



**INTERNATIONAL COUNCIL SUPPORTING  
FAIR TRIAL & HUMAN RIGHTS**

## **Detailed Statement of the International Council Supporting Fair Trial and Human Rights (ICSFT)**

**Commenting on the most important points in the report of the Bahrain  
Independent Commission of Inquiry (BICI); (Dr. Bassiouni)  
issued on November 23, 2011**

Initially, the Bahrain Independent Commission of Inquiry set up under Royal Decree No. 28/2011, dated July 29. Here, we refer to the contradiction in principle between the name of the Commission and its description as a fact-finding commission and the content of Article I of the Order of its formation which provided for the establishment of a Royal independent Commission for investigating in the course of events that took place in Bahrain in February and March and the subsequent implications.

The scope of Article IX tasked the Commission by specific topics and then restricted it, following the Commission's decision in the mandate.

But Article VIII has restricted the Commission's work that does not include any political issues, nor any negotiations, this means not to search many of the complaints that are in the basis of the subject and in the heart of the problem which is the essence of the demands of the Bahraini people to gain full legitimate political rights, as the Commission ignored the investigation of complaints and communications to the commission about the planned crime of genocide which was systematic for years and availability of its three existing elements: material, mental and international and also the process of political naturalization was systematically carried out to bring about a demographic change against indigenous people, are, for example but not limited to show the impact of the constraint set to the work of the Commission, which the limited the size of its performance as hoped by the Bahraini people who thought that even after eight months of suffering and persecution awaited the outcome of the report, which may be the salvation, but it was not the case for professionals, law and politics to understand the scope of work of the Commission and the limits of its mandate, which was not expected from it, more than it was.



- **The Commission indicated in its report, which consists of 12 chapters and is located in about 500 pages what has been observed on the ground of reality and through what has been cast in its front and the accumulated evidence without investigating with the perpetrators of acts that constitute crimes and violations of human rights and its failure to the characterization of the charges on the basis of international standards of human rights as it is not the function of the Commission to determine the liability for each claim it had seen or incident , but only for the purpose of understanding the evolution of events (facts) without investigation and indictment.**
- **The Commission has shown commendably its immediate intervention, which was done with governmental agencies to mitigate the human sufferings of the Bahrainis during the period of work and that the Chairman of the Commission was keen to inform the King of Bahrain personally on the latest developments which led to the issuance of a number of royal orders, and this, in our opinion taints the integrity of the Commission and its neutrality, but in the circumstances of a Commission formed by a royal order from the top of the ruling regime that is actually charged from the people, can not be predicted where otherwise it would not have happened certainly if the Commission was an independent international commission formed by a UN decision.**
- **The report included an important narrative of historically, legally and institutionally advantage, but historically needs to be reviewed by the historians of the Bahraini people to review the provisions of the report as it is to believe that the statement was limited as it was mentioned about the events on August 15, 1971 after the withdrawal of British troops from the island and how Sheikh Issa bin Salman Al-Khalifa of Bahrain an independent state, where there is the role of inherent of the Bahraini people with a majority Shiite population at that time and that were close nearly 85% of the total population in that day and that did not address the report to him in the gallery listed historic, which must be alert to - and, for example, but a few.**
- **The report mentioned positive aspects that the world must cherish about the people of Bahrain because of the most important strengths of the Bahraini society that the percentage of proficient reading and writing is closer to 90% of the total population, although the education in Bahrain is not compulsory and**



**this is what supports the eligibility of people like that to live in a welfare state and through a democratic system and the participation of the fact in the management of the affairs of state not preceded by other countries in the region has no such pros in the same amount, note that this ratio in the process of change is negative because of political naturalization of the categories of low-and non-educated; and about that the regime in Bahrain should be asked, is one of the causes of unrest and provoke sectarian tensions.**

