

# Bahrain Monitor

A Monthly Newsletter on the Human Rights Situation in Bahrain



*Bahrain Human Rights Monitor*

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## Political Maturity and National Dialogue

At a time when the demonstrations and protests continue unabated, sometimes accompanied by rioting, gas bombs and smoke from burnt tyres, all political parties are still holding onto to their previous positions, while the community and civil institutions witness a high level of polarisation, continued social strife and high doses of sectarian incitement fuelled by the religious, media and political elites.

At the human rights level, and despite the efforts which have been made to rectify what has been destroyed by political conflicts, this conflict alone keeps the tension on the streets alive and breeds actions and reactions that leave the Human Rights as the main casualty in most cases.

Nevertheless there are some indications of maturity in some political practices and positions. However, the true test of this maturity is whether dialogue can be achieved between political opponents. The more successful the dialogue, the closer the country will be to ending the political stagnation and solving the social and human rights crisis.

There is a regional and international consensus on the importance of a national dialogue which could result in a political consensus that would safeguard the country on the long term. Short term solutions have been proven to be outdated. Such dialogue needs a long time in order to produce the necessary changes desired. It also requires mutual compromises and a strategic vision away from short-term interests. Although the calls for dialogue are encouraging, there are doubts concerning the ripeness of the regional and local circumstances. Unfortunately, until now, local political parties have failed to prepare themselves enough for national dialogue.

It is a pity to see the inability of the political parties to present initiatives in order to find a way out of a problem that could easily be overcome if the concerned parties would place the interest of the country above their own, the bond of citizenship above narrow factionalism, and stay away from the stubbornness and narrow mindedness. It is saddening to see Bahrain, which used to be ahead in political reform and democratic development and is known historically for its tolerance, is still suffering from a futile schism that threatens to break up the country.

National responsibility obliges all parties to behave selflessly, rise above the pettiness, and work effortlessly through constructive dialogue with no confrontation and recrimination in order to find a way out of the crisis to save the country and enable it to resume the march along the road to reforms and progress. This responsibility also requires that intellectuals, writers, scholars and peace and stability advocates, play a role in guiding the society and restoring harmony and tolerance.

## Joining the OPCAT:

# Bahrain's Concerns and Aspiration

Hasan Moosa Shafaei

In September 2012, Bahrain decided to consider the recommendation of the Human Rights Council to join the OPCAT. This attracted local and international attention and raised many questions regarding the objectives and work tools of the optional Protocol as well as the appointed bodies in charge of implementing it and their relation to the concerned country.

**What is the purpose of OPCAT? Why has it become a centre of attention for human right defenders locally and internationally? In other words, what can OPCAT add since concerned countries such as Bahrain have already become party states to CAT?**

The only purpose of this Protocol is to prevent the occurrence of torture. What makes it special is the fact that it concentrates on preventative measures and depends on the cooperation of three parties, the country concerned, the Subcommittee on Prevention of Torture (SPT) which is a UN body, and a national preventative mechanism (NPM) which bears the most responsibility in the implementation of the articles of the Protocol.

Despite the fact that joining the CAT is important and beneficial, it is not enough to practically eliminate torture, as it focuses on the theoretical elements necessary in the prevention process. The Protocol is designed to compliment CAT and follows practical steps in order to make a change on the ground.

Regular unannounced visits to detention centres can to some extent

deter the occurrence of torture and the Protocol participates in directing and reforming the criminal justice system and the transitional process aiming at the promotion of the rule of law.

**Why does Bahrain need to join this Optional Protocol?**

This is because Bahrain is facing increasing allegations with regard to violating detainee's rights and even the Government has acknowledged several cases which resulted in the death of citizens in detention centres. The Government says that torture is a crime punishable by law and that what take place are individual breaches. But how can we prevent these inhumane practises? And how can we convince the International Community that these violations will not take place again and that there is a political will to confront them? Up to this point, there are no mechanisms for confronting such practices, although a law that criminalises them exists. Hence, an independent national committee with proper mandate is needed to make regular visits to detention centres and communicate with the authorities in order to set up procedures that deter the use of torture.

Through visits to detention centres, the committee can determine the reasons behind torture, analyse systematic mistakes and the reasons behind failure. By doing so it will then be possible to present recommendations in order to address the real reasons behind the use of torture and reduce its occurrence.

