BAHRAIN

The Bahrain Independent Commission of Inquiry (BICI), which King Hamad bin Isa al-Khalifa appointed to investigate the government’s response to pro-democracy demonstrations in February and March 2011, issued its findings in late November 2011. The BICI concluded that security forces had used excessive force against peaceful protesters, and had arbitrarily arrested, tortured, ill-treated, and denied them fair trials.

The BICI proposed recommendations to redress those violations and for the first time, the authorities investigated some low-ranking security officials in connection with torture allegations. However, the government failed to fully implement the commission’s core recommendations, notably the release of protest leaders convicted for exercising their right to freedom of expression and peaceful assembly; and the investigation of high-ranking officials responsible for abuses.

Security forces used excessive force in 2012 to disperse anti-government protests. Authorities jailed human rights defenders and individuals for participating in peaceful demonstrations and criticizing officials.

In November 2011, the Ministry of Social Development cancelled the election results of the Bahrain Lawyers’ Society (BLS) and reinstated the previous board and president. In July 2012, a court ruling sought by the Ministry of Justice dissolved the opposition Islamic Action Association (Amal).

**Freedom of Assembly**

After lifting the state of emergency on June 1, 2011, authorities permitted opposition political societies to hold several rallies, which remained peaceful, but clashes with security forces regularly broke out when protesters held demonstrations in Shia villages.
In 2012, authorities increasingly rejected permit requests from opposition groups and riot police often used force to disperse peaceful protests. On June 22, riot police fired tear gas and shot sound grenades at close range to disperse a peaceful demonstration in Manama, the capital. A tear gas canister seriously injured one protestor in the head. During protests in which demonstrators threw rocks and Molotov cocktails, police often attacked crowds indiscriminately using teargas, sound grenades, and pellet guns.

While abuse in detention appears to have declined during 2012, police routinely beat protesters, in some cases severely, at the time of arrest and during their transfer to police stations.

According to opposition groups, at least 26 protesters and bystanders died in protest-related injuries between November 1, 2011 and November 1, 2012. Many of the deaths have been attributed to excessive use of teargas. The government claimed that anti-government protesters injured 1,500 policemen in 2012.

**Prosecuting Government Critics**

Human Rights Watch documented serious and systematic due process violations in trials of opposition leaders and activists before Bahrain’s special military courts in 2011. Violations included denying the right to counsel and failure to investigate credible allegations of torture and ill-treatment during interrogation.

The BICI reached a similar conclusion, saying that military courts convicted around 300 people solely for exercising their right to freedom of expression and assembly.

Despite authorities’ promise to review military courts’ sentences for speech crimes and to void convictions imposed after grossly unfair trials, the protest leaders and many others remained behind bars at this writing.

On August 2, 2012, authorities arrested rights activist Zainab al-Khawaja for allegedly tearing up a picture of the king and participating in illegal demonstrations. On September 25, a court sentenced her to two months’ imprisonment for destroying government property.
On August 16, Nabeel Rajab, president of the Bahrain Center for Human Rights, was sentenced to three years’ imprisonment for calling for and participating in peaceful demonstrations without permits between January and March 2012. Earlier, Rajab received a three-month sentence for “tweets” that called for the prime minister to step down. On August 23, an appeals court overturned the Twitter conviction, but at this writing he remained in prison pending appeal on the illegal assembly convictions. The court’s verdict gave no indication that Rajab had called for, or participated in, violence.

On September 4, 2012, a civilian appeals court upheld the military court’s convictions and long sentences of 20 protest leaders.

On November 6, 2012, the Interior Ministry revoked the citizenship of the 31 people, including opposition political activists, lawyers, and rights activists, accusing them of “damaging the security of the state.” The order left most of those affected stateless.

**Freedom of Association**

On August 12, the government approved a draft law for nongovernmental organizations. Local associations complained that authorities had not consulted them and that they were not aware of the law’s adoption until media reported it.

