



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Summary record of the 1511th meeting

Held at the Palais Wilson, Geneva, on Friday, 21 April 2017, at 10 a.m.

Chair: Mr. Modvig

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 19 of the Convention *(continued)*

Second and third periodic reports of Bahrain (CAT/C/BHR/2 and 3; CAT/C/BHR/Q/3; CAT/C/BHR/QPR/2)

1. *At the invitation of the Chair, the delegation of Bahrain took places at the Committee table.*
2. **Mr. Aldosari** (Bahrain) said that protection against torture and ill-treatment was a key component of the reform project launched by His Majesty King Hamad bin Isa Al Khalifa in February 2001. The project, which had been approved in a referendum by 98.4 per cent of the population, introduced constitutional amendments reinforcing the rule of law and the separation of powers. Bahrain was proud of its effective and comprehensive legislative, executive and judicial procedures for combating torture and ill-treatment in compliance with the Convention, the principles of the Islamic sharia and the moral values espoused by the Kingdom throughout its history, particularly tolerance and peaceful coexistence among all religions, civilizations and cultures.
3. The Constitution of 2002, as amended in 2012, guaranteed the right to life, freedom, physical and moral integrity, and equality. Article 18 stated that people were equal in human dignity and equal before the law in terms of public rights and duties. It also prohibited discrimination on grounds of sex, origin, language, religion or creed. Article 19 guaranteed personal freedom and stipulated that no person could be arrested, detained, imprisoned or searched or his residence or movement restricted save in accordance with the law and subject to judicial control. Nobody could be detained or imprisoned in locations other than those designated by the regulations governing prisons, which provided health-care and social services and were subject to judicial control. Article 19 also stipulated that no person should be subjected to physical or mental torture, inducement or undignified treatment and that the penalty for such acts should be determined by law. Any statement or confession made as a result of torture, inducement, undignified treatment or the threat thereof should be declared null and void.
4. The rule of law and the independence and impartiality of the judiciary were the basic principles of governance in Bahrain. Article 20 of the Constitution guaranteed a fair trial and the right to a defence and prohibited torture. The independence of the judiciary was enhanced in financial and administrative terms by Legislative Decree No. 42 of 2002, as amended in 2015, in line with the Constitution.
5. The Kingdom had updated its national legislation following its ratification of international treaties, in particular seven of the nine core human rights treaties. For instance, the Code of Criminal Procedure promulgated by Legislative Decree No. 46 of 2002, as amended, guaranteed a fair trial, and permitted accused persons to contact their families and relatives, to seek the assistance of a lawyer, and to attend hearings without being handcuffed or shackled. It also prohibited torture and ill-treatment.
6. Act No. 52 of 2012 had amended the definition of torture in articles 208 and 232 of the Criminal Code, ensuring protection of human dignity. Those articles provided for the prosecution of public officials or public servants who intentionally inflicted severe physical or mental pain or suffering on a person in their custody or under their control to obtain information or extract a confession or to punish, intimidate or coerce that person or another person. Moreover, the statute of limitations was not applicable to the crime of torture.
7. The Act on the protection of women from domestic violence prescribed penalties for non-compliance with orders of protection and for the establishment of family counselling centres without a permit.
8. Act No. 37 of 2012 concerning children guaranteed protection for children against ill-treatment or neglect in the family context. In emergency cases, they could be transferred, pursuant to an order from the Public Prosecutor's Office, to a child protection centre.

9. The legislative and executive authorities had taken joint action in response to the national reconciliation dialogue and the recommendations of the Bahrain Independent Commission of Inquiry and had engaged in a constructive dialogue with national and international human rights organizations. Unprecedented human rights achievements at the regional level had advanced national efforts to combat torture and to promote preventive, monitoring and legal accountability mechanisms through independent human rights bodies.

