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- **PUBLIC STATEMENT**

Bahrain: Independent members will be key for the success of new Prisoners' Rights Commission

Geneva 16 September 2013. The APT welcomes the establishment earlier this month of an independent Prisoners' and Detainees' Rights Commission in Bahrain that will monitor places of detention and prevent torture and ill-treatment. The APT calls upon the authorities concerned to ensure that the commission will be able to discharge its mandate independently. In particular, Bahrain should ensure that the new commission will be composed of independent members enjoying the trust of all groups in society.

The 11 members' commission was established by Royal Decree No 61/2013 of 3 September 2013 and has the potential to effectively prevent torture and improve the conditions of detention in Bahrain. Chaired by the Ombudsman, it is mandated to visit inmates in prisons, detention centers, juvenile welfare and detention centers and other locations where persons may be incarcerated such as hospitals and health centers and verify the conditions of detention and compliance with international human rights standards. The members of the commission are empowered to talk freely with inmates and staff. They will notify competent bodies regarding cases of torture and submit recommendations and suggestions on how to improve conditions. The commission shall publish its reports in a manner it deems appropriate.

However, the commission will only be effective if it can gain the trust of the authorities and the wider society. This requires that the commission be composed of impartial and truly independent people. The decree therefore specifies that the members should be well known for their efficacy, honesty and shall assume their business independently. Moreover, the representation of all sects and doctrines in the Kingdom should be observed when forming the commission.

In order to reach this objective, special attention should be paid to the nomination and appointment procedure. The decree stipulates that the members of the commission will be nominated by the Ombudsman, the National Institute for Human Rights, the Supreme Judicial Council and the Public Prosecution and formed by Royal decree. The APT calls upon these institutions to consult with a wide range of actors, including from independent civil society and opposition political societies, before making their nominations in a view of selecting persons that will be trusted for their honesty by detainees, their families and authorities alike.

The independent Prisoners' and Detainees' Commission incorporates many elements of a National Preventive Mechanism established by States Parties to the Optional Protocol to the UN Convention against Torture (OPCAT). The APT hopes that with the establishment of this commission Bahrain has come a step closer to ratifying the torture prevention treaty OPCAT, becoming thereby the first state in the Arabian Gulf to actively prevent torture through transparency in places of

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detention. Furthermore, the APT calls upon Bahrain to confirm new visiting dates for the Special Rapporteur on torture without again cancelling the visit.

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