**But why is there a need for signing**



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**the Optional Protocol, since any country can establish a national committee to take on the role mentioned above?**

Most countries do not set up local committees for investigating and monitoring torture. In the cases when they do so, it is established in an arbitrary fashion, does not follow international standards and therefore becomes ineffective. The purpose of the Protocol is not only to establish an investigative national committee to combat torture, but to provide it with help through the expertise and experiences of the SPT. Through the SPT, the Optional Protocol makes sure that the establishment of the national committee is within international standards and that it strives to develop the capabilities of its members.

Most importantly, the Optional Protocol helps the Government regain the trust of the public following crisis characterised by human rights violations relating to detainees. It also gives the Government the opportunity to prove its commitment to protecting all members of society including the detainees.

**Are the objectives of SPT limited to cooperating with the national committees and providing them**

### with the necessary help?

SPT and NPM share the same goals including:

- 1- Conducting regular visits to detention centres and inspecting and improving their conditions in order to reduce the occurrence of torture. The national committee bears the lion share of the responsibility as it is present within the country and thus able to communicate with local authorities.
- 2- Presenting recommendations to the concerned authorities so that they can take preventative measures.
- 3- Helping the concerned country in implementing these recommendations.

### Why then do some countries hesitate to join the Optional Protocol?

This hesitation can be attributed to three factors:

Firstly: some countries are not sincere in their desire to prevent the use of torture especially when dealing with political prisoners. Torture is seen as a good tool for obtaining information and deterring the opposition.

Secondly: some countries are very sensitive and see international monitoring as interference in their internal affairs, or even undermining their national sovereignty.

Thirdly: most countries fear condemnation and defamation when torture cases are discovered. They also fear that these cases will be used to exert political pressure even if they are sincere in preventing torture and criminalising those responsible.

The UN who designed this Protocol is aware of these issues and also understands that whoever joins it has to have good intentions and a sincere political will in preventing torture.

The Protocol has made it clear that its purpose is not to condemn

and defame but to cooperate and encourage constructive dialogue. This is in order to help State members achieve the real changes necessary to prevent the occurrence of torture. It also affirmed that the reports of the national committee would be made public whereas the SPT reports would remain confidential and can only be published if the concerned country allows it.

The work of the SPT is similar to what other international organisations do when allowed by the Bahraini government to work inside the country and visit detention centres such as has been the case with the Red Cross which does not issue public reports. In December 2011, Bahrain signed



a memorandum of understanding with the Red Cross which has been conducting regular visits to detention centres.

### How is it possible to guarantee the establishment of a national preventative mechanism in accordance to international standards?

There are several conditions that need to be met when establishing national mechanisms including the following:

- Guaranteeing its independence with regards to its activities and finances, and also the independence of its members.

- The members of these committees should be competent and professional. They should also have the right to benefit from foreign expertise and all social segments should be represented.

- The national mechanisms should have access to all detention centres through sudden and regular visits and meet any detainee without restrictions or surveillance.

- The national mechanism should also be allowed to access all information with regards to places of detention and the detainees' medical and dietary reports.

- The staff of the national mechanism should have immunity from investigation and arrest and should be allowed to work freely. They also should have the right to protect the information they have and not disclose them. Also immunity should be given to all individuals and bodies contacting these mechanisms.

- The national mechanisms should present reports and recommendations in order to improve the conditions of the prisons and detainees based on their visits. The authorities on their part should study these recommendations and meet the officials of the national mechanisms to discuss their implementation. The Protocol stressed that the national mechanisms should issue an annual report explaining their activities in preventing torture. Also, these mechanisms have the authority to present proposals and comments regarding legislations and bills relating to the prevention of torture.

- Finally, all kinds of facilitations should be provided for these mechanisms in order to communicate directly with SPT. This can take place in the shape of training courses, meeting or information exchanges.

