

# **BAHRAIN 2014 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

Bahrain is a constitutional monarchy. King Hamad Bin Isa al-Khalifa, the head of state, appoints the cabinet consisting of 23 ministers; nine of those ministers, excluding the deputy prime ministers, are members of the Sunni al-Khalifa ruling family. The parliament consists of an appointed upper house, the Shura (Consultative) Council, and the elected Council of Representatives, with 40 seats each. Approximately 52 percent of eligible voters participated in parliamentary elections held on November 22 and 29. Turnout was significantly lower in opposition districts, due to a decision to boycott the elections by the main opposition political societies and a lack of confidence among opposition communities that the electoral system could produce a parliament that would address their concerns. The government did not permit international election monitors. Domestic monitors generally concluded the authorities administered the elections smoothly. There were, however, broader concerns regarding voting-district boundaries and limitations on freedom of expression and association. Authorities maintained effective control over the security forces.

The most serious human rights problems included citizens' limited ability to change their government peacefully; arrest and detention of protesters (some of whom were violent) on vague charges, occasionally leading to their torture and mistreatment in detention; and lack of due process in trials of political and human rights activists, students, and journalists, including harsh sentences.

Other significant human rights problems included arbitrary deprivation of life; impunity for security officers accused of committing human rights violations; arbitrary arrest; violations of privacy; and restrictions on civil liberties, including freedom of speech, press, assembly, association, and religion. The government at times imposed and enforced travel bans on political activists in conjunction with arrest charges. The government maintained the revocation of citizenship for 31 individuals, and arbitrarily enforced a decree regulating communications between political societies and foreign entities. Discrimination continued against the Shia population, as did discrimination based on gender, religion, and nationality. There were reports of domestic violence against women and children. Trafficking in persons and restrictions on the rights of foreign workers continued to be significant problems.

Beginning in 2011 the country experienced a sustained period of unrest, including mass protests calling for political reform. Between February and October 2011, 72 persons, including police, died as a result. The government prosecuted and sentenced some police personnel implicated in abuses during the year and dating to 2011; however, authorities did not find high-ranking officials guilty of abuses, and it remained unclear if it held lower-ranking personnel in jail. Authorities reported they held accused police officers apart from other detainees. The government took steps to address the “culture of impunity,” identified by the 2011 Bahrain Independent Commission of Inquiry (BICI) report. Actions included maintaining the Ombudsman’s Office in the Ministry of Interior; continuing a Special Investigative Unit (SIU) in the Public Prosecutor’s Office; funding the National Institution for Human Rights (NIHR), which issued its first annual report; and supporting the Commission on Prisoner and Detainee Rights.

## **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

### **a. Arbitrary or Unlawful Deprivation of Life**

There were several reports government security forces committed arbitrary or unlawful killings. The Shia opposition political society al-Wifaq’s Freedom and Human Rights Department attributed eight deaths either directly or indirectly to security forces, including one due to beating or torture and one from exposure to tear gas. The government also reported two civilians died in clashes with police. In near nightly clashes in some communities, violent protesters used improvised explosive devices, Molotov cocktails, and other improvised weapons, resulting in the deaths of five police officers during the year. The government reported that as of September 1, there had been 263 injuries to police, five of which were severe.

On February 23, riot police shot demonstrator Abdul-aziz al-Abbar with a tear gas canister and shotgun pellets during a funeral procession; Al-Abbar died on April 18. The SIU report stated the cause of death was “complications of splinter gunshot wounds in the face and head.”

On May 22, security forces shot and killed 15-year-old Sayed Mahmood after dispersing a large funeral procession. His death certificate stated he died of birdshot wounds that penetrated his lungs and heart. In June the Ombudsman’s Office stated to the international nongovernmental organization (NGO) Human Rights Watch (HRW) that it had forwarded all case materials to the SIU for investigation. There was no information on the status of this investigation at year’s end.

There was no update on the status of two police officers under investigation for killing 16-year-old Hussain al-Jazeera during clashes in February 2013. In May 2013 the court released the two officers from custody on bail of 500 dinars (\$1,350) pending trial. The government reported it closed the investigation. In May the government reported the SIU was investigating the case of al-Jazeera's relative, Mahmood al-Jazeera, who died due to head injuries from a tear gas canister fired at close range during clashes in Dahi.

The Court of Cassation still had not heard the appeal against the acquittal of two security officers, Ahmed al-Thawadi and Ahmed Areen, in the 2011 deaths of protesters Ali al-Mumin and Isa Abdulhasan.

The government claimed it held police defendants in a special jail reserved for security officers, but human rights activists maintained defendants continued to serve as law enforcement officers. Impunity among law enforcement officials remained a problem, including for cases from 2011 and 2012.

#### **b. Disappearance**

There were no reports of politically motivated disappearances.

#### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution prohibits "harm[ing] an accused person physically or mentally," but domestic and international human rights organizations reported instances of torture, abuse, and other cruel, inhuman, or degrading treatment or punishment. Human rights groups reported prisoner accounts alleging security officials beat them, sometimes while they were blindfolded, and subjected them to sexual harassment, removal of clothing, threat of rape, and sleep deprivation. Officials reportedly placed detainees in solitary confinement, sometimes in extreme temperatures; poured cold water on them; and forced them to stand for long periods. The MOI repeatedly denied torture was systemic. Human rights organizations reported authorities prevented some detainees from using toilet facilities, drinking, and eating. Other reports noted a similar pattern of abuse following arrest, including beating, harassment, and intimidation. Most detainees alleging abuse were Shia.

Local human rights groups, including the unlicensed Bahrain Center for Human Rights (BCHR), Bahrain Human Rights Society (BHRS), and the Shia opposition political society al-Wifaq's Freedom and Human Rights Department reported authorities sometimes mistreated detainees, including youth, during interrogations and denied medical treatment to injured or ill detainees and prisoners. Reports indicated the MOI interrogated detainees about involvement in either sanctioned or unsanctioned protest activity, postings to social media, association with individuals known to law enforcement, recent travels, and participation in religious activities, sometimes with the intent of extracting confessions. Detainees reported mistreatment at official interrogation facilities. Local human rights groups claimed the most serious mistreatment took place at the MOI's Criminal Investigation Directorate (CID), but also named the following MOI facilities: Isa Town Detention Center for Women, Dry Docks Detention Center, and Jaw Prison.

In April human rights groups reported authorities abused and mistreated detainees at Jaw Prison, and activists reported many prisoners went on hunger strike to protest their mistreatment. On April 30, the government stated publicly the Public Prosecution questioned 236 prisoners and that a medical professional examined detainees who alleged mistreatment. Also on April 30, Bahrain News Agency reported prisoners had "gathered outside their cells aim[ing] to raise a riot...in an attempt to capture a number of police officers to use them as hostages for their escape attempt." The statement noted prisoners staged a hunger strike demanding an increase in their time outside their cells and phone call privileges.

Local human rights groups reported detainees also complained of abuse and torture at various unofficial temporary facilities. As with the CID, the most common techniques allegedly included blindfolding detainees; beating, punching, and hitting them with rubber hoses, cables, pieces of metal, wooden planks, or other objects; exposure to extreme temperatures; stress positions; verbal abuse; threats to rape the detainee or family members; sexual assault; preventing detainees from praying; sleep deprivation; and insulting the detainee's religious sect. Some detainees also reported security officials used physical and psychological mistreatment to extract confessions and statements under duress or as retribution and punishment. Authorities allegedly threatened pretrial detainees wishing to challenge the confessions they had signed at the CID with having to return to the CID so authorities could reopen the investigation. In May the government reiterated in a public report that authorities equipped all interrogation rooms with CCTV cameras and monitored them at all times; however, defense lawyers reported they were not given access to videos even when their clients were accused

of attacking police while in custody. Detainees also reported security forces were abusive during searches and/or arrests at private residences.

On November 9, the SIU announced it had charged two MOI personnel with torture to obtain a confession after the November 6 death of inmate Hasan al-Shaikh at Jaw Prison's Reform and Rehabilitation Center, a center that works to rehabilitate convicted criminals. On November 25, the trial against six MOI personnel commenced. The accused, including three high-ranking officers, faced charges of assaulting and torturing al-Shaikh, two other prisoners, and a civilian. The trial continued at year's end.

In March the High Criminal Court acquitted a security force officer of using physical or psychological force to compel detainee Hussain Jameel Jafer Ali Marhoon to confess to a crime. The court sentenced the officer to six months' imprisonment for distributing a video of the interrogation online. The video was uploaded to YouTube and showed an officer questioning a shirtless man with bruises on his arm. On June 26, the High Criminal Court of Appeals reduced the sentence to a fine of 50 dinars (\$135).

On May 29, the High Criminal Court of Appeals upheld a sentence against Naji Fateel, a blogger and human rights activist, sentencing Fateel to 15 years in prison for being a member of violent opposition group February 14 Youth Coalition. In July 2013 local human rights groups released photographs showing marks on Fateel's body consistent with torture. According to human rights groups, authorities in 2013 subjected Fateel to electric shocks, beating, simulated drowning, sexual harassment, the threat of rape, sleep deprivation, and standing for long periods while in detention at the CID and Dry Docks prison.

In 2012 Public Prosecutor Ali al-Buainain announced the SIU would investigate allegations of torture and mistreatment of detainees by government officials. Five of the eight SIU members were former MOI prosecutors. The SIU also consists of physicians, a psychiatrist, and judicial police officers who conduct investigations. The attorney general has the power to refer any cases deemed appropriate to the SIU. According to press and public government reports, the SIU completed dozens of reviews and referred a similar number of cases to court. The High Criminal Court of Appeals acquitted one ruling family member and one high-ranking MOI official of torture in 2013. In July the Lower Criminal Court sentenced a police officer to one month in prison for using excessive force against rioters. This was one of seven complaints referred to the SIU in June by the MOI Ombudsman's Office. Members of the SIU visited several prisons throughout the

year and referred prisoners to medical examiners when appropriate. Detainees claimed that although the SIU made medical referrals, medical follow-up was limited and sporadic.

According to media reports, in 2012 authorities arrested Adnan al-Mansi and charged him with criminal arson and attempted murder. Officials reportedly subjected al-Mansi to severe physical torture, including beatings to his head that left him temporarily paralyzed. Officials also reportedly forced him to stand in the sun for hours, denying him access to toilet facilities, water, and adequate medical treatment. In December 2013 the High Criminal Court convicted and sentenced him to seven years' imprisonment; an appeals court subsequently upheld the verdict. There was no information regarding any investigation into his allegations of torture.

On April 24, the Court of Cassation rejected a request filed by the victims' lawyer to appeal the acquittal of two security force officers, Mubarak bin Huwail and Shaikha Noora bint Ebrahim al-Khalifa, on charges of torture filed by medics in 2011. The medics have now exhausted all legal options.

