

*BIRD Briefing on Bahrain's failure to engage with UN human rights mechanisms and upcoming elections*

**1. Violations committed by Bahrain were raised by Special Procedures and Human Rights Committees.**

**a. Working Group on Arbitrary Detention**

- i. Mohamed Ramadhan and Husain Moosa remain on death row despite the UN Working Group on Arbitrary Detention (WGAD) [Opinion No.4/2021](#) calling for their immediate and unconditional release. See [Reuters](#) article published in June 2021.
- ii. **In January 2019**, the [UN Working Group on Arbitrary Detention](#) declared the detention of Sayed Ahmed Alwadaei's family as both "*arbitrary*" and "*acts of reprisal*" and urged the Bahraini government to release the victims immediately and grant them their right to compensation.
  - I. Sayed Nizar Alwadaei remained imprisoned, serving an 11-year sentence.
  - II. Read the opinion in [full](#). Read Reuters [report](#).

**b. Recent UN Special Procedures communication to Bahrain**

- i. Following an INTERPOL red notice, on **24 January 2022**, Serbia extradited a Bahraini political dissident to Bahrain, 48-year-old [Ahmed Jaafar Ali](#), despite the ruling of an interim measure issued by the European Court of Human Rights (ECHR) on 21 January 2022 prohibiting the extradition pending more information on his case, including understanding the "possible risks of torture and/or ill-treatment that the applicant would face if extradited to Bahrain".
  - I. **Read the [letter sent](#) by 3 Special Rapporteurs (21 February 2022)**

**c. The UN Human Rights Committee (HRC)**

- i. In July 2022, the UN HRC [repeated](#) its call on the government of Bahrain to release Dr Abduljalil AlSingace - 60-year-old political prisoner, respected academic, blogger, and human rights defender serving a life sentence for his peaceful role in Bahrain's 2011 pro-democracy uprising - along with other HRDs, including Abdulhadi Alkhwaja and Najee Fateel.
- ii. They were also raised in July 2022, at the 3906th [Meeting](#) - 135th Session of the Human Rights Committee (CCPR), on the progress report of Special Rapporteur on Follow-up to [Concluding](#) Observation

**d. Refusal to grant visits to UN Special Rapporteurs and Working Groups**

- ii. The most recent visits made to Bahrain by independent UN experts were in [2006](#) by the Special Rapporteur on trafficking in persons<sup>1</sup> and in [2001](#) by the Working Group on Arbitrary Detention.<sup>2</sup> Since this time, Bahrain has refused to allow Special Procedures or international observers into the country.
  
- iii. Since 2006, Bahrain has continued to refuse to engage with mandates of the United Nations Special Procedures by allowing them to visit the country, and despite repeated reminders, has [outstanding requests for visits from all of the following ten offices](#):<sup>3</sup>
  - I. *Working Group in Involuntary or Enforced Disappearances*: At least five reminders issued following visit request, most recently on 7 January 2022.
  - II. *Special Rapporteur on Torture*: Six reminders issued since visit first requested in 2011, most recently on 27 January 2021, with Bahrain postponing dates of a visit twice.
  - III. *Special Rapporteur on Freedom of peaceful assembly and association*: Three reminders issued since visit first requested in 2011, most recently on 5 March 2020.
  - IV. *Special Rapporteur on extrajudicial, summary of arbitrary executions*: Visit requested 22 November 2021, for 2022.
  - V. *Special Rapporteur on human rights defenders*: Visit requested 1 January 2012 and reminder made 3 February 2015.
  - VI. *Special Rapporteur on Freedom of Expression*: Visit requested 14 November 2014.
  - VII. *Special Rapporteur on Extreme Poverty*: Visit requested 8 July 2015.
  - VIII. *Working Group on Arbitrary Detention*: Visit requested 17 January 2017.
  - IX. *Working Group on discrimination against women and girls*: Visit requested 24 September 2015.
  - X. *International Expert on Democratic International Order*: Visit requested 20 October 2021.

