

# **International Mission to Bahrain Report**

## ***Justice Denied in Bahrain: Freedom of Expression and Assembly Curtailed***



**January 2012**

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## Executive summary

The following report documents the findings of a delegation comprised of representatives from six international rights groups (three members and three partners of the International Freedom of Expression Exchange, IFEX), which carried out a fact-finding mission between 20-30 November, 2011, in order to gain an understanding of the state of free expression and the status of human rights defenders in Bahrain.<sup>1</sup> The 11 recommendations made in this report include calls to end the harassment, imprisonment and prosecution of Bahraini citizens for what essentially amount to persecution of free expression and legitimate human rights work.

The mission team was composed of the Arabic Network for Human Rights Information (ANHRI), Front Line Defenders, the Gulf Centre for Human Rights (GCHR), Index on Censorship, International Media Support (IMS) and the Writers in Prison Committee (WiPC) of PEN International.

Following the fall of authoritarian regimes in Tunisia and Egypt, hundreds of thousands of Bahraini protesters took to the streets of Manama, the capital city, on 14 February, 2011, to peacefully call for democratic reform. Officials were quick to crack down on protests, and the access of the international media was limited<sup>2</sup> almost immediately after the start of the protests. Unlike other citizens demonstrating across the Arab World in 2011, the protests in Bahrain have received very little coverage, particularly considering the disproportionate number of people jailed and killed in the tiny country of 1.2 million people. Furthermore, the messages of the protesters – calling for reform, equal rights and opportunities and greater democracy – have largely been distorted by both the government and the international community which have instead focused on sectarian interpretations and regional geopolitical issues.

The Bahrain Centre for Human Rights (BCHR), an IFEX member and human rights organisation banned in Bahrain since 2004, asked<sup>3</sup> that the government avoid the use of force against the peaceful protests, and respect the rights to assemble and express opinions freely. After an initial violent crackdown, leaving at least one protester dead, authorities in Bahrain seemed to backtrack and allow for protesters

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<sup>1</sup> The mission team was composed of Mina Mamdouh of the Arabic Network for Human Rights Information (Egypt), Adam Shapiro of Front Line Defenders (Ireland), Khalid Ibrahim of the Gulf Centre for Human Rights (Ireland/Lebanon), Sara Yasin of Index on Censorship (UK), Tyge Trier of International Media Support (Denmark) and Marian Botsford Fraser of the Writers in Prison Committee (WiPC) of PEN International (UK). Mission support was provided by the International Freedom of Expression Exchange (IFEX), of which three of the mission team are members.

<sup>2</sup> <http://www.indexoncensorship.org/2011/02/restricted-access-for-journalists-as-violence-in-bahrain-escalates/>

<sup>3</sup> <http://www.indexoncensorship.org/2011/02/whats-behind-bahrains-protests/>

to congregate at Pearl Roundabout. Almost a month of openness followed, when demonstrations were allowed to proceed unhindered and prisoners were released (in late February and early March). But on 15 March 2011, King Hamad bin 'Issa Al Khalifa declared a three-month State of National Safety, and a renewed crackdown on protesters took an increasingly violent and repressive turn.

Eight human rights defenders and activists were handed<sup>4</sup> life sentences on 22 June<sup>5</sup> 2011, and 13 others tried in the same case were handed lesser sentences, ranging between two to 15 years. Included in those given life sentences were Abdulhadi Al-Khawaja, former head of BCHR and former Middle East and North Africa Protection Coordinator at Front Line Defenders, and Abduljalil al-Singace, renowned blogger and human rights defender, who is head of the human rights office of the Haq Movement for Liberty and Democracy. Another renowned blogger, Ali Abdulemam, creator and owner of Bahrain Online, was also sentenced to life *in absentia*, after he went into hiding to avoid detention following his previous incarceration when he was badly tortured. One of the 11 recommendations of the mission is to release them immediately.

Although the focus of the mission was on freedom of expression, it was difficult to meet with journalists because many of them were in hiding or out of the country. Two journalists died following torture while in custody in April 2011- Zakariya Al Asheri and Karim Fakhrawi, and the mission calls for a full investigation into their deaths, and proper accountability. Reem Khalifa, a journalist for the independent newspaper *Al-Wasat*, has been charged with verbally abusing and physically assaulting a government supporter, even though she was the subject of abuse herself. Her case is emblematic of the harassment faced by independent journalists and writers who have spoken out against the violent tactics of the government. During the mission, a member of the mission was able to attend her trial.

A key recommendation of the report is to end the persecution of numerous doctors and medics who helped treat demonstrators and currently face jail terms, as well as many teachers, lawyers, writers, artists and other professionals who have been harassed and persecuted as a result of practising their professions and exercising their right to express themselves freely and peacefully. The mission coincided with the presentation of the report of the Bahrain Independent Commission of Inquiry (BICI) by its Chairperson, Egyptian Cherif Bassiouni to the King on 23 November 2011<sup>6</sup>. The mission explored attitudes and expectations concerning the report before its release, and reactions subsequent to its release. In line with the BICI report, the international mission also insists on accountability for those responsible

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<sup>4</sup> <http://www.indexoncensorship.org/2011/06/bahrain-eight-activists-and-opposition-leaders-jailed-for-life/>

<sup>5</sup> <http://www.scribd.com/doc/58472499/Biographical-information-on-the-Bahrani-activists-sentences-on-22-June-provided-by-the-Bahrain-Center-for-Human-Rights>

<sup>6</sup> BICI Report: <http://files.bici.org.bh/BICIreportEN.pdf>

for violating international human rights norms, in particular those responsible for torture and killing.

The mission met with human rights activists, demonstrators, members of civil society, members of the diplomatic community, members of political parties and government officials. The objectives included gaining an understanding of what occurred in February and March and the current state of free expression, particularly with regard to the government's recent efforts to "heal" and "build a national dialogue." Furthermore, the mission aimed to better facilitate an international conversation on the right to freedom of expression and assembly in Bahrain.

## **Methodology**

The delegation met with civil society groups, human rights activists and bloggers, as well as politicians, government officials and foreign representatives. A major focus of the mission was to better understand the role and potential impact of the BICI report, the attitude towards it and the implementation of its recommendations. Mission members were able to meet with representatives from across Bahrain's government, in order to raise concerns about freedom of expression and to understand the government's approach to dealing with the report, particularly the recommendations that were to be made for reform.

The following report documents the key concerns and challenges regarding freedom of expression in Bahrain, and also catalogues some of the hopes and promises attached to the BICI report.

Documented below are summaries of information gathered and violations recorded, based on interviews and meetings conducted with individuals with a broad range of voices and backgrounds. Another section focuses on the BICI report and a parallel report presented by human rights groups in Bahrain, summarising some of the reactions, expectations and challenges of the report.

