

BAHRAIN

TIER 2

KEY FINDINGS

Amidst an overall worsening of human rights conditions during the past year, religious freedom for the majority-Shi'a community deteriorated. There was a sharp increase in the number of interrogations, arrests, convictions, and arbitrary detentions of Shi'a Muslim clerics, mostly on unfounded and unsubstantiated charges. In addition, authorities denied some Shi'a clerics access to specific mosques and banned others from conducting Friday prayers, sermons, and other religious services. Discrimination against Shi'a Muslims in government employment and other public and social services continued, as did inflammatory, sectarian rhetoric by pro-government

media, despite officials often making public statements condemning sectarian hatred and violence. Although the government continued to make progress in implementing some recommendations from the 2011 report of the Bahrain Independent Commission of Inquiry (BICI), it has not fully implemented recommendations that would redress past abuses against Shi'a Muslims and further improve religious freedom conditions. As a consequence of deteriorating conditions, in 2017 USCIRF places Bahrain on its Tier 2 for the first time. Between 2012 and 2016, Bahrain was covered in the Other Countries Monitored section of the Annual Report.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Address religious freedom concerns with the Bahraini government both privately and publicly and report openly on the government's success or failure to implement genuine reforms;
- Press for at the highest levels and work to secure the unconditional release of prisoners of conscience and religious freedom advocates, and press the country's government to treat prisoners humanely and allow them access to family, human rights monitors, adequate medical care, lawyers, and the ability to practice their faith;
- Urge the Bahraini government to cease its targeting of individuals, particularly religious leaders, on the basis of religion or belief or advocacy of human rights and religious freedom;
- Ensure clear and consistent messaging at all levels of the U.S. government regarding Bahrain's human rights and religious freedom obligations under international law;
- Assist in the training of government entities, including security officials, prosecutors, and judges, to better address sectarian violence and incitement through practices consistent with international human rights standards;
- Include Bahraini civil society and religious leaders in exchange and U.S. visitor programs that promote religious tolerance, interreligious understanding, and interfaith dialogue;
- Urge the Bahraini government to implement fully the BICI recommendations, including those related to freedom of religion and belief, sectarian incitement, and accountability for past abuses against the Shi'a community;
- Undertake and make public an annual assessment of Bahrain's progress, or lack thereof, on implementing BICI recommendations;
- Urge the Bahraini government to reimburse the Shi'a community for expending its own funds to rebuild seven mosques and religious structures that were demolished in 2011;
- Urge the Bahraini government to pass a law in the Shura Council addressing incitement to violence in the media, ensuring compliance with international human rights standards; and
- Urge the Bahraini government to cooperate fully with international mechanisms on human rights issues, including by inviting visits from the United Nations Special Rapporteur on freedom of religion or belief.

BACKGROUND

Of the country's population of approximately 1.3 million, about half are Bahraini citizens and half are expatriate workers, primarily from South Asian countries. Almost half of the expatriate workers are non-Muslim (approximately 250,000–300,000). Although there are no official statistics, the population of Bahraini citizens is estimated to be at least 60 percent Shi'a Muslim and approximately 35 percent Sunni Muslim, with approximately 1 to 2 percent non-Muslims, including Christians, Hindus, Sikhs, Jews, and Baha'is. Compared to other countries in the region, Bahrain is among the most tolerant of non-Muslim religious minority communities. The government officially recognizes at least 19 Christian denominations, a tiny Jewish community, Hindus, and Sikhs. A small Baha'i community is recognized as a social entity. Most Bahrainis acknowledge that their society has been historically tolerant of all faiths and religiously pluralistic to a degree that is notable in the region.

During the past year, an increased crackdown on civil society and opposition groups had a chilling impact on freedom of religion or belief and freedom of expression. Previously, between 2011 and 2015, restrictions had been primarily aimed at protestors, human rights defenders, and political opposition members, particularly those affiliated with the Shi'a Islamist Al Wafaq society, the largest of approximately 20 licensed political societies. The Bahraini government contends that those who have been

arrested and charged have breached public order laws during authorized processions or protests, in some cases carrying weapons. Bahraini and international human rights groups and the State Department dispute this. In addition, during the past year, increased efforts by Iran to expand its influence in Bahrain have heightened the government's concerns about subversive activity by Iranian-backed Shi'a militants in the country.

In July 2016, USCIRF staff traveled to Bahrain to assess religious freedom conditions and to meet with U.S. Embassy officials, the vice chair of the government-appointed National Institution for Human Rights, and representatives of civil society and religious communities.