## 2. Bahrain has ongoing cases of reprisals high-lighted in Secretary-General reports (2011 – 2022)

- a. A UN report [published](#) in September 2022 named five individuals subject to reprisals: Mr. Abdulhadi Al-Khawaja, Mr. Abduljalil Al-Singace, Mr. Sayed Ahmed Al-Wadaei, Ms. Ebtisam Al-Saegh and Mr. Hassan Mushaima.

---

<sup>1</sup> Report of the Special Rapporteur on trafficking in persons, especially women and children, Sigma Huda, available at: <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=dtYoAzPhJ4NMv4Lu1TOebP4t8uUzb0F2VpFE3yVg6s%2fP8RiAMSoaiXKxOmKu39uJEpLUDJIOUxHF5IbNoeg9BcoqFkZu68SCz8c348bE6qbmzFy7JXlp4mjkz2EWsHp%2b>, accessed 5 September 2022

<sup>2</sup> Report of the Working Group on Arbitrary Detention, available at: <https://spinternet.ohchr.org/Download.aspx?SymbolNo=E%2fCN.4%2f2002%2f77%2fAdd.2&Lang=en>, accessed 5 September 2022

<sup>3</sup> View Country visits of Special Procedures of the Human Rights Council since 1998, available at: <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&Lang=en>, accessed 05/09/2022.

- b. Three of those named as victims of reprisals, Mr. Abdulhadi Al-Khawaja, Mr. Abduljalil Al-Singace and Mr. Hassan Mushaima remain imprisoned today, serving life imprisonment.
- c. Use of Pegasus spyware against civil society actors, quoting from the report:
  - I. *'the reported targeting of women human rights defenders in Bahrain with NSO Group's Pegasus spyware' citing 'forensic evidence from an investigation reportedly showed that Ms. Al-Saegh mobile device was targeted and successfully hacked using Pegasus spyware at least eight times between August and November 2019'.*
  - II. *"The cases of Mr. Sayed Ahmed Al- Wadaei and several of his relatives were included in the 2018, 2019 and 2020 reports of the Secretary-General on allegations of arbitrary arrest, ill-treatment, removal of citizenship and reprisals against family members for Mr. Al-Wadaei's continuous engagement with the UN. Mr. Al-Wadaei."*
  - III. Read: ['Pegasus and other Spyware threatens UN Human Rights Work, Guterres warns'](#)

**3. Bahrain has not developed and published an action plan for the implementation of UPR recommendations and failed to implement a large number of recommendations from the previous UPR cycle, including those supported by Bahrain.**

- a. Legislative restrictions on fundamental freedoms of expression, opinion, peaceful assembly and association remain in place, and civil society figures, including activists and journalists, remain imprisoned. Recommendations that the government has failed to implement include:
  - i. "Repeal or amend all laws that restrict the freedoms of expression, association or assembly, including decree No. 31 of 2013, Law No. 34 of 2014, and Law No. 26 of 2015" (114.111: Germany);<sup>4</sup>
  - ii. Bahrain has failed to take "urgent steps to facilitate the work of civil society and human rights defenders, and guarantee protection of all persons from intimidation or reprisals for seeking to cooperate with the United Nations" (114.57: Ireland)<sup>5</sup> and to "lift restrictions on civil society" (114.124: Estonia);<sup>6</sup>
  - iii. "Adopt appropriate measures to ensure the protection of human rights defenders, journalists and members of the political opposition from acts of aggression and intimidation" (114.119: Luxembourg).<sup>7</sup>

In addition,

- 4. Bahrain has not ratified the nine core international human rights treaties plus the related optional protocols,**
- 5. Bahrain has not submitted a public pledge on its candidacy,**
- 6. Bahrain does not have NHRI in conformity with the Paris Principles (A-status).**

---

<sup>4</sup> A/HRC/36/3/Add.1 - Para. 25 [Noted, not supported]

<sup>5</sup> A/HRC/36/3/Add.1 - Para. 32 [Supported]

<sup>6</sup> A/HRC/36/3/Add.1 - Para. 32 [Supported]

<sup>7</sup> A/HRC/36/3/Add.1 - Para. 32 [Supported]