*This report was compiled by Sara Yasin of Index on Censorship based on mission members' contributions and edited by Sara Yasin and Kristina Stockwood of the IFEX Clearing House. Cover page photo credit: Adam Shapiro, Front Line Defenders.*

# I. Violations

## 1. Digital Media Censorship

Thousands of websites are routinely blocked in Bahrain, including the websites of the Bahrain Centre for Human Rights (<http://www.bahrainrights.org>) and the Arabic Network for Human Rights Information (<http://www.anhri.net/en/>). Among the media targeted in Bahrain are social networking sites, Blackberry messaging and websites cataloguing reported human rights abuses.

When questioned about blocked websites, Dr. Fatima Al-Balooshi, Minister for Human Rights and Social Development, told a meeting of international human rights organisation that "it was not a problem, and you should use a proxy."

Members of the opposition, activists and students were arrested, fired and/or expelled from school for expressing their views on popular social media sites Facebook and Twitter.

On the Twitter website, those speaking out against injustice continue to experience constant harassment from "trolls." Many of the harassed believe that the barrage of hostile and threatening tweets comes from persons inside or affiliated with the Bahraini security apparatus. Prominent opposition voices, including Nabeel Rajab, BCHR's President, and Zainab Al-Khawaja, face constant harassment and threats on this social networking medium.

A teacher who asked to remain anonymous for fear of persecution said that many Bahrainis were now "forced to live in the dark," even on social networks. She felt that she could no longer use her own name on Twitter, and that she "did not want to show students her political views."

Members of the mission also experienced harassment from "trolls" after arriving in Bahrain and sending tweets about their observations, including suggesting that the mission had pre-judged the situation on the first day.

### Twitter Sample from 20 November 2011

[missyasin](#) Sara Yasin Spent this evening in Bani Jamra hearing about some of the torture and harrassment faced by activists. More tweets to come. [#BahrainMission](#)

[BahrainRight](#) Bahrain Human Right  
Dear [#Bahrain](#) [@missyasin](#) (associated with Irish Frontline [@khalidibrahim12](#)) just arrived & already formulated a conclusion [#BahrainMission](#)

[BahrainRight](#) Bahrain Human Right  
Dear [#Bahrain](#) [@missyasin](#) who is associated with Irish Frontline [@khalidibrahim12](#) (Irish Delegation) already falsifying on [#BahrainMission](#)

## 2. Detention and Persecution of Human Rights Defenders

### Abdulahdi Al-Khawaja, former President of BCHR and Front Line Defenders Protection Coordinator

Abdulahdi Al-Khawaja, former President and founder of BCHR and former Middle East and North Africa Protection Coordinator with Front Line Defenders, is the best-known human rights defender imprisoned in Bahrain. He was dragged out of his house, bleeding and unconscious after being severely beaten during a night time raid by 20 masked and armed plain-clothes men on 9 April 2011.<sup>7</sup> On 22 June, 2011, he and 20 others were convicted by a special security court of allegedly "plotting to overthrow the government"<sup>8</sup> and Al-Khawaja was among those given a life sentence, subsequently confirmed on appeal by a military court on 28 September 2011.<sup>9</sup> Defendants were silenced, and there were a number of irregularities at the military court.

The international mission to Bahrain made many requests and attempts to visit Abdulhadi Al-Khawaja in prison but was unsuccessful in obtaining a formal meeting with him. Representatives of the Gulf Centre for Human Rights (GCHR) and the Arabic Network for Human Rights Information (ANHRI) even made a direct request to the Minister of Human Rights and Social Development during a meeting on 24 November 2011. She promised to consider the request but it never occurred. The representative of Front Line Defenders did manage to meet briefly with him during a family visit. Despite Front Line's compliance with the official process for requesting a meeting with a prisoner, requests were repeatedly denied or simply not responded to.

Members of the delegation also met with lawyer Jalila Sayed, who commented on the hostile treatment of Al-Khawaja's lawyer, Muhammad Al-Jishi. He has faced many difficulties and inconsistencies in procedure, and she said he "did not have the respect" of the Military Judge in Abdulhadi Al-Khawaja's case. For example, during Al-Khawaja's trial, the prosecutor called a witness the first day that did not appear; the judge then said that the prosecution would continue the case at the next session. Standard Bahraini procedure would be for the prosecution to finish examining its witnesses, and then there would be a recess, with the defence presenting its witnesses starting on a new day. Instead, the judge instructed Al-Jishi to present witnesses on the same day that the prosecution finished, and refused to recess.

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<sup>7</sup> [http://www.ifex.org/bahrain/2011/04/14/crackdown\\_continues/](http://www.ifex.org/bahrain/2011/04/14/crackdown_continues/)

<sup>8</sup> [http://www.ifex.org/bahrain/2011/09/29/sentences\\_upheld/](http://www.ifex.org/bahrain/2011/09/29/sentences_upheld/)

<sup>9</sup> In partnership with IFEX, Pen International's Writers in Prison Committee sent an observer to the trial on 28 September 2011. <http://www.pen-international.org/newsitems/pen-observer-reports-on-bahrain-trial/>

According to Sayed, this shows bias and disrespect to Al-Jishi, and is typical of the way in which judges have been allowing violations of Bahraini legal procedure in trials since the February/March protests (see doctors case below for more).

The legal proceedings in Al-Khawaja's case have been riddled with inconsistencies from the start, and have failed to live up to either Bahraini legal standards or international fair trial standards. On one occasion, Al-Khawaja was removed from court and beaten following an attempt to speak up about his experience being tortured in prison.

See section 9 below on Intimidation of lawyers for more details about threats and difficulties faced by lawyers.

#### Zainab Al-Khawaja, Twitter activist

Throughout the course of the mission, members met activist and blogger Zainab Al-Khawaja, who has been publicising human rights abuses in Bahrain's crackdown on protesters on Twitter under the username @angryarabiya. The 28-year-old woman, who is also the daughter of Abdulhadi Al-Khawaja, faces constant harassment online and in person. Wafi al-Majed, her husband and father of their two-year-old daughter, is also in prison, serving a four-year sentence after being dragged out of his home with his father-in-law when he was arrested on 9 April 2011<sup>10</sup>, despite no evidence of political activity on his part. It is believed he is being held to punish his wife and father-in-law for their activities. Al-Khawaja, like many protesters, supports peaceful protests. In addition to being outspoken in the media, Al-Khawaja regularly attends protests and meets with those tortured or injured by security forces. Following the mission, Al-Khawaja was detained and beaten by police officers, and has since been released on bail, but could face a two-year prison sentence, according to BCHR.<sup>11</sup>