- The report is absolutely not right in dividing the Shiites of the people of Bahrain to several groups of different faith. It is required from professionals in Bahrain, to respond to what was reported on it as well as all of the above that the division of religious, ethnic or sectarian community of Bahrain and the differences in religious affiliation and religious and trends that bounce back to a religious Shiite and the religious Sunni. The report shows criticism and concern of the government and Sunni Bahrainis received against calls from some Shiite leaders, and that in our opinion, account of an unfortunate that keeps pace with planned system in Bahrain to inflame sectarian tensions and realization of the principle of (divide and rule) for distracting the people away from their original rights.**
- Equitable for the efforts made by the Chairman and members of the Commission (BICI), the report has lot of positives, especially in what was documented as violations committed against defenceless human Bahrainis during the months of February and March and its implications.**
- The report also blamed the authority responsible for the deteriorating security situation in general and facing of demonstrations, the use of firearms has led to the death of civilians and a marked increase in the number of demonstrators and raise the ceiling of their demands and that because of a state of national safety in the March 15, 2011 was the commission of acts and violations that constitute crimes against humanity against the certain class of Bahraini people ; the Shiite groups, the Commission had noted as her claim stop practices methodology after 10 / June although we do not agree on the practices and violations continued to an hour of making such a statement and that ill-treatment of detainees and prisoners and committing acts that fall within the definition due to torture set forth in Convention against Torture signed by Bahrain as a violation of the Bahraini Penal Code is still continuing.**



- **The Commission viewed that the lack of accountability of security officials led to the spread of a culture of unaccountability and mistrust and not to be subjected to punishment. The security forces have violated- in dealing with the demonstrators- of necessity and proportionality. It should be noted that the amount of material from the Bahraini Penal Code of formulae loose are not consistent with human rights law International and the Constitution of Bahrain and the International Covenant on Civil and Political Rights and the Arab Charter of Human Rights and others.**
- **The Commission recorded numerous violations of the rules of a fair trial as the General Military Commander adopted the provisions of the most prejudice against the rights of arrested persons and defendants, and referred to the courts of the National Safety exceptional and that the manner in which the security agencies and judicial bodies in interpreting the decree of the National Safety opened the door to the commission of gross violations of human rights forms which fall within the crimes against humanity and genocide when committed against a particular group (The Shiites), it is clear that the military prosecutor has exceeded the national judicial system has already signed typical violations of the rules of a fair trial in pre-trial and during trial that deprived the defendants of the fundamental guarantees of fair trial and the sentenced are still in prison under these trials, it is shameful.**
- **The Commission expressed reservations on the investigations into deaths of (5) persons from security agencies; and did not listen about it except from the members of the security agencies - therefore; suspected by the Commission.**
- **The report acknowledged continuous breaks into houses and attacking and scaring people; considered of the things that are systematically accompanied by committing egregious violations that constitute crimes against humanity.**
- **The report stated that the Government of Bahrain deliberately withheld information from detainees and their families or both of them and concealed their place of detention for fixed periods ranging from days to weeks in violation of international laws.**
- **The report also highlighted the act of the Government of Bahrain in demolition of (30) worship houses. The Commission considered with concern the timing of**



**the demolition, where should the government of Bahrain to take into account the fact that cases of demolition, timing and style may be seen that the collective punishment because it is applied to buildings Shiite base, which was the reason an increase in tension between the government and the target population and we believe this is a continuation of the policy of systematic cultural genocide against the target group (Shiites) as an element of the crime of genocide of humanity.**

- **The report acknowledged and proved targeting a group of Bahraini Shia citizens by depriving them of their livelihoods when thousands of employees were dismissed and fired for their support and participation in the unrest and despite the fact that these strikes were in the frame allowed by law and in accordance with international standards.**

- **Also, the report has made clear, the arbitrariness of universities and the application of arbitrary criteria is not clear when making decisions to take disciplinary action against students; who were dismissed based on insufficient evidence or the evidence and assumptions and improper deductions.**

- **It is worth mentioning; it is regrettable that the Commission in order to create balance in its report had said that there was targeting for the Sonna by some of the demonstrators because of their loyalty to the system or on the basis of sectarian affiliation, said the tentative quality of the acts committed against them, which fall under the classification of offenses and minor offenses , as well as the right of foreign expatriate workers Asians and Pakistanis in particular because of joining the defence forces of Bahrain and the police - without consideration of the grounds, or reference to a systematic genocide and planning to change the demographic to change the demographics of the extermination of citizens targeted a group : Shiite population and the establishment of category referred to their place Thus, the Government of Bahrain is the one to be asked for the environment that created this religiously charged atmosphere which facilitates the commission of such acts is very limited incidents do not rise as compared to the size of the most serious crimes committed against the target group of the population who are Shia Bahrainis.**

- **The report has cleared the Islamic Republic of Iran of any role for in the internal events in Bahrain did not demonstrate any clear relationship between**



the events in Bahrain and Iran state and that all claims of the Government of Bahrain are words and intelligence information not supported by any evidence.

