

cases of three of these students, who were picked up by police on 15 November. In its reply to the WG, the government asserted that the allegation was a "product of terrorist propaganda" and that all those arrested had been either released or tried in accordance with the law. The WG noted that the government's response—which did not include information on the legal situation of those tried, on the charges brought against them, or on the sentences of those convicted—made it impossible to ascertain who had been tried or released. The WG also noted that the government did not deny that children were among those arrested and detained, or that the Decree Law of State Security Measures (1974) permitted administrative detention at the discretion of the Minister of Interior for up to three years. According to information provided to the WG by lawyers, many of those arrested in November 1995 were being held without an official order and could, therefore, be detained for months without the possibility of review. The WG decided that the detentions of the three students were arbitrary since the students had not resorted to or incited violence and had been arrested solely for exercising their right to freedom of opinion and expression as well as their right to peaceful assembly.

Decision 22 relates to the cases of nine students, a farmer and a carpenter who were arrested in October 1995 during a hunger strike by a member of the dissolved Parliament and six former detainees, in protest against the government. During the hunger strike, thousands of people had reportedly gathered to show their support to the strikers and, although no acts of violence were reported, many citizens, among them children, were allegedly detained. In its reply to the WG, the government characterized the information provided as terrorist propaganda; it stated that no one had been arbitrarily detained and all those arrested had either been released or tried. The WG noted the failure of the government to provide details on the number of people tried or released, on the legal situation of those tried, and on the sentences handed down. Again, the WG observed that the government did not deny that children were among those detained. The WG decided that the detentions were arbitrary.

Decision 23 concerns the cases of nine people who were among scores of others arrested in January 1996. The arrests occurred during peaceful demonstrations to protest against the continued detention of more than 500 people, arrested between December 1994 and April 1995. The government again replied that the information provided was terrorist propaganda; that those arrested in January 1996 had either been released or were in custody pending trial on charges of violence-related activities; further, that those in custody were being well treated and their rights to access to family, legal counsel, welfare and medical care were being respected according to the law. The WG noted that information it had received contradicted the government's claim that detainees had access to family and lawyers. As well, while the WG did not know about the health of the detainees, there were reports that a number of them had been moved temporarily to the Military Hospital. The Working Group declared the detentions to be arbitrary.

Decision 35 relates to the arrest and detention of 532 people who were among more than 2,000 arrested since December 1994 under the State Security Law (1974). All of

the arrests occurred during a series of pro-democracy protests and demonstrations which called for the restoration of the 1973 Constitution and the elected National Assembly which had been dismissed by the Amir on 25 August 1975. The government asserted that the arrests were in response to acts of violence, including rioting, sabotage, arson and assassination. It informed the WG that a number of detainees had been remanded in custody while others had been released. The government rejected any claim that the State Security Law was unconstitutional and maintained that the law was necessary to combat terrorism. The WG noted that, based on information it received, the application of the State Security Law in combination with provisions of the Criminal Code of Procedure, is likely to cause grave violations of the right to fair trial. In its decision, the WG noted that, of the original 532 cases referred to the government, 17 people had been released, two had been expelled to Dubai, and most of the others were still detained without charge or trial. On that basis the WG decided that the detention of 513 people was arbitrary.

Decision 38 involves two people who were released. The WG filed the cases since no points were in dispute and the detentions had been discontinued.

**Extrajudicial, summary or arbitrary execution, Special Rapporteur on:** (E/CN.4/1997/60, paras. 15, 16, 18, 19, 28, 32, 34, 35, 51, 78, 83 ; E/CN.4/1997/60/Add.1, paras. 41–49)

The report notes information received by the Special Rapporteur (SR) indicating that the government's response to an escalation in political violence and unrest early in 1996 was characterized by massive arbitrary arrests, the torture of detainees which sometimes resulted in death, and extrajudicial killings.

The SR reported that, in March 1996, Bahrain carried out its first execution of a death sentence in almost 20 years. During the year, the SR had transmitted three urgent appeals to the government concerning the imposition of the death penalty after trials that did not meet international fair trial standards. Two of the appeals concerned a man condemned to death for the murder of a police officer: it is alleged that he had been denied access to a lawyer before the trial and was convicted on the basis of a confession which might have been extracted under torture during his pre-trial detention. The other appeal concerned three men charged with firebombing a restaurant in which seven expatriates were killed. They, too, were convicted on the basis of confessions which may have been extracted under torture. As well, they were sentenced by the State Security Court from which there is no appeal. Four other cases were sent to the government involving people who had been arrested, and in some cases shot, by security forces during a peaceful demonstration in Karzakkán in May 1996; all reportedly died in police custody, either from their wounds or under torture.

With respect to these cases, the government responded to the SR variously asserting that: the trials had been public, fair and in conformity with international norms and principles; one death in custody had been the result of heart failure, and none were the result of torture or ill-treatment. Bearing these responses in mind, the SR called on the government to take whatever steps were necessary to prevent further killings of demonstrators, in accordance with the Basic Principles on the