

Bahrain Monitor

A Monthly Newsletter on the Human Rights Situation in Bahrain



Bahrain Human Rights Monitor

مرصد البحرين لحقوق الإنسان

Issue no. 44 • May 2015

In this issue

- 2** OHCHR: Rough Road Ahead
- 8** Inside Amnesty International
- 10** Philip Luther: Amnesty Lobbies Governments
- 12** Amnesty Report on Concerns Government: Report Inaccurate
- 14** The Conundrum of Bahrain's Relation with International H.R. Community
- 16** Actors & Mechanisms in Human Rights' Work
- 18** Conflict or Cooperation: The Relationship with the International H.R. Community
- 20** Reforms Acknowledged by International Community
- 24** Towards a Free & Independent Civil Society

Security Agencies & Human Rights

Activists worldwide tend to focus primarily on human rights violations committed by their own governments, where the culprit is most likely to be the security apparatus which is viewed by some as antagonistic to human rights given that these agencies are the ones that carry out the arrest, interrogation and in some instances the torture, ill-treatment and dignity degradation of their detainees.

But a new doctrine is now emerging in the human rights world based on the tenet that security agencies can be transformed - as it should be - to be the protectors of human rights by applying the law, preventing infringements, combating violence and holding accountable violators of law and rights of other people. This shift in vision seems clear and obvious in many countries that have an advanced human rights record; but not in many other places of the world where the conflict between human rights activists and security services still prevails, with each side viewing the other as hostile to them and a violator of the law and rights of citizens.

This poisonous relationship necessitates a change in the perspective of both sides towards each other. For as much as security services must deal positively with the concerns of human rights activists and understand their role and what guides them in their activities and the goals they seek to achieve, it is just as important for human rights activists to understand the concerns of security officers and the nature of their work and the responsibilities on their shoulders.

Therefore what is needed for both sides is education and training. Governments must seek to educate and train their security officers on human rights subjects in order to adhere to international standards in the fields of security and policing. They must also abide by international human rights standards and must not violate the law under the pretext of maintaining security. It is also required to have an open dialogue and cooperation with non-governmental organizations in order to monitor cases of human rights violations committed by members of the security services and perhaps also to contribute to reforming the activities of those agencies.

But achieving this positive relationship requires confidence building; and the initiative, as always, lies at the door of the state and its affiliated security institutions. The latter must reach the conviction that the relationship with human rights organizations represents an added value to the work of security services. It must also believe in the importance of establishing a mutual cooperation in specific cases, in order to serve common objectives and activities so that such a relationship could yield a significant improvement in the human rights situation or else it would end up dead on arrival.

The Highest Human Rights Authority in the World

OHCHR: The Role, Objectives & Mechanisms, A Tough Road Towards Protecting Human Rights

Prepared by: Hasan Moosa Shafaei

The UN High Commission for Human Rights forms the cornerstone of international human rights work and represents the legal basis for human rights in the world. It is also the main monitoring body through its multiple institutions and organizations and diverse experts in human rights-related fields. It also represents the primary organization that directs political pressure at states which violate international human rights law. OHCHR is also the legal entity authorized to supervise the states' implementation of treaties and international conventions related to human rights. In other words, according to OHCHR's own texts, it had been entrusted with the "mandate to promote and protect the enjoyment of all people of all human rights, enshrined in the United Nations Charter, international laws and treaties in the field of human rights" through various means including "preventing human rights violations and ensuring respect for all human rights, promoting international cooperation to protect human rights, coordinating relevant activities within the United Nations, strengthening the United Nations system and the rationalization of its work in the field of human rights, leading efforts to integrate the approach on human rights in all the work carried out by United Nations agencies".

The Geneva-based High Commissioner for Human Rights is in charge of all functions and activities assigned to the OHCHR. The High Commissioner is nominated by the United Nations Secretary General and endorsed by the United Nations member states at a meeting in the UN General Assembly which gives him the mandate and major international authority as he is responsible for human rights in the world as a whole.

International Law for Human Rights

Laws and activities that defend human rights have evolved on the basis of the Universal Declaration of Human Rights, which was adopted on December 10, 1948 and has identified a common goal for all nations and people, which is: the protection of fundamental civil, political, economic, social and cultural rights that should be enjoyed by all human beings. This declaration has become the benchmark for international human rights law, which measures, according to its provisions, the commitment of states to respecting the rights of their people. On the basis of the Universal Declaration, the International Covenant on Civil and Political Rights and its two optional protocols, and the International Covenant on Economic, Social and Cultural Rights; were added. All of this has become known as the "International Bill of Human Rights".

This "International Bill" is binding to all states that are parties to it, so that they respect and protect human rights, and fulfill it; and align their domestic laws with it, and protect individuals and groups from violations of those rights and also facilitate the enjoyment of basic human rights through undertaking positive action. However, if countries fail through their domestic laws to protect the rights of their citizens and address violations, then the international community, through the Human Rights Charter, has the tools and procedures that enable individuals to file complaints in order to



Hasan Moosa Shafaei

apply international human rights standards and implement them.

Priorities & Mechanisms of OHCHR

Overall, the priorities of the High Commission are:

- Giving priority to addressing the most pressing human rights violations, acute and chronic ones alike, particularly violations that puts life in imminent danger;
- Focusing attention on those who are at risk, and those who are severely vulnerable at various levels;
- Paying equal attention to the realization of civil, cultural, economic, political and social rights, including the right to development;

In terms of the High Commission's mechanisms of action, the latter:

- Focuses on three key dimensions: standard-setting, monitoring, and implementation on the ground. Here, it offers the best expertise and technical support to the different United Nations human rights bodies as they discharge their standard-setting and monitoring duties. The High Commission assumes the role of the General Secretariat of the Human Rights Council.
- OHCHR works with governments, legislative bodies, judiciary, national institutions, civil society, regional and international organizations, and the United Nations system to develop and strengthen capacities.
- The commission cooperates closely with all United Nations agencies to ensure that human rights constitute the cornerstone of the United Nations' work; which means integrating human rights

perspective in all United Nations programs. The purpose of this is to ensure that peace and security, development and human rights - the three main pillars of the United Nations - are interdependent elements and mutually reinforcing.

- OHCHR leads global efforts in the field of human rights, and expresses its views out loud in the face of human rights violations wherever they occur, and provide a forum such as the Human Rights Council to determine and highlight the current challenges in the field of human rights, and coordinate activities related to research, education, information and advocacy among others.

- The commission provides the necessary assistance to governments, given that they have the primary responsibility for the protection and promotion of human rights, such as expertise, technical training in the areas of administration of justice, legislative reforms, the electoral process and assists in the implementation of international human rights standards on the ground.

- OHCHR also provides assistance to the civil society, regional organizations and others which exercise their role in the protection of human rights and help them in carrying out their functions and



**Headquarters of the UN High Commission
for Human Rights in Geneva**

fulfill their obligations as well as help people in defending and enjoying their rights.

- OHCHR supports the work of the UN special rapporteurs, independent experts and task forces appointed by the Human Rights Council, to monitor the human rights situation in various countries, through field visits, and receive complaints directly from the victims of violations, and appeal to governments on behalf of the victims in addition to providing legal research to basic human rights treaties bodies. OHCHR also supports committees of independent experts charged with monitoring states' compliance with their treaty obligations, and meets periodically to discuss the incoming reports from party states and make recommendations.

- OHCHR has a field presence to ensure the implementation of international human rights standards on the ground, and to reach out to those people that are most in need and identify challenges and respond to them in cooperation with governments and civil society, and other United Nations agencies, in the fields of monitoring the situation, and implementing projects such as the

technical training and the reforming of the judicial and legislative systems among others.

Technical cooperation

The United Nations prepared a technical cooperation program in the field of human rights since 1955, to assist States, at their request, in the building and strengthening of national structures that have a direct impact on the overall observance of human rights and the maintenance of the rule of law. The programme is comprehensive, providing practical assistance in the building of national and regional human rights infrastructures.

The components of the program are

- 1- Incorporation of international human rights standards in national laws and policies;

- 2- Assisting national human rights institutions in order to promote the task of protecting human rights and democracy under the rule of law;

- 3- formulation of national plans of action for the promotion and protection of human rights;

- 4- Education and training for government and civil cadres in the field of human rights;

- 5- Promoting the culture of human rights.

- 6- The commission approved mechanisms to assist states is carried out by providing expert advisory services, training courses, academic and practical workshops and seminars, fellowships, grants, provision of information and documentation, and assessment of domestic human rights needs.

Commission action plan at the moment

OHCHR plan under the chairmanship of the new High Commissioner Prince Zeid bin Raad al-Hussein is based on six key fronts, as contained in the report issued by the High Commission and presented to the UN General Assembly on April 14, 2014. The six fronts are:

First, Strengthening international human rights mechanisms (the Human Rights Council; Universal Periodic Review; special procedures through international rapporteurs and treaty bodies).

Second, Enhancing equality and countering discrimination. This includes combating racial or gender-based discrimination or discrimination against the elderly and immigrants and adopting the causes of indigenous people and minority groups. The OHCHR is also interested in gender equality and women's rights and in promoting and protecting the rights of persons with disabilities. Discrimination is one of the main issues of international human rights law and combating it is a comprehensive goal for the High Commission for Human Rights.

Third, Combating impunity, and strengthening accountability

and the rule of law through the support of legislative and institutional reforms, and capacity building for the judiciary and law enforcement officials to comply with the international rules and standards while performing their duties, and to facilitate the protection of victims, and their access to remedies; as well as through supporting the measures of (transitional justice).

Fourth, Integrating human rights in development and in the economic sphere. The uprisings, social conflicts, financial crises, the growing economic inequality, poverty and deprivation, have all proven that the lack of accountability in the economic field, inequality and slavery, are all elements that undermine the human rights of all kinds.

Fifth, Widening the democratic space; by identifying trends that restrict public freedoms without justification, and which limit the effectiveness of civil society. Human rights defenders and journalists are the main target of the restrictions, threats and assaults.

Sixth, Early warning and protection of human rights in situations of conflict, violence and insecurity.

The High Commissioner: A Difficult Task

For the first time since the founding of OHCHR in 1993, an Arab figure has occupied the most senior international human rights post which is that of the High Commissioner for Human Rights. It is Prince Zeid Ra'ad Al-Hussein. There is no doubt that the international community's choice of a Middle Eastern personality was deliberate, because this region has one of the worst human rights record in the world; a region living in deep political and social crises that produces further abuses and dim the prospects of the development of human rights.

The appointment of an Arab High Commissioner represents both an opportunity and a burden at the same time. It is an opportunity because the Commissioner is familiar with the region, its culture and people and is aware of the routes that could lead to change. Therefore it is hoped that he can succeed where his predecessors have failed.

As for it being a burden, there is the fear that Arab regimes would deal with this new High Commissioner as part of their own political fabric and not give him the appropriate appreciation he deserves as an international figure, and may therefore not listen to him, and could hinder his work rather than cooperate and support him, as they should do, so that this region can move beyond the misery, fragmentation, war and loss.

There is an opportunity before the Arab world to help the High Commissioner succeed in discharging his mandate and reform the Arab human rights situation as a service to political authorities there and the people of the region. The failure of this High Commissioner would be viewed as an Arab failure and the opportunity of appointing an Arab-Muslim representative in such a senior international level post may not be repeated.