Authorities also subjected children to abuse and other cruel, inhuman, or degrading treatment or punishment. Human rights groups reported authorities detained children, sometimes under the age of 15 (the maximum age the penal code considers a person a child), and subjected them to various forms of mistreatment, including beating, slapping, kicking, and verbal abuse. Al-Wifaq reported that as of October, authorities had arrested 110 children under age 15. Human rights activists reported at least two children were under age 12. Authorities released the large majority to their parents shortly after the children were detained. In December 2013 Amnesty International (AI) reported there were 110 children between ages 16 and 18 in Dry Docks Detention Center awaiting trial. In April the Bahrain Youth Society for Human Rights reported 131 youths between ages 16 and 18 were in pretrial detention. In September the government reported there were 22 children under age 15 in pretrial detention.

There was no update available on the status of legal proceedings against 13-year-old Salman Mahdi Salman, whom authorities arrested and detained for 27 days in August 2013 on charges of carrying a Molotov cocktail and a cigarette lighter and wearing a mask. In May the government publicly announced Salman received a medical exam following his arrest that showed no marks of torture or mistreatment. The government also stated Salman had not filed any complaints to his physician

about treatment in detention. AI reported authorities beat and tortured Salman at Budaiya Police Station to force him to confess to his charges.

### **Prison and Detention Center Conditions**

Human rights activists reported conditions in prisons and detention centers were harsh and sometimes life threatening; government officials disputed the charges. Detainees and human rights organizations also reported abuse in official detention centers as well as in Jaw Prison. Human rights groups alleged authorities mistreated youth at Jaw Prison. The SIU met with prominent detainees and claimed medical experts examined them. There were scores of informal reports of abuse at unofficial short-term detention centers. By year's end the government had not implemented other recommendations by the Ombudsman's Office, such as improving access to medical care.

There were no accommodations for persons with disabilities in prisons and detention centers. Prisoners with chronic medical conditions including sickle cell anemia, diabetes, and gout had difficulty accessing regular medical care. There were few accommodations for prisoners whose medical conditions required a special diet. Human rights groups reported prisoners who became physically or mentally disabled while in custody relied on fellow prisoners for their care.

Physical Conditions: According to the government, prison facilities held 2,626 convicted male prisoners, 84 female prisoners, and 212 minors all of whom were boys. There also were 1,001 male and 105 female pretrial detainees. The government claimed it held convicted prisoners and pretrial detainees in separate facilities. Human rights observers reported authorities sometimes held minors and adults in the same facilities. In November 2013 the Ombudsman's Office reported authorities held minors between ages 15 and 18 separately.

In September 2013 the Office of the Ombudsman reported Jaw Prison had capacity for 1,200 prisoners but held 1,608. For the prisoners defined as minors (between ages 15 and 21), there were facilities for 72 persons that held 154. The report recommended taking urgent action to address the overcrowding and that minors between 15 and 18 be held in separate facilities from the 19- to 21-year-old persons. The government fully implemented the recommendation to separate these prisoners. The report asserted that prison documents distributed to prisoners did not fully cover all of the prisoners' legal rights.

The government reported there were nine prisoner deaths, claiming the majority were for medical reasons unrelated to mistreatment. There were unconfirmed reports from the human rights community that prisoners died as a result of inadequate medical care. There were no reports of deaths in prison of pretrial detainees during the year.

Although the government reported during the year potable water was available for all detainees and there were water coolers in all detention centers, there were reports of lack of access to water for drinking and washing, lack of shower facilities and soap, and unhygienic toilet facilities. There were also reports of air conditioning units not running in extremely hot weather. Human rights organizations reported food was adequate for most prisoners; however, those prisoners needing dietary accommodations due to medical conditions had difficulty getting special dietary provisions. There was at least one report of authorities subjecting a detainee to extreme temperatures and reports authorities sometimes held detainees in solitary confinement. Other detainees reported physical abuse, verbal assault, and threats of sexual assault, as well as denial of sleep, prayer, and bathroom facilities. In June, *Al-Wasat* newspaper reported many of the victims of alleged abuse feared retribution from the government. The NIHR in its 2013 annual report released in July documented allegations of authorities beating prisoners, insulting them based on their sect, preventing them from praying, removing their clothing, denying them access to drinking water, and employing collective punishment.

Authorities held some “security” prisoners separately from the general prison population; there were no reports they faced worse conditions.

In May 2013 the wife of activist and BCHR president Nabeel Rajab publicly complained of poor conditions for her husband at Jaw Prison, including denial of independent medical care, limited communication with family and legal counsel, and isolated quarters. In June 2013 an SIU member met with Rajab and ordered that he visit a government medical consultant. According to the BCHR, Rajab telephoned his wife in May 2013 to report the torture of eight young prisoners and requested a meeting with the International Committee of the Red Cross (ICRC) to report his testimony. In September 2013 the Ombudsman’s Office visited Jaw Prison and met with Rajab. The Ombudsman’s Office launched an investigation and referred the case to the SIU. The Ombudsman’s Office also requested authorities to remove the alleged abusers from their positions. The MOI complied with the request effective until the end of their trial. In December 2013 the SIU



questioned 13 detainees and referred 11 police officers to court for abusing detainees. The trial against police suspects continued.

In May 2013 lawyers for Ali al-Ekri and Ibrahim al-Dimistani, physicians imprisoned during the 2011 unrest, reported the two doctors did not receive adequate medical care in Jaw Prison. They also claimed mistreatment at the Bahrain Defense Force Hospital in 2013. Photos circulated on social media during the year that appeared to show both men receiving medical care.

Administration: It was unclear whether recordkeeping on prisoners was adequate, although the MOI reported authorities registered the location of detainees from the moment of arrest. Officials from the Ombudsman's Office were available to respond to complaints. Prisoners had access to visitors at least once a month, often more frequently. Authorities generally permitted prisoners religious services and allowed them to file complaints to judicial authorities without censorship, although there were reports prisoners were sometimes not able to communicate with lawyers and family members, or were denied access to religious services and prayer time. There were reports prison overcrowding placed a strain on administration, leading to a high prisoner-to-guard ratio. Prisoners needing medical attention reported difficulty alerting guards to their needs, and medical clinics at the facilities were understaffed. Those needing transportation to outside medical facilities reported delays in scheduling offsite treatment, especially those needing follow on care for complex or chronic conditions. There were outbreaks of communicable diseases that spread quickly and severely due to overcrowded conditions, lack of sanitation, and understaffed medical clinics.

Independent Monitoring: Authorities granted representatives from the ICRC and Red Crescent access to prison facilities throughout the year. According to the government, some international organizations and NGO personnel also received access to detention centers to monitor detainee conditions during the year. These included a delegation from the UN Office of the High Commissioner for Human Rights (UNHCHR) in April and AI in May. The government continued to postpone indefinitely the visit of the UN special rapporteur on torture, Juan Mendez. Authorities also permitted access for the quasi-independent NIHR, the Ombudsman's Office, and the Commission on Prisoner and Detainee Rights, as well as the SIU. Some local human rights organizations expressed concern regarding the degree of independence of these groups.

The SIU, formed in 2012, acted as a mechanism for the public to complain about prisoner mistreatment or conditions in prisons and detention facilities. The SIU

investigated approximately 205 cases and referred several others to court. In September it continued investigating 75 cases. The Office of the Ombudsman began monitoring prisons and detention centers when it opened to the public in July 2013, conducting announced and unannounced visits, and it accepted written and in-person complaints. From July 2013 until April, the office received approximately 107 complaints. The Ombudsman's Office's annual report released in April listed observations and recommendations, but the government did not fully implement the majority of these recommendations by year's end.

In September the NIHR published its first annual report addressing violations that occurred in 2013. The report recommended inviting the UN Special Rapporteur on Torture to visit the country and enhancing technical cooperation with the UNHCHR. As of July the NIHR publicly reported it had conducted five prison visits since its establishment.

In September 2013 the king issued a royal decree establishing the Commission on the Rights of Prisoners and Detainees, which the government described as an "independent national mechanism that allows monitoring prisons, detention centers, and detainees" consistent with the National Preventive Mechanism established by States Party to the Optional Protocol to the UN Convention against Torture. During the year the king appointed commission members, who participated in training on prison monitoring and conducted one prison visit. The cabinet reviews prison reports. In April the commission inspected Dry Docks Detention Center and released its first public report in August, emphasizing the need for further prison reforms, especially related to medical access.

Improvements: The Ombudsman's Office and the SIU expanded the number of abuse cases each undertook to investigate and received greater access to prisons, to interview detainees and prisoners, and to question security personnel. Prisoners generally had more access to medical care. The government reported it had installed cameras in all police stations and had begun upgrading prison and detention facilities by year's end. Human rights organizations reported those held in CID were now able to call home to alert relatives to their location.

#### **d. Arbitrary Arrest or Detention**

The constitution prohibits arbitrary arrest and detention, although local and international human rights groups continued to report the practice. In December 2013 the government reported that 1,001 men and 105 women were in pretrial detention. Human rights groups claimed the MOI conducted the majority of arrests

at private residences in the early hours of the morning either without presenting an arrest warrant or presenting an inaccurate or incomplete one, but government sources disputed these claims.

In July 2013 an extraordinary parliamentary session sent 22 recommendations to the king, which he accepted and decreed. These recommendations tightened penalties for those involved in terrorism, banned demonstrations in the capital, allowed for legal action against political associations accused of inciting and supporting violence and terrorism, and granted security services powers to protect society from terrorism, including the ability to declare a State of National Safety. The MOI interrogated, arrested, detained, and charged individuals in accordance with these new laws. Human rights groups asserted the 2013 laws conflicted with protections against arbitrary arrest and detention, including for freedom of speech.

On December 28, authorities summoned Wifaq Secretary General Sheikh Ali Salman for questioning and detained him the next day. Based on his public statements, authorities charged him with four crimes: inciting a change of government by force, inciting hatred of a segment of society, inciting others to break the law, and insulting the interior ministry. The case continued at year's end.

### **Role of the Police and Security Apparatus**

The MOI is responsible for internal security and controls the public security force and specialized security units responsible for maintaining internal order. The coast guard is under the jurisdiction of the MOI. The Bahrain Defense Force (BDF) is primarily responsible for defending against external threats, while the Bahrain National Guard is also responsible for both external and internal threats.

Civilian authorities maintained effective control over security forces during the year, although impunity remained a problem. In 2012 the government established the SIU to investigate and refer cases of security force misconduct to courts. The February BICI follow-up report, *Moving Beyond 2011*, stated the SIU had received more than 150 complaints of torture and abuse since opening in 2012. Of these complaints 30 resulted in investigations of 51 officers. According to the report, the SIU pressed charges against 13 defendants in six cases related to eight victims. Four of the six cases, involving five victims, ended in prison sentences for seven defendants. One received a 10-year sentence, later commuted to two years. In May the SIU reported it had received 19 complaints that month. In July the SIU reported it had received 11 complaints that month, including five ill-treatment complaints, three use of excessive force complaints, and three complaints alleging

torture. As of September the government reported the SIU had investigated 102 incidents.

In 2012 the king issued decrees to establish an independent ombudsman's office at the MOI and create an independent office for the inspector general at the Bahrain National Security Agency (BNSA). These independent offices were responsible for addressing cases of mistreatment and abuse; they were operational throughout the year. It was unclear what role the BNSA's inspector general played in investigating complaints. The MOI Ombudsman's Office began official operations in July 2013 and conducted numerous prison visits during the year. The Ombudsman's Office published its first annual report in April.