#### Family of Dr. Abduljalil Al-Singace, Zahra Abduljalil and her mother Fatima

Dr. Abduljalil Al-Singace, renowned blogger and human rights defender, who is head of the human rights office of the Haq Movement for Liberty and Democracy, was arrested on 16 March 2011<sup>12</sup>. His life sentence was confirmed on appeal by a military court on 28 September 2011, after having been convicted with 20 others by a special security court on 22 June 2011 of allegedly "plotting to overthrow the government."<sup>13</sup>

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<sup>10</sup> [http://www.ifex.org/bahrain/2011/04/14/crackdown\\_continues/](http://www.ifex.org/bahrain/2011/04/14/crackdown_continues/)

<sup>11</sup> <http://www.bahrainrights.org/en/node/4906>

<sup>12</sup> [http://www.ifex.org/bahrain/2011/03/18/alsingace\\_rearrested/](http://www.ifex.org/bahrain/2011/03/18/alsingace_rearrested/)

<sup>13</sup> [http://www.ifex.org/bahrain/2011/09/29/sentences\\_upheld/](http://www.ifex.org/bahrain/2011/09/29/sentences_upheld/)



Dr. Al-Singace was arrested at the airport upon his return from London on 13 August 2010, where he attended a conference at the House of Lords during which he had criticised Bahrain's human rights practices. He was initially accused of "inciting violence and terrorist acts," before being formally charged under national security and counter-terrorism legislation. Dr. Al-Singace was held incommunicado and in solitary confinement for six months, during which he was reportedly ill-treated, according to PEN International's WiPC and other rights groups. He and others charged in the same case were freed in February 2011, but he was re-arrested on 16 March 2011 after speaking out publicly about human rights violations. Dr. Al-Singace is disabled, and relies on a wheel-chair or crutches for his mobility.

A member of the mission met with his daughter Zahra. She told the story of the torture of her father (BICI Report Annex B, Case #7). Since his detention, his son has also been arrested and charged with illegal gathering, receiving a four-year prison sentence (He was pushing his father in a wheelchair upon arrest.) Zahra, an assistant teacher, has lost her job. "Every night, we don't know if they are coming back," she said. At the time she said, the family visits to the prison were made very difficult, the times changed to prevent them meeting; some of the female security guards had inappropriately touched the women who came to visit.

#### Nabeel Rajab, President of Bahrain Centre for Human Rights

Nabeel Rajab, President of the Bahrain Centre for Human Rights (BCHR) and outspoken defender of human rights in Bahrain, continues to speak out, despite many challenges, including routine harassment and threat of imprisonment. He shares the experiences of those affected by the crackdown on protesters. Rajab's home has been attacked repeatedly, including by teargas on a regular basis, and he has been kidnapped from his home and beaten on previous occasions, presumably for his human rights work.

Mission members met with Rajab to hear about the experiences of citizens impacted by the crackdown. While at Rajab's home for these events, mission members witnessed the usage of tear gas on two occasions.

Following the mission, Rajab's house was targeted with increasing frequency, to the point that family life has been disrupted by the constant attacks. His children, who have already had to switch schools on account of harassment, have now been removed from the home because of repeated tear gas attacks, launched against his home whether he is there or not.

In addition to threats and harassment, members of the BCHR face ongoing attempts to discredit their work. This is not new for BCHR, as it was banned in 2004, two years after it was founded.

Mohammad Al-Maskati, President, and Nader Al-Salatna, member, Bahrain Youth Society for Human Rights

Members of the mission met with Mohammad Al-Maskati, BYSHR President, and Nader Al-Salatna on the morning of the day the BICI report was presented to King Hamad. Al-Maskati and Al-Salatna reported some of the crowd-control tactics that target protesters, and spoke of tear gas canisters being fired at the heads of protesters, as well as cars being used to chase protesters, which resulted in the death of 16-year-old Ali Al-Satrawi, who was run over on 19 November by Bahrain security forces and died at the scene, according to BYSHR and BCHR.

The BYSHR was deeply involved in gathering data for the BICI commission, including helping individuals reach the commission to give testimony, and encouraging and counselling victims to step forward. While both Al-Maskati and Al-Salatna said that they did not want to speculate on the BICI report, both agreed that the report would not likely put a stop to the problems in question.

Both men were critical of some of the actions of the head of the BICI, Professor Bassiouni, including interference in certain cases and releases, which heightened expectations that the commission would act on the problems documented, even though its mandate was only to make recommendations. Additionally, there was significant criticism of some of Professor Bassiouni's statements to the media which seemed to indicate conclusions many weeks or even months before the final report was ready.

Sara Yousif, Bahrain Human Rights Society

Sara Yousif, who works for the Bahrain Human Rights Society, spoke about some of the challenges of working for human rights in Bahrain in the months following the crackdown on protesters. Yousif identified another important problem for the human rights community in Bahrain: the "brain drain" of the activist community, the members of which are either being forced to leave the country to protect themselves or are being imprisoned. In her estimation, as many as 75% of the experienced human rights workers in Bahrain were effectively silenced during the crackdown, leaving inexperienced and young Bahrainis to pick up the slack. There is a great need for training and mentoring.

Anonymous human rights activist in hiding

Members of the delegation also spoke to a human rights activist in hiding who had sustained injuries by security forces. In spite of the severity of his injuries, like many other demonstrators, he could not go to the hospital because of the risk of being arrested. The activist, arrested for filming protests, described being chased by security forces who fired rubber bullets, tear gas and sound bombs. Following the crackdown in February and March, he was fired without explanation from the private fruit company that he worked for, even though the company was privately owned. He had been arrested previously and served prison time for false charges in 2007, during which time he said he was severely tortured. As of now, he is forced to

remain on the move, as his home has been attacked three times and he is always under threat of arrest. Nonetheless, he continues to speak out using the social media sites Twitter and Facebook, regardless of the harassment he faces for it.

The activist in question also spoke about the outside perception of Bahrain's revolution, saying that he hoped the nations of the Arab world, particularly "countries where there was a revolution" would support Bahrain. He said, "Our revolution is just like yours." His message to the international community at-large was similar, asking people not to differentiate between Bahrain and the other nations considered to be part of the Arab Spring. He also emphasised a lack of protection of human rights activists in Bahrain, and highlighted the important role of the international media in creating change in Bahrain.

### **3. Arrests, Murder and Harassment of Journalists**

During Bahrain's crackdown, independent journalists suffered greatly, and many were forced to flee the country. For this reason, the mission was unable to reach many journalists. *Al-Wasat*, an independent Bahraini newspaper, faced attacks, a forced shutdown, and prosecution<sup>14</sup> for documenting the human rights violations during the crackdown.

