

## Bahrain

This past year, human rights violations in Bahrain continued with impunity. The government has failed to implement the recommendations of the Bahrain Independent Commission of Inquiry (BICI), which was set up to investigate human rights abuses since the start of peaceful anti-government protests in 2011. The protests called for political and economic reforms, the release of all political prisoners, fair distribution of wealth and an end to the use of torture. To suppress the protests, the government responded with lethal violence and excessive use of force, which led to the deaths of at least 97 individuals and the injury of hundreds of protesters.<sup>1</sup>

In November 2011, the BICI commission issued a 500-page report confirming that Bahraini security forces used excessive and indiscriminate force against protesters, highlighting instances of abuse, torture, and death. In response to the recommendations of the BICI, the government established three bodies, namely the Office of the Ombudsman in the Ministry of Interior, a Special Investigations

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<sup>1</sup> Bahrain Center for Human Rights, “Individuals Killed By Government’s Excessive Use of Force Since 14 February 2011,” April 4, 2011, <http://bahrainrights.org/en/node/3864>.

Unit (SIU) in the Office of the General Prosecutor, and the Prisoners and Detainees Rights Commission (PDRC) – with a collective mandate to end torture in interrogation and detention facilities.

However, the pro-forma measures taken by Bahraini authorities had limited effect in addressing violations, leading to the continuation of grave human rights abuses. Government critics, including political dissidents and human rights defenders, have continued to face detention and prison sentences for their peaceful exercise of free expression. Amidst a growing culture of impunity, the government has failed to create an environment conducive to national reconciliation. Reports of torture, abuse, sexual assault, the lack of sufficient guarantees of fair trial, and death in detention continued. This years events have raised serious concerns about reprisals against victims reporting human rights abuses and against individuals cooperating with the UN.<sup>2</sup>

### **Freedom of opinion and expression:**

The authorities in Bahrain have placed severe restrictions on freedom of expression by controlling media outlets, the Internet, and targeting journalists and bloggers. Authorities have also increased security measures against opposition figures. Any criticism of Bahrain's main allies in the Gulf, especially Saudi Arabia, are severely repressed.

In February 2015, *al-Arab* television channel was suspended for violating “media neutrality” less than 24-hours after its launch. The suspension of *al-Arab* was reportedly related to its failure to abide by the prevailing norms in the Gulf, including the neutrality of media positions and avoiding anything that would negatively impact “the spirit of Gulf unity”. The suspension followed an interview with

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<sup>2</sup> Joint statement on the human rights situation in Bahrain delivered by Switzerland at the 30th Session of the Human Rights Council (HRC), Sept. 14, 2015, <https://www.article19.org/data/files/medialibrary/38118/UN-Statement-Re-Bahrain-and-Human-Rights.pdf>

Khalil Al-Marzooq, the deputy secretary-general of the Shia Al-Wefaq opposition movement in Bahrain.<sup>3</sup>

On August 3, 2015, the Information Ministry released a statement declaring that it would “not hesitate to take necessary legal measures to stop the publication of false or misleading information.” Three days later, the Information Affairs Authority (IAA) suspended *al-Wasat*, an independent newspaper that reports on human rights related issues. The newspaper received a warning from the authorities related to a critical opinion piece entitled: “And they will never approve of you,” within which opposition members were accused of treason on social media. The reasons for the suspension, according to the IAA, included the dissemination of information that “affects national unity” and the “Kingdom’s relationship with other countries.” The newspaper was forced by the authorities to sign a declaration in order to resume publishing.<sup>4</sup>

The newspaper was previously targeted in 2011 when the authorities briefly suspended its activities and put three of its editors on trial, forcing them to resign.<sup>5</sup>

The Ministry of Interior continued to target independent journalists, specifically those who covered the protests that erupted after the arrest of Shaykh Ali Salman, leader of the most significant opposition group in the country. On November 24, 2015, award-winning photographer Sayed Ahmed Al Mousawi was sentenced to ten years imprisonment and had his nationality revoked after covering pro-democracy demonstrations in early 2014.<sup>6</sup> His sentence was based on accusations that he given SIM cards to “terrorist” demonstrators and took photos of anti-government protests. Mousawi was initially arrested on February 10, 2014 by security forces at his home in the town of Diraz

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<sup>3</sup> “Bahrain-Based Satellite Channel Off-Air a Day after Starting,” *Reuters*, Feb. 4 2015, <http://www.reuters.com/article/bahrain-tv-idUSL6N0VC0U320150202>

<sup>4</sup> GC4HR, “Bahrain: Human Rights Defender Arrested and Bahrain’s Only Independent Newspaper *al-Wasat* Suspended by Authorities,” Aug. 16, 2015, <http://www.gc4hr.org/news/view/1063>

<sup>5</sup> *Ibid*

<sup>6</sup> Reporters Without Borders, “Bahraini Photographer Sentenced to Ten Years in Prison,” Nov. 24, 2015, <http://en.rsf.org/bahrain-bahraini-photographer-sentenced-to-24-11-2015,48569.html>

without a warrant. His camera and other electronic apparatus were confiscated.