## The Crown Prince: When will Dialogue Begin?

On 7 December 2012, the Crown Prince, Sheikh Salman bin Hamad al-Khalifa, delivered a speech in his opening address to the dialogue of Manama Forum, during which he highlighted several important issues regarding the situation in the country including the following:

**Firstly:** The importance of understanding the root of the crisis and the reality of the political changes in contemporary Arab societies. The Crown Prince noted, based on Bahrain's experience and other experiences, that the political reform process always witnesses challenges and turning points, (it might reverse the situation to its starting point or deal with it, resolve it and move forward with the political process). The reason behind these challenges is that the aspirations and ambitions of societies are constantly developing and have no limits. These ambitions can increase rapidly due to the technological revolution and it is important to focus on the repercussions of this as well as the use of social networking.

Moreover, the political events and sweeping changes in the region during the last two years are numerous and great and naturally have impacted local affairs in the country. These changes, according to the Crown Prince are positive but can have a destructive impact if not directed into the correct channels. He added that the region is witnessing a division between demands for democratic rights and threats to these very same freedoms. Among these challenges facing Bahrain is the fact that the society has become

divided and this requires careful understanding and awareness in order to deal with this new situation (by finding) a solution to the disagreements with minimum human losses.

The speech also highlighted the fact that crisis gives foreign countries an opportunity to interfere which may affect the positions of the countries. The Crown Prince also made a distinction between countries which want to help Bahrain through maintaining moderate stances and those which are partial and aim at increasing the tension between the Government and the opposition. He also thanked a number of countries that helped Bahrain including Britain for its constructive strategy with all parties by using diplomacy without discrimination. This is in addition to its support to a number of initiatives concerning reform and development. He also thanked Singapore, South Korea and Japan for maintaining open channels of communication in order to end the crisis. Furthermore, the Crown Prince called upon Western governments to follow in the footsteps of Britain and play a balanced role with all parties and provide constructive criticism.

**Secondly:** The Crown Prince's speech also contained several indications with regards to the



solution to the crisis in Bahrain including the following:

- 1- The Bahraini Royal family sees itself as the representative of all segments of society and highlighted that he is the Crown Prince of both the Sunnis and Shiites.
- 2- Bassiouni's report is the main reference for documenting what took place and implementing its recommendations is an important step in recovering from the crisis. Also, future political reforms should be based on these recommendations.
- 3- Political dialogue should be adopted in order to solve political disagreements and confront violence. The Crown Prince stressed that violence is not a solution and called upon political and religious leaders to prevent violence and restore trust in order to facilitate dialogue. The points of this speech are reasonable and cannot be rejected by anyone who desires stability and development in a democratic and free Bahrain. But the question that has been bothering citizens and monitors is: when will this dialogue begin?

## OHCHR Visit to Bahrain

### The King Stresses on Transparency and an Open Doors Policy

On 10 December 2012, in commemoration of Human Rights Day, King Hamad bin Isa Al-Khalifa delivered a speech in which he highlighted several issues with regards to Bahrain's political and human rights situation including:

**Firstly**, concerning the Government's perception of international human rights organizations, and contrary to the common view that these organizations are useless and work against the interest of the country, the King stated that the Kingdom has opened its doors to experts and specialised bodies for the benefit of the country and its citizens. HM pointed out that in order to consolidate this process, the Kingdom hosted a visiting delegation from the OHCHR earlier in December 2012 in order to gain insight into the real situation in Bahrain. This highlights the State's transparency in its open-door policy with all distinguished human rights organisations which seek stability and prosperity for countries.

**Secondly**, The consolidation of Bahrain's Human Rights status through the implementation of Bassiouni's recommendations in a way that would enhance a national cohesion that would lead to the integration of more components of the Bahraini people into the public life as stipulated by the Constitution and the relevant legislations. The reference to the national cohesion and its

reinforcement comes in the context of encouraging rapprochement among the various sectors of the Bahraini community and mending the rifts in the social fabric that has been caused by the encroachment of the sectarian element. HM the King affirmed the need for all social segments to maintain positions that promote co-existence. He also called upon all groups to renounce violence and terrorism, affirming that those who think that it is difficult for Bahrain to restore its social cohesion and preserve its national and territorial unity are driven by delusion, illusion and hesitation, which have no place in the solid and brave hearts of the Bahraini citizens.

**Thirdly**, the King stressed that in a democracy, freedom of opinion and expression, freedom of peaceful gathering, freedom to establish national associations and other approved legitimate constitutional rights are not kind gestures but inalienable rights guaranteed for all people. But he also added that these rights require national and moral responsibility in order to be exercised.

