prison with severe signs of torture marking their body.”

the same day or taken to a police station for further questioning where they are detained and tortured in secret for days. The authorities often bring false charges against the victim, and turn the victim into the accused party in the incident.

One example of this brutal practice, is that of 16-year-old Ali Al-Singace who has been the victim of numerous kidnappings, beatings and general harassment. The police kidnapped Ali three times in March 2012 alone. On the third occasion, he was on his way to school when he was abducted, beaten unconscious and sexually harassed. Ali was handcuffed with his hands behind him, beaten with knives and other objects; he sustained severe cuts all over his body, and had his clothing removed.

Some individuals have disappeared for weeks, only to emerge with severe signs of torture marking their body. One such example is the case of five citizens from the village of Mehazza, who were kidnapped by the government in November 2012. These men were abducted during nighttime raids, and were held for weeks without any information about their condition or their location being known. When the authorities finally announced their location in a prison and they were allowed to visit their families, the signs of abuse were clear. The men were missing fingernails and had been electrocuted all over their bodies; several of them had a broken jaw. False charges have been brought against them, and they have been denied access to adequate medical care.

In late December, fifteen men from the security forces dressed in civilian clothing, kidnapped an award-winning 25-year-old photographer, Ahmed Humaidan. After nineteen hours without news of his whereabouts, Humaidan called his family for twenty seconds to inform them that he was alive, and that he was being held at the Criminal Investigation Department, where he was interrogated without the presence of his lawyer. It is clear that his abduction is solely related to his legitimate work as a photographer documenting the demonstrations and police attacks, which has led to exposing many of the severe human rights violations conducted by the authorities in Bahrain.

Most recently, Hasan Abdulhadi Mushaima was kidnapped by police officers while on his way to buy dinner on the 23rd of January 2013. He felt the barrel of a shotgun on his back and was then dragged to a police jeep where he was severely beaten, verbally assaulted, and threatened with rape if he did not cooperate with the officers and work as an informer. One of the officers poured cold water on Mushaima, telling him that it was gasoline, and threatened to burn him alive. Hasan Abdulhadi Mushaima is the brother of the first victim of extra judicial killing that occurred in Bahrain in the wake of the pro-democracy movement that began on 14th February, 2011.

Other Violations

A Broken Judicial System

The legal system in Bahrain is regularly used as a political tool to prevent human rights defenders and pro-democracy activists from conducting their work. Bahrain is a country where a fair trial is rare, if not impossible, and where due process is routinely ignored. The Bahraini Constitution, in principle, guarantees the independence of the judiciary, and the law shall lay down the guarantees of judges and the provisions pertained to them in Article 104, but the reality shows us that the judiciary system is still subordinated the King as he chairs the Higher Judicial Council. The King appoints judges by Royal Orders, and these judges regularly disregard the rights of the defendant by barring evidence and disallowing cross-examination of prosecution witnesses.

Broad failures of the judicial system were clearly on display after the BICI report was published in 2011. This report described how the National Safety Decree (a de facto police state) overtook the national system of justice when implemented by the Military's Attorney General. According to the BICI report, the pattern of due process violations occurred at all levels of the judicial system, and the most basic elements of a fair trial were denied. Prisoners sentenced under these conditions were supposed to receive a fair re-trial, but were often never allowed to defend themselves, such as the case of Siddiqa Al-Basri. This 25 year-old mother of two, was sentenced to prison in a military trial for allegedly insulting police officers, and later re-tried in a civilian court. However, she was never presented with the opportunity to defend herself, and was not allowed to submit evidence or call witnesses to the stand; her prison sentence was recently upheld by the Court of Cassation.

None of the BICI recommendations concerning the judicial system have been implemented, and basic judicial rights continue to be violated. Defendants are regularly denied their right to counsel and denied the right to present a defense.

“Defendants are regularly denied the right to council and denied the right to present a defense.”

One example of how absurd justice can be in Bahrain is case of Mohammed Ali Ahmed Mushaima, who was arrested during the pro-democracy protest in February 2011 and sentenced to 7 years in prison. In October 2012, Mushaima

died while in prison because he did not received adequate care from the prison authorities. In January 2013, his prison sentence was reduced to three years. The judicial system in Bahrain is dysfunctional to an extent that sentences are reduced for dead prisoners, which makes the point very clear that Bahrain's courts bear no resemblance to internationally recognized fair or transparent practices.

The legal system in Bahrain continues to support of the culture of impunity throughout all levels of the administration, and the people of Bahraini are left voiceless against their own government.