Arab regimes in general would be bothered as usual by the

commission's criticism, especially if it comes from the High Commissioner himself. This would prove even more annoying given that the commissioner is an Arab, as if they would expect him to favor them, and take into account their feelings and abandon the responsibilities upon which he has been chosen by the international community. This will not happen and just as pressure, criticism or annoyance towards former commissioners did not work, he will continue his predecessors' approach in accordance with international standards and guidelines that have been developed to achieve the objectives of the commission backed by countries of the world and members of the United Nations.

The best approach is for the Arab world to respect the High Commissioner, Prince Zeid Ra'ad Al-Hussein, through understanding the nature of his post and function and cooperate sincerely with him to address the human rights concerns in each and every Arab country. Arab countries are no exception to the rule or unique in terms of how they are viewed or dealt with by the Commission.

It is true that the new High Commissioner, as an Arab, accurately understands the Arab situation, and that this understanding is supposed to facilitate his work through the mutual exploration between the Arab states and the commission of the suitable mechanisms to reform the Arab human rights situation. Placing new obstacles or underestimating the commissioner's post and expressing uneasiness towards his conduct, just because he is an Arab who, according to some, should favor them, is the wrong attitude, that would not help the commission, nor the commissioner or the Arab states themselves, and consequently, will not help the cause of reform and development of our human rights situations which everyone acknowledges are bad and in some countries may be even worse.

High Commissioner through his statements

The following is a review of some of the statements delivered by the High Commissioner, Zeid Ra'ad Al-Hussein, which reflect the commission's positions and represent an honest demonstration of its policies and a clear commitment towards human rights standards.

The High Commissioner's speech before the Security Council (18/11/2014):

It is forbidden in Islam to oversimplify Shari'ah matters and ignore established Islamic sciences.

It is forbidden in Islam to ignore the reality of contemporary times when deriving legal rulings.

It is forbidden in Islam to kill the innocent.

It is forbidden in Islam to kill emissaries, ambassadors and diplomats, hence it is forbidden to kill journalists and aid workers.

It is forbidden in Islam to harm or mistreat – in any way –

Christians or any 'People of the Scripture.'

It is obligatory to consider the Yazidis as 'People of the Scripture'.

The re-introduction of slavery is forbidden in Islam. It was abolished by universal consensus.

It is forbidden in Islam to force people to convert.

It is forbidden in Islam to deny women their rights.

It is forbidden in Islam to deny children their rights.

It is forbidden in Islam to torture people.

It is forbidden in Islam to disfigure the dead.

And, it is forbidden in Islam to declare a caliphate without consensus from all Muslims.

These are among the points in a letter authored by 126 Muslim scholars drawn from all parts of the world which they addressed to Abu Baqr al Baghdadi two months ago.

Mr. President,

So monstrous are the crimes being committed by the takfiris in Iraq -- not just in violation of the Shari'ah but of customary law to which the Shari'ah is a significant contributor -- the world is staggered by them. On the face of the broad evidence now existing, particularly in respect of the Yazidis, and subject to the determination by a competent court of law, it is possible 3 out of the 5 offenses falling under the crime of Genocide -- as listed in the Genocide Convention and the Rome Statute -- have been perpetrated by the individuals within the takfiri leadership of what is also known as ISIL, ISIS or Da'ish. Out of the 11 offenses defined as Crimes Against Humanity in the Rome Statute, they are likely guilty of involvement in up to 9 of these offenses. As for War Crimes, their commission is also virtually undeniable on any number of offenses where the relevant context is applicable. The authors of these crimes are people whose actions are nothing but disgusting, and whose consciences have -- demonstrably - been annihilated.

Mr. President,

National and international strategies to counter ISIL have so far concentrated on a security approach. This Council has passed an important resolution to stunt inflows of ISIL recruits from around the world. There has also been a significant military effort. But little attention has been paid to the underlying struggle for minds. It is also disturbing how few to non-existent have been the public demonstrations of anger in the Arab and Muslims worlds over the crimes being perpetrated in Iraq -- notwithstanding the clear condemnation by many Arab and Islamic governments.

The takfiri movement is gripped and driven by a distinct ideology: and it will destroy all that exists which is contrary to what it believes should exist. To the takfiris, there is only one acceptable manner in which to live. Alternative view-points -- indeed, any form of individual thought outside of their closed unyielding logic -- is rejected by them. Those dissenting humans must be murdered, their memory, culture, every shred of their existence, destroyed. Every single person in this room is eligible for death, according to their thinking.

High Commissioner's statement on the Libyan crisis (17/02/2015):

The High Commissioner urged all parties in Libya to work towards a meaningful dialogue to bring to an end the current conflict.

"This is the only solution. The path to a peaceful and prosperous Libya -- like anywhere else -- involves upholding everyone's human rights, irrespective of faith, ethnicity or political affiliation. Joining, copying or giving in to groups that glorify blood-letting is akin to buying a one-way ticket to disaster."

Adopting extremist takfiri behavior will simply add layer upon layer of suffering on an already suffering country -- as we have

Bahrain's Foreign Minister in a meeting with the High Commissioner:

We continue to cooperate with the High Commissioner for Human Rights

On 10.02.2015 Foreign Minister Shaikh Khalid bin Ahmed bin Mohammed Al Khalifa met the United Nations High Commissioner for Human Rights Prince Zaid bin Ra'ad Al-Hussain, and reviewed with him Bahrain's strides in boosting human rights as a main pillar of the reform project of His Majesty King Hamad bin Isa Al Khalifa. He also reiterated the kingdom's commitment to cooperation with the United Nations and the High Commission, including the Human Rights Council, pointing out that Bahrain has gone a long way at the institutional and legislative level

to foster the culture of human rights and apply the best international practices and standards in this respect.

The Foreign Minister underlined Bahrain's keenness on continuous cooperation with the UN High Commission in building and developing the technical capabilities of national institutions and cadres, including the National Institution for Human Rights and the non-government



organisations. He commended, in this context, the pivotal role of the UN High Commission in this respect.

seen all too clearly in Syria and Iraq.”

High Commissioner’s Statement on the situation in Egypt (27/01/2015):

“The long-term stability of Egypt is only possible if fundamental human rights are respected. Otherwise people’s grievances will fester and feelings of injustice will grow, creating fertile ground for further social and political unrest. It is in the interests of all sides to engage in meaningful dialogue and to make efforts to find peaceful solutions to Egypt’s many problems.”

High Commissioner Statement on the Paris crime (Charlie) (07/01/2015):

“Freedom of expression and opinion are a cornerstone for any democratic society. Those trying to divide communities on grounds of religion, ethnicity or any other reason must not be allowed to succeed. The rule of law must unite us in standing firm against such terrorist acts. The rule of law also requires that we seek to arrest and punish those directly responsible for carrying out, planning or acting as accomplices to specific crimes and do not attach blame to any wider group.” “If this attack is allowed to feed discrimination and prejudice, it will be playing straight into the hands of extremists whose clear aim is to divide religions and societies. With xenophobia and anti-migrant sentiments already on the rise in Europe, I am very concerned that this awful, calculated act will be exploited by extremists of all sorts.”

At the High Commissioner’s meeting with the International Coordinating Committee of National human rights bodies (12/03/2015):

National Human Rights Institutions do vital work to strengthen good governance and the rule of law in their countries. They act as important bridges, linking governments, parliaments, the judiciary and civil society. And in many States that are currently embroiled in crisis – or which have recently emerged from conflict – efforts by NHRIs to bring justice redress and remedy to victims of human rights abuse can be vital to reconciliation.

We face backlash on important advances in human rights from extremist groups who claim to stand for traditional values. And, perhaps even more widespread, we see governments that pay formal lip-service to human rights norms but fail to ensure that these principles are effectively protected, day to day, where they are needed: on the ground.

Your institutions are uniquely placed to monitor and prevent human rights violations such as torture, arbitrary detention, human trafficking and all forms of discrimination. A number of

NHRIs conduct national inquiries into these violations, and initiate measures to prevent them. I believe this is a core function of NHRIs. . In times of crisis, comprehensive strategies to provide justice, redress and remedy for the victims can help to restore normality.

High Commissioner in a speech on the fight against extremism and respect for human rights (05/01/2015):

“There is real danger that in their reaction to extremist violence, opinion-leaders and decision-makers will lose their grasp of the deeper principles that underpin the system for global security which States built 70 years ago to ward off the horror of war,” the UN Human Rights Chief said.

“The fight against terror is a struggle to uphold the values of democracy and human rights – not undermine them,” Zeid added. “Counter-terrorist operations that are non-specific, disproportionate, brutal and inadequately supervised violate the very norms that we seek to defend. They also risk handing the terrorists a propaganda tool – thus making our societies neither free nor safe,” he said.

The use of torture, neglect of due process and collective punishment do not make the world any safer, he said.

“I am appalled by the rising tide of attacks around the world that target people on account of their religious beliefs,” he said. “...We continue to observe horrific acts of racial and religious hatred, including in many countries in Western Europe and North America, as well as evidence of unfair policing, daily insults and exclusion.... It should be obvious that Islamophobia, anti-Semitism, and attacks that single out Christians or other groups because of their beliefs are identical manifestations of the same poisonous intolerance.”

“When powerful leaders feel threatened by a tweet, a blog, or a high-school student’s speech, this speaks of profound underlying weakness,” he said. “And when writers are abducted, jailed, whipped, or put to death; when journalists are assaulted, subjected to sexual violence, tortured and killed; when peaceful protestors are gunned down by thugs; when human rights lawyers, human rights defenders and land activists are arrested and jailed on spurious charges of sedition; when newspapers are attacked or shut down – such cases attack and undermine the foundations of



One of the OHCHR activities in Bahrain

stable governance.”

“It is the people who sustain government, create prosperity, heal and educate others and pay for governmental and other services with their labour. It is their struggles that have created and sustain States. Governments exist to serve the people – not the other way round,” Zeid said.

High Commissioner’s Opening speech to the High Level Segment of the Human Rights Council (02.03.2015)

Mr. President

Distinguished Delegates,

For us, international humanitarian law and international human rights law cannot be trifled with or circumvented, but must be fully observed. States claim exceptional circumstances. In reality, neither terrorism, nor globalization, nor migration are qualitatively new threats that can justify overturning the legal foundations of life on Earth.

One Government will thoroughly support women’s human rights and those of the LGBT communities, but will balk at any suggestion that those rights be extended to migrants of irregular status.

Another State may observe scrupulously the right to education, but will brutally stamp out opposing political views. A third State comprehensively violates the political, civil, economic, social and cultural rights of its people, while vigorously defending the ideals of human rights before its peers.

The overwhelming majority of victims of human rights abuses around the world share two characteristics: Deprivation, and discrimination – whether it is based on race or ethnicity, gender, beliefs, sexual orientation, caste or class. From hunger to massacres, sexual violence and slavery.

Most violations of human rights result from policy choices, which limit freedom and participation, and create obstacles to the fair sharing of resources and opportunities. The most powerful instrument in the arsenal we have against poverty and conflict is the weapon of massive instruction. Respect for the human rights of all, justice, education, equality – these are the strongly interlocking elements that will build fair, confident and resilient societies; true development; and a permanent peace.

Everybody knows when discrimination means poverty, while corrupt elites gorge on public goods, supported by a corrupt judiciary. Together with the real steps – if any – taken by the State to prevent abuses and address social inequalities, and whether it honors the dignity of its people.

Prince Zeid Ra’ad Al-Hussein

* Zeid holds a Bachelor of Arts from The Johns Hopkins University and a Doctorate in Philosophy from Cambridge University (Christ’s College).