10. The National Human Rights Institution had been established by Act No. 26 of 2014, which had been amended by Legislative Decree No. 20 of 2016 in order to align it with the Paris Principles. It was tasked with monitoring human rights violations, receiving and investigating complaints, and making announced and unannounced visits to reform institutions, detention facilities, health-care and educational establishments, and any other location where human rights violations might be perpetrated.

11. The Commission for the Rights of Prisoners and Detainees had been established by Decree No. 61 of 2013 on the basis of constitutional principles and the provisions of relevant international treaties, including the Convention, the Optional Protocol and the United Nations Standard Minimum Rules for the Treatment of Prisoners. Its members were nominated by the Supreme Judicial Council, the Public Prosecution Service, the Office of the Ombudsman, the National Human Rights Institution and civil society organizations. The Commission performed its duties freely, impartially, transparently and independently. It made announced and unannounced visits to prisoners and detainees, investigated their legal situation and ensured that they were not subjected to torture or ill-treatment. Its reports and recommendations were based on the norms enshrined in international human rights treaties.

12. The Office of the Ombudsman in the Ministry of the Interior had been established by Decree No. 27 of 2012, which had been amended in 2013. It was administratively and financially independent and was tasked with ensuring compliance with the Kingdom's legislation, the Police Code of Conduct and human rights in general, and with promoting justice, the rule of law and public trust. The Office assessed the complaints submitted to it concerning offences committed by law enforcement officers in the performance of their duties in an entirely independent manner.

13. The Special Investigation Unit established by Attorney General Decision No. 8 of 2012 conducted independent investigations of allegations of torture and ill-treatment. It was one of the leading judicial mechanisms in the area of accountability. It had referred 52 cases involving 101 suspects to the criminal courts and had lodged appeals against 20 judgments. The charges in the cases ranged from ill-treatment to torture and beatings leading to death, and the prison terms imposed ranged from 1 month to 7 years. Disciplinary penalties had been imposed in three cases.

14. The performance of law enforcement agencies was being aligned with human rights standards, for instance through the Police Code of Conduct, which was based on the United Nations Code of Conduct for Law Enforcement Officials. Police officers were absolutely prohibited from practising torture and other forms of ill-treatment.

15. The Office of the Ombudsman had established a hotline, a fax and an e-mail address for the receipt of complaints. Complaints could also be delivered personally to the Office, either directly or through a police station. The Office had received 416 complaints in 2015, 328 complaints in 2016 and 71 complaints by 30 March 2017.

16. The Government had launched the Civil Settlement Initiative to compensate victims of the events of February and March 2011 in response to a proposal from the National Commission tasked with acting on the recommendations of the Commission of Inquiry. Victims who rejected the settlement were entitled to resort to the civil courts. The Civil Settlement Office established by the Ministry of Justice and Islamic Affairs had investigated 50 cases, including 35 referred to in the report of the National Commission. A budget amounting to the equivalent of almost US\$ 8 million had been allocated for compensation payments.

17. The Kingdom of Bahrain, which was faced with major challenges to its security, sought to achieve balance between the protection of public security and social stability and

the safeguarding of human rights. Since 2011 the Kingdom had been targeted by acts of violence and terrorism, which had claimed the lives of more than 4,000 police officers. Innocent civilians had been subjected to terrorism and intimidation, and public and private property had been targeted. The Kingdom had also been subjected to foreign intervention in diverse affairs, including support and funding of terrorist groups and justification of their criminal acts.

18. Notwithstanding those challenges, the Kingdom had taken vigorous action to promote democratic and rights-based development through joint action by the legislative and executive authorities, support for the judiciary and cooperation with civil society.

19. In line with its moral values and its support for human rights and dignity, the Kingdom was committed to transparency and cooperation with United Nations treaty bodies, as demonstrated by the two reports submitted to the Committee. Furthermore, it was due to appear before the Universal Periodic Review Working Group on 1 May 2017 to discuss its third national report (A/HRC/WH.6/27/BHR/1).

