

Bahrain

In mid-February Bahraini authorities used lethal force to suppress peaceful anti-government and pro-democracy protests, killing seven and wounding many more. The crackdown resumed in mid-March, after troops from Saudi Arabia entered Bahrain and Bahraini military and security forces launched a systematic campaign of retribution, arresting thousands of demonstrators or individuals who supported the protests. Authorities fired hundreds of public sector employees suspected of supporting the protests, as did large private firms in which the state had a substantial stake.

Security forces' use of birdshot pellets, rubber bullets, and tear gas as well as live ammunition caused most of the deaths and injuries of protesters and bystanders. Attacks against protesters continued after authorities formally lifted the "state of national safety" on June 1. At this writing more than 40 persons had been killed in connection with suppression of protests, including four who died in custody in April from torture or medical neglect, and several members of security forces.

Right to Assembly

During the early morning hours of February 17, security forces attacked peaceful demonstrators at the Pearl Roundabout in Manama, the capital. Many were sleeping. The assault left four protesters dead and hundreds injured. On February 18, security forces and the Bahrain Defense Force (BDF) fired live ammunition and rubber bullets at peaceful protesters marching towards the Pearl Roundabout—then occupied by BDF tanks, armored vehicles and police units—mortally wounding Abd al-Ridha Bu Hameed.

On February 19, authorities ordered security and military forces to withdraw and protesters reoccupied the Pearl Roundabout. For four weeks protesters gathered at the roundabout and other areas to voice opposition to the government and ruling Al Khalifa family. Crown Prince Salma bin Hamad bin Isa Al Khalifa appeared on national television and guaranteed that protesters would be free to demonstrate at the Pearl Roundabout without facing arrest or attack by government forces.

On March 16—a day after King Hamad declared a "state of national safety," akin to a state of emergency—security and military forces forcibly cleared the Pearl Roundabout, the

center of anti-government protests. The same day, forces dispersed protesters in villages outside Manama and surrounded the Salmaniya Medical Complex, the country's largest public hospital, preventing patients and medical staff from entering or leaving the hospital. At least six people were killed during clashes on March 16, including two police officers.

After lifting the state of emergency on June 1, authorities permitted Al Wefaq, the largest opposition political society, to hold several rallies, which remained peaceful, but clashes with security forces regularly broke out when protesters held demonstrations in Shia villages. At least eleven protesters and bystanders, including two children under age 18, had been killed as a result of protest-related injuries between June 1 and this writing.

Arbitrary Arrests and Detentions

Since mid-March security forces have arrested over 1,600 people who participated in, or were suspected of supporting, the anti-government demonstrations. Some of those arrested and detained were children. In many cases armed masked men, some in uniforms and others in civilian clothes, pulled people out of their homes in pre-dawn raids and transferred them to unknown locations. Others were arrested at work or pulled out of cars at checkpoints. Authorities held most detainees in incommunicado detention for weeks, in some cases months. Detainees had little or no contact with lawyers or family except when they were presented before a special military court.

Those held incommunicado included doctors, teachers, students, athletes, a prominent defense lawyer, and leaders of legally recognized opposition political societies. Ibrahim Sharif, a Sunni who heads the secularist National Democratic Action Society, was one of the first arrested, in a pre-dawn raid on March 17. Matar Ibrahim Matar and Jawad Fairouz—who represented Al Wefaq, the largest opposition bloc in parliament before its members resigned in protest in February—were seized on May 2. Authorities released Matar and Fairouz in August but they still face charges related to their political activities.

Dozens remained in pre-trial detention as of October, in addition to the more than 250 who were convicted and sentenced by special military courts. The government provided little information about the number of people arrested and typically gave reasons for arrest only when detainees were charged before special military courts.

Torture, Ill-Treatment, and Abuse

In April four people died in custody, apparently as a result of torture and medical neglect. The body of one—Ali Isa Ibrahim Saqer, arrested in connection with the deaths of two

police officers—bore unmistakable signs of torture on his body. On April 28 Bahrain TV broadcast Saqer’s purported confession in connection with the trial of his co-defendants, although authorities notified Saqer’s family of his death on April 9.