* Zeid Ra’ad Al Hussein assumed his functions as United Nations High Commissioner for Human Rights on 1 September 2014, following the General Assembly’s approval on 16 June 2014 of his appointment by the United Nations Secretary-General. He will be the seventh individual to lead the Office of the High Commissioner for Human Rights (OHCHR) and the first Asian, Muslim and Arab to do so.

* In 1989, he also received his commission as an officer in the Jordanian desert police (the successor to the Arab Legion) and saw service with them until 1994.

* He served as a political affairs officer in UNPROFOR, in the former Yugoslavia, from February 1994 to February 1996

* He served as Jordan’s Deputy Permanent Representative to the UN,

with the rank of Ambassador, from 1996 to 2000, then became Jordan’s Permanent Representative to the United Nations in New York, a post he held from September 2010 until July 2014, and which he also held from 2000 to 2007.

* From 2007 to 2010 he was Jordan’s Ambassador to the United States of America.

* In 2004, Zeid was appointed by his government as Jordan’s representative, and head of delegation, before the International Court of Justice in the matter relating to the wall being built by Israel in the Occupied Palestinian Territories.

* In September 2002, Zeid was elected the first President of the Assembly of States Parties to the Rome Statute of the International Criminal Court.

* In 2004 he was named Advisor to the Secretary-General on Sexual Exploitation and Abuse.



* He also chaired the Consultative Committee for the United Nations Development Fund for Women (UNIFEM) and led an effort to establish greater strategic direction for the Fund (2004-2007).

* In 2009, he was asked to chair the closing stages of the intricate negotiations over the crime of aggression – identified by the International Military Tribunal at Nuremberg as that “supreme international crime” – specifically with respect to its legal definition and the conditions for the court’s exercise of jurisdiction over it.

* January 2014, he was President of the UN Security Council.

Objectives, Means & Capabilities

Amnesty International from Within

Amnesty International is one of the pioneers in the world of human rights organizations. Today it is considered as the most active and effective organization, with its considerable input towards the promotion of human rights, assistance to local human rights organizations, and cooperation with those countries aspiring to develop their human rights situations.

In addition to monitoring the human rights situation across the globe, Amnesty is keen to interact and cooperate with the relevant countries by paying field visits and offering the appropriate advice and recommendations that could help improve human rights situations.

The Bahraini Government welcomed two visits to the country, in May 2014 and January 2015, by a delegation from Amnesty, seeking to view and assess the human rights situation there, deliberate with the officials over issues of concern and offer the willingness to cooperate on both the official and civil levels.

But despite the due respect and courtesy Bahrain extended to Amnesty, the latter, surprisingly, published its latest report entitled (Behind the Rhetoric: Human rights abuses in Bahrain continue unabated), which was characterised by unfamiliar harsh words, that was viewed by a number of concerned parties as bias, lacking in accuracy and does not do justice to the official endeavours to promote human rights.

The report has also triggered negative responses from the local media and the official quarters, a fact that has prompted us to write this article to shed some light on Amnesty, its work, sphere of interests and mechanism, in the hope that it would enlighten the decision makers and those concerned, and would facilitate the prospects and growth of a positive relationship between the two sides.

Most importantly, we hope that this article would enable us to understand Amnesty, its way of thinking and work mechanism; by the same token that we hope it would help the latter, when reporting, to have a better understanding of Bahrain and its social and political contours.

In May 1961, the British lawyer, Peter Benenson, wrote an article in The Observer newspaper entitled "forgotten prisoners" calling for the release of two Portuguese students jailed just for raising a toast to freedom. For that simple act, they were sentenced to seven years' imprisonment. Reprinted in newspapers across the world, his call reverberated everywhere and launched a campaign that provoked an incredible response.

The article, "The Forgotten Prisoners" called on people everywhere to protest – impartially and peacefully – against the imprisonment of men and women around the world for their political or religious beliefs. The feature described these detainees as "prisoners of conscience".

That was an inspiring moment. Within a month, more than a thousand readers had sent letters of support and practical help. They also sent details of similar cases of many more prisoners of conscience in different parts of the

world.

That was a historical moment. What had started as a brief publicity effort was being developed into a permanent, international movement. And thus Amnesty International was born.

Within a year of Benenson's article, the Portuguese military authorities were inundated with letters and condemnations from various parts of the world under the slogan "Appeal for Amnesty". Within a year the new organization had sent delegations to four countries to make representations on behalf of prisoners and had taken up 210 cases. Its members had organized national bodies in seven countries.

Since then, Amnesty International continued to expand on the ground, and today it has more than one million members and subscribers in over 140 countries. In 1977, the movement's efforts were recognized through the award of the Nobel Peace Prize. In 1978, it was honoured



with a United Nations (UN) Human Rights Award.

What is Amnesty International?

* AI is a worldwide movement of people from many different cultures and backgrounds, with widely different beliefs who campaign for human rights. Its members give freely of their time and energy in solidarity with the victims of human rights violations under all kinds of governments, whether they are in the spotlight of media coverage or their suffering is ignored by the world at large. The Organization's vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

* Even when dealing with atrocities on a massive scale, AI tries in its reports to cite

individual victims and recount their experiences. These victims are not just statistics. They have names. They have dates of birth. They have histories. And each has a right to justice through amending policies and legislations to ensure the prevention of grave violations of the rights to physical and mental integrity, freedom of conscious and expression and freedom from discrimination.

* Amnesty International classifies itself as impartial and independent of any government, political

Ideology, economic interest or religion. It does not support or oppose any government or political system. Nor does it support or oppose the views of the prisoners whose rights it seeks to protect. To ensure its independence, AI does not seek or accept money from governments or political parties for its work in documenting and campaigning against human rights abuses. Its funding depends on the contributions of its worldwide membership and fundraising activities.

* Amnesty International takes no position on the question of violence. It does not identify itself with any of the parties to a particular conflict, violent or non-violent, nor does it presume to judge in any situation whether recourse to violence is justified or not. It deliberately restricts itself to working for the protection of the human rights that fall within its mandate and does not comment or act on issues that fall outside those terms of reference.

AI forms a global community of human rights defenders that includes tens of thousand of institutions that believe in the universality and indivisibility of human rights, and shares with them the principles of international solidarity, through mutual effective action and global coverage.

* The Organization's main objectives include:

- Free all prisoners of conscience;
- Ensure fair and prompt trials for political prisoners;
- Abolish the death penalty;
- Put an end to torture and other cruel treatment;
- End extrajudicial executions and disappearances;
- Fight impunity by working to ensure that perpetrators of such human rights abuses are brought to justice;
- End discrimination and persecution;
- Protect freedom of expression, association and assembly;

- Protect people on the move migrants, asylum-seekers and refugees;
- End abuses in armed conflict and crisis;
- Empower women and girls to claim and exercise their sexual and reproductive rights;
- Hold corporations accountable;

How AI Works

1- AI's mission is to undertake research and action focused on preventing and ending grave abuses. It also publish periodic and annual reports, in addition, if need be, to "urgent action" and other memos.

2- Amnesty International is a global movement of seven million people (members and supporters) from different parts of the world who campaign and coordinate their work and efforts towards various issues in all corners of the world, which means that its impact is great and its message reaches almost every country. Its members and supporters yield significant influence on governments, political entities, corporations and governmental and international institutions through different means that include correspondences and communications, media outlets, as well as mobilising public pressure

international conventions on human rights.

4- Undertake Human rights education and promote human rights culture through spreading awareness and understanding of the full range of human rights and equipping people with the knowledge, attitudes, behaviour and skills necessary to respect and defend those rights.

5- Depending on the nature of each country and case, Amnesty undertakes a package of activities to achieve the desired goals, such as:-

- Dispatch experts to interview abuse victims.
- Observe trials.
- Meet with Government's officials
- Communicate with local human rights activists in the country in question.
- Monitor local and International media.
- Release information on particular cases to the media.
- Make use of bulletins, posters, advertisements, newsletters and social media to publicise issues of concern.
- Mobilise public pressure and launch letter-writing campaigns directed at the concerned officials.
- Send appeals to influential figures in the targeted country.
- Cooperate with students' and other unions and associations.



in the forms of demonstrations and Sit-ins. Members are also required to lobby their own governments to take actions against human rights abuses in other countries.

3- Amnesty work involves communicating with governments, sending missions to investigate human rights abuses and publicise them, publish country reports and urge governments to ratify and abide by the

6- Amnesty carries out regular assessment exercises on the impact of its work to help improve its efficiency through developing and applying different systems and methodologies. One of the aspects of such an assessment is to subject itself to accountability before abuse victims in order to gauge the best means that would enable it to respond to the challenges ahead.

MENA Director at Amnesty International: **Our Goal is to Remind Governments of their Obligations & to Encourage Reforms**

Philip Luther, Middle East and North Africa Director at Amnesty International said that they are interested in reminding governments of their international obligations and encouraging them to implement positive reforms. He stressed on the Organization's independence and the accuracy, and the impartiality of the statements and reports issued by it, noting that they do not rely on just a single source of information and expressing their willingness to receive any clarifications or corrections by governments.

Luther said in an interview with the (Bahrain Monitor) that Amnesty International did not ignore the violations and abuses committed by armed opposition groups, and that it had issued reports listing their violations. He underscored the importance of the freedom of expression and the role of human rights defenders given the fundamental basis they provide for demanding other rights, and their role in the protection of human rights.

Below is the transcript of the interview

Some states complain that Amnesty International goes to great lengths to uncover violations and then direct strong criticisms by issuing statements and reports but it put no effort into providing assistance to those countries to develop their human rights system through capacity-building, training and spreading awareness of human rights. How do you assess this problem?

Amnesty International investigates human rights violations and abuses by governments and non-government actors and publishes statements and reports with detailed recommendations to address these violations. The organization believes that human rights education is fundamental for addressing the underlying causes of human rights violations and preventing human rights abuses. For this purpose, the organization has a MENA Regional Office which develops and implements strategies that aim at promoting human rights knowledge and awareness in the region, and building the capacity of activists and human rights defenders. In doing so, the office conducts and contributes to workshops and other training events and responds as well to specific training needs of activists, human rights NGOs and human rights defenders in the region through providing customized training workshops. As well, it produces and disseminates Arabic-language specialized human rights training and awareness-raising materials, including the Arabic human

rights publication Mawared.

The organization does not have the capacity to do training for government officials. There are other organizations with the expertise and resources to deliver training and capacity building to officials, including the UN Office of the High Commissioner for Human Rights.

There are also complaints that Amnesty International does not sufficiently shed light on the positive developments in a country, and by doing so it risks pushing countries back to square one because of the non-stop criticism which ends up making these countries revert back to the trend of past abuses. In other words, Amnesty International does not strike a balance between the need for criticism and campaigning for improving the human rights situation in a country, in the one hand, and providing this country with the help needed to move step by step forward, on the other hand?

Amnesty International's reports on the human rights situation in any country are balanced and impartial. Where positive reforms have been made, this is reflected and welcomed in our reports. We aim to improve the protection and promotion of human rights by reminding governments to abide by their international human rights obligations and by encouraging them to implement positive reforms in practice. If



Philip Luther, Middle East and North Africa Director at Amnesty International

positive reforms were made and their impact in practice was not felt, this will also be noted using individual cases to illustrate continuing practices and any shortcoming in the reforms. As long as human rights violations continue in any given country, albeit to a lesser extent than previously, Amnesty International will continue to highlight these violations and will keep putting pressure on the authorities to address the violations.

