

ADVANCE QUESTIONS TO BAHRAIN (final)

ITALY

- We note the resumption of the use of the death penalty in Bahrain after more than ten years of de facto moratorium, between 1996 and 2006. In line with the resolution on a moratorium of executions, approved by the GA in December 2007, is Bahrain foreseeing concrete steps to establish such moratorium?
- What measures have been taken by Bahrain to address the issue of domestic violence and to improve the conditions of women migrant workers?

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- Could you please elaborate further on the extent to which civil society was involved in the preparation of your national report?
- Could you please elaborate further on the existence and status of a National Human Rights Institution in your country, and whether it complies fully with the Paris Principles?

GERMANY

- Germany welcomes the decision of the GoB, in november 2007, to create a National Human Rights Commission. When does the GoB intend to implement this decision and when will the Commission become operational?
- Does the GoB intend to change the provisions of the 1963 citizenship law which stipulate that children of Bahraini mothers and non-Bahraini fathers do not have Bahraini citizenship?
- Does the GoB intend to ratify the Rome Statute of the ICC?

IRELAND

- What measures have been taken to ensure full enjoyment of the freedoms of expression, assembly and association, with particular regard to the right to protest?
- What measures have been taken to promote the role of human rights defenders, through education and inclusion in decision-making, in particular amongst national authorities, law enforcement officials and security officers?
- What measures have been put in place to support the work of human rights defenders?
- What measures have been taken to investigate and prosecute those responsible for committing human rights violations against human rights defenders?

- What measures have been taken to ensure that legislation criticised by the UN Special Rapporteur on Human Rights while Countering Terrorism, does not unduly restrict human rights defenders by limiting their freedoms of expression and assembly, particularly in the context of criticism of the Government?
- What measures have been taken to reinstate the independent Bahrain Centre for Human Rights?
- What progress has the Government-established Bahrain Human Rights Society made in the field of human rights protection?

SWEDEN

- Articles 23 and 24 of the constitution of Bahrain guarantee freedom of expression and freedom of the press. At the same time, the 2002 press law prohibits certain expressions of opinion. Prison sentences can be extended for some offenses against this law. In 2007, several journalists and Internet users were prosecuted with reference to the press law and the criminal law. In 2007, draft legislation which would remove the stipulation of criminal offenses for press work was discussed. Can the delegation of Bahrain elaborate on this draft legislation and other possible measures that the government of Bahrain is taking to ensure that the law is not being used to unduly restrict the purpose and spirit of the freedom of expression?
- Article 18 of the constitution of Bahrain stipulates freedom from discrimination on the basis of sex and other attributes, while article 5 guarantees the equality of women. Bahraini law also guarantees the rights of women with regard to several individual issues, such as the right to vote. At the same time, article 5 of the Constitution stipulates consistency with Islamic canon law. Civil society organisations have argued that courts in Bahrain have often favoured men in their rulings, including in cases related to family matters. What measures does the government of Bahrain foresee in ensuring the full legal equality of women, including with regard to family matters?

DENMARK

Women and family law

- What concrete measures will the Bahraini government take to ensure the equality of women before the law, including in matters concerning family law?
- What is the Bahraini government position with regard to a reform of the sharia court system, to include legal training of the shariah judges and a codification of the Bahraini family law in order to improve the status of women and their equality before the law?

Migrant workers legal position, especially in relation to femal domestic workers

- Which concrete measures does the Bahraini government intend to take to improve the legal status and protection under the law to foreign workers, especially female domestic workers?
- Would the Bahraini authorities consider reforms of labour laws and the sponsorship system to improve the legal status and protection of foreign workers, especially female domestic workers, so that work permits and visas subject are no longer dependent on the relationship between employer and employee?

FINLAND

- We acknowledge that the Government of Bahrain has made commitments to protect children from violence, including by implementing the Code of School Discipline (Ordinance No. 549/168-1/1992) which prohibits the use of corporal punishment in schools.¹
- With regard to the United Nations study on violence against children², which states that "no violence against children is justifiable; all violence against children is preventable", we would appreciate to receive further information on legislative, administrative and other measures taken to implement the Study's overarching and setting-specific recommendations in Bahrain. In particular, we would greatly appreciate if the Government of Bahrain could share with us good practices to prevent and respond to violence against children.

NETHERLANDS

- Which measures are taken to improve the situation of prisoners, and in particular access of family, as well as doctors and lawyers?
- Could the delegation elaborate on the (legal) position of female guest workers? Does the government take any special measures to ensure that their rights are respected?
- What is the position of human rights NGO's? Is it possible for them to freely operate? Are there any restrictions for their activities?

¹ Summary prepared by OHCHR in accordance with paragraph 15 (c) of resolution 5/1 of the Human Rights Council (A/HRC/WG.6/1/BHR/3, paragraph 16).

² Report of the independent expert for the United Nations study on violence against children (A/61/299).