20. Bahrain had recently hosted visits by numerous international human rights bodies and had facilitated inspections of prisons and detention facilities. The Kingdom was currently considering the possibility of acceding to the International Convention for the Protection of All Persons from Enforced Disappearance and had expressed its desire to join the Group of Friends of the Optional Protocol to the Convention.

21. **Mr. Bruni** (Country Rapporteur) noted that the United Nations High Commissioner for Human Rights had accepted an invitation issued by the Bahraini Parliament one month previously to visit the country and have unrestricted access to prisons and Shiite villages. The invitation was of great relevance to the implementation of the Convention because, according to a public information source of the Office of the United Nations High Commissioner for Human Rights (OHCHR), allegations of torture in Bahrain were a source of major concern. He asked whether the Government intended to issue a formal invitation proposing specific dates for the visit.

22. According to the third periodic report, submitted in March 2016, the request for a visit to Bahrain made by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment had come at an inopportune time. As more than one year had passed since the submission of the report, he asked whether it was now a more appropriate time for a visit.

23. Information on the work of the Bahrain Independent Commission of Inquiry established to investigate the events of 2011 had been provided in the third periodic report. Only 61 of the 559 allegations of torture received by the Commission had been found to be credible. He asked whether the persons found guilty in the subsequent judicial proceedings had been sentenced to penalties commensurate with the gravity of their crimes.

24. The Special Investigation Unit created in 2012 had found that 5 of the 19 civilian deaths attributable to the authorities had been due to torture, and the Commission had stated in its report that the lack of accountability of officials of the security system had led to a culture of impunity, so that officials had few incentives to avoid ill-treatment. Moreover, NGOs had informed the Committee that torture continued to be practised by law enforcement and internal security officials despite the legislative and administrative measures taken by the authorities to prohibit torture. In addition, the OHCHR report (A/HRC/WG.6/27/BHR/2) to the Universal Periodic Review Working Group stated that reports of torture inside and outside detention facilities during and prior to detention and during interrogation remained widespread. He invited the delegation to comment on that criticism and to provide information on the prosecution of persons involved in the crime of torture. He also enquired about action by the Government to dissipate the prevailing impression that perpetrators of torture enjoyed impunity in the State party.

25. He commended the legislative reforms adopted to define, prevent and punish the crime of torture, in particular the amendment of articles 208 and 232 of the Criminal Code and the fact that the statute of limitations was no longer applicable to crimes of torture. The amended articles provided for life imprisonment if torture resulted in the death of the victim, but the reports failed to indicate the number of years of imprisonment to which a public

official could be sentenced for torture that did not result in the victim's death. He asked how many times the amended articles had been invoked in legal proceedings, how many sentences had been handed down against public officials, and whether provisions of the Code aimed at preventing torture were fully applicable in a public emergency.

26. He wished to know how many inquiries had been conducted by the Special Investigation Unit in accordance with the Istanbul Protocol. According to the second periodic report, sentences of imprisonment for terms of between 1 month and 10 years had been handed down. He enquired about the motivation for the 10-year sentences and asked whether they had been enforced. A comparison between the figures provided in the second and third periodic reports indicated that cases of torture or ill-treatment continued to occur and that an increasing number of perpetrators were brought to justice.

27. He enquired about the results of the work conducted by the new Department of Internal Investigations in the Ministry of the Interior, in particular the number of members of the Public Security Forces, including the Criminal Investigation Directorate, who had been prosecuted for criminal acts and found guilty. Amnesty International had provided detailed accounts of torture perpetrated by agents of the Criminal Investigation Directorate against eight persons arrested in 2014. Other NGOs had reported cases of torture perpetrated by the Public Security Forces during the period from 2014 to February 2017. He asked whether investigations had been conducted into those cases. He also wished to know how the Department coordinated its activities with the Special Investigation Unit and the Office of the Ombudsman.