The Internet is one of the last remaining spaces for Bahrainis to express their political, social and economic views. However, the crackdown on cyber-activists has escalated and security forces have continued to put social media platforms under strict surveillance. Several Twitter users were coerced by the authorities to delete their tweets or close their accounts. Cyber-activists were prosecuted for various reasons ranging from serious government criticism to satirical jokes. Between June 2014 and May 2015, 11 Bahraini internet users were collectively sentenced to 29 months in prison.<sup>7</sup> Dozens of internet users and activists continue to face harassment, arrest, prosecution, and mistreatment.

On January 27, 2015, the Bahraini authorities arrested nine cyber-activists for alleged criticism of the late King Abdullah of Saudi Arabia on Twitter. The Ministry of Interior stated that these individuals were arrested for “misuse of social media” and that, according to Bahrain’s Penal Code, they could face imprisonment for up to two years and a 200 Bahraini Dinar fine.<sup>8</sup>

On February 10, 2015, Jaleela al-Sayed, a cyber-activist was arrested by security for “misuse of social media,” inciting hatred against the regime, and insulting the king on Twitter. After raiding her house, security forces confiscated her electronic gadgets. Jaleela was reportedly subjected to ill treatment while in detention and required medical attention. During the initial period of her arrest, she was denied legal representation and prevented from contacting her family.<sup>9</sup>

In September 2015, security forces arrested the two social media activists responsible for “BuKhamis” and “HajiAhmed” Twitter handles for “insulting Bahrain’s martyrs in Yemen.” The tweets in

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<sup>7</sup> Freedom House, “Bahrain Freedom On the Net,” 2015, <https://freedomhouse.org/report/freedom-net/2015/bahrain>

<sup>8</sup> BCHR, “Bahrain: Arrest of Nine Internet Users Over Social Media Posts,” Jan 28, 2015, <http://bahrainrights.org/en/node/7244>

<sup>9</sup> BCHR, “Violence Against Journalists in Bahrain,” Nov. 2, 2015, <http://www.bahrainrights.org/en/node/7645>

question allegedly denounced and criticized Bahrain's participation in the ongoing military operation in Yemen.<sup>10</sup>

In October 2015, Ebrahim Karimi, a cyber-activist, was arrested at his house, following a raid by security forces, without presenting an arrest warrant. His house was searched and his electronic devices were confiscated. Ebrahim was interrogated in relation to posts on the Twitter account "FreejKarimi." The public prosecution later charged Ebrahim with inciting hatred against the regime, insulting the king, and "misuse of social media," among other related offenses. During Ebrahim's detention at the Criminal Investigation Directorate, he was subjected to ill treatment including forced standing for prolonged hours and sleep deprivation. He was further threatened that his family would be harmed if he did not confess, and was denied access to legal representation. Ebrahim's citizenship was previously revoked in 2012 by an administrative decision, and a Bahraini court has since ordered his deportation.<sup>11</sup>

### **Escalating Crackdown on Human rights Defenders:**

Human rights defenders continued to operate in a shrinking space as Bahraini authorities continued to target them with imprisonment and prosecution. They have faced charges for practicing their rights to freedom of peaceful expression and/or assembly.

On December 31, 2014, the Lower Criminal Court in Bahrain sentenced Mohammed Al-Maskati, the president of Bahrain Youth Society for Human Rights (BYSHR), to six months in prison for illegal assembly. His trial began on June 19, 2013 after he was charged with "rioting and participating in an illegal gathering" in relation to his participation in a peaceful demonstration in Manama in October 2012.<sup>12</sup>

On March 10, 2015, Naji Fateel, board member of the Bahrain Youth Society for Human Rights (BYSHR) and a blogger, was held incommunicado inside Jau prison. The human rights defender was

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<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Front Line Defenders, "Human Rights Defender Mohammed Al-Maskati sentenced to 6 months in prison."

denied contact with his family. Naji Fateel was sentenced to 15 years in prison on May 19, 2014 for establishing “a group for the purpose of disabling the constitution” under Article 6 of the controversial Terrorism Act. Fateel’s trial fell short of fair due process guarantees. At the time of his arrest on May 2, 2013, Naji Fateel was held incommunicado for three days and reportedly subjected to torture.<sup>13</sup>

