

## Written evidence submitted by the Salam for Democracy and Human Rights (INR0073)

### Information on contributors

1. Salam for Democracy and Human Rights is a mainly United Kingdom based NGO, with a focus on human rights in the Gulf region, specifically Bahrain. Salam DHR conducts monitoring and analysis, produces reports, develops recommendations on policy and legislation, organises advocacy campaigns and conducts training. Salam DHR is actively involved in international cooperation for human rights and democracy, including the production of alternative reports on key human rights topics and articulating our position at the UN Human Rights Council, the European Parliament, and various domestic bodies.
2. This submission is intended as a response to the integrated review inquiry and the future of the United Kingdom's diplomatic relations with states.

### Executive summary

3. The argument we make is that the priorities for UK foreign-policy strategy should be human rights led and the provision of support for nation states with human rights record that falls below the United Nations standard, should have support on the condition that their treatment of dissenting voices tangibly improves. We make this argument by drawing on the case study of Bahrain.
4. As a matter of providing context, the Universal Declaration of Human Rights sets out a standard of human treatment that the west has come to aim for as a minimum standard.
5. A freedom of information request to the FCO revealed that the UK had provided training to the Bahraini National Security Agency (FCO FOI Ref: 0249-15). Demonstrating a relationship between the UK and the state of Bahrain during which, the UK provided training despite well publicised occurrences of torture and other human rights violations by the Bahraini government.

### Background

6. In 2011, many countries in the Middle East and North Africa that the United Kingdom had working relationships with were involved, to varying extents, in a series of

events colloquially known as the Arab Spring. These were a series of uprisings that took place across the Arab world. For some states such as Libya, there was a full-scale revolution resulting in a change in leadership and sustained unrest in the state since.

7. In other states such as Bahrain, the protests were not successful in bringing about long-term reforms or regime change. In the aftermath of Bahrain, many people were subject to egregious violations of their basic rights. The report of the Bahrain Independent Commission of Inquiry found that the use of torture on political prisoners had been systematic.<sup>1</sup>
8. Following the uprising, the 18 Members of Parliament representing the Al Wefaq party resigned in protest at the actions of the government. Among these included Jawad Fairouz, who subsequently successfully sought asylum in the United Kingdom.

### The role of the United Kingdom

9. In 2011 the United Kingdom approved the sale of over one million pounds worth of military equipment. A report in The Guardian confirmed that at least some of this had been used to suppress the uprising. Following outcry from the public around this action, the United Kingdom suspended many of the export licenses.<sup>2</sup>
10. The following year, after the uprising and following the publication of the report referenced paragraph one, which detailed the extent of some of the human rights violations, the United Kingdom and Bahrain, signed a defence cooperation agreement.<sup>3</sup>
11. Following a freedom of information request, the Foreign and Commonwealth Office revealed that the United Kingdom had provided military training to the Bahraini armed forces in 2014. The exercise was conducted over 3½ weeks with 137 UK personnel participating and cost approximately £113,000 to run the exercise.<sup>4</sup>
12. Additionally, a freedom of information request answered on 31 March 2015, revealed the existence of a working relationship between the Security Forces of Bahrain and the United Kingdom. The same request declined to reveal the exact nature of the training being provided.<sup>5</sup>

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<sup>1</sup> <http://www.bici.org/bh/BIClreportEN.pdf>

<sup>2</sup> <https://www.theguardian.com/world/2012/feb/14/bahrain-military-equipment-uk>

<sup>3</sup> <https://www.mofa.gov.bh/Default.aspx?tabid=3182&ItemId=1990>

<sup>4</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/602908/FOI\\_0031-17\\_Letter.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/602908/FOI_0031-17_Letter.pdf)

<sup>5</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/459108/](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/459108/)