Security forces effectively maintained order and generally responded in a measured way to violent attacks, but there were occasional reports they used excessive force. Many human rights groups continued to assert investigations into police abuse were slow and ineffective.

The Bahrain News Agency reported in 2012 the interior minister approved the BICI's recommendation for a new code of conduct for police that requires officers to abide by 10 principles, including limited use of force and zero tolerance for torture and mistreatment. According to government officials, the code is consistent with international human rights standards and forbids the use of force "except when absolutely necessary." The Royal Police Academy included the code in its curriculum in 2012 and provided new recruits with copies in English and Arabic. The MOI reported it enforced the code of conduct throughout the year and took disciplinary action against officers who did not comply with the code.

The MOI Ombudsman's Office maintained a hotline for citizens to report police abuse, but human rights groups reported many citizens hesitated to report abuse for fear of retribution. As of September the police hotline received 240 calls; six of the calls related to police misconduct.

Starting in 2012 the MOI participated in training courses at the International Institute of Higher Studies in Criminal Sciences in Siracusa, Italy. As of July the MOI reported 6,000 of its officers had received human rights training.

In September the government reported that 494 community police recruits graduated during the year. Also in September 568 community police recruits began courses at the police academy, as the government continued to implement

recommendations from the BICI report on integrating Shia citizens into police forces.

### **Arrest Procedures and Treatment of Detainees**

The law stipulates law enforcement officials may arrest without a warrant individuals caught committing a felony or misdemeanor punishable by a prison term of more than three months, should sufficient evidence be available to press charges. The law further stipulates that in other cases, should sufficient evidence exist to charge a person with a felony, theft, fraud, serious assault, or possession or acquisition of illegal narcotics, law enforcement officers may arrest the person without a warrant. Local activists reported this process was not always enforced.

By law an arrested individual must be interrogated immediately by the arresting authority and cannot be detained for more than 48 hours, after which the detainee must either be released or transferred to the Public Prosecution for further questioning. The Public Prosecution is required to question the detainee within 24 hours, and the detainee has the right to legal counsel during questioning. To hold the detainee longer, the Public Prosecution must issue a formal detention order based on the charges against the detainee. Authorities may extend detention for a period of up to seven days for further questioning. If any further extension is required, authorities must bring the detainee before a judge, who may authorize a further extension not exceeding 45 days. The High Criminal Court must authorize any extensions beyond that and any renewals at 45-day intervals. In the case of alleged acts of terror, law enforcement officials may detain individuals for five days, with a 10-day extension granted by the Public Prosecution, and the initial detention authorized by the Public Prosecution can be 60 days. A functioning system of bail provided maximum and minimum bail amounts based on the charges. The bail law allows the presiding judge to determine the amount within these parameters on a case-by-case basis. In most cases attorneys must seek a court order to confer with clients. The state provided counsel to indigent detainees.

According to reports by local and international human rights groups, authorities held some detainees for weeks with limited access to outside resources. There were cases in which authorities denied detainees access to lawyers, sometimes for long periods (and at times until the day of their trials), and authorities did not formally announce charges. The government sometimes withheld information from detainees and their families about the detainees' whereabouts for days or weeks. In a few cases, the government failed to acknowledge it was holding

individuals in detention for a period of days. Human rights groups alleged authorities held some detainees incommunicado for weeks.

Arbitrary Arrest: Human rights groups reported the MOI arbitrarily arrested some individuals for activities such as participating in protests, organizing protests, taking part in religious rites, expressing their opinion either in public or on social media, and associating with persons of interest to law enforcement. Many of these detained individuals reported arresting forces did not show them warrants. There were some reports security forces searched homes and damaged property without providing compensation.

On June 25, the High Criminal Court acquitted al-Wifaq official Khalil Marzooq of all charges in a case in which authorities detained him for 30 days beginning in September 2013, pending investigation into charges of inciting terrorism and violence. The court also lifted Marzooq's travel ban.

#### **e. Denial of Fair Public Trial**

Although the constitution provides for an independent judiciary, the king controls the judicial system. In accordance with the constitution, the king appoints all judges by royal decree. He formerly served as the chairperson of the Supreme Judicial Council, the body responsible for supervising the work of the courts, and as the public prosecutor. In September 2013, however, he issued a royal decree appointing Salem al-Kawari as the chairperson. Al-Kawari previously served as the head of the Constitutional Court. In 2011 the government used a hybrid military-civilian court to try civilians, including opposition leaders, political activists, rights activists, and others who supported or were perceived as supporting the protest movement. Following recommendations put forward in the BICI, cases heard in the military-civilian court were retried in civilian courts, but some of the trials had not been completed by year's end, and there were widespread accusations the judiciary was highly politicized and not independent.

On May 28, authorities released BCHR president Nabeel Rajab from prison after he completed a two-year sentence for "illegal gathering" (participating in an illegal protest or demonstration). In 2012 authorities had convicted Rajab on three separate counts of illegal gathering, imposing three one-year imprisonment sentences. By comparison lawyers reported many protesters charged with illegal gathering received sentences ranging from 45 days to three months in prison. In 2012 the High Criminal Court reduced Rajab's sentence from three years to two

years. He completed his sentence and was released in May but, subsequently, faced new charges (see section 2.a.).

There were no new developments in the high-profile trial of 13 political activists, charged with attempting to overthrow the regime, during which defense attorneys and local and international human rights groups noted a number of irregularities. In 2012 the head judge placed a gag order on media coverage and declared all further sessions closed. Defense lawyers noted that confessions extracted through torture remained admissible in court. They also asserted the verdicts were politically motivated and based on the defendants' opposition to, and in some cases advocacy for the violent overthrow of, the government. In January 2013 the Court of Cassation upheld the convictions of the 13. The court sentenced seven of the 13 to life sentences, four to 15 years in prison, and two to five years' imprisonment. Members of the defendants' families reported authorities did not permit them to attend the trial.

### **Trial Procedures**

The constitution presumes defendants are innocent until proven guilty. There is a right to be informed promptly and in detail of charges. By law authorities should inform detainees about the charges against them upon arrest. Civil and criminal trial procedures provide for a public trial. There are no jury trials. A panel of three judges makes the rulings. Defendants have the right to prompt consultation with an attorney of their choice within 48 hours (unless the government charges them pursuant to counterterrorism legislation). The government provided counsel at public expense to indigent defendants. No law governs defendants' access to government-held evidence, and such evidence was available at the discretion of the court. Defendants have the right to present witnesses and evidence on their behalf and question witnesses against them. Defendants are not compelled to testify or to confess guilt and have the right to appeal.

Women's legal rights varied according to Shia or Sunni interpretations of Islamic law (see section 6).

### **Political Prisoners and Detainees**

Human rights organizations and opposition groups reported authorities targeted many of those arrested because of their political activism. The government denied holding any political prisoners.

According to local human rights groups, authorities detained or imprisoned many individuals for activities related to the 2011 unrest. A number of the political detainees from 2011 were leaders or prominent members of political groups and societies. These included Ibrahim Sharif, former secretary general of the secular Wa'ad political society, and Shaikh Mohammed Ali al-Mahfoodh, secretary general of the dissolved Shia opposition political society Amal. Many of these political detainees remained in prison throughout the year. In 2012 the Higher Appellate Court upheld Sharif's five-year sentence on charges that included participating in a plot to overthrow the regime.

Some political prisoners did not receive access to international human rights organizations, although authorities allowed others to meet with representatives of certain human rights and humanitarian organizations.

### **Civil Judicial Procedures and Remedies**

Citizens may bring civil suits before a court seeking cessation of or damages for some types of human rights violations. In many such situations, however, the law prevents citizens from filing civil suits against security agencies.

According to the December 2013 BICI follow-up report, authorities compensated 39 death cases, with families receiving 2.34 million dinars (\$6.3 million). The BICI report cited 35 cases; four additional cases, according to the compensation committee, merited compensation. Local human rights activists reported the government provided compensation only for deaths that occurred in 2011. In addition to deaths, there were 421 applications for compensation for injuries; 193 cases were selected for the first phase, and the Civil Settlement Office assessed the settlement value of each claim based on the percentage of permanent disability determined by a medical examiner. There were reports from human rights activists some families refused to accept the compensation due to conditions placed upon the funds. The government also reported the Civil Settlement Office agreed to compensate six deaths not mentioned in the BICI report, totaling 360,000 dinars (\$972,000) and to provide compensation of 315,000 dinars (\$850,500) for 47 injuries incurred during protests.

### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

Although the constitution prohibits such actions, the government violated these prohibitions. Human rights organizations reported security forces sometimes entered homes without authorization and destroyed or confiscated personal



property. Reports indicated security forces sometimes failed to identify themselves, to inform the arrested individual of the reasons for arrest, to show arrest warrants, or to inform family members of the reasons for arrest or location of arrested individuals. Wifaq's Liberties and Human Rights Department claimed authorities had searched more than 1,000 houses through June.

The government is required to obtain a court order before monitoring telephone calls, e-mail, and personal correspondence. Many local opposition groups believed the government monitored the activities of individuals and groups deemed to threaten national security. Many Shia citizens and human rights organizations believed there were extensive police informer networks.

Reports also indicated the government used computer programming to spy on political activists and members of the opposition inside and outside the country.

According to local and international human rights groups, security officials sometimes threatened detainees' family members with reprisals, including sexual assault, for the detainee's unwillingness to cooperate during interrogations and refusal to sign confession statements.

Security forces also threatened individuals if authorities believed they constituted a risk to national security. After having his citizenship stripped in 2012, Shia religious cleric Shaikh Hussain Najati departed the country indefinitely in April. On April 23, the MOI announced it deported Najati because he did not report his religious organization's activities to the government. Opposition groups stated he left the country because of extensive harassment by the MOI.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

The constitution provides for freedom of speech and press, "provided that the fundamental beliefs of Islamic doctrine are not infringed, the unity of the people is not prejudiced, and discord and sectarianism are not aroused." The government limited freedom of speech and press through active prosecution of individuals under libel, slander, and national security laws; targeting civilian and professional journalists; and passing legislation to limit speech in print and social media.

Freedom of Speech: The law forbids any speech that infringes on public order or morals. While individuals openly expressed critical opinions regarding domestic

political and social issues in private settings, those who publicly expressed such opinions often faced repercussions. The government reported it dropped and no longer pursued charges or cases involving freedom of expression following BICI recommendations. During the year, however, the government took steps against acts of civil disobedience, which included critical speech, under charges of unlawful assembly or “insulting the king.” On February 9, the government issued an amendment to the penal code that increased penalties to no less than one year and no more than seven years in prison, plus a fine, for anyone who “offends the monarch of the Kingdom of Bahrain, the flag, or the national emblem.” Lawyers asserted that, as in the trial of 13 political activists convicted of attempting to overthrow the regime in 2011, prosecutors continued to pursue charges against their clients related to public expression.

On September 15, authorities arrested women’s rights activist Ghada Jamsheer for a series of tweets about corruption at a local hospital and charged her with 10 different crimes, including defamation. Beginning in October she had a series of trials, which continued at year’s end. Authorities released her on bail on November 27, but re-arrested her hours later on charges stemming from her time in detention.