RELIGIOUS FREEDOM CONDITIONS 2016–2017

Significant Increase in Arrests and Charges against Shi'a Clerics

With many political opposition members and human rights activists serving prison terms or facing criminal charges, during the past year Bahraini authorities

targeted Shi'a clerics, many of whom are not affiliated with any political entity. According to Bahraini and international human rights groups, this increased targeting of Shi'a clerics

constitutes a systematic campaign of harassment that violates their rights to freedom of assembly, speech, and religion. In many of these cases, the Bahraini government has used charges of insulting religious symbols

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and/or religion, illegal gathering, unlawful protesting, engaging in political speech in sermons, and supporting terrorism. Human rights groups have stated that many of the charges are unfounded or unsubstantiated. In other cases, the Bahraini government has suggested that some clerics have ties to Iran, although no criminal charges have been filed based on these allegations. Bahraini Shi'a clerics deny any subversive relationship with Iran and say their primary tie with the country is having acquired religious training in Qom, Iran, the largest center for Shi'a religious study in the world.

Since June, Bahraini authorities interrogated, charged, and/or sentenced at least 80 Shi'a clerics, imposing travel bans against several. For example, in an attempt to limit freedom of expression and belief, in May 2016, Shi'a cleric Sheikh Mohamed Al-Mansi was charged with delivering an unauthorized sermon and inciting hatred against the regime and sentenced to one year in prison; in July, his sentence was upheld on appeal. In June, Shi'a cleric Sheikh Mohamed Sanqoor was banned from conducting sermons and Friday prayers at Imam Sadiq mosque in Diraz. In July, Sheikh Sanqoor was charged with incitement against the regime and preaching without a permit; his case is ongoing.

In August 2016, a Bahraini court convicted Sheikh Ali Humaidan of illegal gathering and sentenced him to one year in prison for being part of a peaceful gathering outside the home of the most senior Shi'a cleric in Bahrain, Sheikh Isa Qassim, whose citizenship authorities had stripped arbitrarily in June. Immediately after Sheikh Qassim's citizenship was revoked, mass protests erupted in his hometown of Diraz, which led to a full-time security presence and limited or no ability to access the locality. At the end of the reporting period, at least eight other clerics were facing similar charges.

Also in August, Shi'a cleric and religious freedom activist Maytham al-Salman, with whom USCIRF has met on several occasions, was interrogated for 24 hours, endured sleep deprivation, and was subsequently charged with illegal gathering; his case

remained pending at the end of the reporting period. In December 2015, he was interrogated about his criticism of Bahraini government policies and his advocacy of religious freedom, and in March 2016 he was charged with "expressing views regarding a case still in court," inciting hatred against the regime, and insulting religious symbols.

On August 16, a group of United Nations (UN) human rights experts [criticized](#) the numerous charges brought against dozens of Shi'a clerics and called on Bahraini authorities to end what it called its "systematic harassment of its Shi'a population." The experts found that the government of Bahrain targets the Shi'a Muslim population on the basis of their religion, including by shutting down faith-based organizations, restricting

the practice of religious rites, restricting access to Friday prayers and other peaceful assembly, and banning Shi'a clerics from delivering sermons in mosques. The five experts who issued the statement are the chair of the UN Working Group

on Arbitrary Detention and the Special Rapporteurs on the promotion and protection of the right to freedom of opinion and expression; the rights to freedom of peaceful assembly and of association; freedom of religion or belief; and the situation of human rights defenders.

The Dissolution of Al Wefaq and the Targeting of Affiliated Shi'a Clerics

During the year, the government continued to prosecute Shi'a Muslim political figures—primarily affiliated with Al Wefaq—on charges that are politically motivated but also have implications for religious freedom.

In June, the Ministry of Interior announced it was revoking the citizenship of Sheikh Qassim, who is sometimes referred to as the "spiritual leader" of Al Wefaq, although he has no formal affiliation with the political society. Sheikh Qassim was also charged with money laundering, although his lawyers say these charges are unsubstantiated; his trial has been postponed numerous times and remains ongoing. Since Sheikh Qassim was charged, Shi'a protesters and security forces have

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engaged in low-scale clashes around his home in Diraz. According to human rights groups, since August 2016 at least 19 defendants have been sentenced to a total of 23 years of prison time in nine separate cases for gathering in the Diraz area.

