

SALAM for Democracy and Human Rights
Oral intervention
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Session topic: Addressing the root cause of discrimination in the criminal justice system

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SALAM has seen first-hand, and documented, acts of discrimination towards minorities in the gulf region. From our research we have uncovered;

Bahrain' Shia continued to face systematic discrimination and intolerance tied to a variety of factors, including historical perceptions and ongoing suspicions of foreign influences on their actions. While they coexisted with their Sunni citizens in relative peace, most Shi'a shared general concerns about discrimination in education, employment, political representation, the judiciary, religious practice and media.

Little or no racial discrimination is stated in the criminal law. Instead, sectarian differences emerge from deeply rooted, self-fulfilling stereotypes and assumptions.

The unequal treatment of Shias in Bahrain criminal justice system begins at the very first stage of that system: the investigation of suspected criminal activity by law enforcement agents. Police departments excessively target Shias as criminal suspects, and too often the police employ tactics against Shias that simply shock the conscience.

Verbal abuse detainees were subjected to some form of verbal abuse during detention. The majority of detainees were Shia and the alleged insults frequently related to Shia practices and religious or political figures.

Much of the hostility between Shia communities and the police can be traced to the under-representation of Shias in law enforcement.

The Bahrain' Shia representation occupy a proportion of only 15% of the executive branch, 12% of the judiciary, 10% of government bodies and companies, and only 1% of the King's guard and security apparatus, which includes the army. Between 2011 and 2013, positions for public office like judges, ministers and advisers have been directly appointed by the orders of the King

Recommendations

Build Accountability into the Exercise of Discretion by Police and Prosecutors.

Just as sectarian gap begins with discretionary decisions by front-line law enforcement personnel, so should remedies begin there.

The credibility gap between Bahrain' Shias and front-line law enforcement is deep, and it widens with every new report on racial profiling and every new account of police brutality. Closing this gap requires the following mechanisms to improve police accountability:

- The development of national standards for accrediting law enforcement agencies.
- The national standards should include specific guidance on stop and search procedures; the use of force; and interaction between police officers and multi-cultural communities.
- The standards should expressly prohibit racial and sectarian profiling of any kind.
- Improved training of current and incoming judges and police officers to bring judiciary system and police departments into compliance with the international standards.
- We demand that the Bahraini state media does not encourage hate and discrimination against any community, including the Shia in Bahrain.