On April 2, 2015, Bahraini security forces arrested Nabeel Rajab, a prominent human rights defender and president of the Bahrain Center for Human Rights (BCHR), on charges of “insulting a statutory body” and “spreading rumors during a time of war.” The charges were based on a series of tweets and an opinion piece published in the *Huffington Post*. The charges relate to Nabeel Rajab’s work in documenting the mistreatment and torture in Bahrain’s Jau Prison, as well as reporting on civilian deaths in Yemen, in contravention of a government prohibition of any public mention that is critical of the conflict.<sup>14</sup>

Nabeel Rajab has previously faced frequent physical intimidation, arrest, detention and travel bans and has been sentenced to prison in violation of rights of assembly and expression.<sup>15</sup>

On November 26, 2015 the Bahrain High Court of Appeal upheld an earlier sentence to one year imprisonment, suspended for three years, issued by the High Criminal Court against Ghada Jamsheer, Head of the Women’s Petition Committee. The human rights defender was sentenced for allegedly “assaulting a policewoman” during her time in detention in September 2014. No sufficient evidence was presented in support of the claim. Jamsheer was initially arrested on the basis of ten complaints filed against her on September 14, 2014. The complaints included posting “insulting” and “defamatory” tweets on alleged corruption in the management of King Hamad Hospital, which is run by the ruling family in Bahrain.<sup>16</sup>

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<sup>13</sup> Front Line Defenders, " Incommunicado detention of imprisoned human rights defender Mr Naji Fateel", Mar. 24, 2015, <https://frontlinedefenders.org/node/28313>>

<sup>14</sup> GC4HR, "End Reprisals Against Leading Human Rights Defender Nabeel Rajab", Apr. 13, 2015, <http://www.gc4hr.org/news/view/984>

<sup>15</sup> Front Line Defenders, "Nabeel Rajab" <https://frontlinedefenders.org/NabeelRajab>

<sup>16</sup> Front Line Defenders, " Bahrain – Prison Sentence Against Ghada Jamsheer Upheld," Nov. 27, 2015 , <https://www.frontlinedefenders.org/node/30178>

On December 15, 2015 Hussain Jawad, Chairman of the European-Bahraini Organization for Human Rights (EBOHR), was sentenced to two years imprisonment and a fine of 500 Bahraini dinars by the Fourth Lower Criminal Court. His sentence was based on charges related to “collecting money from Bahrain and abroad without a permit.” Hussain Jawad was initially arrested on February 16, 2015 and detained at the Criminal Investigations Directorate, while no reasons were provided for the arrest at the time. On May 19, 2015, he was released on bail, pending trial, after spending three months in detention.<sup>17</sup>

Human rights defenders and civil society members who participated in the United Nations events continued to receive threats of reprisals. Individuals were subjected to harassment and intimidation. On March 15, 2015, human rights defenders *Husain Abdulla*, Executive Director of Americans for Democracy & Human Rights in Bahrain (ADHRB), and *Abdulnabi Al-Ekri*, President of Bahrain Transparency Society and member of the Bahrain Human Rights Observatory (BHRO), were reportedly threatened by the Chairman of the Human Rights Committee in the Bahraini Parliament. During a side event organized by ADHRB at the Human Rights Council, a member of the MP’s delegation took pictures of the Bahraini human rights defenders with her mobile phone. Consequently, UN Security had to prevent the MP from attending the event.

During previous Human Rights Council sessions, people accredited by the Government of Bahrain also took pictures of human rights defenders as a means of intimidation. In addition, articles were written in the local Bahrain press defaming organizers of HRC events.<sup>18</sup>

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<sup>17</sup> Front Line Defenders, “Bahrain – Hussain Jawad Sentenced to Two Years’ Imprisonment,” Dec. 20, 2015, <https://www.frontlinedefenders.org/node/30310>

<sup>18</sup> GC4HR, “Bahrain: Human rights Defenders Husain Abdulla and Abdulnabi Al-Ekri Threatened at the Human Rights Council,” Mar. 19, 2015, <http://www.gc4hr.org/news/view/954>

## **Torture and Ill Treatment:**

Detainees in Bahrain continued to be subjected to torture and other forms of ill treatment, in contravention of Bahrain's obligations – as a state party – to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The Ministry of Interior's Criminal Investigations Directorate (CID) as well as police stations continued to carry out coercive interrogation. Former inmates of Jau prison reported that they were subjected to torture and physical assault. This included electric shock, suspension in painful positions, including by their wrists while handcuffed, forced standing, extreme cold conditions, and sexual abuse.<sup>19</sup>

Concerns about the harsh treatment of detainees at the Jau Prison in Bahrain intensified following a riot there in early March. The riot was put down by security forces using rubber bullets, tear gas, and shotguns, resulting in many injuries. After the riot was quelled, the detainees were allegedly forced to spend 10 days in the open courtyard of the prison before eventually being placed in two large plastic tents. Those accused of instigating the unrest were transferred to another section of the Jau prison, and there are allegations that they were subjected to ill treatment and torture.<sup>20</sup>

