

Bahrain:

Observations on the initial report on the Optional Protocol on the Involvement of Children in Armed Conflict (June 2023)

Introduction

This submission has been prepared by the Child Rights International Network (CRIN) and Conscience and Peace Tax International in support of the Committee on the Rights of the Child's examination of Bahrain's initial report under the Optional Protocol on the involvement of children in armed conflict (OPAC).

Country situation

Population: 1.5 million.¹

Armed forces personnel: 8,200.²

Other security forces: Police (9,000), National Guard (2,000), Coastguard (200).

Since independence in 1971, Bahrain has relied on voluntary recruitment to staff its armed forces. The recruitment legislation currently in force is the Reserve Forces Service Law of 1987.

We are not aware of any cases of conscientious objection to military service in the State Party (SP).

Issues arising

The SP should be commended on a thorough initial report, which closely follows the Committee's Reporting Guidelines (RG) for the Optional Protocol (OP).

Incorporation and implementation

The SP Report confirms that the provisions of the OP have the force of law in the SP and can be directly invoked before the domestic courts. Paras 12-14 indicate specific legal instruments incorporating the provisions of the OP in domestic law.

The SP provides, in paras 15-18 of its Report, comprehensive information on the governmental entities with primary responsibility for implementation of the OP, together with information on their coordination. Paras 19-38 explain in full the training provided on the OP to relevant professionals.

¹ World Bank, 'Population, total', 2023, <https://data.worldbank.org/indicator/SP.POP.TOTL?locations=BH>.

² Institute for Strategic Studies, *The military balance 2023*.

The National Human Rights Institution and its activities with regard to the OP are described in detail from para 24 of the SP Report.

War crimes

The Report notes that there have been no prosecutions for war crimes in the SP.

Recruitment

The armed forces are staffed entirely by voluntary recruitment from age 18. It is particularly welcome that, as confirmed in para 45 of the SP Report, the law prevents the imposition of compulsory recruitment at any age in the event of national emergency.

Despite the welcome prohibition on child recruitment, it is unclear whether marketing for military careers is directed at children to encourage them to join up as adults.

The SP Report is unclear as to whether paramilitary state security forces other than the armed forces (police, national guard, and coastguard) recruit under the age of 18 years.

The SP provides details on the criminalisation of child recruitment, noting that no defence of superior orders or statute of limitation may be invoked (paras 81-82). No distinction is made between committing, and aiding or abetting, offences under the OP (para 86).

Education, military schools, and youth organisations

With the exception of the reference to the curriculum of the Isa Royal Military College in para 21 of its Report, the SP provides little information on military schools operating in its jurisdiction.

Nor is information provided on cadet forces or other voluntary youth organisations which prepare children and young people for military careers.

Para 50 of the SP Report lists a wide range of human rights and values to be inculcated through the education system that could be deemed to constitute peace education, but peace education itself is not mentioned.

Suggested questions for the List of Issues

We suggest the following questions may be usefully included in the LOI:

Incorporation and awareness

1. Have the provisions of the OP ever been directly invoked in proceedings before domestic courts? Please give details. Has child recruitment ever been prosecuted under the legal instruments specified in paras 12-14 of the SP Report?
2. Noting the initiatives intended to raise awareness of the OP and its provisions, described in paras 39 and 40 of the SP Report, have any initiatives been taken to raise awareness through school curricula and in the general population? Please give details.
3. What role has been played by non-governmental organisations, the media, the private sector and the community, in particular children, in the design and implementation of the measures to raise awareness of the OP in the SP?

4. Does the SP identify any factors that impede implementation of the OP, or any provisions of domestic law more conducive to the rights of the child than the provisions of the OP?

Recruitment

5. Does the SP target persons below the age of 18 with marketing for military careers? Please provide details of activities and materials, including online materials, produced for this purpose. Please also provide details of any incentives directed at persons below the age of 18 intended to encourage subsequent recruitment, such as financial incentives, scholarships, fast-track schemes etc.
6. Does the minimum age for recruitment into other state security forces, such as the police, national guard, and coastguard, differ from that for the national armed forces? Please give details.

Victims of acts contrary to the Protocol

7. Does the SP hold data on the number of refugee and asylum-seeking children on its territory who a) have been in armed conflict, or b) have been victims of acts contrary to the OP? Please provide full details. Any data on adult refugees and asylum-seekers who may, as children, have been victims of such practices would also be helpful.
8. What attempts are made to provide appropriate, culturally-sensitive aid aimed towards the physical and psycho-social recuperation and social reintegration of children on its territory who may have been involved in armed conflict elsewhere?
9. With reference to para 92 of the SP Report, under what circumstances may a person aged under 15 years be released from military jurisdiction to which they would have been subject had they been older? Has consideration been given to raising the applicable age to 18?

Schools

10. How many military schools operate in the SP; i.e. educational institutions operated or supported by the armed forces, or which provide education specifically for those envisaging a military career? For each such school, please provide data on the number of students enrolled, disaggregated by age and gender; please also provide information on the regional and socio-economic background of these students.
 - a. Are any students in military schools subject to military law and discipline? Please give details.
 - b. Can students at military schools be mobilised in any circumstances as members of the armed forces?
 - c. Are students in any military schools expected or required to join the armed forces subsequently?
 - d. Do students at military schools enjoy the right to leave the institution at will and without penalty? Please give details.
 - e. Do students in military schools have the right to raise a formal complaint to an independent body? Please give details.
11. Does weapons training form any part of the curriculum in military or civilian schools? Please give details.
12. Do any legal or informal arrangements grant armed forces recruiters, in comparison with other employers, privileged access to education institutions and/or the personal data of students?
13. Does the SP intend to make peace education an explicit component of the school curricula on human rights?

Youth organisations

14. Do any youth organisations, for instance cadet forces, provide training of a military nature to persons under the age of 18? If so, please specify the organisations and the number of members, disaggregated by age and gender. Please also provide information on the regional and socio-economic background of members, if available.
15. Is weapons training included in such organisations?
16. What proportion of the membership of such organisations become members of the armed forces? What proportion do they represent of the annual intake into the armed forces?

International cooperation and assistance

17. When does the SP intend to convert its signature of the Rome Statute into accession?

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