28. He asked why the Ministry of the Interior, and not the Ministry of Justice, was responsible for at least 10 of the 12 prisons in Bahrain. Noting that, according to paragraph 26 (n) of the second periodic report (CAT/C/BHR/2), suspects were taken to the health clinic of the Ministry of the Interior for examination by a medical team, he asked whether they could choose to be examined by a medical doctor of their choice at their own expense.

29. He wished to know at what point in time arrested persons were allowed to inform a family member or a person of their choice about their detention; when arrested persons could contact a lawyer and consult him or her in private before being questioned; whether lawyers could attend the questioning of those arrested; and how such safeguards applied to those suspected of terrorism. According to information received from NGOs, persons suspected of terrorism could be held by the police without access to a lawyer for up to 28 days and could subsequently be detained for a maximum of six months without trial. Given that those long time periods placed detainees at risk of being tortured or ill-treated, he asked what safeguards were in place to protect detainees.

30. The Committee would welcome further information on reports that, under an amendment to the Constitution adopted in 2017, civilians suspected of terrorist offences would be tried by military courts. In particular, the delegation should state whether that procedure would apply to all civilians suspected of such offences or only to those suspected of having attacked police or military personnel or facilities.

31. Although he welcomed the fact that seven different bodies were authorized to visit places of detention, sometimes without notice, he would like further information on the findings and recommendations of such bodies and the action taken by the authorities in consequence. In particular, he asked whether overcrowding at Jaw Prison had been reduced in line with the recommendations issued by the Office of the Ombudsman in September 2013. According to three different NGOs, the problem had become so severe that, on 10 March 2015, a riot had broken out that had been brutally repressed by the security forces, who, once they had regained control, had gone on to mentally and physically torture the inmates. The Committee had been informed that that incident had been investigated by the Ombudsman, the National Human Rights Commission and the Commission for the Rights of Prisoners and Detainees and that their reports had not addressed any of the inmates' allegations of torture and ill-treatment; the only criminal charges in connection with the incident had been brought against inmates, 57 of whom had had 15 years added to their prison terms for their alleged involvement in the riots. He asked the delegation to comment on that situation and to provide further information on current conditions at Jaw Prison. In particular, in the light of media reports that new security measures and restrictions had been

applied at the prison following the escape of several inmates in January 2017, he asked how those changes had affected inmates' rights and living conditions.

32. The Committee would welcome comments on reports that, following the escape of 17 inmates from the Dry Dock Detention Centre, the remaining inmates had been subjected to reprisals in the form of mass, indiscriminate ill-treatment amounting to torture. In particular, the Committee wished to know whether the National Human Rights Institution and the Commission for the Rights of Prisoners and Detainees had been granted access to all detainees, including those charged with security- and terrorism-related crimes, during their visits to the Centre. How had the authorities responded to those bodies' findings and recommendations? Had an inquiry been conducted into allegations of collective punishment in the prison system of Bahrain?

33. The Committee would welcome further information on the 30 complaints received by the Office of the Ombudsman of the National Security Agency, including details of the nature of the complaints, the legal measures taken in response to them and the sanctions imposed on the perpetrators.

34. Noting that the power of the National Human Rights Institution to monitor correctional institutions had been reinforced by the July 2014 reform, he asked the delegation for examples of the action taken by the authorities in response to the Institution's recommendations. In particular, he wished to know how the authorities generally responded to allegations of torture at places of detention.

35. He requested clarification of the term "relevant stakeholders", which appeared in paragraph 5 of the State party's third periodic report (CAT/C/BHR/3).

36. Noting that the Ministry of the Interior was responsible for conducting investigations into complaints concerning places of detention that were under its supervision, he asked whether such investigations could be objective and whether the Ministry was in a position to impose sanctions on staff in connection with complaints made.