**Fourthly**, promoting the role of the National Institution of Human Rights (NIHR) and amending its laws so that it is independent and has wider authority in accordance to the Paris Principles. NHIR should play an



essential role in the future especially in the areas of protecting human rights, educating the masses and investigating human rights violations as well as bringing people together and participating in developing human rights legislations according to international standards.

It is noteworthy that the NIHR was established in 2009, but failed to fulfil its role so the King ordered its amendment in 2012, and its new members are waiting to be appointed.

**Lastly**, this relates to supporting civil society institutions. According to the King's vision, it is important for civil society institutions to play a vital role in spreading the culture of human rights, contribute to the national development process and share with the Government the responsibility of increasing citizens' awareness of their rights and obligations in a country of law and institutions. He also urged concerned bodies in the Kingdom to provide all required facilities and suitable funding for the civil society institutions' national projects. HM also added that authors, media personnel and intellectuals should have a greater role in increasing public awareness in order to protect the youth from schism and disunity.

## Human Rights and Political Conflicts

**Improving Bahrain's human rights record is beneficial to all citizens and is an advantage to all social, political and human rights groups as well as civil society organisations. Such developments should be welcomed whether they come about as a result of the introduction of new legislations, the set up of the human rights infrastructure that would qualify and build the capabilities of human rights work-related institutions, such as the police force, Judiciary and Public Prosecutor; or as a way of compensating the victims of violations and making those responsible accountable. Such efforts should be appreciated and not politicised or used as a tool for condemning and defaming others.**

Appreciating these efforts to develop the human rights situation reflects the maturity of the political and civil groups in the society. It also contributes in creating a suitable environment for further development and prevention of the reoccurrence of violations.

There are some who believe that by committing to its international human rights obligations, admitting its mistakes, conducting reforms and implementing recommendations, the Government is showing its weakness. They believe that it is best to continue on the wrong path and transform the country into a police state in order to show the strength of the Government.

This is irrational as the Government should be the representative of all groups in the society and should observe that one of its main tasks is to protect the rights of its citizens and achieve justice and prosperity. Failing to fulfil its paternal role will only escalate the crisis and harm the society. (Consequently the government would descend from its high status and become just a mere party in the conflict, same as the rest of the opposition groups). Others believe that the success of

the Government in this field would not benefit the opposition, especially as certain opposition groups would like to see the Government make further mistakes so that it would be forced to make concessions. This could account for why most opposition groups refused to take part in implementing both the recommendations of the Periodic Review and Bassiouni's report. (It also explains the lack of recognition and appreciation of the government's achievements in this regard.)

This way of thinking from both sides (Pro-government and opposition) is harmful to human rights and Bahraini civil society.

For example, according to the statement issued by the OHCHR, which sent a delegation to Bahrain last December, it will conduct many training programs for building capabilities. Many of these programs are directed at civil society organisations and political opposition groups. But will the latter participate in this?

Before that, in September 2012, the Government accepted the Geneva recommendations which require the participation of civil society

organisations. These organisations, especially those who attended the Geneva meetings, can participate in the implementation of these recommendations. In fact, this is their stated role in the Universal Periodic Review which regards them as the Government's fundamental partner and gives them the right to participate in the preparation of the report.

The Government's acceptance of the Geneva recommendations and the OHCHR programs represents a success for human rights organisations, the Government, as well as the opposition which demands the development of human rights.

If we look at the matter from a purely human rights point of view, this is a positive result. But if the outlook is political then we will witness an exchange of accusations such as what took place in Geneva between conflicting parties of the Bahraini civil society, which has reflected badly on the image of the Bahraini civil society human rights delegations.

All groups claim that they support human rights and now the Government is saying that it is willing to implement the recommendations and has committed itself before the Human Rights Council. Therefore, cooperation with all parties is needed away from political agendas.

Theoretically, no one is against the implementation of Bassiouni's or Geneva's recommendations especially activists and organisations which refer to themselves as supporters of human rights. Instead of disagreements and accusations, there is an opportunity for cooperation in order to accomplish

these commitments, observe the Government closely, draft responses and evaluate the achievements and shortcomings away from political positions. If this does not take place, human rights in Bahrain will be the biggest loser.