The revocation of Sheikh Qassim's citizenship was followed in July by the government's decision to dissolve Al Wefaq and seize its assets, on accusations that it provided "a nourishing environment for terrorism, extremism, and violence." Al Wefaq disputed these charges and appealed the ruling with the highest court in Bahrain, the Court of Cassation. In February 2017, the Court of Cassation denied the appeal, drawing strong criticism from the UN and international human rights groups.

In December 2016, Al Wefaq's former secretary general, Sheikh Ali Salman, was sentenced to nine years in prison in a retrial that was ordered by the Court of Cassation in October. In May 2016, the Bahrain First High Court of Appeals had affirmed Sheikh Salman's original June 2015 conviction and increased his sentence from four years to nine years. Salman was convicted on a range of security-related charges, including inciting regime change and insulting the Ministry of Interior; UN experts have criticized these charges as violations of the freedoms of expression, association, and religion. The State Department has called for his unconditional release. Sheikh Salman has been imprisoned since December 2014.

Limitations on Religious Expression and Sectarian Incitement

While government officials continued to discourage sectarian language in media outlets, public and private media continued at times to use inflammatory, sectarian rhetoric. The Shura Council has not passed media laws that would curb incitement to violence, hatred, and sectarianism as recommended in the BICI report. Nevertheless, some individuals have been charged and prosecuted for incitement to hatred and violence against Shi'a Muslims.

In May 2016, the parliament passed, and the Shura Council ratified, article 5 of the Political Societies Law, which prevents clerics who give sermons from joining political societies that engage in any political activities. The law also states that "political societies' heads and leaders shouldn't be religious preachers, even if they occupy the position in the societies without being paid." Human rights groups view this as limiting clerics' free speech and association rights, while Bahraini officials see it as a way to prevent religious activities from being politicized.

According to the State Department, while some previous amendments to laws strengthened protection of freedom of expression, article 169 of the penal code—which imposes up to two years' imprisonment and a fine for anyone found to publish "falsified" or "untrue" reports—was amended to stipulate that laws on freedom of expression must be "compatible with values of

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a democratic society." Human rights groups are concerned that such broad language, subject to varying interpretations, increases the likelihood of infringement of freedom of expression, including religious expression.

Furthermore, in 2016 some individuals were arrested and/or charged under articles 309 and 310 of the penal code, which penalizes insulting a recognized religious community, its rituals, or religious symbols with a term of imprisonment up to one year or a fine not exceeding 100 Bahraini dinars (approximately US\$265). Despite the charges, there were no known convictions during the reporting period.

Other Forms of Discrimination and Restrictions on Ashura Commemorations

According to human rights groups, members of the Shi'a community still cannot serve in the active military, only in administrative positions, and there are no Shi'a Muslims in the upper levels of the Bahraini government security apparatus, including the military and police. In addition, UN experts have found that patterns of cultural, economic, educational, and social discrimination exist against the Shi'a Muslim community, including in

the education system, media, public sector employment, and other government social policies such as housing and welfare programs.

In October 2016, authorities reportedly interfered with some Ashura commemorations and removed Ashura banners in certain locations. Bahraini officials claim they were forced to intervene due to excessive vandalism and looting by youth, and they arrested several individuals. In addition, at least five Shi'a clerics—including Sheikh Abdulmohsen Mulla Atiya Al-Jamri and Sayed Sadiq Al-Ghuraifi—were interrogated related to speeches given during Ashura commemorations. After more than 10 hours of interrogations, Bahraini security authorities released three of the clerics; however, two clerics, Sheikh Al-Jamri and Sayed Al-Ghuraifi, were detained and questioned for longer periods. At the end of the reporting period, no charges had been filed.

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Implementation of BICI Recommendations

In May 2016, the Bahraini government announced it had implemented all 26 of the BICI recommendations, including those related to freedom of religion or belief. However, human rights groups and the State Department disagree with that assessment, concluding that only some recommendations have been implemented, while others are either fulfilled partially or not at all. A June 2016 State Department report assessing BICI implementation found that “much work remains to be done,” including in areas related to religious freedom and sectarian incitement.

Progress in Rebuilding Shi'a Mosques and Religious Structures

Despite a self-imposed deadline of the end of 2014, the Bahraini government has not fully completed rebuilding all 30 of the destroyed religious structures identified in the BICI report. In July 2016, the government claimed to have spent approximately US\$10 million—up from \$8 million the previous year—to rebuild Shi'a mosques and

religious structures, more than twice what it pledged in 2012. In May, the government stated publicly that it completed rebuilding the mosques and religious structures and all were approved for use. Despite this claim, the government has completed only 20 structures, most of which are in use, and the Shi'a community has rebuilt seven structures. Three structures still require legal and administrative approval and no progress has been made on their rebuilding.