37. He would welcome recent examples of judicial procedures addressing complaints received by the National Human Rights Institution concerning ill-treatment in places of detention. The Committee also wished to know how the National Human Rights Institution, the Office of the Ombudsman and the Commission for the Rights of Prisoners and Detainees coordinated their information-gathering activities. Were those institutions able to make unannounced visits and, if so, were such visits governed by clear legal provisions, or were they conducted under informal arrangements at the discretion of the authorities?

38. Noting that, according to an NGO report, the Office of the Ombudsman, the Commission for the Rights of Prisoners and Detainees and the Special Investigation Unit were insufficiently independent of the Government, he asked the delegation to list specific measures that had been put in place to guarantee the independence of those bodies. He also asked for specific examples of the application of article 64 of the Code of Criminal Procedure, which granted detainees the right to complain to prison wardens and obliged the latter to transmit those complaints to the judicial authorities.

39. With regard to complaints made against public officials, the Committee would welcome an explanation of the significant disparity between the number of complaints cited in the Ombudsman's 2016 report and the much higher number of complaints cited in reports issued by NGOs. It would be useful to know how many complaints of ill-treatment by security agents had been received recently by the Office of the Inspector General of the National Security Agency and how article 2 (3) of the Convention was applied in the domestic legislation of Bahrain. Furthermore, the State party should indicate when it intended to ratify the Optional Protocol to the Convention against Torture.

40. Lastly, he asked what legislative and administrative measures had been taken to guarantee respect for the principle of non-refoulement. Did the State party respect that principle when it was asked to extradite an individual in accordance with the Joint Security Agreement of the Gulf Cooperation Council, to which Bahrain was a party?

41. **Ms. Belmir** (Country Rapporteur) said that she welcomed the steps taken by the State party to strengthen the rule of law, including the establishment of a Supreme Judicial

Council to reinforce the separation of the different branches of Government, the abolition of the National Security Court and the efforts made to bring the definition of torture in national legislation into line with the definition set out in the Convention.

42. The Committee was concerned to note that, despite those positive steps, a number of measures had been taken during the state of emergency imposed in 2011 that did not appear to be in keeping with the requirements of such a situation, such as the establishment of special courts whose rulings were not subject to appeal and the withdrawal of nationality from a number of citizens.

43. She asked the State party to specify what steps it was taking to bring domestic legislation into line with international human rights instruments to ensure that its institutions could function properly.

44. Significant steps had been taken to enhance training institutions and in-service training for law enforcement officers and the judiciary. Although the Committee welcomed such measures, it would like to receive further information on the methods used to assess the efficacy of the training provided and the impact that it had on the behaviour of those responsible for enforcing the law. In that regard, she asked the delegation to comment on reports received from NGOs, other treaty bodies and the National Human Rights Institution of Bahrain indicating that the training schemes had not been sufficiently successful in changing the behaviour of law enforcement officials. The Committee would also welcome an explanation of the unsatisfactory outcome of the measures taken to ensure that the events of 2011 would not be repeated, including the development of a comprehensive plan for the enhancement of human rights protection; the reform of the Ministry of the Interior, the police and the security forces; and the investigation of detentions that had taken place in February 2011.

45. It would be useful to receive further information on the use of solitary confinement, including the legal provisions governing its application, the number of people subjected to it and the forms of recourse available to them.

46. She was concerned to note that the legal minimum age of criminal responsibility was 7 years and that minors between the ages of 15 and 18 were treated as adults in the criminal justice system; there were even reports that children as young as 10 years old were subjected to ill-treatment in the justice system. She asked whether there were plans to raise the age of criminal responsibility above 7 years. She would be particularly interested to learn whether minors in the justice system could obtain assistance in submitting complaints about their treatment.

47. While she welcomed the State party's efforts to implement the recommendations of the Bahrain Independent Commission of Inquiry, insufficient data had been provided on the investigations into the events of 2011. It would be useful to receive clarification regarding the follow-up given to those investigations, including whether the authorities continued to receive complaints from the victims. In addition, she requested information on the application of the death penalty in cases connected with the events of 2011.