Some countries through their official media outlets accuse Amnesty International and other leading human rights organizations of being mere political tools in the hands of major powers, used in political conflicts in order to serve the interests of these powers. They argue that whenever there is a dispute between a major Western nation and another country, the enthusiasm and momentum of international human rights organizations, including Amnesty International, mounts in tandem with pressure from those Western countries. What is your response to these prevailing accusations?

Amnesty International is independent of any political ideology, economic interest or religion. No government is beyond scrutiny. Our annual report covers the human rights situation in 160 countries and territories.

Your reports and statements are usually resented by the states in question, which claim reporting bias, inaccurate information and sometimes an exaggeration of the magnitude of the violations and a lack in familiarity with the political realities in the country in question, which makes its recommendations not applicable. What is the mechanism that you apply in collecting and analyzing information and ensuring its credibility?

Amnesty International investigates and

exposes the facts, whenever and wherever abuses happen, regardless of the political affiliations of who commits them. Our statements are accurate and impartial to the best of our knowledge and our findings are based on information obtained from a variety of sources, including governments. If governments and others believe they have any corrections to make to our facts and conclusions, we are happy to receive and reflect them in our reports and statements.

Some opposition groups commit human rights abuses in their countries and Amnesty International may rely on these groups as a main source of its information, and could consider them as victims of violations. Amnesty International is also accused by some countries of turning a blind eye to the abuses by the opposition, and not mentioning them in its statements and reports. How valid are these allegations?

This is not true. Amnesty International exposes human rights violations and calls for those who perpetrate such violations to be held to account, regardless of their political affiliation or status. Amnesty International has issued numerous reports focusing on abuses committed by armed groups, including for example in Iraq and Syria. Such abuses include killing of civilians, kidnapping and torture. The organization relies on a wide range of reliable sources, not just one source.

How do you assess the information on government violations when the opposition is the source? And vice versa, how do you evaluate the information on the violations by the opposition and verify its authenticity if the source is the government itself?

Information obtained and used by Amnesty International comes from a variety of sources, including victims of human rights and their relatives. Often allegations received obtained by Amnesty International are presented to the government authorities for their comment and response, as was the case when we submitted a memorandum to the Bahraini authorities in October 2014 ahead of the publication of our report this month.

What triggers Amnesty International to issue a routine statement, or an urgent one, or a report on a state? What are the issues and cases which Amnesty International pays more attention to in their work, and how does it consider, in political or legal sense, that its response is proportionate to the violation committed?

Amnesty International's work covers 160 countries and territories. This work is guided by Amnesty International's mission. Article 4 of Amnesty International's statute requires that "there will be at all times for Amnesty International an Integrated Strategic Plan covering a period of six years". Amnesty's current Integrated Strategic Plan was adopted by the International Council Meeting held in August 2009 and runs from 1 April 2010 until the end of March 2016. The full ISP is available publicly at the following link: <https://www.amnesty.org/en/how-we-run/strategic-plan>

We know that Amnesty International does not accept funding from states, though most of the major human rights organizations do receive funding for their activities, particularly from Western countries. How in your view can you convince citizens in the Middle East that the money is provided without affecting the work of these organizations, or interfere in setting the priorities of their activities, both in terms of targeted countries or topics?

As you said, Amnesty International does not accept money from governments for its research and campaigning work. This question needs to be addressed to the organizations who do.

What are the standards adopted by Amnesty International in determining who is (a prisoner of opinion/ or a prisoner of conscience) and who is the (political prisoner)? And what position ensues towards each of them?

A prisoner of conscience is a person imprisoned or otherwise physically restricted because of their political, religious or other conscientiously held beliefs, ethnic origin, sex, color, language, national or social origin, economic status, birth, sexual orientation or other status – who has not used violence or advocated violence or hatred. Amnesty International insists that all prisoners of conscience be set free immediately and without conditions. Under international law, governments have no right to hold these people.

Political prisoners are those whose case have a significant political element. This may include the motivation of the prisoner's acts, the acts in themselves or the motivation of the authorities in imprisoning them. The term "political" is used by Amnesty International to refer to all aspects of human relations related to "politics", that is the mechanisms of society and civil order.

In many countries, political prisoners are convicted in trials that violate internationally agreed standards. In other countries, political prisoners may be held for years, sometimes decades, without any trial or judicial hearing at

all. Amnesty International demands that political prisoners receive a fair trial within a reasonable time, in accordance with the internationally recognized right of all prisoners to a fair and prompt trial or to be released. The term "political prisoner" includes both prisoners of conscience and those who have resorted to criminal violence (or have been accused of other ordinary crimes such as trespassing or destruction of property) for political motives. However, it is only for prisoners of conscience that Amnesty International demands immediate and unconditional release.

We notice that Amnesty International pays significant attention to the issues of (freedom of expression), (human rights activists), (civil society institutions) and (combating torture). Why do these issues constitute the magnet and focus of Amnesty International's efforts?

Amnesty International works on many other human rights in addition to these. Unfortunately, in many countries, these rights continue to be curtailed and torture and other ill-treatment continue to take place, despite the existence of national safeguards. The right to freedom of expression and the role of human rights defenders are fundamental to demanding and protecting other rights.

One last question: It is noticeable in your reports and statements the reference to ethnic or sectarian affiliation, such as saying that this detainee is Kurdish or Sunni or Shiite, which in the view of some fuels the sectarian and ethnic discord. Not many would understand the insistence on using such terms. On the other hand there are those who accuse AI of not using accurate terms in their characterization of cases and incidents of abuse, and that terms such as (abuse / repression / excessive force); may not necessarily reflect the reality on the ground, i.e. there is an exaggeration in the use of words and phrases?

Amnesty International refers to the ethnic or religious background of a case only when the individual's identity is part of the reason the individual has been discriminated against, tortured or deprived of their rights.

Amnesty International's use of terms such as torture or other ill-treatment or excessive use of force is based on international human rights laws and standards. In many instances, national legislation may be in line with international standards; however, the practices of the security forces or the treatment of detainees amounts to torture and other ill-treatment or to excessive use of force.

Amnesty's Report on Issues of Concern

The Government: The Report Presented a Distorted Image & We Welcome Cooperation

Amnesty International issued a lengthy report on the state of human rights in Bahrain after two field visits in which it met with state officials, civil society institutions as well as the National institution for human rights among others.

The report entitled "Behind the rhetoric: Human rights abuses in Bahrain continue unabated" outlined human rights developments in Bahrain since the 2011 events and its aftermath. The report relied heavily on the recommendations of the report of the Bahrain Independent Commission of Inquiry which became better known as the "Bassiouni report" that was adopted as the benchmark in assessing the situation in Bahrain in the various aspects that were tackled.

Amnesty International's report went over its concerns which included the existence of violations and cases of torture and ill-treatment, as well as the trials of activists that do not meet international standards for fair trial. The report devoted ample space to the issue of the freedom of expression in Bahrain and the absence of a clear and modern law on the establishment of associations. The report documented cases of what it called the evasion of accountability and pointed to the anti-government elements carrying out bombings and acts of violence and throwing bombs that targeted security forces.

The report also discussed the institutional and legislative reforms undertaken by the government of Bahrain including the establishment of the Ombudsman Office at the Ministry of Interior, the Special Investigation Unit at the Public Prosecution and the revamping of the National institution for Human Rights among others and evaluated their performance since their inception, and the shortcomings in each and every one of them and offered

pertinent recommendations.

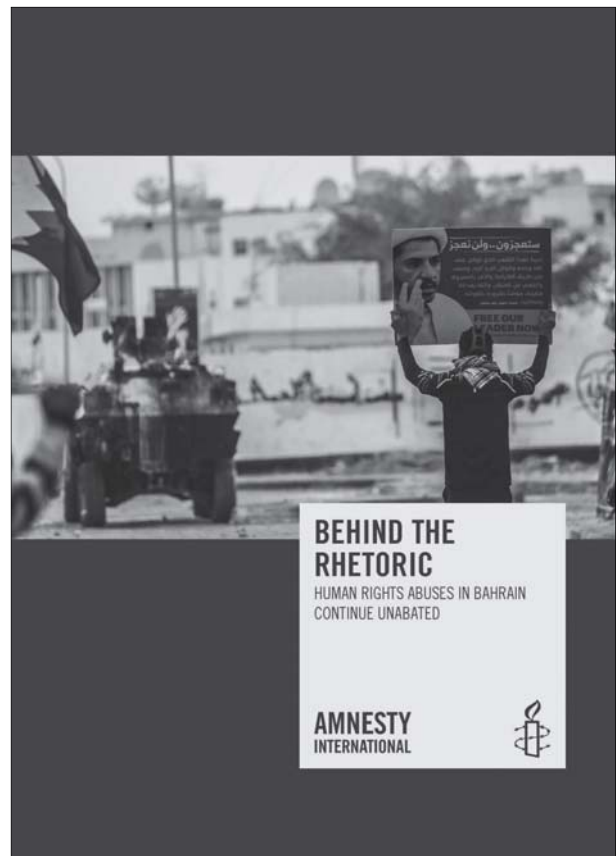
But the report also noted what it described as a continuation of the climate of repression and the decline in public freedoms especially the freedom of assembly and peaceful protesting and pointed to the harassment and prosecution of activists and restrictions it saw on non-governmental organizations in addition to what the report claimed was targeting political associations. It also assessed the anti-terrorism law enacted by the government recently.

The report discussed in length the revocation of citizenship by either the Ministry of the Interior or the courts as well as the issues of arbitrary detention and prison conditions and made recommendations in all these issues that are deemed of concern in order for them to be addressed and rectified.

The report concluded that there is a failure in achieving basic human rights reforms and that there is a continuing crisis which in order to be addressed requires: harmonizing domestic laws with international standards; releasing all those detained for exercising their lawful right to freedom of expression, association and peaceful assembly; beginning comprehensive judiciary reforms in order to ensure full

impartiality and independence from the executive branch.

Among the recommendations made in the report by Amnesty International were thorough investigations into allegations of torture and deaths in custody, compensating the victims and their relatives appropriately, ordering retrials for each of those convicted in



the trials that did not meet the conditions of a fair trial, ensuring the application of the principle of accountability and no impunity, lifting the ban on peaceful protests, removing restrictions on freedom of expression and association, adopting a law for non-governmental organizations that respects and protects

their freedom of establishing and to ensure that all human rights defenders, human rights organizations are able to do their work freely.

The report called for directing the police to adhere to international standards on the rules of engagement during protests and to ensure that law enforcement officials receive regular training to perform their duties which must include respecting and applying of human rights principles.

Finally, the report called for allowing the Special Rapporteur on torture, the Special Rapporteur on the independence of judges and lawyers to visit Bahrain and to cooperate with international human rights organizations and pave the way for them to visit Bahrain.

The Official Response to the Report

The Bahraini government issued in a statement on April 16, 2015 saying that it has received Amnesty International's report and is reviewing its content and recommendations "including a series of anonymous allegations it contains" It affirmed its unflinching commitment to the protection of human rights and basic freedoms, and said it continued to consistently demonstrate this in recent years.

The statement added that "despite receiving Bahrain's full cooperation during Amnesty International's visit and preparation of its report, in its hurry to publish the report for media attention, Amnesty did not reflect the facts that were provided in all clarity and transparency including important clarifications provided by the Government on substantial points of fact".

"This has resulted in significant shortcomings in the report, which could have easily been avoided, if greater rigor and less haste had been applied," the government position stated.