Attacks on the Healthcare System

Medical professionals have had an active and significant role in the pro-democracy movement since it began on February 14, 2011. Doctors and nurses established a medical tent in the pearl roundabout (Lulu) where they provided free medical service to injured protesters and conducted first aid training courses. However, their role was seriously changed, as they became targets of government attacks themselves.

These doctors were eyewitnesses to the government's atrocities and the extra-judicial killing of peaceful protesters. For this reason, they were among the first groups to be targeted by the authorities, and the Salmaniya Hospital was placed under siege. Medics were arrested from their work places in the hospital, while some were even arrested from operation rooms; others had their homes raided and were violently abducted by government agents.

Dozens of medics were arrested from March to May 2011, and they were tortured with beatings and electric shocks. The reasons for targeting each of the medical professionals varied, but the main cause for abuse was because they treated protesters during the government crackdown, and spoke to the media about the abuses they witnessed. The following examples demonstrate the typical treatment that the medical professionals were subjected to.

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Dr. Hasan Al Tublani is an Intensivist in Salmaniya Hospital, and he was suspended from work in April 2012; a few weeks later his house was raided at midnight where he was beaten and kidnapped by masked members of the government's security forces in front of his children. Dr. Hasan was not allowed to contact his family for approximately two months, and only after three months he was allowed to meet his lawyer. He says that he was subjected to physical and psychological torture, he was blindfolded, severely beaten, deprived from sleep, made stand for long hours, insulted and cursed. Dr. Hasan suffered from a severe case of depression because of the ill-treatment in prison, unjustified detention and being prevented from meeting or contacting his family.

Dr. Fatima Haji treated injured protesters and witnessed the death of four protesters who were brought to the hospital when she was on duty. More than twenty men raided her apartment, and she was taken without warrant to the CID where she was blindfolded and made stand in a corner for a long period of time before her interrogation started. During her interrogation, which lasted the entire night, she was subjected to intense torture. She stated in her testimony that she was slapped for 15 minutes by Noora Al Khalifa who then electrocuted her and continued beating her on the head. Noora Al Khalifa pushed her to the floor and started beating her with a hose on the sole of her feet and kicking her thigh and legs. She was deprived from sleeping until the next day and was forced to stand at all times. Noora Al Khalifa and other men further interrogated Dr. Haji the following day. She was sexually molested, threatened with rape, and forced to sign confession that she had not read.

Dr. Ali Al Ekri was arrested from the operation room in his surgical gown by masked security officials and without a warrant. He was handcuffed, dragged through the hospital, and humiliated in front of his colleagues. He states in his testimony “I was subjected to more intense torture and humiliation in the form of prolonged hours of standing, that extended up to 24 hours in continuity, deprived from sleep for approximately four days, and hung by arms at the edge of a staircase. The torture included frequent attacks of boxing, kicking, slapping and beating by wooden sticks to the point where I lost consciousness. I lost consciousness about five times, sustained an ear drum rupture, a left sided rib fracture and coccygeal bone fracture and bruises and swellings all over my body.”

These testimonies are examples of the way in which dozens of medical staff were arrested and tortured in Bahrain. They have all been subjected to severe and violent forms of physical and mental torture for their roles in treating injured protesters and forced into confession.

Charges were brought against 48 medical personnel; 20 were charged with felonies and 28 were charged with misdemeanors.

“Not only are the convicted medical personnel not allowed to return to their work, but also those who were acquitted of all charges.”

The felony group was tried, convicted and sentenced in a military court. On the 29th of September 2011, 13 were sentenced to 15 years' imprisonment, 2 were sentenced to 10 years' imprisonment and 5 were sentenced to 5 years' imprisonment after being convicted of outlandish charges, in-

cluding: violently overtaking Salmaniya Hospital, spreading false news, instigating hatred towards the ruling family and inciting the overthrow of the regime. On the 1st of October 2012, the Court of Cassation upheld the sentences against nine of these medics.

While 3 of the medics have completed their sentences, 6 (Ali Al Ekri, Ebrahim Al Dumistani, Ghassan Dhaif, Mahmood Asghar, Saeed Samahiji and Dhua Ebrhaim) had their houses raided and were arrested on 2 October 2012 .

In November 2012, 23 of the misdemeanor group were found guilty and sentenced to 3 months in prison. They are out of prison pending their appeal in March 2013.

On the 26th of January 2012, Haleema Al Sabbag, a nurse in Salmaniya Hospital, was arrested from her workplace, for allegedly for taking medicines from the hospital to treat injured protesters who do not go to the militarized hospital out of fear of arrest. She was detained for 3 weeks pending investigation.