#### Journalists Zakariya Al Asheri and Karim Fakhrawi

According to the BICI report, two journalists are listed among the people whose death was caused by torture while in custody of the National Security Apparatus (NSA). Both died after being arrested in April. Zakariya Al Asheri, founder of Al Dair online news website, died in custody in April and five police officers have been charged in connection with his death, two of them being held responsible for beating him. The case is being heard in court but the charges are for beating not torture, and those responsible for ordering the torture are not being held accountable.<sup>15</sup> The authorities had first claimed his death was due to illness, specifically heart failure and sickle cell anaemia (BICI, Case No. 24). Karim Fakhrawi, founder of the newspaper, was tortured to death while in custody, and two police officers have been transferred to military court in the case (BICI, Case No. 25). See more below in Section IV BICI Report Presentation.

#### Journalist Reem Khalifa

One of the few active independent journalists who continues to try to do her job openly inside the country, Reem Khalifa of *Al Wasat*, has been the target of constant

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<sup>14</sup> [http://www.ifex.org/bahrain/2011/10/14/alwasat\\_journalists\\_fined/](http://www.ifex.org/bahrain/2011/10/14/alwasat_journalists_fined/)

<sup>15</sup> [http://www.ifex.org/bahrain/2012/01/17/asheri\\_case/](http://www.ifex.org/bahrain/2012/01/17/asheri_case/)

harassment<sup>16</sup>. On 30 November, a member of the mission observed Khalifa's trial in the Lower Criminal Court, where she was facing charges of verbally abusing and physically assaulting a government supporter. The incident stemmed from a press conference held in July by an Irish delegation investigating the case against the doctors and medics, where Khalifa herself was assaulted by pro-government supporters.

Reem Khalifa's lawyer, Sayed Mohsen Al-Alawi, called on the judge to stop the trial until the lower criminal courts conclude the hearing into the complaint submitted by Khalifa on the negligence of the Public Prosecutor in ignoring two cases filed by her and her husband, Dr. Mansour Al-Jamri, over the incident. The journalist complained that her cases had not been heard, but that the lawsuit filed against her was being carried out. The judge refused to halt the trial and adjourned the trial to 15 December 2011.

#### **4. Arrests of Protesters**

Peaceful protests occur almost daily in Bahrain, many taking place in the villages. Arrests and reprisals including many by teargas and birdshot are common. Most of the protests take place at night, when villagers resort to a range of non-violent tactics to protest against the regime. Spraying graffiti on walls, chanting, banging pots and pans, and marching are the most common and widespread tactics. Some youth have resorted to burning tires on the main roads leading to the villages, spilling oil on the roads and creating makeshift roadblocks inside the villages in an effort to prevent security forces from penetrating.

At a peaceful protest in the village of Eker on 22 November, residents were demonstrating against the BICI report that would be delivered the next day. A member of the mission spoke to a teacher who wished to remain anonymous. She said that demonstrators, like many, were frustrated with the commission, which she viewed as "another lie to silence us."

##### Canadian Naser Al Raas

The mission also met Canadian citizen Naser Al Raas, who is currently appealing two sentences for "illegal gathering" and "incitement to hatred," which would land him in prison for five years. Al Raas, a 29 year old IT specialist from Ottawa, came to Bahrain to visit family members and attended protests in March. Al Raas protested peacefully, and captured what he saw at Pearl Roundabout on camera. On 20 March, he was taken from the airport before boarding a plane to return to work in Kuwait. Al Raas was reportedly tortured by security forces until he made a coerced confession. When he was released, he was denied his Canadian passport. A member

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<sup>16</sup> <http://www.bahrainrights.org/en/node/4396> and [http://www.ifex.org/bahrain/2011/07/21/critical\\_journalists\\_harassed/](http://www.ifex.org/bahrain/2011/07/21/critical_journalists_harassed/)

of the mission attended the hearing of Al Raas on 22 November, which he did not attend for fear of being detained. In these proceedings, other defendants who were in detention were not allowed to meet with their lawyers beforehand. Al Raas is a Canadian national only, and does not hold Bahraini or any other national ID.

#### Three young men arrested in Badr (Rida, Taqi, Zaki)

Towards the end of October, twenty riot police officers broke into a house in Badr village, beat and arrested three brothers in their twenties. Both sound bombs and flash grenades were used as a scare tactic, and could be heard in the next village. According to their sister, the officers banged on the door three times, before finally "breaking into the house," and threatening to shoot anyone who made a sound. She believed that this was done to "scare the women," who were gathered in a large room in the downstairs of the house. The young men hid and closed the door on the roof, where riot police shot at them. They were beaten on the roof of the house.

The ground was covered in blood, and the heads of the men were smashed against the wall. The brothers are now in prison, where according to their sister, they have been mistreated. She saw "marks" of where officers had put out cigarettes on their knees. She said that they were tortured in the police station, but not in prison.

Tear gas and shooting have become a routine part of evenings, according to their sister. She said that "everyday we listen to these noises---we see tear gas every night."

The young men have spent 45 days in prison, and face a possible extension of another 45 days. She said that the family feels very unsafe.

## **5. Silencing of Writers and Artists**

#### Iman Assiri, Farid Ramadan, Ahmad Al-Ajmi and Ahmad Al-Ghanem

Members of the mission met with Iman Assiri, Farid Ramadan, Ahmad Al-Ajmi and Ahmad Al-Ghanem. As artists and writers, they found themselves at Pearl Roundabout, demonstrating based on "people's demands," and made a statement against killings of protesters.

The protests have caused a rift in Bahrain's writing community, resulting in the resignations of sixteen writers from the Bahrain Writers Association. Writers who spoke out regarding the crackdown against protesters face uncertainty, and Al-Ajmi said he "sleeps dressed" because one can "die at any point."

Ahmad Al-Ghanem, a flutist and a part of the Ministry of Culture, did not join the protests until the Crown Prince "gave permission to march." Following a sentence of ten days without pay, and six additional disciplinary days, Al-Ghanem was forced into early retirement for his participation in peaceful demonstrations.

Poet Iman Assiri spoke about the arrest of her own son, who was a student at University of Bahrain. He was taken from her home, and authorities were dismissive when she tried to find where he was detained. After a month and a half of searching, she finally found her son, who in that time had been sexually abused in prison and subjected to inhumane conditions. His trial was scheduled for 4 December, but has since been postponed. Like other University of Bahrain students, her son was interrogated based on posts he made on Facebook, and was expelled while in prison.

The mission also spoke with the writers about drawing attention to their plight in the coming year, because Bahrain has been declared the cultural capital of the Arab world in 2012<sup>17</sup>. They want to raise awareness about violations of free expression and the forced silence of artists by using the themes of the year of culture.