The government statement observed that Amnesty International "fleeting" acknowledged the fundamental

institutional and legal reforms that Bahrain has undertaken in the past four years and described as "a significant step forward" but it "glossed over these highly significant strides and the work of international experts and governmental partners which culminated in the establishment of several independent oversight mechanisms including the

criticized Amnesty International because it "fundamentally misrepresented Bahrain's respect of the rights to freedom of opinion and expression and to peaceful assembly. These rights are protected by Bahrain's constitution, and the government continues to uphold them robustly". But the Bahraini government "as any other responsible government will

The screenshot shows the Bahrain News Agency (BNA) website. The header includes the BNA logo and navigation links: Home, About BNA, Photo Archive, TV, Radio, Contact Us, and a search bar. The main content area is titled "Statement by the Government of Bahrain in reply to Amnesty International Report" and is dated 07:38 PM - 16/04/2015. The article text reads: "Manama, Apr. 16 (BNA): The Government of Bahrain has received Amnesty International's latest report and is reviewing its content, including a series of anonymous allegations it contains, and recommendations. Bahrain is committed to the protection of human rights and fundamental freedoms, and continues to consistently demonstrate this over recent years. The government is disappointed that despite receiving Bahrain's full cooperation during Amnesty's visit and preparation of its report, in its hurry to publish the report for media attention, Amnesty did not reflect important clarifications provided by the Government on substantial points of fact. This has resulted in significant shortcomings in the report, which could have easily been avoided, if greater rigor and less haste had been applied. While the report fleetingly acknowledges the fundamental institutional and legal reforms, Bahrain has undertaken in the past four years as "a significant step forward", it glosses over these highly significant strides and the work of international experts and governmental partners. These efforts have culminated in the establishment of several independent oversight mechanisms including an independent Ombudsman, a Prisoners' and Detainees' Rights Commission, a Special Investigations Unit, and a National Institution for Human Rights to further strengthen legal guarantees for the protection of human rights, and to ensure accountability and justice. These institutions, while newly established, gained international recognition including from the EU, which awarded National Institution for Human Rights and the Ombudsman's Office the Chaillot award for the Gulf region in 2014. These countries set high human rights standards, and Bahrain welcomes their support and endorsement."

Ombudsman Office at the Ministry of Interior, Prisoners and Detainees Rights Commission, Special Investigation Unit at the Public Prosecution, and a National institution for Human Rights to further strengthen legal guarantees for the protection of human rights, and to ensure accountability and justice".

The official response stated that these institutions, while newly established, gained international recognition including from the European Union (EU) which awarded the National Institution for Human Rights and the Ombudsman's Office (the Chaillot award) for the Gulf region in 2014 stressing that these countries "set high human rights standards".

The Bahraini government statement

not tolerate violent attacks or incitement to violence committed under the guise of free speech and peaceful protest" stressing that it is the government's duty "to protect citizens, residents, and visitors alike and the government makes no apology for doing so. Bahrain will respond to such attacks in accordance with its law and best international practices".

The official response concluded with saying that "Bahrain has a strong track record of openness to dialogue and cooperation with human rights organizations, allied countries and the United Nations. It will continue this cooperation and to welcome accurate and factual reporting on developments and accomplishments in the country".

The Contentious Relationship Between Bahrain & The International Human Rights Community

The issue of human rights in Bahrain with its foreign ramifications has occupied a significant portion of the activities and concerns of the government in Manama over the past few years, pushing it to focus its efforts on nurturing it and seeking to achieve results in this field by addressing the challenges and obstacles standing in the way. It has therefore become necessary for parties with an interest in this subject and its associated political and media implications to be aware of its potential and means that could supplement their efforts in achieving the desired and stated goal of furthering human rights in Bahrain.

There are however, a number of basic hypothetical observations on the stance vis-a-vis international human rights organizations.

Firstly, human rights organizations are actually pressure groups or lobbies. Up until recently they were referred to as pressure groups before being renamed as civil society organizations or non-governmental organizations (NGO'S).

All civil or human rights organizations in all parts of the world are in reality pressure groups (lobbies) in the sense that they press those in power to achieve specific goals that benefit its members such as the trade unions which are established to protect the interests of specific categories such as doctors, engineers, journalists and workers; or those that exert pressure on decision makers to improve the situation pertaining to issues that are in the interest of the general public such as the environmental campaigners, human rights or other organizations.

The role or function of these pressure groups is to mobilize forces and efforts through media campaigns and petitions to members of the parliament, cabinet ministers and others who occupy influential posts. They could also work to sway domestic and sometimes international public opinion to achieve their goals.

When the Bahraini government opened the door to the establishment of hundreds of NGO's, it should have anticipated coming under some form of pressure to either reform policies, amend legislations or further other causes.

For example, those advocating for women rights, environment, workers or the handicapped will carry out their main task by highlighting the shortcomings in government performance and legislations, then launch awareness campaigns to enlighten the public on the hardships faced by those they are standing up for. Following that, they would

proceed to mobilize and sign up those willing to work and volunteer for the cause, then they would address the authorities, seek the support of their counterparts in similar organizations at home or abroad, convene conferences and criticize the government's lack of action or slow response.

What all this means is that NGO's carry out a persistent pressure campaign and that every time authorities implement certain demands, they move on to press for more demands and would only stop when international standards stipulated by international agreements and treaties ratified by the state are met. Even in cases where a country has not acceded to a particular international convention, the pressure does not subside but rather more domestic and international pressure would be applied to push for the ratification and subsequent adherence to those treaties. This happened in Bahrain and elsewhere and is still taking place in scores of countries all over the world.

Therefore the decision makers and officials in the concerned government should not denounce the existence of NGO's pressure whether local or foreign. They should not ask questions such as; "why did they not stop criticizing us?" "Why did they not appreciate our efforts?" "Why are they singling us out?" "Why focus on deficiencies and negatives and not look at the pros and achievements?"

These questions may not be relevant because the basic premise of the work of these groups is to examine the shortcomings and push to rectify them and achieve greater results for those they are campaigning on their behalf. Though some fleeting praise might come the government's way within the general context, it must be noted that the role of the NGO's is not to allot large spaces for commendation and flattery of the state, as they are primarily interested in tracking and remedying other

deficiencies then moving on to other causes.

Secondly, resorting to the principle of state sovereignty as a line of defense against allegations of abuse is no longer a viable excuse to prevent international human rights organizations from intervening in the internal affairs of any country in the world.

The concept of sovereignty can no longer be used elaborately to argue that a country has the right to do what it pleases on its territory and amongst its subjects.

The decrying assertions by any government such as "Why are others interfering in our affairs?" or the tendency to address the international human rights community, whenever there is criticism, on the grounds that the state can do whatever it sees fit, or the insistence that the state is merely implementing local law. All these types of responses live in a virtual world that does not exist in contemporary international relations.

Why do these arguments not hold water?

The answer simply lies in the fact that the



issue of human rights and other causes are now enshrined in international law, United Nations Charter as well as conventions acceded to by the states. Therefore the non-implementation of these treaties is deemed as a breach of the state's obligations.

In the past, countries were interested in international law only in terms of the regulation of relations with other states, and each country was able to do what it wanted within its territory and among its people.

But times have now changed as the international community has established mechanisms that allow it to pursue, hold accountable, monitor, follow up and even prosecute. Internal affairs are no longer the sole property of governments.

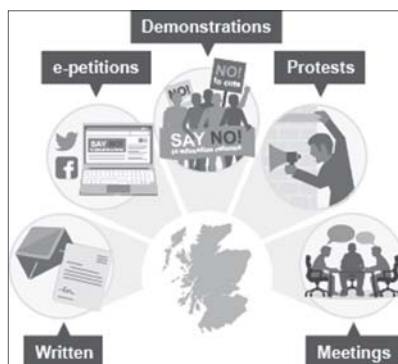
We now live in a world that collectively share the same human rights concepts while

Societies and human rights organizations share the burden of defending people wherever and wherever they are. In today's world of globalization, there is a consolidation of the organizations that work in the same field (environment, human rights, women, press freedom), whereby local human rights groups have now become part and parcel of the larger human rights community in the world and thus benefit from its support and advocacy.

On the other hand, the states are now domesticating international treaties and laws by incorporating them into their legal system. As such it is inconceivable that anyone would refer to local laws when the state itself has ratified treaties that impose obligations other than those contained in the domestic law and that also compel it to amend its domestic legislations in order to conform to the international law.

This means that the state cannot isolate or separate itself from what is happening in the world even if it has not ratified a certain treaty. The reason being is that the majority of the international community has acceded to it, so the state would then be bound by it from a moral and customary standpoint (granted of

course that the state can express reservations on certain clauses without undermining the substance of the convention.) It also means that any state must now address the international human rights community using its language and abiding by its standards,



and must also understand the provisions of international conventions whenever others interfere in a specific internal issue that falls within the premises of those treaties.

To sum it all up, it is no longer possible to isolate citizens or local human rights organizations from the impact of the outside world. There is now something big in common between the entire humanity in terms of concepts, mechanisms and tools. Even if a state decides to abolish or bar the establishment of NGO's this will not change the fact that there will continue to be international human rights organizations that will defend people's rights, and criticize governments' actions and coordinate with local activists who will defy the ban and continue to communicate through the media and modern social networking sites which cannot be controlled by the state.

No country in today's world could isolate itself from the global concepts or the international humanitarian law that is built on them, nor can it stay immune from its effects on local policies and conditions. Whether the state chooses to cooperate with or boycott the international human rights community, it will not make the impact go away. All choices come with consequences, and the choices for states do not have to be black versus white but rather based on which options are more useful or less harmful.

Debate on Bahrain

Human Rights' issues worldwide are not raised within a confined space, but rather in a wider circle that encompasses the media, the International organizations and Parliaments, whereby a human rights issue in one country could well be treated, in another, as an internal issue that warrants debating about in Parliament, such as the case in the UK, Germany and the United States.

Following, are examples of such debates, concerning Bahrain, inside the British House of Commons, with questions raised and answers given that reflect the causes of concern and the progress made with regard to the issues on the table.

Q Asked by Steve McCabe (Birmingham, Selly Oak)

To ask the Secretary of State for Foreign and Commonwealth Affairs, what recent representations he and Ministers in his Department have made to their counterparts in Bahrain on the use of torture in that country.

A Answered by: Mr Tobias Ellwood

Answered on: 05 March 2015

The UK regularly discusses issues of reform with the government of Bahrain. In January, My Rt Hon and noble Friend, the Minister of State for Foreign and Commonwealth Affairs, Baroness Anelay met the Bahraini justice minister and discussed the importance of holding police officers accused of mistreatment to account. Our Ambassador to Bahrain has raised our concerns over allegations of torture and mistreatment with Bahraini ministers. In addition to voicing these concerns, the UK is providing practical assistance to the Government of Bahrain to prevent the use of torture and to address allegations of its use. In particular, the UK is providing support to the Ministry of Interior's Ombudsman and the Special Investigations Unit, both of whom have responsibility for investigating allegations against security personnel. When allegations are made, we continue to encourage the Government of Bahrain to investigate promptly, thoroughly and impartially and hold any person found guilty of such charges accountable.

Q Asked by Jeremy Corbyn (Islington North)

To ask the Secretary of State for Business, Innovation and Skills, if he will take steps to institute additional scrutiny of sales of defence and security equipment to Bahrain; and if he will take additional measures to further prevent the sale to Bahrain of defence equipment which would be used against civilians.

A Answered by: Matthew Hancock

Answered on: 07 January 2015

The UK operates one of the most rigorous export control systems in the world. All export licence applications are carefully assessed on a case-by-case basis against the Consolidated EU and National Arms Export Licensing Criteria, taking into account all prevailing circumstances at the time of application. Exports to Bahrain continue to be subject to close scrutiny, in particular under Criterion Two which concerns the 'respect for human rights and fundamental freedoms in the country of final destination as well as respect by that country for international humanitarian law'.

