

Bahrain UPR pre-session statement
GCHR - Weaam Youssef
August- 2022

Distinguished delegates, your excellencies, colleagues from civil society organisations, my name is Michael Khambatta, and I am the Gulf Centre for Human Rights (GCHR)'s Geneva Representative. I am speaking on behalf of my colleague Weaam Youssef, the Women's Human Rights Defenders Programme Manager.

[Slide 2]

GCHR is an independent, non-profit CSO founded in 2011 to provide support and protection to human rights defenders (HRDs) in order to promote human rights in the Gulf region and neighbouring countries.

Women's rights and gender equality are at the core of GCHR's work, which works with women groups, women's networks and individual women human rights defenders (WHRDs). In 2016 GCHR dedicated a Programme to women's rights and WHRDs.

[Slide 3]

This statement was developed based on a joint submission by GCHR and three other organisations.

[Slide 4]

This statement highlights Bahrain's failure to promote, enhance and protect the basic rights of women and its clear attempts to break down the WHRDs' and feminist movements in the country.

[Slide 5 then 6]

During Bahrain's UPR 3rd cycle, the state received at least three recommendations calling for it to lift its reservations on CEDAW and ratify the optional protocol. These recommendations were noted by the state, yet, no measures were taken to date.

[Slide 7]

During Bahrain's UPR 3rd cycle, the state received at least 28 recommendations calling on it to support the advancement of women's participation on all levels, and protect women and WHRDs, including by reforming discriminatory laws and ensuring equal opportunities and access to education. These recommendations were supported by the Bahraini government, yet it has not taken the appropriate measures to ensure their equal rights.

Despite legal changes on family law 2017, and the labour law in 2018, and equality principles in the Bahraini constitution; laws remain discriminatory against women in terms of legal and legislative rules, such as passing citizenship to husband and children, freedom of movement and residency, equality in marriage and family life including divorce and child custody, as well as early marriage, and the guardianship and the inheritance law.

[Slide 8]

Bahrain received ten recommendations pertaining to the advancement of women's rights, including facilitating women's participation in political life, decision-making and holding leadership positions, which were all supported by Bahrain. Yet, women who held seats in parliament were appointed - and not elected - based on their connections and loyalty to the ruling family.

[Slide 9 then 10]

Bahrain accepted one recommendation that explicitly called on the state to eliminate violence against women, however the state's continuous denial of sexual and domestic violence through its misleading national reports and lack of transparency is an utter dereliction. Spousal rape is not considered a crime. Those who commit non-marital rape are exempted from punishment by law if they marry their victim. Bahrain's penal code criminalises adultery and sexual relations outside marriage, that disproportionately harms women.

[Slide 11 then 12]

During the last cycle, the state supported four recommendations to ensure protection of HRDs, one of which specified special protection for WHRDs. However, various reports confirm a systematic crackdown on WHRDs, who were arrested and detained for their own/or family members' activism.

Many were arrested without warrants and subjected to physical, psychological and sexual assaults, verbally abused, physically beaten, and threatened with rape and death during arrest, interrogation and detention. They faced unfair trials, were subjected to punitive measures, including lack of access to medical care, and continuous intimidation.

One WHRD was subjected to severe torture following participation at the UN Human Rights Council in Geneva in March 2017.

WHRDs are subjected to various forms of reprisals including revoking of nationality, travel ban or forced exile.

[Slide 13]

The Bahraini government invested millions in spyware to target W/HRDs, and the government hacked a WHRD's iPhone at least eight times in 2019 with Pegasus spyware, which affected her well-being and violated her right to privacy.

[Slide 14]

Finally, distinguished delegates if your state has not made recommendations to Bahrain in the past on women's rights and WHRDs' protection in Bahrain, we ask you to consider doing so in this UPR cycle.

Recommendations are for Bahrain to:

- Withdraw the reservation on CEDAW, and ratify its optional protocol.
- Reform and unify the citizenship and family law as well as penal code articles 334-353 to end violence and discrimination against women.
- Ensure WHRDs' rights to protection and freedom from any form of reprisal.
- End online and digital persecution and monitoring practices, trolling and defamation campaigns against Bahraini WHRDs inside and outside Bahrain.
- Enhance women's equal participation on all levels, and ensure women-led organisations and CSOs are independent and permitted to work on enhancing women's rights and status in Bahrain.

References:

- Gulf Centre for Human Rights (GCHR) <https://www.gc4hr.org>
- Universal Periodic Review - Bahrain <https://www.ohchr.org/en/hr-bodies/upr/bh-index>
- Women in Bahrain: Silence Allows Violence, Bahrain Centre for Human Rights (BCHR) <http://bahrainrights.net/wp-content/uploads/2020/11/FINAL-Women-in-Bahrain-Silence-Allows-Violence.pdf>
- Breaking the Silence: Bahraini Women Political Prisoners Expose Systemic Abuses 2019 <https://www.adhrb.org/2019/09/breaking-the-silence-bahraini-women-political-prisoners-expose-systemic-abuses/>
- "Woman Jailed in 'Reprisal' For Son-in-Law's Activism Freed in Bahrain", Bahrain Institute for Rights and Democracy, 05 March 2020, <http://birdbh.org/2020/03/breaking-woman-jailed-in-reprisal-for-son-in-laws-activism-freed-in-bahrain/>
- Patterns of Torture in Bahrain: Perpetrators must Face Justice <https://www.gc4hr.org/report/view/142>
- "6 UN Experts Call For Investigation Into Abuse of Three Bahraini Female Rights Defenders", Bahrain Institute for Rights and Democracy, 19 March 2019, <http://birdbh.org/2019/03/6-un-experts-call-for-investigation-into-abuse-of-three-bahraini-female-rights-defenders/>
- Ibid "Hajer Mansoor and two other women human rights defenders, Ebtisam Al-Saegh and Zainab Al-Khamis"
- Ibid
- Front Line Defenders 2017, <https://www.frontlinedefenders.org/en/case/ebtisam-al-saegh-arrested-abused-prison>
- Unsafe anywhere: women human rights defenders speak out about Pegasus attacks 2022 https://www.frontlinedefenders.org/sites/default/files/unsafe-anywhere_-_women-human-rights-defenders-speak-out-about-pegasus-attacks_en.pdf
- Ibid
- Patterns of Torture in Bahrain: Perpetrators must Face Justice <https://www.gc4hr.org/report/view/142>
- The Global Disinformation Order 2019 Global Inventory of Organised Social Media Manipulation, 2019 <https://demtech.oii.ox.ac.uk/wp-content/uploads/sites/93/2019/09/CyberTroop-Report19.pdf>