48. There were reports that the alleged ill-treatment of Matar Ebrahim Matar and Jawad Fairuz Ghuloom during their detention by law enforcement officials had not been investigated thoroughly. The Committee would like to hear more details of how those cases had been handled.

49. In connection with the information provided by the State party regarding the discontinuation of prosecutions against human rights defenders, she asked whether that had been an administrative or judicial decision and whether anyone who had suffered ill-treatment in that context could seek remedies through the judicial system. While the State party's third periodic report (CAT/C/BHR/3) indicated that the Supreme Judicial Council had formed a committee to review the verdicts handed down in those cases, it was unclear whether the Council was empowered to exercise jurisdiction in that regard.

50. The Committee would appreciate the delegation's comments on whether the amnesty for acts of torture committed before 2001 had led to impunity for the perpetrators. It would be interesting to learn whether the Civil Settlement Office still had the mandate and the budget to receive and consider requests for compensation.

51. She would welcome clarification of whether the provisions of the Code of Criminal Procedure under which accused persons could be deprived of the right to contact a lawyer were applied only in the context of the state of national security. The Committee would like to hear the delegation's response to reports that accused persons were compelled to reiterate before a judge confessions that had been extracted through ill-treatment by the security services.

52. The Committee welcomed the State party's efforts to improve conditions for migrant workers and encouraged it to continue working to end the practice of *kafalah*.

53. Lastly, she wished to learn whether the State party planned to reverse its decision not to accept a visit from the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

54. **Mr. Hani** said that, while the principles of the Optional Protocol to the Convention might have been taken into account in the establishment of the Commission for the Rights of Prisoners and Detainees, that body could not be considered a national preventive mechanism because the State party had not ratified the Optional Protocol. Given that the State party had expressed its desire to join the Group of Friends of the Optional Protocol to the Convention, the Committee would be interested to hear whether it intended to ratify the Optional Protocol. In addition, he would welcome details on any mechanism in place to follow up on the findings of the Commission. Did the Commission have an institutional relationship with other government agencies?

55. He wondered whether civil society was involved in helping the Government implement the Commission's recommendations. It would be interesting to know how many representatives of civil society served on the Commission and whether civil society organizations were permitted to make visits to the State party's places of deprivation of liberty. He asked whether the State party planned to adopt a law to ensure that the Special Investigation Unit of the Public Prosecution Service could not be dissolved simply by rescission of the Attorney General's decision establishing it. Why had the 85 cases referred by the Unit to the courts led to punishment for only three persons?

56. He would welcome additional information on the efforts made by the State party to implement the recommendations of the Bahrain Independent Commission of Inquiry on the events of February and March 2011 and the consequences thereof. It would be interesting to know, for instance, whether the committee responsible for follow-up to those recommendations included relatives or representatives of the victims, exactly what percentage of the recommendations had been implemented in the five and a half years since the publication of the report and what had prevented the authorities from implementing all the recommendations. The delegation should also provide the Committee with an official copy of the proposed amendments to the Military Criminal Code, some of which were troubling.

57. **Ms. Gaer** said that in the years since she had served as country rapporteur for the consideration of the State party's initial report, the mood in Bahrain, once one of hope, had soured. She wished to know why so few of the recommendations made by the Bahrain Independent Commission of Inquiry had been implemented. She wondered in particular why the Government had adopted a decree-law restoring the law enforcement powers of the National Security Agency, a development that appeared to undo the effect of one of the few Commission recommendations actually to have been implemented in full. In addition, she asked whether the State party was taking any steps to enhance the independence of the Office of the Ombudsman and ensure that it could make unannounced visits to places of detention. In that connection, she wondered how many visits to such places it had made, how many cases of torture it had documented and how many such cases, if any, had led to formal investigations.