Q Asked by Mr Jim Cunningham (Coventry South) [N]

To ask the Secretary of State for Foreign and Commonwealth Affairs, what recent steps his Department has taken to encourage civil rights and democracy in Bahrain.

A Answered by: Mr Tobias Ellwood

Answered on: 12 January 2015

I co-chaired the UK-Bahrain Joint Working Group meeting on 4 December 2014 with the Undersecretary of the Bahraini Ministry of the Interior, H.E Abdullah Abdulatif Abdulla. We discussed progress on the implementation of the recommendations of the Bahrain Independent Commission of Inquiry Report and UN Human Rights Council Universal Periodic Review, and agreed that the UK would continue to provide assistance to Bahrain's reform programme, with a continuing focus on strengthening human rights and the rule of law, in 2015. The British Government will continue to encourage the Government of Bahrain to build on the success of the recent elections and move forward with further reform to advance the democratisation and human rights agenda.

Human Rights Work: Actors & Mechanism

Whom do States Deal with When It Comes to Human Rights?

There is a wide array of institutions and countries across the globe abuzz with thousands upon thousands of institutions and organizations in all disciplines, but to give a synopsis of this world we can name the key players:

1- United Nations (UN) organs namely the Office of High Commissioner for Human Rights (OHCHR), UN Human Rights Council (UNHRC) and UN agencies such as the International Labor Organization (ILO), United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Children's Fund (UNICEF), World Health Organization (WHO) among others. All these institutions play a role with certain aspects of human rights that should not be overlooked or understated.

2- International human rights Non-governmental organizations (NGO's) which operate internationally such as Amnesty/ Human Rights Watch (HRW)/ Human Rights First (HRF)/ International Federation for Human Rights (IFHR)/ Article 19 / World Organization Against Torture (OMCT) / Human Rights Defenders, etc.

3- Some states and particularly in the Western world which tend to apply its own model and vision through the application of human rights and democracy standards. These countries have a strong impact on the UN and international media and acquire the ability to impose sanctions on countries and to politically exploit the human rights blunders of their foes. It also have an influence on UN agencies, international NGO's and even local ones in some countries from a funding, education and training perspective. These countries also have special monitoring mechanisms of human rights conditions in every country. Furthermore, the Ministries of foreign affairs in some of these states publish quarterly or annual reports on human rights which have now become a focal part of their foreign policies. It must be noted that these states are also subject to domestic pressure from human rights organizations, parliament,

media or even rival parties to adopt certain stances regarding a specific country or a particular human rights issue which means it has an impact on these human rights institutions.

These states do not work in a secluded world as they put pressure or are subjected to it whether it is related to their own human rights record or that of others including its allies.

4- Let us take local and regional human rights organizations such as the Arab Human Rights organization and the Cairo Institute for Human Rights (CIHR) and human rights groups across the world. All these groups have some sort of a link to the UN, states and international human rights organizations. They are therefore partners in the international human rights system and cannot be separated from it or underestimated or viewed as a tool in the hands of other countries.

5- There are also the local and regional professional organizations, particularly the international ones such as the International Bar Association (IBA), International Federation of Trade Unions (IFTU), Federation of International Physicians, Reporters Without Borders and Transparency International (TI). All these entities are concerned with what is going on in Bahrain and other countries. They are monitoring, following up on complaints, putting pressure, calling for reforms, contacting the media, pressing states, issuing reports and communicating with stakeholders in all countries whether they are NGO's, government, activists or human rights defenders.

The Path and Mechanisms of Human Rights Issues:

Human rights organizations represent a link in a chain of pressure that may begin with one person somewhere in the world whose work ripples through to the highest

level of international attention.

a- A case could start with an incident of human rights violation that is picked up by a local human rights activist who demands an investigation into it and a halting of the abuse. Soon enough, this becomes news and is transmitted to local and international human rights organizations with an interest in this case.

b- Domestically, people are mobilized against this incident and depending on its gravity, demonstrations or other forms of objections, whether legal or popular, might erupt on the ground. Based on the official response, the reaction could either be stepped up or subdued.

c- On the home front as well, the incident could be handled through the legal mechanisms taking it to a certain path which would be dealt with by lawyers, whereas some political forces could, simultaneously, seek to exploit the situation and launch a criticism campaign against the authorities, promoted through popular and electronic media outlets. If the authorities do not move to explain the circumstances surrounding the violation or clarify their position or modify their behavior or initiate an investigation and choose, instead, to maintain silence, things could deteriorate and eventually snowball out of control. This could also occur if the official explanation provided is deemed insufficient and unconvincing to the domestic and international public opinion.

d- On the other side, regional and international human rights organizations pick up the news and spread it until it become headlines regionally and internationally. As for the international human rights organizations, if the incident was a minor one, it is recorded and retained to be included in their annual reports or annexed to other violations that may appear in separate press releases. However, if the violation is a major one, then it requires undertaking certain steps which start by contacting the authorities in the country in question. Many countries tend to provide

timely responses to these groups explaining their positions and addressing the issue if it was deemed authentic. In these situations those human rights organizations would be satisfied and the matter would end there. When it comes to a country that typically delays its responses or not responds at all, the pursuing international organizations would send it a direct message and await the response, which more often than not either comes too late or does not come at all. Subsequently, condemning statements are issued by these groups relying on information they have received on the case, treating it as credible, even if it was one sided, and subsequently base their positions on it.

e- In some cases when the abuse is of a greater magnitude and therefore waiting for days is not an option such as in cases that involve the detention of prominent figures or the death of people under torture, the international organizations swiftly issue an 'Urgent Action' memo while continuing to investigate and sending messages to the relevant authorities.

f- These kinds of 'Urgent Action' memos entail the mobilization of all human rights supporters worldwide against the violation and the perpetrating state. Thousands of these people would move all at once in various directions; writing directly

to the relevant authorities or to their embassies abroad, contacting the media in their countries to bring attention to the incident, petitioning their own government or parliament, organizing rallies in front of embassies and holding seminars. The United Nations and other human rights organizations are also contacted to support the same cause and adopt the same position. This 'Urgent Action' memo could be repeated depending on the developments in the case and would subsequently reach governments in international forums and be raised during visits by foreign officials

to the concerned state. As a result, the issue could stay alive for years.

g- The campaign in these cases of violations could even go further. After the international public opinion is saturated with news of abuses and after the image of the concerned state is tarnished, it would then be politically cornered through meetings of the UNHRC or during the comprehensive periodic review. There may also be attempts to adopt resolutions or issue

joint statements. Then these organizations would call for the curtailment of political, economic or strategic cooperation with the offending state. There might also be a push for punishing the state and besieging it politically and in the media and things may even go as far as justifying a military



campaign (Syria, Iraq) or a diplomatic embargo and other restrictions (North Korea / Venezuela / Iran / Cuba / Russia).

The realization of this process in human rights work should compel countries not to carry out any violations, address legal loopholes and quickly resolve the cases of violations so they do not spiral out of control thus leaving a significant impact that would develop negatively on the international arena.

The British Ambassador: We Support Reforms in Bahrain

British Ambassador to Bahrain, Iain Lindsay said:-

"Over the last 3 years, the UK has played an important role, as Bahrain's strategic partner of choice, in helping to support the reform visions of His Majesty King Hamad and His Royal Highness the Crown Prince. We have done so because, as a close friend, we recognised, like the Bahraini authorities, that there were significant capacity and capability issues for them in implementing the specific and major reforms recommended by the landmark Bahrain Independent Commission of Inquiry.

Given the scale of the task which Bahrain confronted in 2011, the British government believes that Bahrain has, with UK support, made good progress and is on the right track. We have provided judicial, human rights, prisons and security sector reform assistance to key ministries and institutions, including capacity building and training.

UK support has played an important role in the establishment of the Police Ombudsman, the first in the region; and the

restructuring of the National Institution for Human Rights, which issued a hard-hitting report just a few months ago.



It is really encouraging to see this level of attention being paid by the Bahraini authorities to the topic of Youth Justice, which is a vital part of Bahrain's judicial reform programme and to which the United Kingdom is giving much support. The main objective of this workshop is to share experiences of juvenile justice and practices in Bahrain and the UK and

to promote discussion with other GCC jurisdictions about best practice and reform."

Conflict or Cooperation: The Relationship with the International Human Rights Community

In recent years there has been considerable debate in many countries, feeling the heat from international human rights organizations, on whether they should disregard these rights watchdogs with their posture on human rights issues and bear the consequences or establish a healthy relationship with this community by cooperating, and therefore, benefiting from it.

There are two conflicting views on this

- In terms of the country's reputation internationally, it goes without saying that all nations seek a clean image. As such, non-cooperation with the human rights community and continuing to commit abuses would tarnish any country's image and undermine its credibility by being labeled as a state that violates the rights of its citizens. The country in question could also end up finding itself subject to political and economic sanctions. This attitude could also take a toll on the citizens themselves who will be adversely impacted by what they see and hear about their country and its leadership. In today's world, this may very well diminish the people's loyalty to their country and leadership which would have the effect of wearing down the government's legitimacy domestically and internationally.

However, the ability of nations to withstand notoriety and its ramifications, that could include contempt and restrictions on them and their people, varies widely. In some cases, and as part of the pros and cons assessment, the state may decide on non-cooperation with the human rights community and to ignore it altogether with the view that it can tolerate notoriety and the pressure that ensues. What ends up happening in many cases is that the pressure becomes so excruciating that it forces a change of heart. (Mexico stands out as an example).

There are those who believe that cooperation with the international human rights community has a very limited positive effect on the country's image as these organizations, even with cooperation, will not stop their criticism, and therefore the efforts put into

cooperating far outweigh the few gains that could be reaped from removing some of the blemishes from their reputation.

We would like to emphasize here that reforming a country's human rights situation is a noble, humane and a necessary goal in itself and that the state should not expect any praise or reward for thriving to improve it. Also, it should not measure its human rights accomplishments by the degree of the international community's satisfaction alone, but, most importantly, by looking at its own citizens because ultimately, they along with the political system end up being the major beneficiaries.

Needless to say that any improvement in the country's reputation would reflect positively on its domestic economic, investment, scientific, media and other situations

- Cooperation with the international human rights community helps boost the internal stability of the country because, on the one hand, it prevents or reduces the amount of foreign interference whether by friendly or unfriendly states. It also diminishes or blocks intervention justifications that are more harmful to the state and its security, whether through UN resolutions or otherwise. It is important to note here that international human rights organizations have the ability to mobilize and stimulate domestic activists as it has done so in several European and Asian countries. The former Soviet Union and what is currently going on in Iran and Syria are prime examples.
- Cooperation with the international human rights community also serves to improve the state apparatus through experiences gained by engagement and restores their confidence and esteem, therefore making state institutions more effective, professional and credible on their march towards the rule of law, equality and justice. All of this bodes well for the lives of the citizens and their relationship with the system.
- Cooperation with the international human rights community strengthens local civil society and prevents it from becoming

politicized, and helps to avoid the political exploitation of violations both internally and externally.

- Among the benefits of cooperating with the international human rights community, is that it leads to a strengthening in the state's relations with its friends and removes the latter's embarrassment of having to defend its human rights record.

The Role of Official Human Rights Bodies

First: To understand the foundations of international human rights work and the impact of the mechanisms that governs the use of human rights in international relations; and to grasp the consequences of human rights violations and their potential negative repercussions.

