

AMNESTY INTERNATIONAL PUBLIC STATEMENT

19 May 2014

Index: MDE 11/015/2014

Bahrain: openness on human rights, but serious concerns remain

During its latest visit to Bahrain, Amnesty International found encouraging government openness during discussions on human rights, and signs of limited progress towards greater respect for the rule of law. The organization remains concerned, however, about the lack of reform of the judiciary, slow and inadequate investigations into past abuses, and continuing restrictions on freedom of expression, association and assembly.

Delegates from Amnesty International visited Bahrain between 3 and 9 May and met ministers and senior government officials, survivors of human rights abuses and relatives of victims, human rights activists and organizations and political associations. They also met with individual prisoners, including prisoners of conscience, in Jaw Prison and women held in the 'Issa Town Detention Centre for Women.

The visit was the first since January 2013 due to the authorities not allowing the organization back during this period and was restricted to five working days. It came a few days after a two-month mission by the UN Office of the High Commissioner for Human Rights to Bahrain.

Amnesty International welcomes the Bahraini authorities' willingness to engage on human rights at many levels of government and the legal and institutional steps introduced to tackle abuses. The real test for the government now is to ensure that this climate will encourage the right approach to tackle current and past human rights violations and will result in a tangible impact on the lives of the Bahraini people.

Human rights concerns remain over the continuing detention of prisoners of conscience and the harsh sentences handed by Bahraini courts in connection with rioting, including against children. Other prisoners, including women, were sentenced to lengthy prison terms based on "confessions" they said were extracted from them under duress, and with little evidence to substantiate criminal intent. More worrying is the length of time it takes to examine and bring to court alleged perpetrators of killings, torture and other ill-treatment and the final extremely light sentences handed to the few security policemen convicted of such abuses.

The organization expressed concerns regarding house raids and arrests carried out by the security forces without warrants as well as instances of torture and other ill-treatment at the Criminal Investigations Directorate, including exposing detainees to extreme cold conditions.

During meetings, the Bahraini authorities have assured Amnesty International of their commitment and seriousness about moving forward the human rights dossier and the need for more time and

engagement from the national and international human rights community in order to make the reform work. They shared with the organization information about the training received by the security forces and the international human rights expertise they sought in order to put in place mechanisms to enhance and safeguard rights.

Amnesty International delegates also met with members of the Public Prosecution Office, the Head of the Special Investigation Unit (SIU), the Ombudsmen of the Ministry of Interior and the National Security Agency, the Commission for the Rights of Prisoners and Detainees and the National Institution for Human Rights. The authorities said they established most of these institutions as a follow-up to recommendations by the Bahrain Independent Commission of Inquiry (BICI), put in place to investigate abuses in connection with the 2011 uprising.

Amnesty International supports the efforts of these institutions to investigate past and current violations. Their efforts are essential to any process that seeks to deliver justice for victims and to strengthen the rule of law and protect human rights. It is therefore imperative that these efforts are not done in half measures. The organization has raised cases of abuses with the Ombudsman of the Ministry of Interior and the SIU, and will follow closely the outcome of their investigations.

Against the backdrop of the difficult human rights situation in Bahrain and the deep mistrust towards the security forces and other government institutions, Amnesty International has urged the authorities to ensure that the burden of proof lies with them. They must demonstrate concretely and convincingly that abuses do not happen and that, when they do happen, adequate and transparent action is taken to deliver justice.

This situation is compounded by the fact that those who head the newly established human rights bodies are former members of the Public Prosecution Office, appointed by royal decrees, or people seen to be too close to the government. Human rights activists and opposition groups told Amnesty International that they did not believe these institutions would deliver justice and that if the government was really genuine about its reforms it would have staffed these institutions with independent people.

Regrettably, the institutional reforms so far introduced have not yet extended to removing restrictions on freedom of association, expression and assembly or to reforming the judicial system. Royal decrees introduced in 2013 continue to restrict freedom of expression and assembly, banning demonstrations in the capital Manama indefinitely and increasing punishment for those convicted of insulting the king. NGOs continue to operate under very restrictive conditions, and political and human rights activists face judicial harassment, forcing some of them into exile for fear of imprisonment.

The Bahraini authorities continue to use vaguely worded security concerns to strip or revoke individuals of their Bahraini nationality, rendering some of them stateless.

Amnesty International considers that for the current human rights efforts to be more meaningful the Bahraini authorities must start a serious process of reform of the judiciary to ensure its independence to deliver justice and a thorough review of laws still in breach of Bahrain's obligations under international human rights law.

Amnesty International also urges the members of the Human Rights Council to address the human rights situation in Bahrain robustly at the Council's upcoming 26th session in June 2014 to ensure

Bahrain's full implementation of the recommendations it accepted during its Universal Periodic Review in 2012.