

**NATIONS UNIES
HAUT COMMISSARIAT DES NATIONS UNIES
AUX DROITS DE L'HOMME**

**PROCEDURES SPECIALES DU
CONSEIL DES DROITS DE L'HOMME**

**UNITED NATIONS
OFFICE OF THE UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE
HUMAN RIGHTS COUNCIL**

Mandates of the Special Rapporteur on freedom of religion or belief; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the right to education; the Special Rapporteur on the rights to freedom of peaceful assembly and of association

REFERENCE: AL Education (1998-11) G/SO 214 (67-17) Assembly & Association (2010-1) G/SO 214 (56-23)
BHR 11/2011

9 June 2011

Dear Ms. Radhi,

We have the honour to address you in our capacities as Special Rapporteur on freedom of religion or belief; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the right to education; and Special Rapporteur on the rights to freedom of peaceful assembly and of association pursuant to General Assembly resolution 60/251 and to Human Rights Council resolutions 14/11, 16/4, 8/4 and 15/21.

In this connection, we would like to bring to your Excellency's Government's attention information we have received regarding the expulsion of students and professors from the University of Bahrain due to their religious and political affiliations. The following 35 students have been expelled from the University of Bahrain following their participation in protests held on 13 March 2011: [Here the names of the 35 students are provided in the original communication].

According to information received:

On 13 March 2011, peaceful protests are reported to have taken place on the campus of the University of Bahrain, Manama, authorized by university representative Dr. Y. This protest was held to commemorate a student killed during the recent social unrest. Chants that "Sunni and Shi'a are all brothers" were made during the protest.

Following the protests, and during the period of 31 March 2011 to 5 May 2011, the abovementioned individuals reportedly received phone calls from university representatives asking the students to report to a university "investigation panel" on their involvement in protests held on 13 March 2011.

It is reported that those sitting on the investigation panel comprising five to seven members were not all university staff members, but included representatives from the Ministry of Interior, Bahrain, as well as citizens of other countries, including Egypt, Iraq and Jordan.

Moreover, during the investigation panels, the abovementioned individuals were reportedly shown photographs and their faces highlighted in red circles to demonstrate their involvement in the protests. During the questioning, all the students admitted that they had participated in peaceful protests but had refrained from violent action. Some of the questions they were asked included: “*Do you know the people taking part in the March and demonstrations?*” *Have you donated money in support of the pearl roundabout activities, why are you calling for the withdrawal of the regime if you have been allowed to study at the university?*” Furthermore, some of the answers given by the students are reported to have been changed, with some forced to accept and sign the amendments to the answers.

During the first two weeks of May 2011, all of the above-mentioned students have reportedly received official expulsion letters signed by the President of the University of Bahrain, Dr. J, on the basis of violations of the university’s rules of conduct, including “causing any noise within the university campus” and “protesting against the legitimate institutions and agitating against national unity.”

On 15 May 2011, all students at the University of Bahrain were forced to sign a pledge of loyalty to the Government reportedly containing the clause that “I acknowledge that not signing this document means I do not wish to continue my education in the University of Bahrain”.

Serious concern has been expressed that the College Dean at the University of Bahrain, 7 university teachers, 25 administrators, as well as many other students have been reportedly dismissed due to alleged acts of vandalism, anti-governmental activities or due to their political or religious affiliation.

While we do not wish to prejudge the accuracy of these allegations, we wish to appeal to your Excellency’s Government to take all necessary steps to secure the right to education in Bahrain”.

We would like to refer Your Excellency's Government to article 26 of the Universal Declaration of Human Rights, as well as article 13 of the International Covenant on Economic, Social and Cultural Rights (ratified by Bahrain on 27 September 2007), both of which consecrate everyone’s right to education. This right was analyzed by the Committee on Economic Social and Cultural Rights in the General Comment no. 13 (E/C.12/1999/10). Its paragraph 38 notes that the right to education can only be enjoyed if accompanied by academic freedom for staff and students. Paragraph 39 supports this provision, stating that “Academic freedom includes the liberty of individuals to freely express opinions about the institution or system in which they work,

to fulfill their functions without discrimination or fear of repression by the State or any other actor, to participate in professional or representative academic bodies, and to enjoy all the internationally recognized human rights applicable to other individuals in the same jurisdiction”.

We would like to appeal to your Excellency’s Government to ensure the right to freedom of religion or belief of the above aforementioned individuals in accordance with the principles set forth in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief and article 18 of the Universal Declaration of Human Rights as well as of the International Covenant on Civil and Political Rights to which Bahrain is a state party.

Furthermore, the General Assembly, in its resolution 64/164, urges States to step up their efforts to protect and promote freedom of thought, conscience and religion or belief, and to this end “(d) To ensure that no one is discriminated against on the basis of his or her religion or belief when accessing, inter alia, education, medical care, employment, humanitarian assistance or social benefits, and to ensure that everyone has the right and the opportunity to have access, on general terms of equality, to public services in one’s country, without any discrimination on the basis of religion or belief; (e) To review, whenever relevant, existing registration practices in order to ensure that such practices do not limit the right of all persons to manifest their religion or belief, either alone or in community with others and in public or private; [...] (k) To take all necessary and appropriate action, in conformity with international standards of human rights, to combat hatred, discrimination, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, as well as incitement to hostility and violence, with particular regard to members of religious minorities in all parts of the world; [...] (m) To prevent any distinction, exclusion, restriction or preference based on religion or belief which impairs the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis, and to detect signs of intolerance that may lead to discrimination based on religion or belief”.

Furthermore, we would like to appeal to your Excellency’s Government to take all necessary steps to secure the right to freedom of opinion and expression in accordance with fundamental principles as set forth in article 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, which provides that "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice."

We would like to appeal to your Excellency's Government to take all necessary steps to ensure the right of peaceful assembly as recognized in article 21 of the International Covenant on Civil and Political Rights, which provides that "The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interest of national security of public safety, public order

(ordre public), the protection of public health or morals of the protection of the rights and freedoms of others.

We urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of the aforementioned person(s) are respected and that accountability of any person guilty of the alleged violations is ensured. We also request that your Excellency's Government adopts effective measures to prevent the recurrence of these acts.

Moreover, it is our responsibility under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention. Since we are expected to report on these cases to the Human Rights Council, we would be grateful for your cooperation and your observations on the following matters:

1. Are the facts alleged in the above summary of the cases accurate?
2. Has a complaint been lodged with regard to the incidents mentioned above?
3. Please explain, why in your view, the measures taken against protesting students are in accordance with the state party's international obligations, particularly the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.
4. Please explain how the Government intends to guarantee the right to indiscriminate access higher education to the above mentioned individuals?

We would appreciate a response within sixty days. We undertake to ensure that your Excellency's Government's response to each of these questions is accurately reflected in the reports we will submit to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

Heiner Bielefeldt
Special Rapporteur on freedom of religion or belief

Frank La Rue
Special Rapporteur on the promotion and protection of the right to
freedom of opinion and expression

Kishore Singh
Special Rapporteur on the right to education

Maina Kiai

Special Rapporteur on the rights to freedom of peaceful assembly and
of association