On December 4, a court sentenced Zainab al-Khawaja to three years in prison and a fine of 3,000 dinars (\$8,100) for pulling a picture of the king off a courtroom wall and tearing it. Al-Khawaja appealed the verdict and at year’s end was not in prison; no date had been set for the appeal.

In March 2013 the government arrested five individuals for “insulting the king” on Twitter. Authorities tried and convicted them; their sentences ranged from six months to one year’s imprisonment. Authorities arrested dozens for “inciting protests” on Twitter. Individuals arrested for “insulting the king” and for “inciting protests” continued to appeal their convictions and sentences at the end of the year.

Press Freedoms: The government did not own any print media, but the Information Affairs Authority (IAA) and other government entities exercised considerable control over privately owned domestic print media.

The government owned and operated all domestic radio and television stations. Audiences generally received radio and television broadcasts in Arabic, Farsi, and English from countries in the region, including by satellite without interference. The IAA reviewed all books and publications prior to issuing printing licenses. The Ministry of Justice and Islamic Affairs reviewed books that discussed religion.

Violence and Harassment: According to local journalists, authorities harassed, arrested, or attacked dozens of journalists due to their reporting. The government refused visas to some international media representatives. The government sentenced several journalists to prison for their Tweets. In September Reporters without Borders reported there were at least 12 news and information providers in prison.

On March 12, the MOI released two brothers, Mohsin Abdali and Hasan Abdali after they served one year in prison on charges of defaming the king on Twitter. Separately, on March 12, authorities released attorney Mahdi al-Basri after one year of imprisonment for the same offense.

On March 26, a court sentenced photojournalist Ahmed Humaidan to 10 years' imprisonment on charges of attacking a police station and police officers in Sitra in 2012. On August 31, the High Criminal Court of Appeals upheld the sentence. Advocates for Humaidan asserted he was in the area of the attack because of his work as a photojournalist.

On October 16, the SIU summoned journalist Nazeeha Saeed to present herself before the public prosecutor as a witness in her case against several law enforcement officers. Saeed had previously alleged a female police officer abused her in detention in 2011, but courts acquitted the officer and upheld the acquittal on appeal.

Censorship or Content Restrictions: Government censorship occurred. IAA personnel actively monitored and blocked stories on matters deemed sensitive, especially those related to sectarianism, national security, or criticism of the royal family, the Saudi royal family, or the judiciary. Journalists widely practiced self-censorship. Some members of the media reported government officials contacted editors directly and told them to stop writing about certain subjects or told them not to publish a press release or story.

Government authorities continued to ban several books that were part of the country's international book fair, held in 2012. Index on Censorship, an international NGO that supports freedom of expression, reported the IAA's Press and Publications Directorate banned and confiscated all copies of the book *Political Organizations and Societies in Bahrain*, coauthored by Bahraini writer Abbas Almurshid, and another book by Almurshid, *Bahrain in the Gulf Gazetteer*. Additionally, a number of books remained banned from 2010, including the Arabic

translation of *The Personal Diary of Charles Belgrave and Unbridled Hatreds: Reading in the Fate of Ancient Hatreds*, by Bahraini author Nader Kadim.

In September 2013 the Ministry of Information Affairs announced it banned books “linked to Hezbollah” because the banned books carried “sectarian and ideological poisons,” were written about Hezbollah, or were published by publishing houses linked to Hezbollah.

Libel Laws/National Security: The government enforced libel and national security-related laws restricting freedom of the press. The penal code prohibits libel, slander, and “divulging secrets” and stipulates a punishment of imprisonment for no more than two years or a fine of no more than 200 dinars (\$540). Application of the slander law was selective. National security-related law provides for fines of as much as 10,000 dinars (\$27,000) and prison sentences of at least six months for criticizing the king or inciting actions that undermine state security, as well as fines of up to 2,000 dinars (\$5,400) for 14 related offenses. Punishable activities include publicizing statements issued by a foreign state or organization before obtaining the consent of the IAA, publishing any reports that may adversely affect the dinar’s value, reporting any offense against a head of a state that maintains diplomatic relations with the country, and publishing offensive remarks about an accredited representative of a foreign country because of acts connected with the person’s position.

On October 1, the Public Prosecution arrested and began an investigation into BCHR president Nabeel Rajab for “insulting a public institution” in a message he posted on Twitter. Authorities held Rajab until November 2, when they released him on bail. His trial began on October 19 and is expected to resume on January 20, 2015. When released on bail, the judge told him he could travel; however, hours later authorities informed his lawyer the judge had decided to place a travel ban on Rajab.

### **Internet Freedom**

The government restricted internet freedom and monitored individuals’ online activities, including via social media, leading to legal action and punishment of at least 23 online users between May 2013 and May, according to Freedom House. Freedom House statistics indicated 90 percent of citizens could access the internet.

On January 7, police arrested blogger Ali Maaraj at his home and accused him of “insulting the king” and “improper handling of information technology” for

writing articles critical of the government for the Luluwa Awel blog. On April 8, a court sentenced him to 30 months in prison.

On June 17, authorities arrested anonymous blogger “Takrooz” at the airport upon his return from Thailand. Authorities reportedly charged him with “inciting hatred against the regime.” There was no information on his status at year’s end.

In August 2013 the Ministry of Communication blocked 70 websites in accordance with laws passed following parliament’s July 2013 recommendations. The government stated that it took this action to prevent access to “terrorist materials,” but NGOs asserted many of the websites featured only political speech.

In 2012 the governmental Telecommunications Regulatory Authority ordered service providers to block internet users’ access to websites officials considered antigovernment, anti-Islamic, or likely to incite sectarian tensions. Many blocked websites featured live-streaming audio or video content. The government continued to block the websites of the BCHR, the online newspaper *Bahrain Mirror*, and the social forum *Bahrain Online*. Other websites reportedly blocked included sites that provided proxy or anonymity tools.

### **Academic Freedom and Cultural Events**

The government restricted academic freedom and cultural events. In 2011 the government dismissed professors and suspended or expelled hundreds of university students for their participation in demonstrations and political activities. The government re-instated most but not all professors dismissed as a consequence of 2011 events; however, 12 teachers, including the president of the Bahrain Teachers’ Society, Mahdi Abu Deeb, remained in prison throughout the year for a variety of crimes. Authorities re-instated all students not charged with violent crimes but required them to sign loyalty pledges; they received warnings not to engage in political activity on campus. Some academics engaged in self-censorship, avoiding discussion of contentious political issues.

Human rights advocates claimed the government unfairly distributed university scholarships, although the government maintained it distributed all scholarships based on merit.

## **b. Freedom of Peaceful Assembly and Association**

### **Freedom of Assembly**

The constitution provides for the right of free assembly, but the law restricts the exercise of this right. The government limited and controlled political gatherings, and it sometimes denied permits for organized demonstrations. During the year security forces intervened during unauthorized demonstrations or when authorized demonstrations turned violent. According to the MOI, organizers must submit requests for permission to hold public gatherings or demonstrations at least 72 hours in advance. The law outlines the locations and times during which it prohibits functions, including areas close to hospitals, airports, commercial locations, and security-related facilities, and, further to parliament's July 2013 recommendations, downtown Manama. The MOI actively enforced the regulation prohibiting demonstrations in Manama. Opposition group Al Wifaq said the MOI rejected at least 49 permit requests for peaceful opposition protests or public gatherings regardless of location during October and November, which the MOI stated was done out of concern for public safety leading to the November elections, given violent opposition groups' calls for their followers also to participate.

The law states every public gathering shall have a committee consisting of a head and at least two members. The committee is responsible for supervising and preventing any illegal acts during the function. Human rights organizations reported authorities detained committee members following sanctioned protests, some of which turned violent, and questioned if law enforcement believed an infraction of any law occurred. Additionally, authorities detained organizers of protests for advertising a protest before the permit was approved. According to the law, the MOI is not obligated to justify why it approves or denies requests to allow protests. The penal code penalizes any gathering "of five or more individuals" that is held for the "purpose of committing crimes or inciting others to commit crimes." Lawyers asserted authorities should not prevent demonstrations in advance based on assumptions crimes would be committed. Authorities prohibit the use of vehicles in any demonstration, protest, or gathering unless organizers obtain special written permission from the head of Public Security.

There were dozens of violent attacks against security officers and government officials during the year, killing five security officers. For example, on March 3, a remotely detonated bomb in Daih killed three police officers – Tariq Al Sehhi, Ammar Abdu Ali Al Dhalei, and Muhammed Arslan Ramzan. On July 4, police officer Mahmood Fareed died after he walked past a bomb planted and remotely detonated in East Eker. On December 8, an improvised explosive device killed police officer Ali Mohammed Ali in Damistan. The trials of suspects in at least six attacks on security forces during 2013 were underway at year's end.

The law states mourners may not turn funeral processions into political rallies and that security officials may be present at any public gathering. Organizers of an unauthorized gathering face prison sentences of three to six months. The minimum sentence for participating in an illegal gathering is one month, and the maximum is two years. Longer sentences are reserved for cases where violence is used in an illegal gathering. The maximum fine is 200 dinars (\$540). The law regulates election campaigning and prohibits political activities at worship centers, universities, schools, government buildings, and public institutions. The government did not allow individuals to use mosques, maatams (Shia religious community centers), or other religious sites for political gatherings.

### **Freedom of Association**

The constitution provides for freedom of association, but the government limited this right. Although the government does not allow the formation of political parties, it authorized registered political societies to run candidates for office and to participate in other political activities.

In September 2013 the minister of justice issued an order stipulating political societies should coordinate their contacts with foreign diplomatic or consular missions, foreign governmental organizations, or representatives of foreign governments with the Ministry of Foreign Affairs, which can elect to send a representative to the meeting. In contrast to 2013, in July the government actively enforced the order when it summoned two leaders of Al-Wifaq for questioning for meeting a visiting foreign official without seeking government permission. The government took no further action against the individuals under this order by year's end.

The government required all groups to register, including: civil society groups with the Ministry of Social Development (MOSD), political societies with the Ministry of Justice and Islamic Affairs, and labor unions with the Ministry of Labor. The government decided whether a group was social or political in nature, based on its proposed bylaws. The law prohibits any activity by an unlicensed society as well as any political activity by a licensed civil society group. A number of unlicensed societies were active in the country.

In September 2013 the prime minister issued a decree directing government agencies to take action against “unlicensed organizations that provoke terrorist acts and sow sectarianism.” Following the decree the Ministry of Justice filed a lawsuit

against individual members of the unlicensed Islamic Ulema Council. On June 16, the High Administrative Court of Appeals upheld the High Administrative Court's decision to dissolve the council. Lawyers appealed to the Court of Cassation and the appeal was pending at year's end.

To apply for registration, a political society must submit its bylaws signed by all founding members, a list of all members and copies of their residency cards, and a financial statement identifying the society's sources of funding and bank information. The society's principles, goals, and programs must not run counter to sharia or national interest, as interpreted by the judiciary, nor may the society be based on sectarian, geographic, or class identity. A number of societies operated outside of these rules, and some functioned on a sectarian basis.