## **6. Firing and Arrests of Teachers**

### Jalila Al-Salman, Vice-President of Bahrain Teachers Association (BTA)

On 29 March 2011, Jalila Al-Salman, the vice-president of the Bahrain Teachers Association (BTA), was taken from her home to an unknown location. She was tortured in prison. On 6 April 2011, security forces arrested the President of the BTA, Mahdi Abu Dheeb, along with other teachers. They were all held for weeks in isolation, and not allowed to contact their families or their lawyers. On 21 August 2011, Al-Salman was released, while Abu Deeb remains in detention. Salman still faces three years in prison, pending appeal. Her case was heard on appeal on 11 December, but the judge postponed the hearing to 19 February 2012, and ordered the annexation of the BICI report in the file of the case.<sup>18</sup>

Al-Salman spoke to members of the mission team of the great work that the BTA had been doing prior to 14 February in terms of representing the interests of teachers, including managing to get three salary increases for teachers in Bahrain, who remain relatively underpaid.

The BTA responded to requests from teachers to do something after people were killed at Pearl Roundabout. BTA arranged for people to go to Pearl Roundabout when school was not in session, so teachers were not missing classes. .

The mission heard how the Ministry put out a call for replacement teachers while protests were going on at Pearl Roundabout, and how regular teachers were abused at schools, at times in front of students.

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<sup>17</sup> <http://gulfnews.com/news/gulf/bahrain/manama-to-celebrate-arab-cultural-capital-status-1.922643>

<sup>18</sup> <http://gc4hr.org/news/view/44>

Al-Salman's daughter is sick and needs an operation outside of the country, but authorities will not let her travel, even when she offered to accept a police escort.

Al-Salman also spoke about the arrest and mistreatment of her colleague, Mahdi Abu Dheeb. She mentioned that teachers are targeted, tortured, fired, and suspended just as doctors and medical professionals are, but are not receiving as much publicity or international support.

On 30 November, a member of the mission team attended the trial of members of the administrative committee of the BTA before the Lower Criminal Court. The defense team asked the judge to adjourn the trial to give them time to get copies of the files of the defendants related to the case filed against them. The judge adjourned the trial to 9 January 2012.

### Maryam Abu Dheeb – daughter of Mahdi Abu Dheeb, President of the Bahrain Teachers Association (BTA)

Mahdi Abu Dheeb was taken from his brother's house where he was staying because his own house had been raided earlier that same night while his wife and three daughters were at home. Maryam Abu Dheeb spoke about the raid and how the police, masked and armed, did not allow time for women to get covered and went through all of the belongings of the people in the house. Mahdi was already in hiding, expecting to be detained. The family lost contact with Mahdi for a period of time after his detention, learning only later of the torture he suffered. He was sentenced on 25 September to a 10-year prison term during the National Safety Court. According to Bahraini law, his case should have been heard in civil court, not a military court. The case of Abu Dheeb and Salman was heard by the Supreme Court of Appeal on 11 December, reports the Gulf Centre for Human Rights.

## **7. Expulsion of Students**

Members of the mission met with Hussain Hameed and Ali, both expelled University of Bahrain students. Both were well-known on campus, and were targeted by other students for harassment in March. Hameed has since been reinstated as a student. However, Ali, who was out of the country at the time of the protest, is one of the 38 students who remain expelled. In addition to harassment by their peers on campus, both students have had their homes raided.

According to Hameed, who has been involved in compiling the cases of expelled students for Al-Wefaq, 450 students have been expelled in total.

Hameed described protests on campus as "peaceful." He described a particular protest on 13 March, where "thugs" came to campus with weapons, and hurt "students and peaceful protesters." While Hameed was not involved in the protests that day, he was accused of organising the protest. During his interrogation, Hameed

was asked questions about posts made on Facebook as well as photographs. Ali reported a similar investigation, reporting that a total of 499 students were investigated and subsequently expelled. While most were allowed to return to classes on the orders of the King, some have not been allowed to return.

According to Hameed, most students were convicted based on social media pages, and "most changed names and IDs on Facebook," as well as deleting individuals from their pages.

Like University of Bahrain students, Bahrain Polytechnic students also faced expulsion over views expressed on social networking pages or as a result of alleged attendance at protests. However, while protests occurred on campus at University of Bahrain, no protests took place on the campus of Bahrain Polytechnic.

Two of the students initially expelled, Eman Oun and Asma Darwish, have been active in speaking out against the expulsion of students<sup>19</sup>. Oun has been given permission to return to Bahrain Polytechnic next semester. Darwish, an active blogger and human rights activist, has been allowed to return to Bahrain Polytechnic, but mentioned considerable harassment experienced by her and by other previously expelled students. Although Bahrain Polytechnic banned political symbols and demonstrations of any kind, Darwish said that pro-government slogans and images are still commonplace on campus. Continued harassment threatens the educational environment, and many fear reporting the harassment they experience. According to Eman Oun, more than twenty students remain expelled.

## **8. Lengthy Prison Sentences for Medics Who Treated Demonstrators**

Members of the mission met with medical professionals Nada Dhaif, Nabil Hameed, Fatim Haji, Ghassan Dhaif, Zahra Al-Sammak, Mahmoud Asghar, Nabil Tammam, Roula al-Saffar and Ibrahim Damestani, who are among those facing prison sentences of up to 15 years for treating demonstrators and speaking to international media.<sup>20</sup>

In the meetings with the doctors, it was abundantly clear that the way the state is handling their cases is indicative of the substantial impact international pressure is making. They all believe that they would not have been released from prison had there not been such attention, and that their case would not have been brought for appeal by the Attorney General had it not been for the pressure.

Individually, all have suffered significantly, and families are still traumatised by the experience. None are permitted to work and have little hope of getting their

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<sup>19</sup> <http://www.indexonensorship.org/2011/10/bahrain-where-a-facebook-like-gets-you-expelled/>

<sup>20</sup> <http://www.indexonensorship.org/2011/10/human-rights-in-bahrain-rhetoric-and-reality/>



positions back. Most have travel bans, although as with many things in Bahrain, there is inconsistency, and some are allowed to travel. The doctors insist that they carry out their jobs according to international medical practice, including remaining neutral in treating all patients.

A hearing for the non-misdemeanor cases in the trial of the medics took place on 28 November, the main event of which was the presentation of new evidence of weapons by the prosecutor. This hearing was witnessed by members of the mission, as well as other international NGOs. The presentation of the new evidence was in violation of all fair trial procedures including Bahraini procedural law and regulations. The judge did not give indication as to whether the evidence would be admissible, and the evidence itself was handled without any thought for evidentiary concerns (i.e. no gloves or bags were used to handle the material, thus making fingerprint evidence useless).

Dr. Nada Dhaif did have the opportunity to speak in court about the torture she suffered while in prison, much to the annoyance of the prosecutor. She and her husband face ongoing harassment while waiting for the appeal in her 15-year sentence<sup>21</sup>. The session was recessed upon the request of the defense attorneys so that the BICI report could be admitted into evidence for the defense. However, the report had to be re-translated into Arabic as it had become clear that there were discrepancies between the English and Arabic versions, with the Arabic version initially published on the BICI website not accepted as official.