The Government should welcome and encourage the participation of civil society organisations, allow them to play a real role and be open to criticism. Seeing as international organisations allow Bahraini civil society organisations to participate

in meetings in Geneva, express their opinions and listen to their comments and reports, then the Bahraini Government should also be willing to do the same.

The Government's acceptance of these recommendations is a positive step and was appreciated internationally by countries, the OHCHR, as well as well known human rights organisations. Of course, there are always those who doubt the Government's intentions, ability or will to implement its

commitments. However, by making such commitments, it seems that there is a serious will; however the implementation remains the main issue. This is the responsibility of the concerned State apparatus as well as civil society organisations. A plan and mechanism are needed as well as a committee for implementing the recommendations. Moreover, the Government must play a pivotal role in this in order to implement the recommendations seriously and solve any issue as soon as it arises.

## Developing the Official Human Rights Discourse

There has been a notable improvement in the official human rights discourse and in bridging the gap with international human rights organizations and the OHCHR since the recent Universal Periodic Review meetings in September 2012 regarding human rights in Bahrain.

This positive new atmosphere was the result of the activities of the Foreign Minister, Sheikh Khalid bin Ahmed al-Khalifa; such as his official speech in the Council, his responses to their questions, his meeting with the High Commissioner as well as a number of international delegations. Admitting that mistakes had occurred, making commitments, explaining the challenges facing the Government, convincing others and insisting on reforms are all factors which led to a change in the positions of international bodies. Hopefully, this effort will be a turning point in improving the relations between the Bahraini Government and international human rights organisations and OHCHR.

The minister's speech highlighted the importance of national dialogue

and the willingness of the Government to take part in dialogue. This is what the international community wants to hear and was stressed by the King, the Crown Prince, the Prime Minister and the Foreign Minister. There are no preconditions for dialogue except condemning violence, respecting the rule of law and actively engaging in all aspects of the dialogue. Generally, the Foreign Minister's transparent and moderate speech explained the official point of view of the Government. It is important to stress that OHCHR was satisfied with the cooperation of the Bahraini Government with regards to many technical issues such the agreement on the visit of the Special Rapporteur on torture and the Government's consideration of joining the Optional Protocol to the Convention against Torture.

However, relations with International Human Rights organisations can only be improved if these commitments are implemented on the ground which was promised by (both the Foreign and the human rights Ministers) before the Council



in Geneva. Cooperation with International Human Rights bodies is a necessity for Bahrain and its progress in the Human Rights field and any efforts made in this direction will serve human rights in the country.

After all, the ultimate goal is to allow Bahraini citizens to enjoy their rights in accordance to national legislations and international standards. The role of International Human Rights Organisations is to uncover mistakes and violations and provide recommendations for reform. Using their experience, expertise and resources these bodies are able to help all countries including Bahrain in implementing programs that bring about more respect and protection for human rights.

## Relations with International Organizations:

### From indifference to interaction

Why is the Bahrain Human Rights Monitor very eager for the Bahraini Government to maintain a good relationship with international human right organizations? A subject we have always raised and is noted by the Bahrain Monitor's readers.

Improving Bahrain's relations with these organizations is not only important for the country's reputation but is also an important step towards developing human rights in Bahrain. These organizations have the expertise and experiences which can be used to avoid future mistakes and violations. It is essential that all citizens should feel proud, free and dignified when obtaining their rights. The political and economic situation in any country affects the individuals' sense of identity and pride.

However, some view the work of International Human Rights organisations in a negative light; and are therefore not inclined towards working with them. Rather, they see such work as a danger to the sovereignty of Bahrain. Their general idea is that the statements and reports of these organisations are biased and do not appreciate Government efforts, thus we should not respond to them, or deal with them, as the response may give them the status they do not deserve. This view is not only inaccurate but will not benefit the country especially if the Government continues to undermine the power and position of these bodies. The Bahraini

Government should deal and cooperate with these organisations effectively and respond to their inquiries. Ignoring their reports reflects a weakness in logic and will increase the level of international criticism and could result in more pressure.

Failing to respond to their criticism gives credibility to human rights organisations. Even if some of what is published is inaccurate and exaggerated, the solution wouldn't be by ignoring or not replying but rather by taking note, stating the facts and presenting the official perspective and vision. Of course, these organisations will take into consideration the official responses and will include them in their statements.