In July the Ministry of Justice filed lawsuits against political societies Wifaq and Wa'ad for not complying with the political societies law and its requirements for internal elections. The government took no further action against Wa'ad after the society held a new election on October 27, through which it selected a new secretary-general to replace the imprisoned Ibrahim Sharif. On October 28, a court found Wifaq in violation of the political societies law, but the government stated it would not enforce the suspension of Wifaq's activities until it held internal elections. Wifaq held its elections on December 26.

A civil society group applying for registration must submit its bylaws signed by all founding members, together with minutes of the founding committee's meetings containing the names, professions, places of residence, and signatures of all founding members. The law grants the MOSD the right to reject the registration of any civil society group if it finds the society's services unnecessary, already provided by another society, contrary to state security, or aimed at reviving a previously dissolved society. Associations whose applications the authorities reject or ignore may appeal to the High Civil Court, which may annul the ministry's decision or refuse the appeal. In July the MOSD granted a license to a new local human rights group called "Together for Human Rights."

Many NGOs and civil society activists asserted the MOSD routinely exploited its oversight role to stymie the activities of NGOs and other civil society organizations. While some local NGOs asserted bureaucratic incompetence characterized the ministry's dealings with NGOs, many others stated officials actively sought to undermine some groups' activities and imposed burdensome bureaucratic procedures on NGO board members and volunteers. The justice and



interior ministries must vet funding from international sources, and authorities sometimes did not authorize it.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/j/drl/irf/rpt/](http://www.state.gov/j/drl/irf/rpt/).

### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation. The government did not always respect these rights, however.

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Foreign Travel: The law provides the government may reject for “reasonable cause” applications to obtain or renew passports, but the applicant has the right to appeal such decisions before the High Civil Court. Individuals reported authorities banned them from travel due to unpaid debt obligations or other fiduciary responsibilities with lending institutions. Authorities relied on determinations of “national security” when adjudicating passport applications. Authorities prevented several activists from leaving the country because they were under criminal investigation. For example, the government banned former Wifaq Member of Parliament Khalil Marzooq from travel pending an ongoing trial on terrorism-related charges, of which a court eventually acquitted him.

Citizenship: Government decisions to revoke citizenship, both as a punitive measure for criminal cases and for political reasons, continued and may result in statelessness for some individuals who did not hold dual nationality. On July 7, the king ratified amendments to the law stipulating citizenship may be revoked upon request by the interior minister and approval of the cabinet concerning any naturalized person who has violated specific conditions, for example, acquiring citizenship by fraud.

In July the MOI Immigration Directorate summoned 10 Bahrainis, whose citizenship the government revoked for politically motivated reasons in 2012 and against whom it filed criminal lawsuits, requesting them to defend their legal status and asking for information on whether they had found citizens willing to sponsor them. On October 28, a court found them guilty of being in the country without having sponsors and fined each 100 dinars (\$270). The appeal hearing was set for April 14, 2015. On September 29, the High Criminal Court sentenced nine individuals convicted of attempting to smuggle weapons into the country to life imprisonment and revoked their citizenship, although a number of these individuals were and continued to remain outside of the country at the time of conviction.

On September 2, a court adjourned an appeal brought by Ibrahim Karimi, who filed a legal challenge to his citizenship revocation – the only one to do so among the 31 whose citizenship was revoked. The court had not set a date for the next session of the case by year's end. According to press reports in 2013, the MOI summoned six of the 31 and threatened to deport Shia religious scholar Shaikh Hussain Najati if he did not depart the country, which he did in April, reportedly after extensive pressure. In its annual report for 2013 released in July, the NIHR strongly criticized the government's citizenship revocation policies.

### **Protection of Refugees**

Access to Asylum: The law does not provide for the granting of asylum or refugee status, and the government has not established a system for providing protection to refugees. The government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. Such individuals generally had access to certain social services, education, and employment.

### **Stateless Persons**

Individuals generally derive citizenship from the father, but it may be conferred or revoked by the king. Noncitizen men who marry citizen women are not entitled to citizenship, and, as a result, the law does not grant children from such marriages citizenship. The government states children of a Bahraini woman married to a non-Bahraini man hold the nationality of the father. Human rights organizations reported that if a child's father was unknown, or unable to present his documents from the country of his citizenship, the child is stateless, even if born in Bahrain to

a Bahraini mother. If a stateless man fathers a child, the child will also be stateless. It was unknown how many stateless persons resided in the country. Stateless persons had limited access to social services, education, and employment, and the government has charged individuals whose citizenship it has revoked with violating immigration law.

### **Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government**

Citizens have limited ability to change their government and their political system. The constitution provides for a democratically elected Council of Representatives, the lower house of parliament. A constitutional amendment ratified in 2012 permits the king to dissolve the Council of Representatives, but it requires that he first consult the presidents of the upper and lower houses of parliament as well as the head of the Constitutional Court. The king also has the power to amend the constitution and to propose, ratify, and promulgate laws.

#### **Elections and Political Participation**

Recent Elections: Approximately 52 percent of eligible voters participated in parliamentary elections held on November 22 and 29, although turnout was significantly lower in opposition districts, due to a decision to boycott by the main opposition political societies, and a lack of confidence among opposition communities the elections would produce a parliament that would address their concerns. The government did not permit international election monitors. Domestic monitors generally concluded that authorities administered the elections smoothly. There were, however, broader concerns regarding voting district boundaries and limitations on freedom of expression and association.

Violent oppositionists intimidated candidates, including through arson attacks on their personal property and businesses. Boycotters pressured other candidates to withdraw from the race.

In January the king relaunched the National Dialogue, which served as a forum for the government, legislature, and political societies to discuss a political solution. The dialogue ended in August. In October the opposition declared it would boycott the November parliamentary and municipal elections, arguing that the government had failed to offer an adequate political agreement.

Political Parties and Political Participation: The government did not allow the formation of political parties, but more than a dozen “political societies” developed political platforms, held internal elections, and hosted political gatherings. Individuals active with opposition political society groups faced repercussions during the year. In 2012 the government dissolved radical Shirazi society Amal for failing to hold general conferences and legal and bureaucratic irregularities,” and an appeal remained pending before the Court of Cassation.

In July the Ministry of Justice filed lawsuits against political societies Al Wifaq and Wa’ad for not complying with the political societies law by violating internal election procedures. The government dropped the lawsuit against Wa’ad after it held general elections on October 27. The government did not implement an October 28 court ruling suspending Al Wifaq for three months to give Al Wifaq time to hold a new general assembly. Wifaq held its elections on December 26, although the legal issue has not yet been resolved.

The opposition contended the government delineated voter districts to ensure its desired electoral outcomes.

Participation of Women and Minorities: The November elections selected three women to parliament’s 40-member lower elected house. In December the royal court appointed nine women to the Shura Council, the appointed 40-member upper house. Also in December the prime minister appointed a woman as a cabinet member. There were no female judges on the criminal courts, but one sat on the Constitutional Court. Six women served on the civil courts, and six were members of the Public Prosecutor’s Office.

Shia and Sunni citizens have equal rights before the law, but Sunnis dominated political life, although the majority of citizens are Shia. There were 13 Shia members in the newly elected parliament. The newly appointed Shura Council included 17 Shia members, as well as one Jewish member and one Christian member. Six of the newly appointed 23 cabinet ministers were Shia, including one of the five deputy prime ministers.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for official corruption, but the government did not implement the law adequately, and some officials reportedly engaged in corrupt practices with impunity. The law subjects government employees at all levels to prosecution if they use their positions to engage in embezzlement or

bribery, either directly or indirectly. Penalties can be up to 10 years' imprisonment. The government reported that during the year the Public Prosecution referred seven corruption cases, which included 20 individuals, to the criminal courts. All cases remained pending, with one transferred to the appeal court.

Corruption: The Bahrain National Audit Bureau is responsible for combating corruption, and its December 2013 report detailed corruption, irregularities, and mismanagement in most government ministries. The report noted the government fully or partially implemented only 72 of 192 recommendations. The bureau commented nine government ministries failed to adopt any of the recommendations cited in the 2012 report. The report also cited the Ministry of Health as a major source of corruption and irregularities and cited the Ministry of Housing and Works for cost overruns and irregularities.

In October a court found two citizens, including one government employee, guilty of embezzlement and sentenced them to five years in prison.

In interviews with local press, the Bahrain Transparency Society stated that, despite progress, concerns remained about corruption in parastatal companies. In January a unit of Alcoa, Inc., a U.S. aluminum producer, pleaded guilty to foreign bribery charges brought by a foreign government. The Alcoa subsidiary admitted to paying bribes to government officials for more than a decade to win contracts to sell supplies to the Aluminum Bahrain processing plant.

The privatization of public land continued to be a concern among opposition groups. Significant areas of government activity, including the security services and the BDF, lacked transparency. The press reported that in many cases authorities jailed or fined law enforcement and court officials for misconduct, most often for accepting bribes. On August 13, authorities arrested a labor director in the Directorate of Inspection in the Labor Market Regulatory Authority for soliciting and accepting a bribe of 12,000 dinars (\$32,400) from a restaurant to cancel the restaurant's ban on hiring foreign workers. The restaurant owners reported the bribe solicitation to the public prosecution and the MOI's Directorate for Combating Corruption, who arranged a sting operation. Authorities arrested the inspector immediately after he accepted the bribe. The inspector and his lawyer denied the allegations. Observers expected a verdict in the case in 2015.

Financial Disclosure: The law does not require government officials to make financial disclosures.

Public Access to Information: Generally, the government does not provide citizens access to government-held information. Most companies and ministries have public websites, but specific budgetary information, such as individual expenditures and income, was not available. Other officials resisted efforts in some parts of the government to improve transparency.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

Government officials sometimes met with local human rights NGOs but generally were not responsive to the views of NGOs they believed were unfairly critical of the government.

Most domestic human rights groups operated without significant government restrictions; including the BHRS, the primary independent and licensed human rights organization in the country; the BCHR, which the government officially dissolved in 2004; and the unlicensed Bahrain Youth Society for Human Rights (BYSHR). The unlicensed umbrella human rights organization Bahrain Human Rights Observatory also issued numerous reports and had strong ties to international human rights NGOs. The licensed Bahrain Human Rights Watch continued to issue numerous reports and had strong ties to international NGOs.

Some domestic and international human rights groups faced difficulties operating freely. Some international human rights representatives reported authorities barred them from entering the country. The government maintained the five-day “working week” visa implemented in 2012 for representatives from international human rights organizations, despite local organizations’ objections that the majority of protests and incidents occurred during the weekend and the five-day visa would prevent foreign observers from accurately documenting and reporting on events.

The government sometimes arrested and harassed local NGO leaders. On May 29, the High Criminal Court of Appeals upheld a 15-year prison sentence for BYSHR board member Najji Fateel for “forming a group for the purpose of obstructing the provisions of the constitution” under the antiterrorism law. Authorities arrested Fateel in May 2013, and the BCHR alleged authorities tortured Fateel with electric shocks, simulated drowning, and sexual harassment while in detention at the CID, although the SIU stated they found no evidence of mistreatment.