Second: To recognize the fact that respect for human rights in any country is in its own interest as it improves the status of their citizens, strengthens their relationship with the government, prevents foreign interference and preserves the reputation of the state and its interests. In a perfect world, it is best to see the state with a spotless human rights record. But naturally this remains an unrealistic and unattainable goal as there is no country around the globe that is abuse-free. The only difference lies in whether these violations are of an inadvertent nature (a simple error; individual negligence; shortcomings of an institution or the absence of legislation) or they are institutional and methodological adopted by the government itself.

Third: The official bodies must possess the aptitude and ability to perform the required work. It is not enough to just have theoretical awareness but there must also be a tendency to handle matters in a professional manner. For example, it is not professional to simply deny the accounts on abuses or to furnish the press with false information in order to discredit the other side and justify the abuses, and neither to self-vindicate and assert that the state respects human rights. Words and promises are never enough but the critical factor will always be whether there is a

change to the situation on the ground.

Fourth: It is unwise to clash with human rights groups or media organizations in any country by accusing them of being enemies or conspirers, or labeling them as paid proxies on behalf of certain quarters or otherwise. In fact, the exact opposite ought to be said, which is to underscore that the state appreciates their activities, role and commitment to human rights and that it shares their interest in human rights and is willing to assist them by furnishing them with facts and information and offering opinion and other kinds of assistance.

Conclusion

1. The relationship with the international human rights community boils down to two things: First, it is an inevitable relationship in international diplomatic relations. Second, it is not possible to shirk from the impact of the activities of the international human rights community

on any state, but the orientation of its work can, nonetheless, be modified in order to serve the country in question. Because the international human rights community has an impact on every country, it is crucial for Bahrain to have some sort of a relationship with it that would enable it to determine its framework, meaning and direction in a way that would serve its interests. There should not be a breakdown in relations that could lead to further loss in the prestige and reputation of the state and its stability.

2. The internal human rights situation must be improved in each country because the more violations there are, the more tools, means and evidence the opposing party would possess to inflict damage on the country in question. Improving the internal situation is a very noble goal in itself, whether demanded by the international human rights community or not. The state should reform its practices and develop its legislation and performance.

3. The state or its institutions dealing with human rights should not expect praise, and must not make praise the principal basis for their cooperation with the international human rights community. Also it must not use its human rights performance as a bargaining chip with the outside world, but should carry it out as an obligation of the state towards its citizens, done on the basis of conviction in the rights of its citizens and that it is good for the well-being and stability of their country and to consolidate the citizen's relationship with the leadership.

4. The relevant organs of the state must work on improving their performance, with respect to human rights, on both the media and the political levels, and to comprehend the humanitarian, moral and legal dimensions of their activities and practices. In other words, the competent authorities must possess the knowledge and skills in all that relates to the issue of human rights at the international level.

Combating the Neo-Theocrats

We seem little closer to understanding and defeating a common enemy (Terrorism), which remains primarily defined by its tactics of terror and the underlying subversion of Islam. But terrorism is merely a tool of twisted ideologues, whose recent atrocities include the murdering and kidnapping of journalists, and the grotesque immolation of Jordanian pilot Muath Al-Kasasbeh.

Terrorism is not an ideology; we are not merely fighting terrorists, we are fighting theocrats. The current war is not against Islam, It is against those who commandeer religion for their own ends

We know these are people who attempt to govern us here on Earth as well as in the hereafter. They isolate themselves and place no value on the social contract established among ourselves as societies of human beings. They oppress women and slaughter those who do not condone, approve of or subscribe to their own twisted ideology. They also govern by religious edict, constraining the use of reason itself among would-be believers. Their methodology combines the tactics of religious ideology alongside lawless paramilitary rule. It is fuelled by the gains of criminal enterprise in

order to establish the fiction of governance, through which continues the desperate fight for geographic territory to claim, protect and rule.

We know they are opportunistic, thriving in the midst of social upheaval and political turmoil, giving purpose and leadership to the disillusioned, disaffected and forgotten. Where state paradigms collapse, into the vacuum extremist ideology is more likely to come.

They spread their ideological message through a multitude of channels, old and new, satellite channels unseen by Western audiences and free of either its restrictions or regulation, broadcast, with far greater impact than the internet, an almost continuous message of intolerance and venom to the ignorant and the susceptible.

We face a new-world foe, one that while demonstrating many of the practices of the 17th century also pursues a strategy of the 21st. We will not be able to address them through old world solutions alone, but through a newly thought series of interventions, both modern and traditional. It is only through a concerted, collective and fundamental review of the nature of our



HRH Crown Prince Salman of Bahrain

threat that we will help refine the focus of our challenge and thereby bring us closer to achieving our shared goal. We can then strategically use our combined resources to hold accountable these criminal ideologues who place themselves above other ordinary human beings and claim divine authority for misrule.

While in all probability we will sadly be fighting them for a long time to come, barbaric and primitive though they are. These individuals and groups will of course ebb and flow, but it is the ideology that must be combated and defeated. In the process, we can replace the term "war on terror" and focus on the real threat, which is the rise of these evil fascist theocracies.

Human Rights Reforms Must Continue

The Beginning of a Change in the International Community's Assessment

A significant improvement in the positions of some international players with an interest in Bahrain's human rights situation has been observed recently. This was the result of a number of factors and positive developments in Bahrain's handling of its human rights' affairs.

These developments included measures taken to consolidate the institutional infrastructure of human rights, such as:

- Establishing and invigorating a number of vital human rights institutions in a manner that is consistent with the genuine desire to fulfill the requirements of adhering to the recommendations contained in the report of the Bahrain Independent Commission of Inquiry, as well as the obligations Bahrain committed itself to through the comprehensive periodic review mechanism at the UN Human Rights Council. These institutions are: (The Special Investigation Unit at the Public Prosecution), (The Ombudsman Office at the Ministry of Interior) and (The Prisoners and Detainees Rights Commission). This in addition to the National Institution for Human Rights (NIHR) which has been re-energized to ensure its conformity with the Paris Principles.

- Holding parliamentary and municipal elections per schedule.

In connection with the interaction with the international community the developments included:

- Strengthening the relationship with the Office of the UN High Commission for Human Rights with advanced steps being taken towards concluding a technical cooperation agreement between the two sides.

- Openness towards international non-governmental organizations, such as allowing Amnesty International to conduct professional visits to Bahrain.

The indications of a change in the influential international players'

assessment of the human rights situation in Bahrain could be stated as follows:

Britain:

Of all the components of the international community, Britain's view towards the development of human rights situation in the world is based on the principle of "encouragement rather than reprimand". This has always been Britain's approach when dealing with the human rights situation in Bahrain, which has now moved from the encouragement phase to providing technical assistance in the judicial and security fields. Britain's Foreign Office has classified Bahrain in its periodic report on human rights and democracy in the world, as a "Case study" rather than a "Country of concern" despite pressure from many members of the British Parliament. The British government's argument was that Bahrain's human rights situation is witnessing some progress. The British Foreign Office has noted the steady improvement in Bahrain in its annual report issued in March 2015:

"The government of Bahrain continued its efforts to strengthen police accountability and build oversight mechanisms across the criminal justice system. The Ministry of Interior's Ombudsman's Office, the Prisoners' and Detainees' Rights Commission, and the National Institute of Human Rights (NIHR) released their inaugural reports this year. Some progress has been made in

implementing their recommendations, and we encourage the government of Bahrain to move resolutely to address the remaining recommendations in all three reports.

In December 2014, the Ministry of Interior's Ombudsman and the NIHR received the EU Chaillot award for the Gulf region in recognition of progress made on promoting human rights"

"An investigation by the Special Investigation Unit (SIU) led to six members of staff, including three high-ranking officers, appearing before the High Criminal Court on 25 November. All six defendants pleaded not guilty,



The Ombudsman Office at the Ministry of Interior

and the case was adjourned until a later date. In November, the SIU investigated video footage showing a person being assaulted in a police car, and charged the police officer in question. The SIU also probed nine cases of alleged torture and four cases of alleged mistreatment in December, which remain under investigation. It is crucial that police officers are held fully accountable for their actions and are sentenced accordingly.

Ombudsman's Office figures in July 2014 showed that 14 officers had been charged with human rights

violations. Of those, 12 are facing trial, one received a six-month sentence, and another faced disciplinary action. During his visit to Manama in December, the Foreign Secretary, Philip Hammond, raised his concerns about human rights issues with the King and Crown Prince of Bahrain”.

The report continues:

“The NIHR report, published in September, made recommendations on Bahrain’s judicial system. Some progress is being made. In November a Bahraini delegation carried out a study visit to Northern Ireland to learn about the juvenile justice system. SIU staff members also attended training sessions in the UK on forensic evidence, interviewing skills, and the rights of suspected persons. However, concerns remain about apparent inconsistencies and inequalities in sentencing”.

The report concludes:

“FCO Minister for the Middle East, Tobias Ellwood, hosted the fourth UK-Bahrain Joint Working Group on 4 December, which focused on reform and the UK’s technical assistance.

In 2015, the UK will continue to support the government of Bahrain in implementing its human rights and political reform programme through the provision of technical assistance, training, and best practice sharing. This will include support on reforms of the youth justice system, and court administration and further capacity building for key institutions such as the Ombudsman’s office”

Previously, the British Foreign Office said in its quarterly report released in October 2014:

‘Last June, the Bahraini Parliament passed a new law to grant wider responsibilities to the National Institute for Human Rights (NIHR) to investigate human rights violations and inspect detention places and that the NIHR identified in its report number of perceived shortcomings and made a series of recommendations, including the ratification of the Optional Protocol

to the Convention Against Torture and the transfer of responsibility for detention and rehabilitation to the Ministry of Justice. The report also contained recommendations for the judicial system.’

The report added:

“whilst considerable efforts are being made to build trust in a fair and equitable justice system, the inconsistency and apparent inequality in sentencing has the potential to undermine this work. We welcome the NIHR report as an important benchmark for taking forward further human rights reform, and we encourage the government of Bahrain to consider the report and its recommendations carefully” It also noted: “Bahrain’s leadership publicly accepted the report and praised its comprehensive objectivity”.

The British Foreign Office’s quarterly report of October 2014 also affirmed:

“The Bahraini government has taken positive steps to increase engagement with the UN and international NGOs, which demonstrated a level of transparency. They welcomed the visit by Amnesty International in March and the two-month technical visit by the UN Office of the High Commissioner on Human Rights (OHCHR) in April.”

Thus, the British Foreign Office has continued defending its assessment of Bahrain’s progress in the field of human rights against all the criticisms leveled, especially in the British House of Commons, including from its subcommittee on Foreign Relations. One example is the response by the British Minister of state for Near Eastern Affairs, Tobias Ellwood, on December 18th, 2014, to inquiries by some MPs regarding the Foreign office’s

evaluation of the human rights’ situation in Bahrain during the previous six months. He said in that regard:

“We are supportive of the reforms underway in Bahrain and the steps taken by the Bahraini government to implement the recommendations set out in the Bahrain Independent Commission of Inquiry and UN Universal Periodic Review. Notable steps in the past six months have been:

1. The first annual report by the Ministry of the Interior’s Ombudsman’s Office, released in May, which detailed the cases it has dealt with since July 2013;
2. The first report of the Prisoners and Detainees Rights Commission



US Ambassador with Bahrain’s Foreign Minister

in August, following its inspection visit to Dry Dock Detention Facility;

3. The report from the National Institute of Human Rights in September which identified a number of perceived shortcomings and made a series of recommendations to the Government of Bahrain.