## **9. Intimidation of Lawyers**

Lawyers in Bahrain who defend those accused of serious charges related to the demonstrations are themselves at risk, not to mention being intimidated and unable to properly carry out their jobs. Thus due process is not served. (See above for difficulties faced by Abdulhadi Al-Khawaja's lawyer.) Lawyers Jalila Sayed, Reem Khalaf, Faten Haddad and Mohamed Al-Jishi are among those overburdened by work defending the hundreds of detainees. Only ten lawyers have been appointed for hundreds of defendants, with many lawyers staying away from work for fear of persecution if they help political prisoners.

Lawyer Reem Khalaf also says normal procedures for trial are not followed, and it is very difficult for lawyers to work. Each lawyer was forced to take many cases, so that they could not even remember all the names of the defendants. They could not take the defendants' files and had to photocopy hundreds of pages. This has affected their law businesses as they had to let go of other cases they had been given. Most of this work is being done pro bono. Khalaf says they received threats from unknown people.

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<sup>21</sup> <http://gc4hr.org/news/view/52>

A member of the mission team met human rights lawyer Mohammed Al-Tajer who was imprisoned, tortured and released on 6 August 2011. He is at the moment on bail and forced to sign documents stating that he will be ready to appear before court upon request.

In a meeting a member of the mission held with Mohammed Al-Jeshi, lawyer of Abdulhadi Al-Khawaja, he mentioned the many difficulties and harassment he faced doing his duty in the defence of his client. He also said that he did not know Abdulhadi's whereabouts after the arrest and only met him for the first time after two weeks.

Mohammed Al-Jishi said that he is working on 70 cases of citizens who were unfairly dismissed from their jobs, with no legal basis and without evidence.

## **II. Response of Government Officials**

### Staff of Ministry of Human Rights

Members of the mission met with members of Bahrain's government on 21 November. This was a cross-ministry human rights committee led by Saeed Al-Faihani, Undersecretary of the Ministry of Human Rights and Social Development. Eleven other officials were present:

- Khalifa Yousif Al-Kabbi, Ministry of Human Rights
- Dr. Osama Kamel Metulee, Ministry of Human Rights
- May Almohanna, Ministry of Human Rights
- Eqbal Salman, Ministry of Interior, Department of Legal Affairs
- Abdul Nasser Mohammed Al-Meraj, Ministry of Interior, Department of Legal Affairs
- Nayef Yousif Mahmood, Public Prosecutor's Office
- Ali Ebrahim El-Sisi, Ministry of Foreign Affairs, Consultant
- Hamad Bin Salman Al-Khalifa, Ministry of Justice and Islamic Affairs
- Nawaf Mohammed Al-Maooda, Information Affairs Authority, General Director of Publications and Publishing
- Dr. Faisal Mohammed Abdul Gader, Legal Consultant at the Royal Court
- Abdullah Abbas Hamad Legal Consultant at the Royal Court of the Prime Minister

Members of the mission summarised their primary concerns as follows: understanding the process moving forward from the government's perspective; wishing to ensure ongoing access to Bahrain for international human rights organisations.

Al-Faihani started by saying that Bahrain is transparent and open, but emphasised the importance for international organisations to follow established procedures to gain access to Bahrain; as long as delegations conduct themselves "professionally" they would not be barred from Bahrain. Requests must be submitted at least a week

in advance, in order to give time to the Ministry of Human Rights to ensure that visas are approved.

The Ministry wants to work with foreign NGOs in order to improve the situation in Bahrain, and seeks open communication with NGOs to learn where there are shortcomings. Officials also said that they read what NGOs write very carefully, along with reports, the contents of press releases and letters published.

When asked by members of the mission about legal proceedings, officials claimed that the process is transparent. The mission pushed for international standards of fair trials and access to lawyers to be respected and upheld, including visits in prisons by lawyers. Officials once again brought up the question of process.

When asked about Abdulhadi Al-Khawaja and his co-defendants, officials referred to them as "coup plotters," and claimed that at the time of intervention, "99% of Manama was controlled by coup plotters."

They also claimed that the legal procedure was followed during the National Safety Court period, and that all trials are now in civilian courts where there is adherence to legal procedure. In addition, the civilian courts will allow full hearings of the cases from the National Safety Court. They denied that the National Safety court was a military court, despite appearances.

The committee reassured the mission that they would be welcome to visit Bahrain again in the coming months, and said that the committee should be the point of contact for human rights NGOs, and it should be communicated with directly to arrange meetings with officials.

#### Fatima Al-Balooshi Minister of Human Rights and Social Development

Members of the mission and members of other international NGOs met with Fatima Al-Balooshi, Minister of Human Rights and Social Development on 24 November, at a hastily arranged meeting the morning following the presentation of the BICI report to the King. She echoed some of the statements made by the King. Al-Balooshi also said that the National Institute for Human Rights will be more independent according to Paris protocols, and laws are already starting to be amended. She also claimed that all cases are now in civilian courts, but this has not proven true, particularly the case of the 14 activists.

She reassured those in attendance at the meeting that the recommendations of the report were to be taken seriously, noting that the Cabinet had established a working group the same night that the BICI report was presented. Al-Balooshi asked that NGOs provide recommendations, suggestions and ideas, and said that the new National Commission would prepare recommendations based on the BICI report. The National Commission would involve members of the government as well as members of civil society.

Al-Balooshi said that all records of BICI will be made public, but did not answer questions regarding the findings of the forensic medical teams that met with torture victims.

She assured representatives of the international human rights organisations that Bahrain will be accessible to them, and invited groups to return and check the implementation of recommendations. Al-Balooshi also said that psychological services should be provided for victims.

However, the overall attitude of officials was that while there were some problems, steps had already been taken to correct things, even before the BICI report had been presented to the King.

### **III. Launch of Parallel Human Rights Report**

On 22 November, the major human rights organisations in Bahrain released a report<sup>22</sup> described as a "first draft." The final updated version was released on 28 November. Some mission members attended the launch of the report, which was compiled by the Bahrain Centre for Human Rights (BCHR), the Bahrain Youth Society for Human Rights (BYSHR) and the Bahrain Human Rights Society (BHRS).

The 94-page report aimed to document the human rights violations that took place in Bahrain during the events of February and March. It provided background information regarding the situation and provided the government and international community with recommendations.

During the report launch, a number of protestors testified concerning their brutal treatment in custody. The human rights organisations noted the pattern of systematic human rights violations. The three groups say the government is "only interested in plastering over the cracks in its international reputation," and those responsible for murdering civilians seem to be getting away with it, because those responsible for ordering the violent crackdown have not been held accountable, nor even have all individuals responsible for torturing people in custody been removed from their jobs or charged.