A BCHR associate organization, the BYSHR, continued to operate as an unregistered NGO. In 2012 the government detained overnight the BYSHR head, Mohammed al-Maskati, who participated in a protest in Manama. In June 2013 the Lower Criminal Court adjourned al-Maskati's case, charging him with "participation in illegal protests." He had hearings during the year.

Government officials met with local human rights organizations ahead of the country's UN Human Rights Council Universal Periodic Review (UPR) session in September. As compared with 2012, activists who participated in the meeting with government officials, or who participated in the session itself, did not report increased harassment.

The United Nations or Other International Bodies: In April the government permitted a visit by the Office of the UNHCHR. The government also permitted a visit by AI in May, but it barred entry to some representatives of international NGOs working to strengthen democratic institutions, civil society, and labor organizations. In March 2013 Brian Dooley of Human Rights First reported the government denied his request to visit the country. Dooley reported the same result in August. Authorities cancelled UN Special Rapporteur Juan Mendez's scheduled visit in May 2013 and did not set a new date.

Government Human Rights Bodies: In 2012 the government established a Human Rights Ministry, which was downgraded to Human Rights Agency in December as part of a cabinet reorganization following the parliamentary elections. This came after the government announced in May that Foreign Minister Khalid bin Ahmed Al Khalifa would chair the High Coordinating Committee for Human Rights and assume the responsibilities of the human rights portfolio. The foreign ministry drafted the country's voluntary interim report for the UPR session in September and consulted with human rights NGOs beforehand. In January 2013 the king issued a royal decree to re-establish the country's National Human Rights Organization, now called the National Institution for Human Rights (NIHR), to hear human rights violation complaints and investigate allegations. In February 2013 the institution elected its president and vice president. The NIHR conducted numerous human rights workshops, seminars, and training sessions, as well as prison visits, and referred numerous complaints to the Public Prosecution Office. In July the institution reported it had registered more than 30 official complaints and received 13 requests for legal assistance since January. It issued its first report on September 13, containing a wide-ranging set of recommendations for government action to improve human rights conditions. Generally, observers

viewed the NIHR as effectively resourced and independent, although human rights groups doubted the government would implement most of its recommendations.

In 2011 the government convened the BICI, whose staff included international human rights experts, and tasked it with investigating allegations of human rights violations in early 2011. It presented recommendations for reform in late 2011, describing a “culture of impunity” in the security services and documenting excessive use of force, including torture and a range of other human rights violations by security forces during the unrest.

In February the government released a second BICI follow-up report, and, on October 13, the government launched a website outlining the government’s progress on BICI recommendations. The government’s February follow-up report stated it had re-instated all students not charged with violent crimes, adding that the University of Bahrain and Bahrain Polytechnic would facilitate readmission (even for students convicted of violent crimes).

During the year the government continued making progress on BICI recommendations, including rebuilding destroyed mosques and maintaining the Public Prosecution’s SIU and the MOI Ombudsman’s Office. Local and international observers continued to express concern the government did not make significant progress on other BICI recommendations, including dropping charges against individuals engaged in nonviolent political expression, criminally charging security officers accused of abuse or torture, and integrating Shia into security forces.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The constitution provides for equality, equal opportunity, and the right to medical care, welfare, education, property, capital, and work for all citizens. The government protected these rights unevenly, depending on an individual’s social status, sect, or gender. The law does not specifically prohibit discrimination based on race, gender, disability, language, sexual orientation and gender identity, religion, sect, or social status. The law deprives foreign workers, who comprised approximately one-half of the population, of many fundamental legal, social, and economic rights.

### **Women**



Rape and Domestic Violence: Rape is illegal. The law does not address spousal rape. Penalties for rape include life imprisonment and execution in cases where the victim is a minor younger than 16 years old or in cases where the rape leads to the victim's death. During the year local press reported 15 rape cases involving 18 victims, including seven foreign women and 11 children. The Public Prosecution referred 65 cases of sexual harassment, which can include rape, to courts. There were reports of employers raping female domestic workers, but most victims did not seek legal redress since guilt cannot be proven in court without the testimony of witnesses to the crime. The Migrant Workers Protection Society (MWPS) temporarily sheltered approximately 150 women, including at least one woman who reported rape. The society estimated hundreds of cases went unreported as domestic workers have difficulty leaving their places of work, or may not possess their passports or other identification needed to open a case. In October the MWPS stated it had dealt with approximately 120 cases of domestic workers seeking assistance.

No government policies or laws explicitly address domestic violence. Human rights organizations alleged spousal abuse of women was widespread. According to the BCHR, 30 percent of women face some form of domestic abuse. Women rarely sought legal redress for violence due to fear of social reprisal or stigma. Little public attention was devoted to the problem. The government maintained the Dar al-Aman Shelter for women and children who were victims of domestic violence. The shelter had 16 apartments with accommodations for two women in each apartment. The shelter accommodated citizens and noncitizens. The shelter provided transportation for children to attend schools. Authorities stationed a policewoman at the shelter, which was not identified on its exterior, to provide security. Victims of domestic violence had difficulty knowing who to contact, or how to proceed when filing a complaint. Procedures required interviews of both the victim and the accused at the same police station; there were no provisions in place to prevent accused family members from having access to their victims.

Female Genital Mutilation/Cutting (FGM/C): The law does not prohibit FGM/C and there were no reports of the abuse.

Other Harmful Traditional Practices: "Honor" killings are punishable under the law, but the penal code provides a lenient sentence for the killing of a spouse caught in the act of adultery, whether male or female. There were no reports of honor killings during the year.

Sexual Harassment: The law prohibits sexual harassment with penalties of up to one year in prison or a fine of 100 dinars (\$270) if the victim was between the ages of 14 and 21 and up to three months in prison and a fine of 20 dinars (\$54) if the suspect is convicted of insulting or committing an indecent act towards a female in public. The government stated there were 285 cases of reported sexual harassment, and it transferred 65 to court – of those, nine resulted in convictions. Although the government sometimes enforced the law, sexual harassment remained a widespread problem for women, especially foreigners employed as domestic workers and in other low-level service jobs.

Reproductive Rights: The government did not interfere with the right of couples and individuals to decide freely and responsibly the number, spacing, and timing of children and to have the information and means to do so, and the right to attain the highest standard of reproductive health, free from discrimination, coercion, and violence. Reproductive health services, including birth control, prenatal care, essential obstetric care, and postpartum maternity care, were available without charge to all women. Health centers required women to obtain spousal consent to undergo sterilization; this consent requirement did not apply for provision of other family planning services. There is no discrimination against women in accessing sexual and reproductive health care, including for sexually transmitted infections.

Discrimination: Women faced discrimination under the law. A woman cannot transmit nationality to her spouse or children (see section 2.d., Stateless Persons). Women have the right to initiate divorce proceedings, but both Shia and Sunni religious courts may refuse the request, although the refusal rate was significantly higher in Shia courts than in Sunni courts, with Shia courts often refusing to grant the divorce due to differences in legal codes. In divorce cases the courts routinely granted mothers custody of daughters younger than age nine and sons younger than age seven. Custody usually reverted to the father once girls and boys reached the ages of nine and seven, respectively. Regardless of custody decisions, the father retains guardianship, or the right to make all legal decisions for the child, until a child reaches the age of 21. A noncitizen woman automatically loses custody of her children if she divorces their citizen father “without just cause.”

Family law is based on sharia as interpreted by Sunnis and Shia. Only Sunni family law was codified, while Shia maintained separate judicial bodies composed of religious jurists charged with interpreting sharia. Family law is complicated further by numerous Sunni-Shia marriages in which it is not always clear which courts have jurisdiction.

Women may own and inherit property and represent themselves in all public and legal matters. In the absence of a direct male heir, Shia women may inherit all of their husband's property, while Sunni women inherit only a portion, as governed by sharia, and the brothers or other male relatives of the deceased divide the balance. Better-educated families used wills and other legal tools to mitigate the negative effects of these rules.

Labor laws prohibit discrimination against women, but discrimination against women was systemic, especially in the workplace (see section 7.d.). The law prohibits wage discrimination based on gender. Although women held positions of authority in the government and private sector, they were not proportionally represented. Cultural barriers and religious tradition sometimes hampered women's rights.

## **Children**

Birth Registration: Individuals derive citizenship from one's father or by decree from the king. Women cannot transmit their nationality to their children, rendering stateless some children of citizen mothers but noncitizen fathers (see section 2.d., Stateless Persons). Births are not registered immediately. From birth to the age of three months, children are registered with the mother's primary health-care provider. Upon reaching three months, authorities register the birth with the Ministry of Health Birth Registration Unit, which then issues the official birth certificate. Children not registered before reaching one year old must obtain a registration by court order. The government does not provide public services to a child without a birth certificate.

Education: Schooling is compulsory for children through age 14 and is provided free of charge to citizens and legal residents through grade 12. Authorities segregated government-run primary schools by gender, although the schools educated girls and boys with the same curricula and textbooks.

Child Abuse: NGOs reported an increase in child abuse cases in recent years but were unsure whether it reflected increases in abuse or greater willingness to report it. Sharia courts, not civil courts, address crimes involving child abuse, including violence against children. NGOs expressed concern over the lack of consistent written guidelines for prosecuting and punishing offenders and the leniency of penalties in child abuse cases. Of the 15 cases of rape covered by local press during the year, eight of them had child victims and, in three of those cases, the abusers were family members. In February the Batelco Care Center for Family

Violence reported it had registered 61 cases of physical abuse of children; the timeframe covered by this statistic was unclear.

Early and Forced Marriage: According to law the minimum age of marriage is 15 years for females and 18 for males, but special circumstances allow marriages below these ages with approval from a sharia court. According to a World Economic Forum report, 4 percent of girls and women 15 to 19 years old were married. The government made concerted efforts to draw attention to the dangers of early marriage for girls and the adverse effect on children's health.

Female Genital Mutilation/Cutting (FGM/C): The law does not prohibit FGM/C and there were no reports that of the abuse.

Other Harmful Traditional Practices: "Honor" killings are punishable under the law, but the penal code provides a lenient sentence for the killing of a spouse caught in the act of adultery, whether male or female. There were no reports of honor killings during the year.

Sexual Exploitation of Children: The law prohibits exploitation of a child for various crimes, including prostitution. Penalties include imprisonment of no less than three months if the accused used exploitation and force to commit the crime and up to six years if the accused exploited more than one child, as well as penalties of at least 2,000 dinars (\$5,400) for individuals and at least 10,000 dinars (\$27,000) for organizations. Penalties vary depending on the specific law involved. The law also prohibits child pornography. There is no minimum age for consensual sex, as the law assumes there is no consensual sex outside of marriage. In October 2013 local media reported the Public Prosecution completed an investigation of unnamed persons accused of luring children to perform sexual acts, both as prostitutes and as subjects for internet pornography. The government reported the individual suspected of perpetrating those crimes lived overseas and had numerous social media accounts.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information, see the Department of State's report at <http://travel.state.gov/content/childabduction/english/country/bahrain.html>.