The harassment that these medical professionals face continues. The Ministry of Health fired four of the doctors convicted of felonies. On the 31st of January 2013, Dr. Nader Diwani, Dr. Mahmood Asghar, Dr. Ghassan Dhaif and Dr. Bassim Dhaif received a letter from the ministry terminating their employment dated to 15 August 2012, before the Appellant court upholding their sentence on 1 October 2012.

Not only are the convicted medical personnel not allowed to return to their work, but also those who were acquitted of all charges. Dr. Fatima Haji was acquitted from all charges against her, however, she has still not been allowed to return to work. She stated that the medical licenses of eighteen doctors have been suspended without any valid reason; these doctors are not allowed to work inside or outside of Bahrain. The medics that have been reinstated are being harassed in their positions, their authority has been greatly reduced, and some of their positions have been given to others.

Religious Discrimination

The authorities in Bahrain continue to target Shia Muslims in a campaign of religious discrimination, and seek to create a sectarian divide within society in order to present themselves to Western allies as a 'strong man' that maintains relative stability at the expense of human rights abuses. Approximately 70% of the Bahraini people belong to the Shia community while the ruling family is Sunni. However, the people of Bahrain have overwhelmingly rejected this sectarian narrative to the government's crackdown. The pro-democracy movement in Bahrain that started on February 14th calls for transparency in government, universal suffrage, and an equal application of the law for all citizens, regardless of religious sect or creed.

One of the clearest signs of the government's targeting of Shia community is the way in which the security forces demolished Shia mosques and other places of worship. The BICI report clearly documents these violations on pages 406 to 413, and calls for their reconstruction. More than thirty places of worship have been demolished since February 2011, including mosques that were more than 200 years old. At various times the government has ordered the rebuilding of these mosques, only to revoke the building permissions and re-demolished the sites.

All Bahrainis have a right to religious freedom, and should be free from government persecution for their religious practices. The government has demolished mosques as recently as December 2012, and this continued persecution of Shia Muslims is a clear indication that the King prefers to encourage a sectarian divide rather than equal protections for all Bahrainis.

“The people of Bahrain have overwhelmingly rejected the sectarian narrative to the government’s crackdown.”

In addition to destroying places of worship, the government has attempted on many occasions to prevent access to mosques during Friday prayers. For example, on November 9th, 2012, the security forces enforced a siege around a central mosque in the village of Duraz to block access during prayer time. When the authorities blocked

vehicle access to the streets, people attempted to reach the mosque on foot. The riot police pursued these individuals and attacked them with tear gas violent beatings. Ali Abbas Radhi, who was 16 years old, was one of those attempting to reach the mosque in time for Friday prayers, when the riot police chased him onto a highway and he was struck and killed by a civilian car.

Media Harassment

Media harassment and limited freedom of expression remain significant human rights issues in Bahrain. Since the pro-democracy demonstrations in February 2011, a considerable number of independent and opposition journalists, photographers and bloggers have come under attack and experienced harassment and arbitrary arrest. In 2012, Freedom House labeled Bahrain as ‘not free’ in its annual status report, as there is an excessive lack of independent media in the country. Journalists who publish material critical of the government are subjected to violence, judicial harassment, and torture; some journalists simply disappear. From February 2011 to May 2012, three journalists were killed; dozens more were detained and arbitrarily deported. Moreover, there have been numerous physical assaults as well as government-sponsored billboards and advertisements smearing journalists.

Although the government has verbally made commitments to reform based on the BICI report from 2011,

“Freedom House labeled Bahrain as ‘not free’ in its annual status report, in part for the lack of independent media in the country.”

human rights violations against figures in the media are still widespread. Reforms have so far only resulted in superficial progress and in certain respects, the human rights situation has even worsened. The media suffers from the government’s strict policies which keep journalists, NGOs, researchers, politicians, activists, and other outside observers out of Bahrain. This restricted flow of information obviously ensures that the lack of progress is not reported on.

Since the 2011-uprising, the Government has denied more than 200 individuals access to the country including foreign journalist, NGO representatives, politicians, trade unionists, aid workers and activists. The methods of barring these individuals vary, but include denial of visa, refusal at port of entry, changing regulations to prohibit planned visits, deportation, and blacklists. Those who do gain access to Bahrain can expect to be harassed by the security forces, have their movements restricted, or only allowed to attend Government events.

The UN Special Rapporteur on Torture Juan Mendez was scheduled to visit Bahrain in March 2012, but the authorities requested that he postpone the trip to July. The visit is yet to take place.