There could be other reasons why those overseeing the human right file in the Government refuse to cooperate with these organisations, these may include the following:

Firstly: The general feeling that working with them is useless as it is not possible to change their stance. Communication is also seen as a difficulty as continued work with them is needed to produce an effect. Some may think that a single session, or replying to letters, will change their position significantly. This does not happen. This work is a cumulative one and influence is attained by continuous interactions, and even if this change is not accomplished, perhaps the relationship itself would ease the

escalation and antagonism which reflects negatively on the human rights situation.

Secondly: The feeling that it is difficult to defend specific human rights cases and therefore it is better not to respond. This is an inaccurate understanding of the objectives of the relationship with these bodies. The purpose of such relations is to understand and address the reasons behind the occurrence of violations and not to present excuses and justifications for mistakes. Also, all efforts should be concentrated on the human rights infrastructure including legislations, mechanism and human rights institutions. Moreover, denying the occurrence of violations should stop, and be replaced with correcting information and providing evidence.

Thirdly: The lack of relevant information that could answer the questions raised by Human Rights Organisations. This is the reason why responses are often delayed. The bureaucratic system complicates communication and responding. Occasionally, the information exists but presenting it in an acceptable human rights language is difficult due to a shortage in competent workers.

Fourthly: The lack of knowledge of the system and the methods Human Rights Organisations adopt in their work and of how best to interact with them in order to establish a mutual understanding and a better relationship.



## Sectarian Discourse and the Media during the Crisis

The media can be used as a tool for inciting political and social schism and can become an important tool in calming disagreements, problems and conflicts. According to Bassiouni's report, the media of both sides, the opposition and the loyalists, participated in increasing the political tensions and the social division. The report also stressed, in its recommendations, the importance of impartiality, objectivity and making space for the opinions of others.

In October 2012, a report was issued by the British Foreign Ministry assessing the situation in Bahrain in which it expresses its concern regarding the use of sectarian discourses by media loyal to both the Government and the Opposition. The report also stated that the British Government will continue urging the authorities to respect the standards of professionalism and ethics. This is in order to avoid extremism and the incitement of hatred and violence.

Undoubtedly, the use of sectarian discourses and incitement has decreased, but has not ended. There are still two separate media outlets, one supports the opposition,

relies on the internet, does not connect with other forms of media and refuses to participate on the TV channels and press of the 'other'. There is also the Government media which is directed at a specific group and cannot penetrate the audience of the opposition or affect its political convictions- especially after the increase in sectarian divisions and the political clashes.

Bahrain lacks an alternative impartial media which could be able to attract both sides and help them discuss national issues rationally and with consideration for mutual interests. Private media is partial and does not address the masses; hence it is possible to act without limits and accountability. A rational media which presents the views of both sides and avoids radicalism and extremism is very much needed.

Currently, the media is divided with each side trying its best to defame the other and satisfy its own audiences who do not accept rational evaluations of their opponents' opinions. This kind of partial media leads only to hatred and violence. Both the opposition and the loyalists expose their

audiences to one opinion only which renders them intolerant of other opinions. The damage inflicted by biased media on the social fabric is going to need long years to fix. Politicians like to use sectarian rhetoric for mobilization but the final result is catastrophic for the society.

Bahrain needs an impartial media, for the existing outlets have failed to convince the divided public of their impartiality and respect for the various positions. The Government bears the responsibility of reducing polarisation in the media and putting an end to the incitement of hatred.

Firstly: Government media should be regulated in order to reach all citizens and should reflect their concerns. Biased official media leaves the public susceptible to foreign influence.

Secondly: regulating official media is not enough to solve the problem, for the Government should also prevent all incitement of hatred and punish those responsible. It will be difficult for the Government to control the electronic media outlets of the opposition; however it can definitely regulate local media under the law.

## What to Expect after the Slapping Incident?

On 23 December 2012, a policeman slapped the citizen Haider Abdurassool while carrying his son in Aali. A video clip of this spread quickly on You Tube as well as on Arab and foreign TV channels. It was also strongly condemned by local and international media as well as human rights organizations which saw the incident as undermining human dignity and ethically unjustifiable.