## **Anti-Semitism**

According to community members, there were between 36 and 40 Jewish citizens (six families) in the country. Some anti-Jewish political commentary and editorial cartoons occasionally appeared in print and electronic media, usually linked to the Israeli-Palestinian conflict, without government response.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <http://www.state.gov/j/tip/rls/tiprpt>.

### **Persons with Disabilities**

The law stipulates equal treatment for persons with disabilities with regard to employment, and violations of the law are punishable with fines. It was unclear whether the government enforced these laws. The law does not address discrimination in education, air travel and other transportation, access to health care, or the provision of other state services. According to the government, it re-established in 2012 a committee originally formed in 2011 to care for persons with disabilities and included representatives from all relevant ministries, NGOs, and the private sector. The committee is responsible for monitoring violations against persons with disabilities; it was unclear whether the committee acted on any incidents during the year.

Authorities mandated a variety of governmental, quasi-governmental, and religious institutions to support and protect persons with disabilities. New public buildings in the Central Municipality must include facilities for persons with disabilities. The law, however, does not outline specific criteria for what is required for facilities to be accessible for persons with disabilities. The law does not mandate access to other nonresidential buildings for persons with disabilities. There was no information available regarding a law providing access for persons with disabilities to information and communication.

There was no information available on the responsibilities of government agencies to protect the rights of persons with disabilities and actions taken by government agencies to improve respect for their rights. According to anecdotal evidence, however, such persons routinely lacked access to education and employment. The one government school for children with hearing disabilities did not operate past the 10th grade. Some public schools had specialized education programs for children with learning disabilities, physical disabilities, speech impediments, and

Down syndrome, but the government did not fund private programs for children who could not find appropriate programs in public schools.

Eligible voters can vote either in their regular precincts or in a general polling station. The local precincts, which are mostly in schools, sometimes offered challenges to those with mobility issues; however, the general polling stations are in public spaces such as malls, which allow for assistance devices. One disabled candidate in the November parliamentary election complained that access restrictions separated him from the other candidates at a function, as there was no ramp for his wheel chair to get up on stage. There were also complaints there were no provisions made for those who were house- or hospital-bound to vote, as there was no absentee ballot system.

The law requires the government to provide vocational training for persons with disabilities who wish to work. The law also requires employers of more than 100 persons to hire at least 2 percent of its employees from the government's list of workers with disabilities. The government did not monitor compliance. The government placed persons with disabilities in some public-sector jobs.

In September 2013 Minister of Social Development and Chairperson for the High Committee for Persons with Disabilities Fatima Mohammed al-Balooshi announced the launch of a *National Strategy for the Rights of Persons with Disabilities*. Al-Balooshi stated the government based the national strategy on human rights and focuses on the principles embedded in the UN Charter and the Convention on the Rights of Persons with Disabilities. She further noted the government formed the strategy in cooperation with the UN Development Program and based it on seven main themes: legislation; health and rehabilitation; education; economic and social empowerment; economic empowerment of women with disabilities; easy access to buildings, services, and information; and awareness.

### **National/Racial/Ethnic Minorities**

The law grants citizenship to Arab applicants who have resided in the country for 15 years and non-Arab applicants who have resided in the country for 25 years. There was a lack of transparency in the naturalization process, and there were numerous reports authorities did not apply the citizenship law uniformly. There were allegations the government allowed foreign Sunni employees of the security services who had lived in the country for fewer than 15 years to apply for citizenship. There were also reports authorities had not granted citizenship to Arab

Shia who had resided in the country for more than 15 years and non-Arab foreign residents who had resided more than 25 years. There were reports of general discrimination, especially in employment practices, against Shia citizens of Persian ethnicity (Ajam).

Foreign citizens continued to operate the Federation of Expat Associations with a stated goal to facilitate cooperation among civil societies for foreign citizens to promote common interests.

Although the government asserted the labor code for the private sector applies to all workers, the International Labor Organization (ILO) and international NGOs noted foreign workers faced discrimination in the workplace (see section 7).

On June 5, the High Criminal Court sentenced four defendants to life imprisonment for the premeditated murder of an Asian garbage collector in 2012. Authorities charged the four defendants with forming a terrorist group and planting a homemade bomb intended to kill civilians.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The law does not criminalize same-sex sexual activity between consenting persons who are at least 21 years of age, but there was at least one reported case of an individual punished for gender identity. Lesbian, gay, bisexual, and transgender (LGBT) activities, such as same-sex relationships and same-sex sexual activity, were not socially accepted, and discrimination based on sexual orientation or gender identity occurred. There were no open manifestations of LGBT activity in the country, such as gay pride parades.

On July 7, authorities sentenced a foreign man to one month in jail followed by deportation for wearing women's make up and accessories. Police arrested him because they thought that he was "walking in a feminine way."

In April 2013 a judge sentenced two Chinese migrant workers who pleaded guilty to prostitution and homosexual conduct to five years' imprisonment followed by deportation. The press quoted the judge as saying the sentence would serve as a deterrent to others and "homosexuality ruins individuals and nations."

### **HIV and AIDS Social Stigma**

The media reported few cases of HIV/AIDS. There were no known reports of societal violence or discrimination against persons based on HIV/AIDS status, but medical experts acknowledged publicly discrimination existed. The government mandated screening of newly arrived migrant workers for infectious diseases, including HIV/AIDS. At times in the past, the government deported migrant workers found to be HIV/AIDS positive, but the status of deportations during the year was unclear.

### **Other Societal Violence and Discrimination**

The MOSD continued to implement its national social and economic reconciliation plan *Wi'da Wa'da*. The MOSD funded 20 local NGOs to promote reconciliation and solidarity. The MOSD organized periodic workshops related to national unity and communication between all parties. The minister of social development established a High Committee for Advising Youth and Resolving Criminal Cases for youth involved in violent activity. The committee seeks to limit children's participation in violent protests. Its strategy included family consultations, ensuring students attend school, and holding parents responsible for their children's behavior.

The December 2013 BICI follow-up report noted the Ministry of Education continued to work with UNESCO experts on incorporating human rights principles in textbooks. The report also indicated the ministry had signed cooperation agreements with the International Bureau of Education in Geneva.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The constitution and labor code recognize the right to form independent trade unions and the right to strike, with significant restrictions. The law does not provide for the right to collective bargaining.

The law prohibits trade unions in the public sector. Public sector workers may join private sector trade unions and professional associations, although these entities cannot bargain on their behalf. The law also prohibits members of the military services from joining unions. Foreign workers, who comprised approximately 60 percent of the workforce, may join unions, although the law reserves union leadership roles for citizens. The law prohibits unions from engaging in political activities and requires all trade unions to affiliate with one of the country's two



legal federations, the General Federation of Bahrain Trade Unions (GFBTU) or the Bahrain Free Labor Union Federation. The law excludes domestic workers from joining unions.

The law specifies only a trade union can organize and declare legal strikes and imposes excessive requirements for legal strikes. The law prohibits strikes in 10 “vital” sectors – the scope of which exceeds international standards – including the oil, gas, education, telecommunications, transportation, and health sectors, as well as in pharmacies and bakeries. Workers must approve a strike with a simple majority by secret ballot and provide 15 days’ notification to the employer before conducting a strike.

A 2012 law significantly amended the labor code as it pertains to trade unions and federations. The law allows multiple trade union federations but prohibits multi-sector labor federations and bars individuals convicted of violating criminal laws that lead to trade union or executive council dissolution from holding union leadership posts. The amendment gives the minister of labor, rather than the unions, the right to select the federation to represent workers in national-level bargaining and international forums. In June authorities amended the Private Sector Labor Law, replacing “GFBTU” wherever it appeared in the legislation with the phrase “the appropriate federation designated by the Minister of Labor.” The law does not prohibit antiunion discrimination, nor does it require reinstatement of workers fired for union activity.

The government generally respected freedom of association. Relations between the main federations and the Ministry of Labor were publicly contentious at times. The government sometimes interfered in GFBTU activities. The GFBTU alleged that the government intended the legal amendments allowing the minister of labor to select a representative union to undermine its position as the country’s representative labor federation. To date, however, the ministry has consistently designated the GFBTU as the country’s representative.

Following a revision to the law, which provides for multiple trade union federations, in 2012 authorities established a second federation, the Bahrain Free Labor Unions Federation. Some workers and union affiliates complained union pluralism had resulted in company management interfering in union dues collection and workers’ chosen union affiliation, and in management choosing to negotiate with the union they found most favorable – to the detriment of existing collective bargaining agreements and the legitimate voice of workers. The revised law also grants the minister of labor full discretion to designate which federation

would represent workers before national and international fora rather than workers' organizations.

During the year the government made efforts to ensure the re-instatement of workers dismissed or suspended during the 2011 State of National Safety. It continued working with the tripartite committee, formed in 2011 and consisting of a representative from the Ministry of Labor, the Bahrain Chamber of Commerce and Industry, and the GFBTU, to address dismissals and re-instatements as part of the government's response to recommendations set forth in the 2011 BICI. In March, after signing a second tripartite agreement, the ILO dismissed the complaint filed in 2011. This agreement identified 165 cases to be resolved, and all parties reported positive progress on those re-instatements.

Some re-instated workers, however, alleged some companies insisted they sign loyalty pledges and agreements not to strike, despite such requirements being illegal. Workers reported many cases of discrimination in hiring and promotion, including in the public sector. Some civil service employees, including in the Ministry of Education, reported authorities questioned them about their outside activities.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor except in national emergencies, but the government did not effectively enforce the law. There were reports of forced labor in the construction and service sectors. The labor law covers foreign workers, except domestic workers, but enforcement was lax, and cases of debt bondage were common. There were also reports forced labor practices occurred among domestic workers and others working in the informal sector, most of whom were not protected by labor laws. In 2012 the government amended the labor law to provide domestic workers the right to see their terms of employment.

In many cases employers withheld passports, restricted movement, substituted contracts, or did not pay wages; some employers also threatened workers and subjected them to physical and sexual abuse. The Ministry of Labor reported complaints from domestic workers, mostly of unpaid wages. No updated information was available on the case of five Ghanaian women reportedly stranded and imprisoned in the country by their employer. During the year the government initiated 21 investigations, and of those, transferred eight to court. In the seven cases prosecuted in 2013, the defendants in six were convicted during the year; by

contrast there were no prosecutions or convictions in 2012. In 2013 the MOSD took steps to fulfill its legal obligation under the Trafficking in Persons Law to identify and protect foreign victims of trafficking, including by creating comprehensive guidelines and training government officials on the framework to protect trafficking victims.

Estimates of the proportion of migrant workers in the country under illegal “free visa” arrangements – a practice that can contribute to debt bondage – ranged from 10 to 25 percent. In numerous cases employers withheld salaries from foreign workers for months or years and refused to grant them permission to leave the country. Fear of deportation or employer retaliation prevented many foreign workers from complaining to authorities.

