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Doctors in Bahrain merit more than platitudes

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OPINION: MUCH HAS happened in the small island of Bahrain since it was engulfed in the Arab Spring in February 2011. Unlike other conflicts in other Arab states, the Bahrain protest did not demand the downfall of the ruling regime but sought the establishment of a democratic constitutional monarchy and recognition of human rights.

The protest was brutally suppressed when the king sought the assistance of Saudi-led forces in March. More than 35 people were killed and 47 doctors were among at least 1,000 citizens imprisoned without trial, tortured, charged in military courts and sentenced to preposterous sentences.

In July a delegation from Ireland visited Bahrain and reported unequivocally that the accused doctors had endured serious abuses of human rights that included torture, and called for the relevant authorities in Ireland to support them. At the time King Hamad bin Isa Al Khalifa also established an independent commission of inquiry to investigate the events in Bahrain during and after the Arab Spring protests and to make recommendations. The 500-page report, presented to the king last week, was based on evidence from over 8,000 complaints and interviews with over 5,000 individuals.

The report begins by emphasising that Bahrain is party to a number of international human rights treaties, which oblige the kingdom to adhere to certain standards and that when human rights violations occur the perpetrators must be held accountable.

On the charges against the doctors the commissioners are ambiguous in their assessment of events at the Salmaniya Medical Complex. They were clearly faced with the dilemma of having to reconcile the possibility that some doctors were involved in political activities with the fact that the security forces executed unlawful arrests on the hospital premises, attacked and mistreated medical personnel, and confined injured patients in a special ward.

The commissioners had no hesitation in accusing the Public Security Forces of violating human rights by forcibly entering and sometimes ransacking houses without arrest warrants, and terrifying the occupants. There is an abundance of documented evidence that detainees were subjected, among many abuses, to blindfolding, enforced standing for prolonged periods, electrocution, sleep-deprivation, and threats of rape with the purpose of obtaining incriminating statements or confessions.

Taken with forensic medical evidence the commission adjudged that torture

was common and that such practices were a flagrant disregard both of Bahrain and international human rights law.

Perhaps one of the most important aspects of the report is the serious criticism of the Bahrain judicial system, which must call into question the validity of sentences passed. The commission viewed the “lack of accountability” of the judicial and prosecutorial personnel in the National Safety Court as “a subject of great concern”, compounded by the acceptance of forced confessions in criminal proceedings in both special courts and ordinary criminal courts.

The commission recommendations were far-reaching and must leave many Bahrainis fearing the retributive consequences that must ensue if they are enacted. The government is to establish a “national independent and impartial mechanism to determine the accountability of those in government who have committed unlawful or negligent acts resulting in the deaths, torture and mistreatment of civilians with a view to bringing legal and disciplinary action against such individuals, including those in the chain of command, military and civilian, who are found to be responsible under international standards of superior responsibility.”

The commissioners recommend that death sentences for murder be commuted, that charges should be dropped, or at least reviewed, for those charged with offences involving political expression, or victims of torture, ill-treatment or prolonged incommunicado detention, and that victims of human rights abuse be compensated, and that dismissed employees be reinstated and compensated. Finally, the commissioners warn that “the state should never again resort to detention without prompt access to lawyers” and access to the outside world.

The commissioners must be commended for their thoroughness.

However, it is disappointing that the report does not name and blame the person or persons in charge of, for example, the Public Security Forces, which have been implicated in many of the atrocities.

It is to be hoped that the government will not resort to making minor police officers scapegoats but rather identify the people in high places – perhaps even in the royal family – who condoned or ordered the brutal behaviour of those under their command.

Given the ineptitude of the legal system it is difficult to see how the charges and sentences that have been passed can be legally upheld.

Concerned doctors in Ireland have voiced their criticism of the Royal College of Surgeons in Ireland (RCSI) and the Royal College of Physicians for failing to support colleagues in Bahrain. The report vindicates those from Ireland who supported the accused doctors and their families. By the same token the

report emphasises the failure of the colleges to join with international humanitarian groups, such as Front Line, Médecins Sans Frontières, Human Rights Watch and Physicians for Human Rights in condemning the Bahraini authorities.

As a result the colleges have been criticised by the *Lancet* and the *British Medical Journal*, two of the world's most widely read medical journals, with the latter accusing RCSI-Bahrain of complicity with the regime.

Under such pressure RCSI acknowledges that its "actions were unacceptable and should never have happened". But platitudinous statements are not good enough; the royal colleges have damaged Ireland's hard-earned reputation in medicine internationally and it is to be hoped that when doctors and nurses are threatened in areas of future unrest and political upheaval, these institutions will staunchly support the principle of medical neutrality.

The report can be read at: <http://iti.ms/tefzrn> Eoin O'Brien is professor of molecular pharmacology, Conway Institute, University College Dublin