Within the same context, on March 21, 2015, Dr. Abduljalil Al-Singace, a prominent academic and blogger, began a hunger strike in protest of the ill treatment of inmates and the poor, unsanitary conditions at Jau Prison. Dr. Al-Singace was initially arrested for participating in peaceful protests during the 2011 uprising.<sup>21</sup> Dr. Al-Singace was subjected to torture and ill treatment, including forced standing, verbal and sexual assault, beatings, and prolonged solitary

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<sup>19</sup> Human Rights Watch, "The Blood of People Who Don't Cooperate," Nov. 22, 2015,

<https://www.hrw.org/node/283352>

<sup>20</sup> OHCHR, "Press briefing notes on justice for rights abuses in Nigeria, Central African Republic and Bahrain," 5 June 2015,

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16043&LangID=E#sthash.UtQdWGTc.dpuf>

<sup>21</sup> GC4HR, " Bahrain: Free Dr. Abduljalil Al-Singace", 3 July 2015,

<<http://www.gc4hr.org/news/view/1039>>



confinement. He was tried by a military court in June 2011 and sentenced to life in prison for allegedly plotting to overthrow the government. Despite suffering from a serious illness that requires urgent medical attention, Dr. Al-Singace has been denied access to medical treatment. He is further denied access to novels, television, radio, pens and papers. He is also not allowed access to religious books and prayer beads, and was not permitted a condolence visit when his nephew died.

Family members of human rights defenders have also been targeted. On November 5, 2015, Ali Isa Al-Tajer, brother of human rights lawyer *Mohammed Al- Tajer*, was arrested following a raid by security forces on his family house. During his detention, he was beaten, threatened with electric shocks, forced to strip naked, and sexually assaulted. He was further forced to stand and deprived of sleep for most of the time, and was forced to sign confession papers. The charges brought against Ali Isa include, joining a terrorist organization to overthrow the government by force and training individuals to use weapons for terrorist purposes.<sup>22</sup>

### **Revocation of Citizenship:**

Authorities in Bahrain continued to revoke the citizenship of those who express peaceful dissent and thereby intimidate others from exercising their right to freedom of expression. The Ministry of Interior is granted the power to revoke the citizenship of those it deems to have “caused harm to the interests of the Kingdom” pursuant to the amendments made to the Bahraini citizenship law in July 2014.

On January 31, 2015, the Bahrain Ministry of the Interior issued a decree revoking the citizenship of 72 individuals for committing “illegal acts.” The list of names provided by the Ministry included five human rights defenders Sayed Ahmed Alwadaei, Ali Abdulemam, Abbas Busafwan, Hussain Jasem, and Dr Ali Al-Dairi. The decree, which was approved by the Cabinet, was issued in accordance with Article 10(c) of the Bahraini Nationality Act and its amendments

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<sup>22</sup> GC4HR, “Update: Bahrain- Ali Isa Al-Tajer Charged Following Torture in Prison,” Dec. 3, 2015, <http://www.gc4hr.org/news/view/1136>.

(2014). It revoked the citizenship of the individuals for their alleged involvement in a number of acts, including “spying for foreign countries and recruiting people for social media,” “financing groups carrying terrorists operations,” “defaming the image of the regime,” “seeking to form a terrorist group,” “inciting and advocating regime change through illegal means,” “belonging to terrorist groups fighting abroad,” and “defaming brotherly countries”.<sup>23</sup>

### **Discrimination against Shia people:**

The authorities took no serious steps to end the systematic sectarian discrimination against Shia citizens. In order to exhibit some compliance with the BICI recommendations, the authorities adopted training programs to prevent the spread of sectarian and communal hatred and showed limited interest in repairing Shia places of worship, which had been severely damaged during clashes following the popular pro-democracy uprising in February 2011.<sup>24</sup> However, Shias continued to be targeted. In November 2015, a criminal court in Bahrain sentenced twelve Shia opposition members to life in prison and revoked their citizenship on charges of forming a terrorist group and targeting police with explosive devices.<sup>25</sup>

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<sup>23</sup> Front Line Defenders, "Five Human Rights Defenders Among the 72 Bahrainis who have had their Citizenship Revoked," Feb. 6, 2015, <https://frontlinedefenders.org/node/28047>.

<sup>24</sup> CIHRS, "Delivering Democracy, 5<sup>th</sup> CIHRS' Annual Report on the Human Rights Situation in the Arab World," Bahrain, 2013, [http://www.cihrs.org/?page\\_id=7156&lang=en](http://www.cihrs.org/?page_id=7156&lang=en)

<sup>25</sup> "Bahrain Sentences 12 Individuals to Life Imprisonment and Strip Off their Nationality For Carrying Out Bombings," *Reuters*, Nov. 16, 2015, <http://ara.reuters.com/article/topNews/idARAKCN0T50BN20151116>