- The commission overlooked the evidences that condemn the Saudi forces deployed in Bahrain that violated human rights of Bahrain man. Such types or ignored violations are stated in and documented in the documentation centers of Bahrain's Islamic National Accord Association and the Bahrain Center for Human Rights, others, and included testimonies of victims and their families.
- The report confirmed the role of government official media and the national press in the destabilization of the dissemination of information materials full of hatred and calls for violence and contain insulting language and cover exciting events and defamatory and incitement against the defenceless people, who pretend to peacefully at the time were not the opposition able to own the media.
- The report shows the volume of crimes committed during the events covered by the period of investigation and warrant. A closer look at them; show all the crimes against humanity, systematic construed to be crime of genocide targeted against specific group of the people; the Shiites and places its burden on the people affected and demonstrating; it was political systematic and deliberate.
- The report gave the people the full right to continue their movement; as people not in a hurry solutions and by the continued movement in order to achieve their fair demands and prosecution of perpetrators of crimes the right has separate report, statement of all charges and the actions that constitute crimes are most serious and punishable in accordance with international humanitarian law and international criminal law and order Statute of the International Criminal Court and the Constitution of the Kingdom of Bahrain, but did not indicate why committed and the motives behind the commission and where is the root of the problem because of the limitation issue on the Commission from the beginning.

**The International Council Supporting Fair Trial and Human Rights; is looking to the following necessary immediate decisions to be taken:**

- 1 - Requesting the current government to resign or taking a decision of its dismissal as politically responsible for what it ended up in Bahrain.
- 2- Dismissal of the Military Ruler and all persons proven to be involved in



**committing of violations that took place during the National Safety State and facilitate international justice to bring them to trial.**

**3 - The withdrawal of the Peninsula Shield forces from Bahrain due to the absence of any external threat.**

**4 - The release of political prisoners and prisoners of conscience and the abolition of convictions against them.**

**5 - Abolition of the death sentences of some prisoners.**

**The Council (ICSFT) heads to the Chairman of the Commission (BICI) and its members and the international bodies demanding the following:**

**1 - Inviting the members of the Human Rights Council and the High Commission of the United Nations, the European Community and the United States to fulfil their responsibilities to follow up the implementation of the recommendations in the report to stop the suffering of the Bahraini people as came to their promises prior to the Bahraini people and the international community waiting for Seoul in the report of the Commission. It is the time for its intervention.**

**2 – Establishing an independent international body with the participation of Bahraini national to follow up the implementation of the recommendations contained in the conclusion of the report of the (BICI) Commission.**

**3 - Convening a special session of the Human Rights Council to discuss the report and appropriate action and demand the formation of an international investigation commission of the High Commissioner for Human Rights to look into violations of the subsequent human rights in Bahrain, for the period subsequent and not covered by the report beginning of April 2011 and to date.**

**4 – Requesting the extradition of all records and materials obtained by the Commission to save its database and electronic copies of them outside Bahrain, specifically the UN High Commissioner for Human Rights as a place trustworthy and will not be accessed or opened wirelessly for future reference and a copy thereof to the Prosecutor of the International Criminal Court to be attached to the case file 202/2011 filed against the perpetrators of crimes in Bahrain with the assertion that the report supports the view of the plaintiffs in the cases submitted**



to the International Criminal Court and filed against the accused perpetrators of the violations referred to in the report, which is based on the documents and the documents, evidence and testimony of witnesses, as can be seen as the report is valid to be a very important document for the issuance of international specialists documenting violations and criminal acts which constituted crimes the most serious crimes against the people of Bahrain and set forth in the Statute of the International Criminal Court.

**In conclusion:**

As already noted, the report is considered a very important legal document and documented for an important era in the life of the Bahraini people for dealing with most issues and the most urgent and documented violations of the most serious problem of genocide and against humanity, war crimes and opens the door to the Bahraini people and professionals to enter it in order to achieve support movements of people in order to gain their legitimate demands and the efforts of Jurists as well as to prosecute the criminals who committed crimes against people have been inflicted in the Bahraini leadership embarrassed in front of international public opinion of what the council consider one last chance to reform the system in Bahrain. The International Council Supporting Fair Trial And Human Rights and with cooperation with relevant international human rights and international lawyers would continue their movement to the international human rights organizations of the United Nations and the European Union and the United States to support the legitimate movements of the Bahraini people to achieve their just demands and to reform its political system. The Council will continue his efforts to prosecute perpetrators of the most serious crimes and referred to the international criminal court and national courts and European-American, based on its confirmation, and documentation in the report of the (BICI) of (Dr. Bassiouni) that supports all previously documented and brought to the specialized international justice.

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