



31 March 2016

Jean Todt
President
The Fédération Internationale de l'Automobile
8 place de la Concorde
75008 Paris,
France

Formula One in Bahrain 2016

We write to you regarding the serious human rights abuses in Bahrain in relation to the Formula One race. As the President of the Fédération Internationale de l'Automobile, you are directly responsible to ensure that due diligence procedures are implemented effectively to mitigate the circumstances in which human rights abuses occur in the process of conducting the race. Although a welcomed human rights policy has been adopted by Formula One, this does not distance the responsibility of the FIA of taking due diligence procedures. We note with disappointment and concern no such process has been followed by the FIA. We are further concerned that there has been a reluctance from the FIA to address these adverse human rights impacts caused as a result of the race since 2011.

General Human Rights Situation

Since 2011 the government of Bahrain has continued imprisoning and torturing those expressing dissent.¹ It is widely recognised that the government response is characterised by the unlawful use of state violence, injuring hundreds of people and carrying out many extrajudicial executions against protesters.² In 2015, Human Rights Watch exposed reform promises by the government as a “sham” and that torture was still widespread and systematic.³ In their latest annual report, Amnesty International found that violations concerning freedom of expression, association, torture and accountability persist.⁴

In 2015, 35 countries at the UN Human Rights Council highlighted serious concerns about human rights violations including the imprisonment of individuals exercising their rights to

¹ Human Rights Watch, *The Blood of People Who Don't Cooperate*, 22 November 2015, <https://www.hrw.org/report/2015/11/22/blood-people-who-dont-cooperate/continuing-torture-and-mistreatment-detainees>.

² Bahrain Independent Commission of Inquiry, *Report of the Bahrain Independent Commission of Inquiry*, November 2011, bici.org.bh/BICIreportEN.pdf.

³ Human Rights Watch, *Bahrain: Torture Allegations Expose Sham Reforms*, 27 January 2016, <https://www.hrw.org/news/2016/01/27/bahrain-torture-allegations-expose-sham-reforms>.

⁴ Amnesty International, *Annual Report 2015/16: Bahrain*, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/bahrain/report-bahrain/>.

freedom of expression, assembly and association, and a lack of accountability.⁵ In its 2016 Annual Report, Freedom House characterized Bahrain as “not-free”,⁶ and Reporters without Borders listed the country as one of the worst 19 countries in the world for press freedom.⁷

FIA Response

In your response to our letter in March 2014 warning you of these abuses, you associated yourself fully in the decision to retain this competition in 2012-2014 in Bahrain risking the commission of serious human rights abuses. Your decisions were made despite clear and obvious indications that large scale anti-Formula One protests were imminent and that since 2011, security forces in Bahrain have responded to such protests violently and disproportionately.

On the eve of race in 2012, one year after the 2011 race was cancelled, as a result of the widespread crisis and rights abuses, protester Salah Abbas was shot and killed by security forces. His body was left on the roof of a building after he and other anti-F1 protesters were beating by riot police. No one has been held to account for his death, nor have there been any attempts by the FIA to investigate the circumstances of his death in relation to the race.

Rihanna Al Mousawi, an anti-F1 protester also remains in prison after she was arbitrarily detained for protesting near the circuit in 2013. While detained, al-Mousawi was subjected to various types of torture and degrading treatment, including being stripped of her clothes twice and security forces threatening to rape her. She was also beaten, threatened with electrocution and the arrest of her relatives to force her into signing confessions. The courts sentenced her to five years in prison whilst no one has been held to account for her torture and ill treatment.

These are two examples of many serious abuses that have occurred during races that you claim to have authorised personally, despite the FIA not having any mechanism implemented to conduct human rights due diligence.

2015 Race

In the weeks preceding the 2015 race, human rights violations committed by authorities in Bahrain increased significantly. The number of police checkpoints and patrols, both leading up to the Bahrain International Circuit and residential areas in the country, were increased. Bahraini people took to the streets to protest against the race that has in the past led to serious rights abuses including the extrajudicial killing of a protester. Most of these protests were violently suppressed in a manner that disproportionately contravenes international human rights law.

Ahead of the April 2015 race, Bahrain's head of Public Security, Major-General Tariq al-Hasan, stated that the security efforts regarding the 2015 race would be carried out in all areas of Bahrain. Following this statement, security forces arrested 22 individuals without warrants. Those arrested included 9 children under the age of 18. This followed the arrest of

⁵ ADHRB, *33 States Join 5th UN Joint Statement on Human Rights in Bahrain*, 17 September 2015 <http://www.adhrb.org/2015/09/ngos-welcome-5th-un-joint-statement-on-human-rights-in-bahrain/>.