In March 2012, Médecins Sans Frontières was forced to cease providing medical services and end its presence in Bahrain after the Government refused entry to two staff members, leaving MSF without any personnel in the country.

In September 2012, at a meeting at the UN Human Rights Council, the Government agreed to allow foreign media to enter the country and report freely. Moreover, a promise was made to lift all restrictions on movements of foreign journalists and international human rights organizations. However, the Government has failed to do so. Two incidents confirm that the access of the international press is still under pressure: on November 23, 2012, a German reporter was turned back at the airport after an immigration officer found a human rights report in his luggage, and a New York Times journalist was refused entry on December 17, 2012.

These restrictions also have a great impact on Internet freedom. Freedom House estimates that more than 1,000 websites are currently blocked in Bahrain, with a focus on sites that are critical of the King and the Bahraini government, as well as human rights websites, blogs, and online forums. According to the Committee to Protect Journalists, the Government has recently extended the limited freedom of expression to the social media, thus claiming to take measures against users posting false or insulting statements about the government. In Bahrain, a tweet calling for democracy is enough to land a person in prison for several years. On May 5 2012, human rights activist and President of Bahrain Center for Human Rights Nabeel Rajab was arrested and

accused for “inciting illegal rallies and marches online by using social networking websites”. Nabeel Rajab is now serving a two year prison sentence for his work as a human rights defender. Human rights defender Said Yousif Al-Muhafdhah was arrested on December 17th for allegedly spreading false information on Twitter. The tweet in question is a photograph of a protester, injured by the security forces.

On December 29 2012, fifteen security officers in civilian clothing kidnapped the award-winning photographer Ahmed Humaidan. He was taken to the Criminal Investigation Department and was being interrogated without the presence of his lawyer. Through his photos, Ahmed Humaidan has documented the daily protests in the

“In Bahrain, a tweet calling for democracy is enough to land a person in prison for several years.”

country and thereby exposed severe human rights violations committed by the authorities in Bahrain, which has made him a target for abuse.

The Bahrain Center for Human Rights expresses great concern for the ongoing media harassment in

Bahrain. In spite of the demand for reforms, the Government has not taken the necessary measures to ensure that the people of Bahrain enjoy freedom of press and expression, which is guaranteed by international human rights law.

Accountability

From the very beginning of the pro-democracy movement, accountability has been and remains a serious problem in Bahrain. Many accusations have been brought against the authorities at all levels of government concerning human rights violations, from police officers patrolling the street to senior members of the Royal family. After the report from the Bahrain Independent Commission of Inquiry, the King and high government officials could no longer claim that they are not aware of the violations that continue to occur on a daily basis. However, officers and government officials know that they are protected by a culture of impunity, which allows them to freely continue the same human rights abuses that have been occurring for the last two years. The BICI report concluded that many officers were responsible for the wrongful death of pro-democracy demonstrators, but more than one year after this report was published, these officers have not been properly investigated or brought to justice.

The first victim of an extra-judicial killing in Bahrain, on February 14th, 2011, was Mr. Ali Abdulhadi Saleh Jaafar Almeshaima, as documented by the BICI report. It was shown that the cause of death was an excessive use of force by police officers; Mr. Almeshaima was shot in the back at close range at a time when no protests were on-going. No police officers have been brought to trial in this incident, or the dozens of similar incidents that have occurred in the last two years.

After two years, Mr. Almeshaima's family continues to face harassment. His son was kidnapped, tortured, and publicly humiliated by police officers while he was on the way to buy dinner in the village of Daih.

“The human rights violations could not have happened without the knowledge of the upper echelons of the command structure.”

The BICI report firmly established that the lack of accountability throughout the government has led to a culture of impunity, where human rights violations are generally accepted. This report concluded that many of these violations “could not have happened without the knowledge of higher echelons of the command structure”.

To date, only one police officer has received a guilty verdict for crimes relating to extra-judicial killings, and yet the BCHR has documented 89 extra-judicial killings. The one convicted officer, a non-Bahraini of low-rank, was convicted of killing Hani Abd al-Aziz Jumaa with shotgun blasts fired at close range. It remains unclear if the officer is serving the relatively light sentence of seven years that he received.

Human Rights Watch reported on another case concerning a 27 year-old police officer, who was sentenced in absentia to 5 years in prison for “unintentionally causing a permanent disability” by shooting a Bahraini man in the leg during a demonstration in 2011. The officer continued his law enforcement duties while he was on trial. The appellate court later reduced his sentence to 3 years on November 8, 2012.