Abdulahdi al-Khawaja, a leading human rights and political activist, appeared before a special military court on May 8 with facial fractures and head injuries, apparently the result of severe beatings he sustained when authorities detained him on April 9. Several other co-defendants showed signs of possible abuse or ill-treatment. Since mid-February dozens of released detainees, including doctors, nurses, and paramedics arrested in March and April, have alleged they were abused or tortured during detention, often to coerce confessions.

On February 23, authorities released from prison 23 opposition leaders and activists arrested between mid-August and early September 2010 for alleged terrorist offenses. Several in the group described lengthy interrogation sessions during which they were blindfolded and subjected to both physical and psychological abuse, some of which amounted to torture. The abuse included threats, humiliation, solitary confinement, beatings to the head, chest, and other sensitive areas, beatings on the soles of feet with sticks or hoses, sleep deprivation, denying access to the bathroom, and electric shocks. Some said they were sexually harassed or assaulted. Most of the defendants have since been rearrested.

Authorities denied requests for visits to detention facilities by independent human rights and humanitarian organizations as well as United Nations human rights mechanisms.

Unfair Trials in Special Military Courts

On March 15 King Hamad established by decree special military courts, called the “Courts of National Safety,” to try protesters and people perceived as supporting the street protests. BDF Commander-in-Chief Field Marshal Khalifa bin Ahmed Al Khalifa appointed the military judge who presides over the court, along with two civilian judges, and the military public prosecutor who prosecuted the cases.

Since March, authorities have tried several hundred defendants before military courts and have convicted and sentenced more than 300 persons.

Among those the special military court sentenced to prison terms ranging from five years to life were Sharif al-Khawaja, and 19 other protest leaders, seven of them in absentia, on June 22. The charges against them ranged from calling for a change of government, leading “illegal” demonstrations, “spreading false news,” and “harming the reputation” of the country. The trial record cited no evidence linking any of the accused to acts of violence or

other recognizable criminal offenses. An appeals court upheld their convictions and sentences on September 28.

On April 28 the special military court sentenced four defendants to death and three others to life in prison for their alleged involvement in the murder of two police officers. Two of the death sentences were upheld by the Appeals Court of National Safety, while the other two were changed to life imprisonment. On September 29 the special military court sentenced another defendant to death for the alleged murder of a third police officer.

Lawyers defending suspects before the special military court had extremely limited access to their clients and were unable to adequately prepare their clients' defenses. In many cases convictions were based solely on secret evidence that the military prosecution provided, the testimony of interrogators, and confessions that defendants claimed were coerced.

The special military courts ended their operation on October 7, more than four months after a June 29 decree by King Hamad that supposedly transferred all protest-related cases to civilian courts.

Attacks on Doctors and Other Health Care Staff

Since the outbreak of anti-government protests in mid-February, Human Rights Watch documented restrictions on provision of emergency care at temporary health posts, sieges at hospitals and clinics by security forces, arrests and beatings of people with protest-related injuries, and arrests of doctors and other health care staff who had criticized these actions.

Police attacked a volunteer medical tent in the February 17 raid on Pearl Roundabout, beating and arresting nurses and doctors as well as protesters. In response to this attack and to allegations that authorities prevented the dispatch of ambulances to attend to wounded protesters, demonstrators gathered outside the emergency facilities of Salmaniya hospital, with the support of some of the health care staff. For several weeks the grounds outside the complex became a staging ground for anti-government demonstrations, with posters, tents, photos of wounded protesters, and speeches by opposition leaders.

The BDF took over Salmaniya hospital on March 16 and restricted entry to and exit from the complex. Hospital staff and protesters being treated for injuries inside the hospital were subjected to harassment, beatings that sometimes rose to the level of torture, and arrest. Security forces also raided health care facilities elsewhere, where they interrogated and arrested medical staff.