The government has stated that it helped secure legal permits for the seven structures rebuilt by the Shi'a community, but despite indicating willingness in the past, officials have not reimbursed the community. According to the State Department, the Bahraini government claimed it has reimbursed the Shi'a community for reconstruction costs through payments to the national Shi'a endowment; however, members of the Shi'a community dispute this claim.

Progress and Concerns Related to Accountability for Past Abuses

As recommended in the BICI report, the Bahraini government has created entities to address accountability for abuses, including a Civilian Settlement Office to compensate for deaths and injuries from the 2011 unrest, as well as an Office of the Ombudsman in the Ministry of Interior to ensure compliance with policing standards and receive reports of misconduct.

However, the government still has not adequately held high-level security officials accountable for serious abuses, which included targeting, imprisoning, torturing, and killing predominantly Shi'a demonstrators. Bahraini courts have tried, prosecuted, and convicted only a few lower-level police officers, with little or no transparency about the trials, convictions, and length of prison terms; several have been acquitted. In the past, the government has stated that there are ongoing investigations of higher-level officers related to the 2011 abuses, but has not disclosed any specific details.

U.S. POLICY

U.S.-Bahraini relations have been focused primarily on geopolitical concerns, including the regional influence of Iran and security cooperation. Bahrain, a longstanding U.S. ally in the region, has hosted a U.S. naval presence since 1946 and is home to over 8,000 members of the U.S. armed services, mostly affiliated with the Fifth Fleet of the United States Navy. In 2002, the United States designated Bahrain as a “major non-NATO ally,” allowing the country access to defense research cooperation and purchase of certain otherwise-restricted U.S. arms.

Despite the close relationship, human rights concerns have affected military assistance in recent years. The Obama Administration’s foreign military financing requests for aid to Bahrain dropped from \$25 million in fiscal year (FY) 2012, at the beginning of internal unrest, to \$5 million in FY 2017. Restrictions on U.S. military aid to Bahrain were targeted toward intelligence assistance and equipment used for internal security matters. In 2015, the United States lifted restrictions on arms sales to Bahrain in recognition of “meaningful progress on human rights.” However, in September 2016 the Obama Administration attached a declaration of concern to the sale of F-16 fighter jets to Bahrain, conditioning the sale on specific human rights progress. In March 2017, after the end of the reporting period, the Trump Administration announced it planned to drop all human rights conditions on the sale of F-16 fighter jets and other arms to Bahrain.

The 2011 BICI report has provided the major framework for U.S. assessments of progress on human rights reforms in Bahrain. In the National Defense Authorization Act for 2013, Congress directed the secretary of state to submit an assessment of Bahrain’s progress in implementing the BICI recommendations, including a description of specific steps taken, an assessment of compliance with each recommendation, and an assessment of the report findings’ impact on “progress toward democracy and respect for human rights in Bahrain.” In 2015, the Senate Appropriations Committee called on the secretary of state to submit a report describing specific steps taken to implement BICI recommendations, as well as further steps the government should take to fully implement the recommendations and an assessment of the report findings’ impact on U.S. security in the region. Accordingly, the Department of State produced

two reports on Bahrain’s implementation of the BICI recommendations, one in 2013 and one in 2016. Both reports found the government had made progress, but that “more work remains to be done,” particularly in the independence and accountability of investigative bodies and promotion of national reconciliation. The [2016](#) report noted progress in rebuilding demolished Shi’a mosques and in implementing tolerance in curricula.

State Department officials have raised concerns with their Bahraini counterparts about sectarianism, human rights, and prisoners of conscience in the country. During a visit to Manama ahead of the April 2016 Gulf Cooperation Council summit, then Secretary of State John Kerry discussed Bahraini efforts to counter sectarianism with the Minister of Foreign Affairs. Then Secretary Kerry also met with opposition and civil society leaders, including noted human rights defender Nabeel Rajab, who remains in detention. Since the summit, several State Department statements have addressed human rights concerns in Bahrain, including the ongoing imprisonment of Rajab as well as religious freedom concerns facing the Shi’a community. According to the State Department, U.S. government officials at all levels, including embassy staff, have urged the Bahraini government to fully implement the BICI recommendations, end discrimination against the Shi’a community, support national unity and reconciliation efforts, respect freedom of expression, bolster the independence of watchdog organizations, and provide for the religious freedom of prisoners.