On November 30, 2011, a few days after the Bahraini Lawyers’ Society elected new board members, Minister of Social Development Fatima al-Balooshi cancelled the election results, declaring that the society had “not complied with the legal procedures.” Al-Balooshi reinstated the previous board and president to manage the affairs of the society. The society challenged the order, saying it had notified the ministry of the election two weeks before holding its election as required by law.

On June 3, 2012, the Ministry of Justice filed a lawsuit accusing the opposition Islamic Action Association (Amal) of violating provisions of the 2006 political societies law, such as failing to “convene a general conference for more than four years” and “taking its decisions from a religious authority that calls openly for violence and incites hatred.” An administrative court ordered the group’s dissolution on July 9. At this writing, a court of appeals was reviewing the ruling.
Accountability

The BICI noted that Bahrain’s security forces operated within a “culture of impunity” and concluded that the abuses “could not have happened without the knowledge of higher echelons of the command structure” of the security forces.

The authorities claimed they investigated 122 officers for alleged torture and unlawful killings documented by the BICI. However, the few prosecutions involve mainly low-ranking officers, most of them non-Bahraini. On September 27, a criminal court sentenced a Bahraini police lieutenant—the highest-ranking security official known to have been convicted for abuses—to seven years in prison for the murder of Hani Abd al-Aziz Jumaa in March 2011.

Investigations and prosecutions have so far not included any high-ranking official at the Interior Ministry or the National Security Agency. No official from the Bahrain Defense Forces is known to have been investigated, although the military played a leading role in the 2011 campaign of repression.

Migrant Workers

More than 460,000 migrant workers, primarily from Asia, work in Bahrain on temporary contracts in construction, domestic work, and other services. Human Rights Watch documented abuses against migrant workers in Bahrain such as unpaid wages, passport confiscation, unsafe housing, excessive work hours, physical abuse, and forced labor. In July, King Hamad signed a new private sector labor law that contained improved safety regulations, measures to combat human trafficking, and granted migrants greater ability to leave their employers. The law extends a few protections to domestic workers such as annual leave, but excludes them from most key provisions, including limits to hours of work, weekly days off, and ability to leave their employers. Authorities inadequately enforce existing laws against withholding wages, charging recruitment fees, and confiscating passports.

Enforcement of a 2009 law sharply reduced transport of workers in open-air trucks, previously a cause of many injuries and deaths.
Women’s Rights
Unlike for Sunni Muslims, Bahrain has no codified personal status law dealing with marriage, divorce, child custody, and inheritance for Shia Muslims. Such matters are left to the judge’s discretion in sharia courts. The penal code does not adequately address violence against women. There are no provisions on sexual harassment or domestic abuse. Rape can be punished with life in prison, but marital rape is not recognized as a crime.

Key International Actors
Bahrain hosts the United States Navy’s Fifth Fleet. In May, the US resumed the sale of some military equipment to Bahrain, a “major non-NATO ally,” after having suspended sales in the wake of the government’s repression of peaceful protests. The US continued to restrict provision of arms that could be used for domestic repression, such as helicopters and armored vehicles. After the February 2011 attacks on demonstrators the United Kingdom and France announced they would cut off security and military sales and assistance. In February 2012, several news organizations reported that the UK continued to supply arms to Bahrain.

On March 15, the European Parliament adopted a resolution calling on Bahrain to respect freedom of expression and assembly, and unconditionally release peaceful protesters and political prisoners.

In May, the United Nations Human Rights Council (HRC) examined Bahrain’s human rights record under the Universal Periodic Review (UPR) process. Many countries expressed concern about the human rights crisis in Bahrain, lack of accountability for abuses, and restrictions on international rights groups’ access to the country. In September, Bahrain officially accepted most of the recommendations it received during the UPR, including holding security forces accountable for rights abuses and the immediate release of prisoners convicted for participating in peaceful demonstrations, but at this writing the government had not implemented these key recommendations.

On June 28, countries, including France and Germany, condemned ongoing violations in Bahrain through a joint declaration read by Switzerland during a HRC debate. The statement called on Bahrain to implement fully the recommendations of the BICI, including releasing political prisoners and holding officials responsible for abuses accountable for their actions.