It is evident that such behaviour is unacceptable and presents a negative picture of the security institution in Bahrain. The incident was a blow to all Bahraini citizens, officials and human dignity. This incident pushed the Government to take action and immediately arrest the policeman who was referred to the military court. This is according to the Ministry of Interior which stressed that such behaviour is not acceptable from a policeman and that it is investigating the incident.

The Minister of Interior, Sheikh Rashid bin Abdullah al-Khalifa, stated that the video clip which was broadcasted online and shows violations taking place by a security man is a case which relates to dignity and humanity. It also damages the reputation of other sincere security men and does not reflect the Ministry's strategy. He also added that the incident portrayed security men negatively and ordered the establishment of a committee headed by the Chief of Public Security in order to limit and address the violations.

The Chief of Public Security, Tariq al-Hassan, stated that everyone



agrees that this kind of behaviour is unacceptable and cannot be justified especially from a policeman. This is against the law and condemned by all groups.

The victim stated to the press that he recognised the man who slapped him but that there was another man who insulted and assaulted him but is not shown in the clip. He added that he met the Governor of the Central Province, Mubarak al-Fadl who assured him that he would get justice. On another level, the lawyer, Mirvet Janahi, stated that the video is clear and confirms that Haider did nothing provocative and that he is a very peaceful individual; witnesses are not needed to prove this.

It should be noted that security officials adopted the police Code of Conduct as instructed by Bassiouni's report. Several workshops have taken place to train the police force, improve their performance and introduce them to human rights. The incident has proved that such violations do occur and should be dealt with swiftly. Legal procedures should also be taken in

order to deter others from committing such violations and prevent a schism between the police and citizens.

The procedures that were taken by the Ministry of Interior against the policeman were swift which is positive. This is important as such violations have a negative effect on both the police force and the general security situation- especially as such clips provoke strong emotional reactions from the public.

Adhering to the Code of Conduct is very important for Bahrain's reputation at a time where Government apparatus is trying hard to improve their image and take tangible steps to reform the situation. It is obvious that such behaviour can easily be manipulated during political conflicts and can deepen disunity in the country. We have seen that this incident was used politically by both the Loyalists and the Opposition. It is important to avoid the occurrence of such violations and implement the law vigorously so that such cases do not become an additional factor in the political and social division.

## The European Parliament Calls for:

### National Dialogue, Accountability and Renouncing Violence

**On 18 December 2012, a European Parliament delegation visited Bahrain in order to evaluate the human rights situation with the cooperation of the Bahraini Government. The visit was organised by the Bahraini Parliament and lasted for three days. During that time, the delegation met many Government officials, ministers, civil society organizations, political societies and prisoners such as: Abduhadi alKhawaja, Nabeel Rajab and Ibrahim Shareef.**

A press conference was held at the end of the visit during which the delegation called on all political parties to immediately engage in national dialogue and exert all efforts to restore trust which was damaged due to the crisis. The delegation stressed also the importance of renouncing violence and initiating a constructive dialogue between all political parties.

The delegation also stressed the legitimacy of the demands of Bahraini society for freedom of expression and assembly as well as freedom of the press. It also stated that the 2014 elections should be an appropriate occasion to become part of the political solution. It also stressed the need to grant those whose nationalities have been revoked the right to resort to the judiciary. The importance of accountability was also stressed as it will encourage reconciliation. This is particularly important in the security sector in order to improve human rights and build trust among victims. The delegation praised the establishment of an ombudsman office at the Ministry of Interior and stressed that it should be

independent. Moreover, it praised Government efforts to reform the Penal Code and highlighted the importance of separating the Judiciary from the Ministry of Justice.

The delegation also praised what it called the constructive strategy of the Bahraini Government in the Universal Periodic Report and the allocation of the necessary resources. It also called upon the Government to ratify a number of agreements especially the Optional Protocol to the Convention against Torture, the Optional Protocol to the International Covenant on Civil and Political Rights and the Optional Protocol for the International Convention for the Protection of all Persons from Enforced Disappearance. The delegation urged the Government to cooperate further with OHCHR and the National Institution for Human Rights. The latter should monitor and protect the human rights of all Bahrainis as well

as guarantee the freedom of all human rights defenders.