58. She would welcome more information about the deaths in custody referred to in the State party's report (CAT/C/BHR/3, para. 90). For example, she would like to know whether the police officer responsible for the beating death of Hani Abdulaziz Abdullah had been released after serving his sentence, which had been reduced to 6 months on appeal, and, if so, whether he had joined the force again or been discharged.

59. It would be interesting to know whether allegations that law enforcement officers had threatened female detainees with rape had been investigated and, if so, what the outcome of the investigation had been. Lastly, since no special procedure mandate holder had visited the State party since 2006, she wondered whether requests for such visits, such as the request the Committee had made on behalf of the Special Rapporteur on torture, would ever be accepted by the State party.

60. **Ms. Racu** said that the Committee would welcome an indication of the measures that the State party had taken to improve the poor conditions in its sole women's prison, Isa Town Detention Centre, and to ensure that female prisoners, most of whom were migrant workers, had access to medical and psychological care and, if necessary, the assistance of an interpreter.

61. **Mr. Zhang**, noting that the State party had made commendable efforts to ensure that its law enforcement and judicial personnel received appropriate training, asked whether the outcome of those efforts had been evaluated. In particular, he wished to know exactly what lessons, as mentioned in the State party's second periodic report (CAT/C/BHR/2, para. 86), had been learned from the detentions and arrests of February and March 2011 and thereafter and what changes had been made to law enforcement training programmes as a result. It would be interesting to learn, for instance, whether the authorities had considered assessing the effect of training on the use of force by the police.

62. He asked how the nine core human rights instruments that the State party had ratified since the release of the report of the Bahrain Independent Commission of Inquiry in 2011 were incorporated into domestic law and whether those instruments took precedence over domestic legal provisions in the event of a conflict. Lastly, he would welcome an update on the amounts disbursed by the National Fund for the Compensation of Victims since March 2016.

63. **The Chair**, speaking in his capacity as an expert, asked whether the Office of the Ombudsman had any forensic or other medical experts who could identify signs of torture or whether the initial responsibility for identifying such signs lay with non-medical personnel. Noting that 45 of the 242 complaints received by that Office in a recent nine-month period had been forwarded to "judicial bodies", he asked which bodies were meant and why those particular cases had been forwarded. He wondered how the Department of Internal Investigations, which also appeared to receive complaints of misconduct by public servants, and the Office of the Ombudsman shared the responsibility for considering such complaints and whether the Department employed any medical experts.

64. He would welcome information about the outcome of the 30 complaints received by a third institution, the Office of the Ombudsman of the National Security Agency. He wished to know in particular whether any of those complaints had been forwarded to the Public Prosecution Service. More generally, he wondered whether he had understood correctly that before any complaint was forwarded to the Special Investigation Unit of the Public Prosecution Service it was processed by agencies answering to the very Ministry that oversaw the State party's law enforcement and security agencies.

65. He asked whether the allegations that personnel of the Salmaniya Medical Complex had been tortured by public officials had been investigated and, if so, what the outcome of the investigations had been. In addition, he wished to know whether, as suggested in the State party's report (CAT/C/BHR/3, para. 35), it was necessary to have a disability in order to be awarded compensation from the National Fund for the Compensation of Victims and, if so, how the authorities reconciled that requirement with their assertion that the compensation mechanism was compliant with the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law. Lastly, he wondered what procedure was followed when the Office of the Ombudsman was informed of a death in custody and at what point in that procedure forensic experts were called on.

66. **Mr. Bruni** said that he wondered why, since the State party already had so many bodies receiving complaints, it did not simply agree to an additional one: the communication procedure established in article 22 of the Convention.

67. **Mr. Hani** said that he would welcome additional information on amendments that, particularly in cases involving the security of the State or terrorism, appeared to expand the jurisdiction of the State party's military courts to a troubling extent.

68. **Ms. Belmir** asked whether the State party had considered amending the special law under which a number of persons had lost their Bahraini citizenship. Were the decisions to strip those persons of their nationality final?

The meeting rose at 1 p.m.