At the time of the report launch, the three groups noted that no official had been held responsible for the deaths of more than 50 protestors, including the prison deaths of a blogger and a journalist, nor the torture of hundreds that took place during the crackdown. Meanwhile, local and foreign media remained censored and numerous human rights defenders, activists and demonstrators who advocated for reforms were still in jail, such as the human rights activists serving life sentences. Only two officers had been charged for the deaths of protestors, and none had been convicted as of November. Furthermore, no members of the royal family, who many victims say tortured them directly, were facing trial, the joint report notes.

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<sup>22</sup> <http://bahrainrights.hopto.org/en/node/4849>

The three groups said their recommendations to the government "are crucial to start a process of reconciliation and to stop the ongoing violence, including loss of civilian lives, taking place."

Sara Yousif of BHRS, who was involved in the compilation of the report of Bahrain's human rights community, said that she believed that activists should be pragmatic. She emphasised the importance of allowing international organisations to return to Bahrain, especially to monitor the implementation of the recommendations of the report.

The mission was also concerned about the lack of response of government officials to the report generated by civil society.

#### **IV. a) BICI Report Presentation**

On 23 November, members of the mission attended the presentation of the BICI's report to the King, Sheikh Hamad bin 'Issa Al Khalifa, which was made available online<sup>23</sup>. The King initiated the commission in late June with the purpose of investigating and reporting any violations of international human rights laws and norms related to the events of February and March, and to make appropriate recommendations. Eventually the BICI was able to expand the mandate to include investigation into events that occurred beyond March 2011.

There was a discrepancy between Bassiouni's presentation and King Hamad's speech. While Bassiouni noted the complete lack of evidence that Iran played any role in the events of February and March, the King mentioned the role of Iran as a critical component of the protests in his speech. The pro-government Bahrain News Agency subsequently released<sup>24</sup> a statement confirming Iran's involvement, which contradicted the findings of the report, and indicated that there was not going to be much in the way of media reform, which was recommended by BICI.

The King also praised the security forces, whereas the BICI report noted the violations the National Security Apparatus (NSA) had committed systematically. In its report, the Commission wrote that it "considers that the NSA failed to conduct an effective investigation" into the death of Karim Fakhrawy of *Al Wasat*, one of the journalists who died in custody. Zakariya Al Asheri, founder of Al Dair online news website, also died in custody in April but five people have been prosecuted for his death.

The BICI report explicitly detailed 59 cases of torture of Bahraini citizens in detention. It confirmed the deaths of at least 50 people during the months following 14 February. It identified the abuses of power and mistreatment of people as

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<sup>23</sup> <http://files.bici.org.bh/BICIreportEN.pdf>

<sup>24</sup> <http://www.bna.bh/portal/en/news/481723>

"systemic" and stated unequivocally, "The Commission is of the view that the lack of accountability of officials within the security system in Bahrain has led to *a culture of impunity*, whereby security officials have few incentives to avoid mistreatment of prisoners or to take action to prevent mistreatment by other officials."

But overall, the recommendations of the report did not match the severity of the situation depicted in it. The Commission did not name any of the officials who should be held accountable. Furthermore, many of the recommendations are about process, not actions, resulting not in the immediate release of prisoners and punishment of those officials responsible for abuse, but the establishment of commissions and review mechanisms.

And tragically, it seems that the Commission neglected to make the case for justice that it intended to make. The following recommendation was initially seen as a reason for hope for hundreds of political prisoners and their families:

"The Commission recommends that *all persons charged with offences involving political expression, not consisting of advocacy of violence, have their convictions reviewed and sentences commuted or, as the case may be, outstanding charges against them dropped* (pg.307, BICI Report)."<sup>25</sup>

One of the commissioners, Sir Nigel Rodley, also a former UN Special Rapporteur on torture, told Human Rights Watch several weeks after the delivery of the report that the commissioners "intended" that prisoners actually be released: "I can confirm that our collective understanding was that the purpose of the review would be *to exonerate from criminal responsibility those who have acted peacefully in the pursuit of the internationally recognised rights of freedom of expression and assembly.*"

## **IV. b) Reactions to the BICI Report**

*NGOs*

### Bahrain Human Rights Society

Sara Yousif of the Bahrain Human Rights Society commented on the general attitude towards BICI, including what she considered to be "ridiculous rumours" regarding the independence of the commission. She felt that many were quick to discredit the commission, but felt that they didn't "lose anything by going through the process." Despite having some hope, Yousif said she believes that ultimately, the Bahraini government would not invite the commission to investigate the situation unless it was to "exonerate themselves."

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<sup>25</sup> <http://files.bici.org.bh/BICIreportEN.pdf>

### Bahrain Transparency Society

The mission met with Dr. Abdulnabi Alekry, who said that the report was far better than what he expected, though he still had criticism to offer. He said that the report was "not perfect" and did not "factually" capture "all atrocities." In particular, Alekry pointed out that torture was "systematic" and "not only intentional." Furthermore, he emphasised the importance of factoring in the appropriate penalties.

Alekry said that the "state is responsible for what happens," and that they must "take responsibility" for their actions. In order to regain "trust", Alekry said that there is a need for "a new government--changing the government or the system."

Alekry went on to say that it was important for the international community not to be "content by rosy processes," and that the real evaluation of the commission comes with implementation. One important step, in his eyes, was having a "completely national police force."

Alekry pointed out how difficult the situation and tension really is, asked how one could remedy a situation in which "the ruling family owns 80% of the land."

Regarding the government's new committee to implement the recommendations of the commission, Alekry said that as long as the committee is a part of the government, "no opposition will join the committee." He reiterated the "need for fresh government" and that responsible officials were still "immune."

### Bahrain Centre for Human Rights

The delegation spoke to Nabeel Rajab as to how the BCHR will be moving forward after the reading of the report. He said that the report would "remain as an umbrella," and that the BICI report was "not satisfying," based on inaccuracies in the report, and the "unsatisfactory recommendations" that he believes "won't be implemented."

During the meeting, Rajab's village, Bani Jamra was attacked, and he said, "It doesn't look like things will change." However, Rajab still emphasised the importance of hope. Nonetheless, Rajab was left with "a lot of question marks" about the report, despite attempts at balance, which "hit the credibility" of the commission. Rajab felt that the commission was still "trying to satisfy the government," and that it is important to remember that the orders to carry out reprisals against demonstrators came from "the top."

Rajab commended the report for speaking about torture, and taking a clear stance against it, by insisting that torture be declared illegal. Rajab stressed that the international community should "understand that the BICI doesn't replace the human rights community." Therefore, he believes that the United Nations should still investigate the situation of human rights in Bahrain, through a committee headed by the UN.

## Bahrain Youth Society for Human Rights

In a meeting with the mission on the same day as the presentation of the report, Mohammad Al-Maskati and Nader Al-Salatna of BYSHR emphasised that the report should stand up to the scrutiny of international standards. Following the report, the BYSHR will work with the BCHR to assess the report and highlight key areas where international organisations should work, and compare the report to what has been documented by other organisations.