A senior member of the European Parliament's human rights sub-committee, Inese Vaidere, stressed that dialogue is the only solution to the crisis in Bahrain and that all groups should participate in finding a way out of the crisis. She also stressed the importance of making compromises and forgetting the past saying that the European Parliament will continue following the situation in Bahrain.

The delegation supported



the recommendations of Dr. Bassiouni's Independent Commission, which was approved by the King and the Government, and called for the setting up of a time frame for their speedy implementation. It also called for accountability in order to promote transparency and justice especially with cases involving the police. The delegation noted that the situation in Bahrain has improved and violence has decreased.

# Exploratory Mission by the OHCHR in Bahrain

Between the 1st and 6th of December 2012, an OHCHR delegation visited Bahrain by invitation from the Bahraini Government. According to the OHCHR, the visit was aimed at 'exploring avenues for OHCHR's engagement with Bahrain with regard to the protection and promotion of human rights'.

During its visit, the delegation was received by the highest authorities of the Government, including the Prime Minister and the Ministers of Foreign Affairs, Human Rights, Interior, Justice, Information, Labour, Education and Health. It met representatives of other institutions, including the chief of the National Police, the head of the National Security Agency and its newly established ombudsman, as well as members of Parliament and of Shura Council of Representatives.

The visit reflected an improvement in the relationship between the OHCHR and the Bahraini Government which was tense and lacked trust during the past period. Hopefully, the Bahraini Government will exert more efforts in order to develop human rights, provide answers to the international human rights organizations' questions, gain the trust of the international community and work with OHCHR seriously and transparently.

Discussions also were held with the High Coordination Committee for Human Rights, chaired by the Minister for Human Rights, the National human rights institutions, the United Nations Country Team, and representatives of the diplomatic corps.

According to its statement, the delegation also met human rights and other civil society activists, representatives of political parties, the private sector, workers unions, as well as families of detainees and other victims of human rights violations, including some of the 31 persons who had their nationality revoked. Moreover, it visited the Jaw prison and met the 13 prisoners whom it had visited in December 2011, as

well as several other prisoners it had sought to meet. It also visited the Hooraa detention centre.

The delegation hoped that this visit would be an opportunity to explore with the Government and other Bahraini interlocutors, including civil society organisations, the potential for developing cooperation that would lead to tangible results for the people of Bahrain.

The delegation was also briefed about the reforms undertaken to strengthen legal and national institutions critical to the promotion and protection of human rights in Bahrain, and in particular the steps thus far taken to implement the recommendations of the Bahrain Independent Commission of Inquiry (BICI) and the Universal Periodic Review (UPR).

The delegation also stated that it received multiple requests for capacity building activities from a wide range of interlocutors. It discussed the High Commissioner's concerns, as outlined in her statement of 22 November, relating to the need for an effective accountability process for the human rights violations of the past and the importance of civil society participation in any effort aimed at furthering the protection and promotion of human rights in the Kingdom.

The delegation also noted in its statement that the Foreign Minister highlighted the importance of cooperating with the High Commissioner's office. He also confirmed the Government's consideration to ratify the Optional Protocol to the Convention against Torture (OP-CAT), and its invitation to the Special Rapporteur on Torture in February. He extended an official invitation to the High Commissioner for Human Rights to visit the country at a mutually convenient date.



The statement concluded by stating that the mission will report its findings and observations to the High Commissioner Navanethem Pillay who will consider the level, scope and terms of the cooperation that the OHCHR will propose for discussion to the Government of Bahrain.

With regards to the desired cooperation of the Government and civil society organizations with OHCHR, the latter has a lot of expertise and abilities in many fields and is very active in many countries. Bahraini official and civil bodies should determine their priorities and present them to the OHCHR which should include the following:

1/ providing support to human rights and civil societies in the field of training, rehabilitation, documentations and monitoring. This is in order to strengthen their abilities to produce professional work in the future.

2/ Enhancing the capabilities of the National Institution for Human Rights by providing it with ideas, expertise and training so that it can perform its required role in accordance with the Paris Principles. This will give it international and local credibility and improve its performance in developing human rights in the country.

3/ A number of Government security and judicial apparatus need the expertise and technical supports of the OHCHR in order to further improve their abilities, understand how to confront problems and adhere to international standards with regards to protecting and promoting human rights.