

ISLAMIC HUMAN RIGHTS COMMISSION

Bahrain

Main issues:

1. 2006 elections
2. Citizenship law

1. IHRC is concerned that in addition to Bahrain's 700,000 citizens, of which those aged 20 or over can vote, resident citizens of other Gulf states are also allowed to vote, including several thousand foreign Sunni Muslims serving in the Bahraini military and security services. (http://news.bbc.co.uk/2/hi/middle_east/6172482.stm)

The election constituencies are state-controlled and are drawn on sectarian as well as tribal basis to ensure the ruling family's primacy, maximize state allegiance and create environment of sectarian tension. The composition of some districts has resulted in largest district in the northern area, mainly Shiite, contain over 12,000 citizens, while the smallest have not more than 500 voters in the southern Sunni area (<http://www.fas.org/asmp/profiles/bahrain/bahrain-hr-02.htm>).

Given the discrepancy allegations surrounding the 2006 elections that they had been unfair and fraudulent the IHRC would recommend that international monitoring bodies be present at the next elections in Bahrain.

(http://www.iht.com/articles/ap/2006/12/03/africa/ME_GEN_Bahrain_Election.php)

Regarding article 25 ICCPR the Human Rights Committee's general comment states that

“21. Although the Covenant does not impose any particular electoral system, any system operating in a State party must be compatible with the rights protected by article 25 and must guarantee and give effect to the free expression of the will of the electors. The principle of one person, one vote, must apply, and within the framework of each State's electoral system, the vote of one elector should be equal to the vote of another. *The drawing of electoral boundaries and the method of allocating votes should not distort the distribution of voters or discriminate against any group and should not exclude or restrict unreasonably the right of citizens to choose their representatives freely.*”

2. Article 15 from the Universal Declaration of Human Rights stipulates that “everyone has the right to a nationality”.

Article (6) of the Bahraini citizenship law of 1963 permits granting citizenship with conditions; among them is that the applicant must have residing in Bahrain for 15 years if the applicant is an Arab and 25 years for non-Arabs.

Moreover, children who come from a Bahraini mother are deprived from the Bahraini citizenship because of their father's different nationality, although Bahrain is a member in The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) which states in article 9 that "states parties shall grant women equal rights with men with respect to the nationality of their children."

This law is discriminatory.

Inadequacies and discrepancies in the process of implementing the law by the authorities:

1. A large percent of those that have been granted the citizenship have not fulfilled the regular legal requisites, especially the period of residence
2. The law does not require the authorities to grant the citizenship automatically to those that the law is applicable to. This gives too much leeway to discriminatory practices at implementation levels.
3. While many applications that fulfil the requirements were frozen for many years claiming that the requester was not able to prove cancelling his/her original citizenship, in the political naturalization that procedure is either overstepped or by-passed.
4. Hundreds of people who are entitled to it are deprived from it either due to their ethnic origin or their sectarian background even though they do not have any other citizenship (The "Deprived of Citizenship Committee" keeps documented files of hundreds of people who are deprived from the citizenship despite their entitlement to it and their existence in Bahrain for decades). The government refuses to reveal the number of people that have been naturalized, their identities and the countries they came from.
5. The government prevented the Council of Representatives from investigating the naturalization policies and practices, and that was done through a decree it had issued which prevents the Council from questioning the government on matters preceding its formation

The government's lack of transparency with regards to granting citizenship is of grave concern. The lack of accountability in a plural country such as Bahrain has led to mistrust of the Government and casts a shadow over the recent elections.

Article 25 (b) ICCPR grants the right "To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;"

Resident citizens of other Gulf Cooperation Council (GCC) states are also allowed to vote, including several thousand foreign Sunni Muslims serving in the Bahraini military and security services. (http://news.bbc.co.uk/2/hi/middle_east/6172482.stm)

It is believed that there are political motives behind the extraordinary naturalization campaigns and especially that they are not carried out openly and are based on racial and sectarian basis.

Members of the Representative Council revealed that the authorities have granted extraordinary citizenships to almost 40 thousand residents, both Asians and Arabs, during the last 10 years.