On September 29 the special military court sentenced 20 doctors and other health care staff charged with serious crimes, including kidnapping and storing weapons at Salmaniya hospital, and terms of imprisonment ranging from 5 to 15 years. The court denied the doctors and other health care staff a fair trial by relying on tainted or questionable evidence including coerced confessions, hearsay, and “secret evidence” submitted by interrogators, who often served as the prosecutor’s main witness. Judges also prevented the doctors and other health care staff from testifying in their own defense. At this writing a civilian court was scheduled to hear the doctors and health care staff’s appeal on November 28.

Twenty-eight other doctors and health care staff faced misdemeanor charges before a civil court.

Summary Workplace and University Dismissals

According to the General Federation of Bahraini Trade Unions, ministries, other official bodies, and private companies in which the state held a substantial interest dismissed more than 2,500 employees in the first half of the year.

In most cases the stated reason for dismissal was absence from work during and immediately after street protests, but the dismissals appear to have been arbitrary and carried out in violation of Bahraini law.

On April 19 the Bahrain News Agency (BNA) reported that the University of Bahrain had dismissed 200 students, academics, and other employees in connection with protests and clashes on the campus in March. On May 25, according to the BNA, Education Minister Majid al-Nuaimi confirmed that some students in Bahrain and abroad who participated in anti-government protests lost their government scholarships. The University of Bahrain required all students to sign a loyalty pledge to the ruling family before they could re-enroll when the university reopened in early May and again in September.

Women’s Rights

Unlike for Sunnis, there is no codified personal status law dealing with marriage, divorce, guardianship and child custody, and inheritance for Shias. Such matters are left to the judge’s discretion in Shia courts. The penal code does not adequately deal with violence against women as there are no comprehensive provisions on sexual harassment or domestic abuse. Rape can be punished with life in prison, but marital rape is not recognized as a crime.

Migrant Workers

More than 460,000 migrant workers, primarily from Asia, work in Bahrain on temporary contracts in construction, domestic work, and other services. Abuses such as unpaid wages, passport confiscation, unsafe housing, excessive work hours, and physical abuse are common. A 2009 reform allowing workers to change jobs more freely has yet to be publicized widely and does not apply to domestic workers, who are also excluded from protection under the labor law. Bahrain voted to adopt the International Labour Organization Convention on Domestic Work, but has yet to ratify it or to pass draft national legislation on domestic work.

Key International Actors

Troops primarily from Saudi Arabia and the United Arab Emirates entered Bahrain on March 14 to support Bahrain's crackdown against largely peaceful protests.

Bahrain hosts the United States Navy's Fifth Fleet, and the US sells military equipment to Bahrain, a "major non-NATO ally." After the February attacks on demonstrators the United Kingdom and France announced they would cut off security and military sales and assistance to Bahrain, and the US announced it would "review" such sales. In September the US Department of Defense formally notified Congress of a proposed the sale of US\$53 million in armored Humvees and other equipment to the BDF as well as \$15 million in Foreign Military Financing for Bahrain.

US President Barack Obama telephoned King Hamad on February 18 after Bahraini forces fired on demonstrators and, according to a White House statement, "reiterated his condemnation of the violence used against peaceful protesters," and in a speech on May 19 criticized the government's "mass arrests and brute force." For the most part, however, Bahrain's major western allies—the US and the European Union and its member states—were muted in their public criticism of Bahrain's serious human rights violations in a manner that contrasted sharply with their public statements concerning other governments engaged in similar abuses in the region. They also failed to prompt any action at the UN Human Rights Council.

On June 29 King Hamad issued a decree establishing the Bahrain Independent Commission of Investigation (BICI) headed by M. Cherif Bassiouni and four other internationally recognized human rights experts. The commission's mandate is to investigate "the events occurring in Bahrain February/March 2011, and any consequences arising out of the aforementioned events." The commission was scheduled to issue its findings on November 23.

The Office of the UN High Commissioner for Human Rights and the UN secretary-general welcomed the establishment of the BICI. The US government has said it will wait for the commission's final report and the government's response before deciding on the \$53 million arms sales.

After the March crackdown the government sharply restricted access to the country by independent journalists and international rights organizations, including Human Rights Watch.