⁶ Freedom House, *Freedom in the World 2016*, <https://freedomhouse.org/report/freedom-world/freedom-world-2016>

⁷ Reporters without Borders, *2015 World Press Freedom Index*, <https://index.rsf.org/#/>

53 individuals including women and children. Such arrests were documented in villages across the country including Sitra, Sanabis, Tubli, Demistan, Manama, Nabih Saleh, Karbabad, Bani Jamra, Bilad al-Qadeem and others. At least 140 cases of arbitrary arrests were documented in relation to the race between 1-27 April 2015.

One of those arrested included Mr. Osama Eid, who led a graffiti campaign in his village opposing the race. He was arrested for his opposition to the race calling it the “Formula of Blood”. Haider Haider, Isa Abdulameer, and Husain Fadhel all were arrested in their village for protesting with signs and banners that called for the boycott of the race in Bahrain. Riot police attacked the protest and arrested 17 individuals in contravention of their right to peaceful assembly. Other individuals such as Ali al-Halwachi, Fadhel Hasan al-Madhoon, Salman Foad Salman and Jafer Abdalnabi al-Shofa were arrested at security checkpoints for possessing pamphlets and other publications calling for the boycott of the race. Husain Ismail, Ali Abdulshaheed, Ali Mohammed Haji, Layla Ali al-Qaseer, Mohsen Ali Mohsen Badaw, Sayed Salman Salman, Sayed Jafer Mohammed were arrested from their homes because they were active in campaigning against F1. All have alleged that they were severely tortured in detention for opposing the race.

A total of 48 peaceful anti-F1 protests were attacked using excessive force by security forces during the 2015 race causing serious injuries to participants. This has included the disproportionate use of weapons such as tear gas and shot guns. For example, on 18 April, a 7-year-old child in the village of Malkiya was shot in the head using a tear gas canister causing him serious injuries.

Our Request

In line with the UN Guiding Principles on Business and Human Rights, addressing adverse human rights impacts requires taking adequate measures for their prevention, mitigation and, where appropriate, remediation. As the governor of motorsport worldwide, the FIA must exercise due diligence and uphold its responsibility to prevent the violation of human rights conventions during the course of motor racing competitions. Measures must be taken even if the FIA has not directly contributed to these impacts, whether they are acts or omissions and whether they have arisen through a third party relationship.

Under these conditions, it is imperative that the FIA address the circumstances in which human rights abuses are committed during the race in Bahrain. It is shocking that there has been no attempt to tackle the human rights impacts in Bahrain since they began in 2011, putting the integrity of the FIA and motor sport at risk. We ask that the FIA use its stature as the governing body of motorsport to call for the immediate release of all those who have been imprisoned solely for their legitimate right to peacefully protest during the race, notably Rihanna Al Mousawi. We also ask that you push for the accountability of those implicated in the killing, torture and ill-treatment of individuals that have expressed opposition to the race, whether through peaceful protest or expression, notably Salah Abbas. Freedom of expression and assembly should be guaranteed during the conduct of the race and it is your responsibility to ensure that these rights are not infringed upon.

In order to be effective, procedures must be in line with the UN Guiding Principles. In 2015, a successful OECD complaint forced Formula 1 to adopt a human rights due diligence procedure, however, the lack of action taken by the FIA, severely undermines the process. The FIA must take immediate steps to tackle this including the adoption of a policy commitment to respect human rights, a human rights due diligence process and a remediation process. This should be held with the intention to that arbitrary arrest, torture and the unlawful deprivation of life in Bahrain and other countries that the FIA is active in.

The effective application of due diligence procedures must be open to the suspension of any motorsport event regulated by the FIA in Bahrain, and other countries, should it become clear that adverse human rights impacts cannot be avoided.

While Formula One Management Limited (FOM) agreed to formulate its policy in the context of the Bahrain race, this does not absolve FIA of its own human rights responsibilities, particularly when FOM's efforts have not been capable of avoiding the prospect of human rights abuses linked to the race. It is clear to us that only a concerted and coordinated approach between FIA and the race organisers will avoid the risk of association with serious human rights violations in Bahrain and elsewhere.

Although the time may now be short to implement effective procedures for this year's race, given the likely renegotiation of the race contract with the Bahrain authorities after this year's race, and the risk of human rights abuses linked to races in other countries, we ask you to set out your response in full to the requirements that we have set out above within 7 days of the date of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sayed Ahmed Al Wadaei', with a long horizontal stroke extending to the right.

Sayed Ahmed Al Wadaei
Director of Advocacy
Bahrain Institute for Rights and Democracy
45 Chalton Street
London
NW1 1HY