Dear Madam High Commissioner for Human Rights,

We are pleased that your office has undertaken a two-month assessment mission to Bahrain, and we look forward to your findings.

We are writing to encourage your office to make the conclusions of its mission public and to clearly identify key human rights concerns that should be addressed in priority by your office and by the Government of Bahrain. We also call on you to urge the Government of Bahrain to immediately release individuals arrested and imprisoned solely for the exercise of the rights to freedom of expression, association, and peaceful assembly and to swiftly set up dates for the visits of Special Procedures of the UN Human Rights Council.

On December 22, 2011, after the first OHCHR assessment mission to Bahrain, you urged the government of Bahrain to take “immediate confidence-building measures” to challenge the “deepening mistrust” between the government and civil society. These included “unconditionally releasing those who were convicted in military tribunals or are still awaiting trial for merely exercising their fundamental rights to freedom of expression and assembly,” addressing “the prevailing impunity at all levels, including for security forces responsible for excessive use of force on peaceful protestors and officers who perpetrated torture,” and taking steps to ensure “an impartial judiciary.” You also “emphasized that it was time for concrete steps to be taken towards redress, reparation and reconciliation.”

There is no evidence of material progress on any of these issues. Thirteen high-profile activists remain in prison on charges that relate solely to their exercising their rights to freedom of expression and association, and no senior officials have been held accountable for the serious rights violations that occurred during the
unrest of 2011 or since. The judiciary continues to preside over manifestly unfair trials and has convicted hundreds of individuals and sentenced them to lengthy prison terms. To take one of many examples of this, on September 29, 2013, the Fourth High Criminal Court convicted 50 defendants, primarily on charges of establishing and joining a group known as the “February 14 Coalition.” According to the court verdict, the objective of the coalition was to change the constitution by “sowing chaos in the country, committing crimes of violence and sedition, attacking public and private property, intimidating citizens and harming national unity.” Ultimately, the court found that only one of the 50 defendants had committed an identifiable act of violence. Specifically, that defendant was found to have assaulted a policeman during the course of his arrest at his home, causing “cut and scratch injuries” to the officer. The court also convicted this defendant of having “[p]ublicly defamed” public servants for yelling curses at the arresting officers. Despite a striking lack of evidence of any criminal activity, the court sentenced 16 defendants to 15-year prison terms, four defendants to 10-year prison terms, and the remaining 30 defendants to five years in prison. The prosecution of a senior member of the main opposition, al-Wefaq society, on prima facie spurious grounds of inciting terrorism, continues to obstruct progress on a process of national dialogue.

In a joint declaration on Bahrain before the UN Human Rights Council (HRC) in September 2013, the third since June 2012, 47 UN member states called on the government of Bahrain to address “the ongoing violation of the rights to freedom of peaceful assembly and association and the repression of demonstrations... the continued harassment and imprisonment of persons exercising their rights to freedom of opinion and expression, including of human rights defenders,” and to “expedite the implementation of the recommendations received from the Bahrain Independent Commission of Inquiry and the recommendations Bahrain agreed to accept through the Universal Periodic Review.”

There has been little progress toward ending the rights violations states highlighted in the joint statement, and the government of Bahrain has failed to implement the key recommendations of the Bahrain Independent Commission of Inquiry (BICI) and the Universal Periodic Review of Bahrain.

Since January 2014, local groups have documented the occurrence of arbitrary arrests, use of excessive force against peaceful protestors, undue restrictions on peaceful assembly and freedom of expression, repressive laws that impair the work of non-governmental organizations, credible reports of torture at Criminal Investigation Directorate facilities, and unfair trials. The authorities continue to harass and imprison human rights defenders and opposition activists.

The time for concrete steps to be taken by the government of Bahrain is long past. We therefore urge your office to build on previous steps to address human rights violations in Bahrain by insisting that future engagement of your office addresses the following issues:

- The imprisonment of large numbers of protesters, activists and human rights defenders who have been detained or convicted solely for having exercised their rights to peaceful assembly, association or expression;

- The need for an independent, thorough, and impartial investigation into all allegations of torture;

- The reform or repeal of laws that unduly restrict freedom of expression and freedom of peaceful assembly and association;
- The need for engaging in comprehensive reform in the legal system to ensure effective independence of the judiciary;

- Accountability for the serious human rights violations that took place during and after the 2011 protests, including those documented in the BICI report.

Throughout the crisis in Bahrain, your leadership has been instrumental to maintain international scrutiny on the human rights situation in the country. We hope that future steps taken by your Office will contribute to bring concrete responses to the most pressing patterns of human rights violations documented in Bahrain.

We look forward to continued collaboration on these issues and we remain available to provide further information as may be useful.

Sincerely,

Amnesty International
Bahrain Center for Human Rights
Bahrain Forum for Human Rights
Bahrain Human Rights Observatory
Bahrain Human Rights Society
Bahrain Institute for Rights and Development
Bahrain Youth Society for Human Rights
Cairo Institute for Human Rights Studies
Civicus World Alliance for Citizenship Participation
European Bahraini Organization for Human Rights
Gulf Center for Human Rights
Hope Defenders
Human Rights Watch
International Federation for Human Rights