## The use of Overseas Security and Justice Assistance (OSJA) instruments

13. In 2011, the then Foreign Secretary William Hague, implemented OSJAs as a tool for promoting human rights when the FCO or other departments carried out training and other activities with other states.<sup>6</sup> There are four criteria that are applied in the application of an OSJA. These are:
- a. **Assess** the internal situation in the host country, its stability, and its attitude towards international human rights law and humanitarian law
  - b. **Identify** the international human rights and humanitarian law risks associated with the proposed assistance.
  - c. What steps can be taken to **mitigate** the risks?
  - d. **Strengthen** security, justice and human rights: Is there a serious risk that the assistance might directly or significantly contribute to a violation of human rights and/or International Humanitarian Law?
14. This guidance last updated and issued in 2017 by the Foreign Secretary, the Right Honourable Boris Johnson MP.

## Analysis of the role of Foreign and Commonwealth Office strategy going forward:

15. The introduction of OSJA's as a measure of standards in foreign relations was, and remains a welcome step in the provision of help to states. However, as revealed by FOI ref: 0249-15 and ref: 0031-17, the United Kingdom has an ongoing partnership with the state of Bahrain. This persists despite consistently verified occurrences of human rights violations.
16. A report released by Salam for Democracy and Human Rights on 26 June 2020 details some of the specific uses of torture and violations of the constitution of Bahrain.<sup>7</sup> The report makes references to inadequacies in the application of the rule of law in Bahrain and also makes use of a United Nations report
17. It is undoubtable that the United Kingdom has close and beneficial relationships with many nations around the world. In the future of the United Kingdom's relationship with world, the UK will be seeking to forge new relationships and increase the depth

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[FOI ref 0249-15 military police training for Bahrain.pdf](#)

<sup>6</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/583304/OSJA\\_Guidance\\_2017.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/583304/OSJA_Guidance_2017.pdf)

<sup>7</sup> <https://salam-dhr.org/?p=4048>

of existing ones. A foreign office strategy with these goals would fit with the economic and diplomatic needs of the country.

18. As explored in paragraphs 2, 3, 4 and 5, the United Kingdom has played a significant role in assisting the Bahraini regime, be it through weapons trade, defence cooperation or training provision. It is difficult to reconcile the objectives of the OSJA instruments with the proven violations of human rights in Bahrain and other states. As a result, the inference that could be drawn is that OSJA instruments are not stringent enough in their testing.

#### Conclusions:

19. It is clear that in the aftermath of the United Kingdom's decision to leave the European Union that there is a need to explore new relationships and deepen established ones in the FCO strategy. This is something that should be promoted as an objective of UK diplomatic strategy. Middle eastern states such as Bahrain and Saudi Arabia often look to the UK as a strong partner in which there is scope for business and governance arrangements.
20. The United Kingdom should be proactive in ensuring that the relationships forged in this new era are beneficial to the protection of basic human rights. OSJR instruments are a welcome step in this process, but the two referenced FOI requests indicate that the threshold for their use as a blocking mechanism towards states with substandard records is too high. We would therefore recommend the reissuing of the OSJR instrument guidance with a threshold requirement that encourages proactive work towards a fairer human rights settlement.
21. The United Kingdom has a beneficial security relationship with middle eastern states. However, this has led to occasions where the United Kingdom has provided support that inadequately represents the United Kingdom's commitment to human rights. We would consequently recommend that when publishing any future strategy, the United Kingdom places the protection of human rights above the economic benefits gained by bilateral relations.
22. In recognising the new role, the United Kingdom is playing in shaping its course in foreign policy, it is important that the approach taken is consistent and the regulations and guidance are backed up by a natural transparency in the relationships with many states. We would therefore recommend that strategy is made more readily available and the FCO takes a more proactive approach to consulting with NGOs about issues facing their area of expertise.
23. The United Kingdom is in the privileged position of being a state which other states wish to do trade with. The diplomatic strategy should recognise this and trade should be dependant on clear and consistent upholding of human rights by potential

trading partners. We would therefore recommend that trade agreements should be based on the willingness of potential trading partners to uphold internationally acceptable human rights standards.

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