Also see the Department of State’s *Trafficking in Persons Report* at <http://www.state.gov/j/tip/rls/tiprpt>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The minimum age for employment is 15 years, and the minimum age for hazardous work is 18. Children under 18 may not work in industries the Ministry of Health deemed hazardous or unhealthy, including construction, mining, and oil refining. Minors under the age of 18 may work no more than six hours a day – no more than four consecutively – and may be present on the employment premises no more than seven hours a day. The Ministry of Labor made rare exceptions on a case-by-case basis for juveniles ages 14 or 15 who had an urgent need to assist in providing financial support for their families. Child labor regulations do not apply to family-operated businesses in which the only other employees are family members.

A labor law that went into effect in 2012 requires that, before the Ministry of Labor makes a final decision on allowing a minor to work, the prospective employer must present documentation from the minor’s guardian giving the minor permission to work, proof the minor underwent a physical fitness examination to confirm suitability, and assurance from the employer the minor will not be working in an environment the ministry has deemed hazardous. Generally, the government effectively enforced the law.

There were some non-Bahraini children employed as domestic servants. Observers believed some Bahraini children worked in family-run businesses, but the practice did not appear widespread.

According to NGOs government labor inspectors monitored and enforced child labor laws effectively in the industrial sector.

Also, see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <http://www.dol.gov/ilab/reports/child-labor/findings/>.

#### **d. Discrimination with Respect to Employment or Occupation**

The constitution guarantees equality between men and women in political, social, cultural, and economic spheres without breaching the provisions of Islamic cannon law. There are no specific protections regarding race, disability, language, sexual orientation and/or gender identity, HIV-positive status or having other communicable diseases, or social status.

The government was successful in ensuring a good environment for women to work, although women continued to face discrimination in the workplace; especially in fields traditionally dominated by men including leadership positions. In June women represented 85 percent of those registered as unemployed and represented about 23 percent of the work force. Women reported having to work twice as hard as men to get recognition at work and often faced hiring difficulty because of a perception they would become pregnant or their family lives would interfere with their work.

As in 2013 the Ministry of Social Development continued to fund the Disabled Services Center, which helped train and find work for disabled Bahrainis. It remained rare, however, for persons with disabilities to find employment in positions of responsibility. Many work places remained difficult to access for those needing assistance due to a lack of ramps, narrow doorways, and unpaved parking lots.

Many of the workers in the country were foreign workers. There are no provisions to ensure equality in the hiring process. It is common for employers to advertise positions for specific nationalities or languages without justifying why only persons from that specific nationality or language group would be acceptable. Even for blue-collar jobs such as those in fast food restaurants, it is common for employers to hire lower level crew from one nationality, and managerial staff from a second nationality.

Government institutions sometimes based their hiring decisions on a person's nationality, often without regard to qualifications. The armed forces and law enforcement services employed foreign workers, some of whom could not speak either of the two most widely spoken languages: Arabic or English. Some Bahraini teachers complained authorities ignored them for public school teaching jobs because authorities hired foreign teachers instead. Well-qualified Bahrainis reported being paid less than certain foreign workers because those workers were of a preferred nationality.

Lack of transparency in hiring processes, especially for government positions, led to many complaints of discrimination based on sect or ethnicity. Human rights organizations reported managers sometimes did not hire qualified applicants because of the neighborhoods where they lived or their family names.

Shia reported unemployment in their communities was much higher than government estimates. Several international firms reported pressure not to promote Shia to positions of responsibility within their companies. Shia perceived employers subjected them to different standards, and they were more likely to be fired.

#### **e. Acceptable Conditions of Work**

There is no national private-sector minimum wage. A standardized government pay scale covers public sector workers, with a set minimum of 300 dinars (\$810) per month. Citizens who earned less received a government stipend to offset the difference. There is no minimum wage for foreign workers in the public sector, although the government issued "guidelines" advising employers in the public and private sectors to pay a minimum of 150 dinars per month (\$405). There was no official poverty level.

Subject to the provisions of the private sector law, a worker may not be employed for more than 48 hours per week. Muslim workers may not be employed during the month of Ramadan for more than six hours per day or 36 hours per week. The standard workday is eight hours, with a maximum of 10 hours allowed. Overtime rates are time-and-a-quarter during the day and time-and-a-half during the evening. It is mandatory for workers to receive 24 consecutive hours off per week, and the day set for weekly rest is Friday. If a worker is required to work on a mandatory rest day, employers will pay the worker at time-and-a-half. A worker may not work on mandatory rest days for two consecutive weeks without personal written consent.

The Ministry of Labor sets occupational safety and health standards. The labor law and relevant protections apply to citizens and noncitizens alike, with the exception of domestic workers. The revised labor law improved the legal situation for many workers as it pertains to access to contracts and additional holidays, although it excludes domestic workers from the majority of protections.

The Labor Ministry is responsible for enforcing the labor law and mandating acceptable conditions of work. During the year the government employed 24 inspectors. The ministry enforced occupational safety and health standards; it also used a team of eight engineers from multiple specialties primarily to investigate risks and standards at construction sites, which were the vast majority of worksites.

Several circumstances triggered inspections: a complaint made to the ministry; notification of a new worksite made to the ministry; a news article about a new worksite; or when an inspector discovered a new worksite in an assigned geographic area.

Inspectors have the authority to levy fines and close worksites if employers do not improve conditions by specified deadlines. Penalties for violators range from 500 dinars (\$1,350) to 1,000 dinars (\$2,700) per violation or per worker affected, or both, as determined by a judge. Additionally, a judge may also sentence violators to a minimum of three months in prison. For repeat violators the court may double the penalties. The ministry reported an unspecified number of violators were serving sentences related to labor condition violations during the year.

Despite the improvements NGOs feared resources for enforcement of the laws remained inadequate for the number of worksites and workers, that many worksites would not be inspected, and that the regulations would not necessarily deter violations.

A ministerial decree prohibits outdoor work between noon and 4 p.m. during July and August. Authorities enforced the ban among large firms, but according to local sources, violations were common among smaller businesses. After inspecting 19,597 work sites, the Ministry of Labor reported 98.1 percent of inspected companies complied with regulations. The ministry reported 380 firms broke the law.

The government and courts generally worked to rectify abuses brought to their attention. Workers could lodge complaints with the Labor Ministry. The ministry

reported it received 1,756 complaints, including joint complaints, brought during the year by 491 female and 1,545 male workers. Labor officials stated they resolved most cases through mediation. By law complaints that cannot be settled through arbitration must be referred to the court within 15 days. The vast majority of cases involving abused domestic workers did not reach the ministry or the public prosecutor.

The Ministry of Labor reported there were more than 3,000 registered labor camps housing more than 140,000 workers in the country. It also reported, however, as many as 60 percent of workers were living in unregistered labor camps. Inspectors do not have the right to enter private buildings to inspect conditions. The Labor Ministry advised the Ministry of Municipalities and the Ministry of Housing when it received complaints of poor conditions in such housing.

On March 2, a fire in an unregistered labor camp killed five workers and displaced 80 others. The Labor Market Regulatory Authority reported the five workers were in the country without valid visas.

In 2013 a fire in a three-story building killed 13 workers and injured another nine. Investigators said the building's 160 tenants occupied 27 rooms illegally built using wooden partitions.

The government continued to conduct workers' rights awareness campaigns. It published pamphlets on foreign resident workers' rights in several languages, provided manuals on these rights to local diplomatic missions, and operated a telephone hotline for victims. Additionally, the Ministry of Labor held several meetings in conjunction with concerned diplomatic missions to bring together workers to discuss issues in their native languages and provide materials that explained their rights in both the formal and informal economies. No new information was available at the end of the year.

Violations of wage, overtime, and occupational safety and health standards were common in sectors employing foreign workers, such as construction, automotive repair, and domestic service. Unskilled foreign workers, mostly from South and Southeast Asia, were approximately 60 percent of the total workforce (76 percent of the private-sector workforce). These workers were also vulnerable to dangerous or exploitive working conditions. According to NGOs workplace safety inspection and compliance were substandard.

A 2009 study by the governmental Labor Market Regulatory Authority found 65 percent of foreign workers had not seen their employment contracts and 89 percent were unaware of their terms of employment. While the study was not renewed, local sources confirmed lack of awareness of terms of employment remained a problem. Some foreign workers arrived in the country at the invitation of an employer who sponsored their visas, but then switched jobs. Some of these workers continued to pay a portion of their salaries to their former employer who continued to be legally responsible for their visas.

The labor law does not fully protect domestic workers, and this group was particularly vulnerable to exploitation. In 2012 the government amended the labor law to expand the rights of domestic employees, who had not been covered under the previous law. The labor law requires domestic employees to be employed under “clear contractual terms” and provides for penalties for violators. The amendments, however, do not accord domestic employees all of the rights the law provides to other private-sector workers, including limits on daily and weekly working hours and weekly days off.

There were credible reports employers forced many of the country’s 70,000 domestic workers, most of them women, to work 12- to 16-hour days and surrender their identity documents to employers. Employers permitted very little time off, left them malnourished, and subjected them to verbal and physical abuse, including sexual molestation and rape. Reports of employers and recruitment agents beating or sexually abusing foreign women working in domestic positions were common. The press, embassies, and police received numerous reports of abuse.

The vast majority of cases involving abused domestic workers did not reach the Ministry of Labor or the public prosecutor for a variety of reasons. Most victims were too intimidated to sue their employers, although they had the right to do so. NGOs also reported the court system made it difficult for workers, who frequently did not have permanent home addresses in the country, to receive notices about their cases once they filed them. Additionally, if employees needing visa sponsorship file a case against their employers, they are unable to request a transfer of their sponsorship to a new employer. If employees stay in the country, they may be able to work for other employers unofficially. Once they depart the country, however, they will not be able to get a work visa with a new sponsor until the case with the previous employer is resolved.



During the year the MWPS shelter provided more than 120 female domestic workers with temporary housing and assistance with their cases. The majority of women in these cases sought assistance with unpaid wages and complaints of physical abuse. The MWPS continued to support victims who took their cases to court, but by law victims can receive only outstanding unpaid wages – no criminal damages are possible unless the victim has alleged a crime found in the criminal penal code has occurred, such as physical abuse or rape. While NGOs confirmed some cases were successful, compensation was meager.

The Ministry of Labor reported at least 16 workers died in workplace accidents during the year. The deaths were due to a combination of inadequate enforcement of standards, blatant violations of standards, inadequate safety procedures, worker ignorance of those procedures, and inadequate safety standards for equipment. According to NGO sources, most accidents were in the construction sector, which employed more Bangladeshis and Pakistanis than other nationalities.

On August 7, two Bangladeshi workers died at their job site when a crane carrying a five-ton piece of concrete knocked a stack of concrete blocks onto the victims.

The MWPS noted suicide attempts were common among Indian workers, but the media underreported them.

Conditions in the many unregistered or illegal worker camps were often poor. Safety of accommodations and quality of life for workers were problems that continued to be a major concern at source country embassies.

While some workers can remove themselves from situations that endanger health or safety without jeopardizing their employment, the level of freedom workers enjoy directly relates to the type of work they do. Foreign laborers and domestic workers have the most difficulty removing themselves from dangerous situations and have the fewest protections from firing. Both sets of workers rely on employers for not just housing, but also food, clothing, and transportation. They are also the least equipped to file a complaint due to language barriers, level of education, and inability to produce a government issued identification card, which many employers retain.