I am pleased that the EU chose to award the Chaillot Prize to the Ministry of the Interior’s Ombudsman’s office and the National Institute for Human Rights (NIHR) in December for work to improve human rights in Bahrain. I will continue to encourage the Government of Bahrain to ensure that the reform programme continues and the

recommendations made in the reports are implemented fully”.

The United States:

Unlike Britain, the United States lacks the historical legacy and experience in dealing with the Gulf issues. Its handling of these issues has been marked by intermittency and an hesitancy that is exacerbated by the conflicting views among the various agencies of government such as the Pentagon, the Department of State and the Central Intelligence Agency (CIA). What further complicates the situation is the US administration's inability to withstand the pressures from a multitude of sources starting with the legislature (both houses of Congress) and ending with the pressure groups (lobbies) with their differing agendas, including international non-governmental organizations and the media. Perhaps this explains the unstable US State Department's handling of the Bahrain human rights dossier, and the shadow such an inconsistency casts on the relations with Bahrain.

However, the positive steps undertaken by Bahrain have given the US State Department the opportunity to free itself from some of the pressure and allowed it to be less cautious with regard to expressing its appreciation for the progress made.

On September 24th, 2014, during the deliberation of the 27th session of the UN Human Rights Council in Geneva on the subject of technical cooperation between Bahrain and the commission, the US Representative Keith Harper said the following:

“We welcome the visit of an OHCHR technical team earlier this year. We believe that deeper engagement with OHCHR can help this organization play an important role in working with the Bahraini government in its efforts to improve the human rights situation in Bahrain.

We welcome the recent report by Bahrain's National Institute for Human Rights.

In the interest of a strong and peaceful

Bahrain we urge a sustained effort and willingness by all sides to compromise and to achieve real progress in the political and reform process.”

And on November 30th, 2014, the then spokeswoman for the US State Department, Jen Psaki, congratulated Bahrain on the conclusion of its 2014 parliamentary and municipal elections.

She urged all of Bahrain's constituencies to work in good faith to resolve existing tensions, to seek constructive compromise, and develop a consensus on how to address Bahrain's political, economic and social priorities. She stressed the need for all segments of the Bahraini society to reject violence and to contribute to a climate conducive for peaceful reconciliation.

Also on December 4th, 2014, the US Assistant Secretary of State for Near Eastern Affairs, Anne Patterson, and the US assistant secretary of state for Democracy and Human Rights, Tom Malinowski, held a press conference in Manama in which the latter stated the following:

“We met with new Ombudsman and the Special Investigative Unit, and hope that everyone will support their work. We welcome the support the government has given for the National Institution for Human Rights, and hope it will take seriously the recommendations the Institute has made. The reports produced by these national institutions are unique for this region, but reports must lead to results”.

The US Ambassador to Bahrain, William Roebuck, said, last March, that his country understands “the real threats to Bahrain from all sides” and that Washington “makes a clear distinction between those who practice violence and extremist groups that work to destabilize Bahrain and other groups that tend to exercise, in a

peaceful manner, their right to criticize and express different viewpoints. Such groups have an important role to play in various communities and nations”.

The envoy viewed the recent parliamentary elections in Bahrain as “an important mean to address the legitimate aspirations of the Bahraini people” and added that His Majesty King Hamad deserves great credit for his role in consolidating reform in the country, supporting the National Action Charter in 2002, endorsing the recommendations of the Bahrain Independent Commission of Inquiry and supporting the National Dialogue 2013-2,014. He said that the government of Bahrain has taken significant steps towards the implementation of the reforms set out in the report of the Independent Commission of Inquiry”.



EU Ambassador hands the Chaillot award to NHRI & Ombudsman Office

But ambassador Roebuck stressed that “there is still work to be done, and we are ready to help in any way, whenever we are called upon to do so,” He added that there is no perfect society or country, and that the United States benefited greatly from criticism and recommendations made by observers and activists on human rights and abuses that have occurred in the United States, hinting that the same applies to Bahrain, and suggesting that the latter could benefit from staying open to continuing dialogue with those citizens who peacefully support the reform efforts and strengthening the protection of human rights”.

The Ambassador drew attention to his awareness that Bahrain “has achieved a number of important steps in addressing some of the underlying causes of the events that occurred in 2011” adding that they support the “ongoing government initiatives to build on these efforts including the genuine efforts made by the Ombudsman Office” pointing as well as to “efforts aiming at strengthening the parliament, the establishment of the Special Investigation Unit, and the efforts exerted by the National Institute for Human Rights, all of which are positive achievements that reflect the ongoing reform efforts in Bahrain”.

Finally, ambassador Roebuck explained that “the United States has repeatedly expressed its support for the reform efforts of His Majesty the King to consolidate the fundamental rights of all Bahraini nationals. These efforts, that incorporate the views of all Bahrainis in respect to the formulation of the decisions that affect them, offer encouraging examples of the sort of the confidence -building and institution-building measures, that could lead to more opportunities for dialogue, and a better protection for fundamental rights”.

European Union:

Since the outbreak of the events in Bahrain in February 2011, the European Union, both legislative and executive, continued to periodically criticize the human rights situation in Bahrain in its official statements and reports, blaming the Bahraini government for the deterioration of the situation. The European bloc, led by a number of parties, on top of which was Switzerland, continued consistently to adopt joint statements and to mobilize and lobby other countries to sign them. At one point they managed to secure signatures from more than forty countries to denounce what they described as violations by the Bahraini government.

However, the past months have, for the first time, witnessed some change in the European Union's standpoint vis a vis the developments in the human rights situation

in Bahrain. This change could be attributed mainly to the successful completion of the recent parliamentary and municipal elections; a significant step that illustrates the determination and seriousness of the Bahraini government towards carrying out its democratic and human rights responsibilities.

The following are some examples of what the European Union said in this regard:

- In September 25th, 2014, the official spokesman for the European Union issued a statement on the announcement of the date of the elections, saying that the “The European Union considers that credible and inclusive elections can represent one important element for the advancement of genuine national dialogue and reconciliation, thus promoting the necessary sustainable reforms in a spirit of shared responsibility in the interest of all Bahrainis”.

- On October 16th, 2014 and in the wake of the Bahraini opposition parties' announcement of its boycott of the elections, EU ambassadors accredited to Bahrain issued a joint statement in which they expressed deep disappointment at this boycott decision, and appealed to these parties to reconsider their decision, noting that they in the EU, believe that it is imperative for rebuilding the trust and confidence necessary for stability and progress in Bahrain that all those committed to the democratic process participate in the elections.

- In December 3rd, 2014, the EU representative in Riyadh announced that the Chaillot award for 2014 has been awarded to the National institution for Human Rights and the Ombudsman Office at the Ministry of Interior in recognition of their efforts in the field of promotion and

protection of human rights in Bahrain.

International NGOs:

If we take into account that the previous periods have witnessed a steady stream of statements and reports by international human rights organizations condemning abuses, it is quite noticeable that the number of such statements has decreased considerably in the last few months, which was viewed as an evidence that Bahrain, through its official efforts and those made by its existing and newly found human rights institutions, and through the spirit of cooperation and interaction with the international human rights community that it has shown, is moving in the right direction, that could only lead to further improvement and would pave the way for the continuation of the reform process



British Foreign Office report on human rights

and the democratic building on a solid foundation of social stability and cohesion.

This steady improvement in the international community's assessment of the human rights situation in Bahrain should not lead us to be complacent and reluctant to carry out further reforms, or address urgent issues such as holding perpetrators of violations accountable. Bahrain's government is supposed to realize that there are still some concerns that will continue to be monitored by the international human rights community to see how the Bahraini authorities would deal with them.

Towards a Free & Independent Civil Society

States have sharply diverging views on civil society institutions, whereby three patterns emerge with regard to dealing with non-governmental organizations (and also to some extent the opposition political parties which usually share many of the goals and activities of civil society groups). These patterns can be listed as follows:

1. Confrontation & Hostility: Some states do not even allow the establishment of civil society institutions and consider them as a threat given their potential to end up as a partner in the decision-making process involving any issue. Therefore they outlaw the formation of NGO's and bar them from being officially registered. Sometimes there would not even exist a law for NGO's. In cases where organizations do get set up, such as charities, the government intervenes and forces them to be legally attached to an official authority (a ministry or a governmental institution). As such, the civil activity becomes restrained by government's rules and regulations thus discouraging citizens from interacting with it. In other instances, these countries deliberately suppress activists and volunteers by raiding their workplaces, confiscating their equipments and throwing them in jail under the pretext of breaking the law.

2. Restricted Approval: This refers to cases where restrictions are either partial or full. Some countries allow NGO's to operate without interference in certain issues but restrict them in others and limit their activities, and not only refrain from helping them but also impose arbitrary laws in order to hinder their activities. Some of the methods used to restrain the civil society and strangle the free environment include; not allowing civil society groups to work freely or adopt stances contrary to those taken by the authorities as well as preventing them from questioning the performance of authorities. The latter also withholds information on public matters, especially in societal issues in which the civil society is supposed to contribute to finding solutions.

At the end of the day, these countries would have deprived themselves and their communities from the value added and services offered by civil society organizations because they have created a general security and political atmosphere that is not conducive or encouraging to any civil activities.

3. Complete lifting of Restrictions: This

is where some states allow the growth of civil society organizations out of the realization of their extreme importance in any lively society to solve its problems and improve the performance of the state and bring important issues to the attention of the government and add community and youth energies that would contribute to the decision-making and to the tackling of the problems on the ground, beside other roles. These states allow the establishment of organizations, with varying orientation, and provide them with the political and legal environment that is conducive to their work, and even put in place certain tax laws that encourage individuals to donate to charities. Some states go as far as allowing peaceful activities even if they came from non-legally registered organizations.

There is a huge variation in the vision between countries that look upon civil society organizations as partners in development, policies and public service and those who consider them a threat and a burden or a troublesome competitor to authorities. The larger the space that encourages the growth of civil society, the higher the prospective of the emergence of a lively and active society that is conscious of its responsibilities and is moving towards building a democratic state. This is because communities, where free and independent civil society flourishes, would most certainly have the potentials to develop and their citizens would possess the tools to dismantle the chains of tyranny through practical involvement in the process of change, and through the freedom of expression and assembly that has the capacity to destroy the foundations of underdevelopment.

It is no wonder then that the existence and effectiveness of civil society organizations is viewed as an indicator and a prelude to the growth of democracy in a country. It should also not come as a surprise that non-democratic countries are aware that the effects of expanding community partnership

in decision-making through the institutions of civil society, even if confined to non-political topics, will ultimately lead to the development of political, social, economic, educational and other systems.

Some view this as an advantage and a benefit while others see a risk, hence the different perceptions towards the civil society.

The benefits of civil society to any state are tremendous, as such a civil society could : relieve the burden in the fields of combating poverty and economic inequality, fighting corruption, preserving the environment, spreading awareness, culture and moderation, fighting incitement and hatred, standing up to violence and preventing crime, rehabilitating and empowering the youngsters as well as women, educating the society on the issues of social justice, contributing to the protection of



consumer rights, and providing social services as well as proving to be of great significance during disasters.

There are other benefits that are of no less importance. Civil society contributes to the promotion of public freedoms and defending them, strengthening the rule of law and accountability, upgrading the levels of transparency, protecting minorities and the rights of vulnerable groups in the community among many other benefits.

To sum up, the civil society represents the cornerstone of stability in the community, preventing unrest, strengthening the rule of law, consolidating the stability of the political system and improving its performance and protecting it from the evils of violence.