The Kingdom of Bahrain is a party to various international conventions, charters and regional treaties (a full list of which can be found at the end of this document). As a state party to these Conventions, Bahrain should respect, protect, promote and fulfill their human rights obligations.

According to the Constitution of Bahrain, Article 37, The King concludes treaties by Decree, and communicates them to the Consultative Council and the Chamber of Deputies. A treaty shall have the force of law once it has been concluded and ratified and published in the Official Gazette.

The Kingdom of Bahrain is also a state party to CAT, which states in Article 2, that each State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under

Recommendations

For Bahrain

Immediate Recommendations

- a. Immediately ban the excessive use of force, violent repression of protests or similar violent treatment
- b. Unconditionally release political prisoners and end torture, arbitrary detention, and
- c. incommunicado detention
- d. End the harassment and intimidation of human rights defenders, political activists and journalists
- e. Allow access by local and international journalists to activists, protest sites, hospitals and other public institutions

Accountability and Ending the Culture of Impunity

- f. Take immediate steps to establish an impartial system to determine accountability within the government and security officials.
- g. Investigate claims of torture, cruel and inhumane treatment among civilians with the use of independent experts
- h. Hold accountable all those who participated in the ongoing human rights violations and the ones who authorized it
- i. Prosecute everyone who took part in human rights violations, in killings, injuring protesters and torturing detainees
- j. To prosecute ministers responsible, throughout the government, for all crimes against humanity, and the Head of State who has complete control of all government operations, and who would have authorized, and condoned human rights abuses
- k. Prosecute within the government, the ones who authorized and condoned human rights violations to end the impunity of those in the government
- l. Dissolve the National Security Apparatus and the Special Security Apparatus and return their jurisdictions to the regular security apparatuses
- m. Sign the Optional Protocol of the Convention against Torture (OPCAT) in order to strengthen the legal accountability for torturers

To Rebuild a New and Independent Justice System

- o. Create a judicial system that operates independently, both financially and administratively, and is impartial and transparent in its proceedings
- p. To ensure the independence of judges in civilian courts in all hearings
- q. To address and reform the Penal Code and laws that is not currently up to international standards
- r. To address the Law against Terrorism, that has been heavily criticized by international human rights organizations for being too vague and ambiguous in its definition of terrorism
- s. Review court trials where fundamental principles of fair trial where not respected
- t. Review all accidents of violence and deaths that occurred since the uprising by an independent and impartial investigation
- u. Institutionalizing human rights and ending sectarian discrimination
- v. Take the appropriate measures in regard to ensuring punishment, that the punishment is consistent with the gravity of the offence

Redress and Reparation for Victims

- w. Ensure reparations for the victims' families who were killed or disabled by injuries
- x. Initiate a rehabilitation center for victims of torture.

Addressing the Root Causes of the Problem

- y. Political reconciliation in the form of democratic transition, which also means to include the opposition leaders into achieving reconciliation, who have paid the highest price in terms of freedom in their struggle for democracy
- z. Recognize human rights and protect them through a democratic political system where there is accountability and transparency

For the United Nations

1. Demand the Bahraini Government to guarantee the right to freedom of expression for all people in Bahrain, as guaranteed by Article 19 of the Universal Declaration of Human Rights and the Bahraini Constitution.
2. The continued harassment and arbitrary arrests of journalists in Bahrain should be condemned. All journalists must be allowed to carry out their work without fear of reprisals.
3. Demand the immediate release of 13 activists and human rights defenders who are arbitrarily detained in Bahrain, all being charged and sentenced for exercising their right to freedom of expression and freedom of assembly.
4. These individuals have all been subjected to torture throughout their detention. However, there has been no investigation into these allegations. Bahrain suffers from a culture of impunity. Demand credible and transparent investigations, ensuring that the people responsible for human rights violations will be held accountable.
5. The regional and international media attention is scarce and too few know about the human rights situation in the country. Demand the Bahraini Government to allow open access to Bahrain for international NGOs and human rights organizations, and to allow for unhindered travel for members of Bahrain's civil society and human rights community.
6. Though being deficient, the BICI report recommended necessary measures to be taken in order for the Bahraini Government to end continuous human rights violations. However, in most cases insufficient progress has been made. Demand the Government to address all the human rights issues the report identified immediately.
7. Send an urgent mission to Bahrain to investigate the deaths of the more than 30 people who were killed since the release of the BICI report. The risk of further deaths remains high, and is increasing.

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Detentions

Torture

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Political Detainees

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Other Violations

A Broken Judicial System

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Attacks on the Healthcare System

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Accountability

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