Bahrain's state media has promoted the idea that the BICI report will solve all of Bahrain's human rights problems, rather than viewing it as part of the process of identifying them. Both said that if the report recorded systematic violations, this would be a key issue for asylum seekers, who need the report to say that there was systematic abuse in order to support their claims abroad.

### *Political groups*

#### Al-Wefaq

Leading opposition group Al-Wefaq held a press conference to react to the presentation of BICI report. They were critical of the recommendations, which they claim are not for institutional change.

Al-Wefaq claimed that there was a double standard in regard to evidence presented in the BICI report. They said that protesters were made to provide far more evidence than claims from other parties, which they said were accepted without evidence in some cases.

The report will be used to complicate the reconciliation process, according to Al-Wefaq. They were also critical of how media violations were presented in the report, as the media depicted the protests and conflict as being sectarian. Rather than being about sectarian tensions within Bahrain, the protests were actually concerning issues between "government and citizens," rather than sects.

Al-Wefaq was also critical of the lack of independence of the judiciary, and believes that that the recommendations of the commission do not adequately address the severe violations documented in the report.

Since BICI denied any Iranian involvement or interference, Al-Wefaq said that the presence in Bahrain of members of the Cooperation Council for the Arab States of the Gulf (GCC) was unjustified.

Al Wefaq also insists that Bahrain ratify<sup>26</sup> the Rome Statute<sup>27</sup> and thus join the International Criminal Court (ICC), which would change Bahrain's current culture of

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<sup>26</sup> <http://www.bahrainrights.org/en/node/900>

<sup>27</sup> <http://untreaty.un.org/cod/icc/statute/romefra.htm>



impunity, and hold officials accountable for international crimes. Al-Wefaq warned that without implementation, the BICI report will merely serve to inflame the situation.

## **V. Assessment by Foreign Officials**

### UK Embassy

Members of the mission met with Ambassador Iain Lindsay, and he expressed hope that the BICI would help create a "common narrative" of the events in February and March. Due to the involvement of Sir Nigel Rodley in the commission, the UK Embassy was able to gain some insight into the process, and said that they would "regard the report as credible."

Ultimately, the embassy's role following the crackdown would be in attempting to pinpoint where to "help Bahrainis" and stressed the importance of bridging the gap between religious sects in order to move forward, by way of women's groups, youth groups and businesses. Ambassador Lindsay said that the UK is most interested in capacity building for NGOs and other experts to help change the situation, rather than direct involvement from the UK government.

### US Embassy

Members of the mission met with representatives from the US Embassy, including Stephanie Williams, Deputy Chief of Mission, who said that Washington would be watching the implementation of recommendations closely. Williams emphasised the importance of meeting in the middle and "leading from the centre."

Williams said that the report was the first step in a process towards political reform, and that the US Embassy has "made it very clear" that the report is an "important indicator" of how things will proceed. She assured mission members that US President Barack Obama and Secretary of State Hillary Clinton are following Bahrain closely.

Williams also pointed out the need for more reforms in the Ministry of Interior, as it is problematic that there are no Shi'a individuals represented in the ministry or police force, and the situation might otherwise improve if the people felt "a connection to the police."

## Conclusion

In a news release issued after the mission<sup>28</sup>, the delegation called on King Hamad "to implement the Commission's recommendations to hold accountable all those responsible for past violations, and to take action immediately to prevent further abuses such as torture of detainees."

The delivery of the BICI report, touted as an unprecedented, transparent initiative designed to ensure accountability for deaths and torture of prisoners earlier this year, has yet to facilitate the process of healing that it promises. The human rights community in Bahrain blasted the government's initiative in its parallel report, saying that it is "only interested in plastering over the cracks in its international reputation," and thus far the government has done very little to prove otherwise. From the meeting with Fatima Al-Balooshi following the report, it is clear that the government of Bahrain views the report as the end of the discussion of the country's ongoing crackdown on protesters, not as the beginning of a dialogue concerning both the events that took place and the reasons for protest.

Nearly two months after the presentation of the BICI report, not much has changed on the ground in Bahrain. While the BICI report criticised a lack of accountability on the part of officials, none have yet been held responsible for the deaths last spring of more than 50 protesters – a number which continues to grow. A delegation of members from the UN Human Rights office visited Bahrain from 12 to 17 December and said:

*We continue to receive reports of the repression of small protests in Bahrain, and although some security officers have reportedly been arrested, we have yet to see any prosecution of security forces for civilian injuries and deaths...Such impunity – at all levels – is a serious impediment to national reconciliation.<sup>29</sup>*

Given that the tactics of the security forces in confronting peaceful protesters has not changed at all since before the presentation of the BICI report, there is increasing suspicion that nothing will change following what is seen as a PR effort by the regime. Countless injuries have occurred since the report was issued, including five deaths<sup>30</sup>, among them a five-day old baby believed to have been suffocated by tear gas.

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<sup>28</sup> [http://www.ifex.org/bahrain/2011/11/30/international\\_mission/](http://www.ifex.org/bahrain/2011/11/30/international_mission/)

<sup>29</sup> <http://www.bahrainrights.org/en/node/4919>

<sup>30</sup> <http://www.bahrainrights.org/en/node/4905>

## Recommendations

Based on reading the BICI report, as well as the assessment of the situation in Bahrain during the course of the mission, the delegation made the following recommendations to the government of Bahrain:

1. Overturn the convictions, following unfair trials, of demonstrators, human rights defenders and activists, and immediately free them;
2. Allow access to visit detained human rights defenders and activists by local and international human rights organisations;
3. Bring an end to the trial of doctors and medics being prosecuted for carrying out their duties during demonstrations and to allow them to reassume their work immediately;
4. End the harassment of journalists, including the prosecution of journalist Reem Khalifa, facing spurious charges, and allow all journalists to carry out their work without fear of reprisals;
5. Fully investigate the torture and deaths in custody of detainees, including journalists Zakariya Al Asheri, founder of Al Dair online news website, who died on 9 April and Karim Fakhrawy of Al Wasat, who died in custody on 12 April, and bring those responsible to justice;
6. Bring an end to the censorship of numerous websites, including independent media and NGOs including BCHR and ANHRI;
7. Allow students and teachers who participated in the demonstrations to return to their studies and teaching;
8. Stop the persecution of writers, poets, artists and photographers, particularly in light of Bahrain being named the cultural capital of the Arab world in 2012;
9. Hold accountable all individuals responsible for the violent crackdown on peaceful demonstrators, including those at the highest levels, and not merely the police officers and members of the security force who carried out violent actions;
10. Maintain open access to Bahrain for international NGOs and human rights organisations, and to allow for unhindered travel for members of Bahrain's civil society and human rights community;
11. 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 Bahrain Constitution.