

BAHRAIN 2017 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 26 ministers; 12 of those ministers were members of the al-Khalifa ruling family. Parliament consists of an appointed upper house, the Shura (Consultative) Council, and the elected Council of Representatives, each with 40 seats. Approximately 52 percent of eligible voters participated in parliamentary elections held in 2014. Turnout was significantly lower in opposition districts, due in part to a decision to boycott the elections by the main opposition political societies and a lack of confidence among opposition communities in the electoral system. The government did not permit international election monitors. Domestic monitors generally concluded authorities administered the elections without significant procedural irregularities. There were, however, broader concerns regarding voting-district boundaries.

Civilian authorities maintained effective control over the security forces.

The most significant human rights issues included reports of arbitrary or unlawful killings by security forces; allegations of torture of detainees and prisoners; harsh and potentially life-threatening conditions of detention; arbitrary arrest and detention; political prisoners; unlawful interference with privacy; restrictions on freedom of expression, including by the press and via the internet; restriction of academic and cultural events; restrictions on the rights of association and assembly; allegations of restrictions on freedom of movement, including arbitrary citizenship revocation; and limits on Shia political participation.

The government occasionally prosecuted low-level security force members accused of human rights abuses, following investigations by quasi-governmental institutions. Nonetheless, due to the frequently slow and ineffective nature of investigations, impunity remained a problem.

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

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were reports government security forces committed arbitrary or unlawful killings.

On May 23, during a security operation to clear protesters from outside the house of Shia cleric Sheikh Isa Qassim, five protesters were killed and 286 others arrested. Official police reports claimed protesters created a “combat situation” by attacking police with iron rods, axes, knives, and rocks. In the clashes 19 police officers were injured. While police stated the use of force was justified, opposition groups and activists called the deaths politically motivated and evidence of excessive use of force.

The Ministry of Interior ombudsman’s annual report detailed the ombudsman’s investigations into eight detainee deaths that occurred from May 2016 to April. Investigators determined three prisoners died of a “heart attack,” one died from a preexisting medical condition, and four investigations remained underway (see section 1.c., Prison and Detention Center Conditions).

The government did not provide any updates on its investigation into the death of 17-year-old Ali Abdulghani during his 2016 arrest and detention.

On February 20, 22-year-old Abdulla al-Ajooz, convicted of premeditated murder in absentia and sentenced to life in prison, allegedly fell off a roof as police attempted to arrest him in Nuwaidrat. He later died of his injuries. His family claimed police shot and killed him. Photos of al-Ajooz’s body that circulated in the press and on social media did not appear to indicate bullet wounds. The Ministry of Interior conducted an autopsy but stated it was inconclusive regarding the exact cause of death. According to opposition media reports, the government pressured the family to bury the body quickly.

Violent extremists perpetrated dozens of attacks against security officers during the year, killing four and injuring several others. The Ministry of Interior claimed there were 112 terrorist attacks against police from January to August. On January 1, gunmen attacked Jaw Prison, freeing 10 inmates and killing one police officer during the raid. On January 29, unidentified assailants killed off-duty police officer First Lieutenant Hisham Hassan Mohammad al-Hamadi in the Bilad al-Qadeem neighborhood.

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.” Some domestic and international human rights organizations, as well as active and former detainees, reported instances of torture, abuse, and other cruel, inhuman, or degrading treatment or punishment. Opposition activists reported increased allegations of abuse and mistreatment following King Hamad’s reinstatement of the arrest authority of the BNSA in January. The BNSA had been stripped of its arrest authority in 2011 after the Bahrain Independent Commission of Inquiry report determined that a substantial number of arrests made by BNSA during the unrest that year had violated international law.

In January, Ebtisam al-Saegh, a human rights activist focused on domestic violence and women’s rights, reported security forces summoned her for interrogation at the BNSA’s Muharraq office. She claimed the BNSA officials who questioned her said her work gave the country a “bad image.” She later stated security forces detained her at the airport and brought her again to the Muharraq police station for interrogation, after she returned from attending UN Human Rights Council (UNHRC) meetings in March. On May 15, a fire destroyed al-Saegh’s parked car. Al-Saegh claimed foul play, but the Ministry of Interior’s investigation concluded a short circuit started the fire. Al-Saegh stated that BNSA officers interrogated her again on May 26, beat her, stripped and sexually assaulted her, forced her to stand for hours, and threatened to rape her daughter and torture her husband. On July 3, al-Saegh was arrested and later charged with “terrorism.” She was released from Isa Women’s Detention Center on October 22, and as of December it was not clear whether the government would prosecute the case or drop the charges.

On January 15, the government executed by firing squad Ali al-Singace, Sami Mushaima, and Abbas al-Samea, three Shia men convicted of killing an Emirati police officer and two police officers in a 2014 bomb attack. The death sentences were the first executions carried out in the country since 2010. Activists stated that the Ministry of Interior and Public Prosecutor’s Office (PPO) had used torture, including beatings, electric shocks, and deprivation of food and water to extract confessions from the three men and that authorities did not adequately investigate these allegations of coerced confessions prior to carrying out the executions.

Human rights groups reported prisoner accounts alleging security officials beat them, placed them in stress positions, humiliated them in front of other prisoners, deprived them of sleep and prayers, insulted them based on their religious beliefs,

and subjected them to sexual harassment, including removal of clothing and threat of rape. Human rights organizations also reported authorities denied medical treatment to injured or ill detainees and prisoners. Detainees reported that security forces committed some abuses during searches, arrests at private residences, and during transportation. Detainees reported intimidation, such as threats of violence, took place at the Criminal Investigation Directorate (CID) located in Adliya. Some detainees at the CID reported security officials used physical and psychological mistreatment to extract confessions and statements under duress or to inflict retribution and punishment.

The Ministry of Interior denied torture and abuse were systemic. The government reported it had equipped all interrogation rooms, including those at local police stations and the CID, with closed-circuit television cameras monitored at all times. The quasi-governmental Commission on Prisoner and Detainee Rights (PDRC) repeatedly noted in reports released 2014-17 that many facilities had areas without video monitoring. The Ministry of Interior reported surveillance cameras were installed in pretrial detention centers, and the ombudsman's fourth annual report named installation of surveillance cameras throughout ministry facilities as a top priority.

The Ministry of Interior reported the implementation of training and rehabilitation courses during the year.

Human rights groups reported authorities subjected children, sometimes under age 15, to various forms of mistreatment, including beating, slapping, kicking, and verbal abuse. The law considers all persons over 15 to be adults.

Prison and Detention Center Conditions

Human rights activists reported conditions in prisons and detention centers were harsh and sometimes life threatening, due to overcrowding, physical abuse, and inadequate sanitary conditions and medical care. Detainees and human rights organizations also reported abuse in official pretrial detention centers, as well as in Jaw Prison and Dry Dock Detention Center.

Physical Conditions: Human rights organizations and prisoners reported gross overcrowding in detention facilities, which placed a strain on prison administration and led to a high prisoner-to-staff ratio. However, the Ministry of Interior reported that new prison housing facilities were under construction at year's end that would help to decrease overcrowding. PDRC reports from 2015 detailed concerns

regarding conditions in Jaw Prison, including overcrowding, unsanitary conditions, and lack of access to basic supplies. Reports from the Women's Removal Center and Men's Removal Center also highlighted some unsanitary conditions but reported improving access to health care.

The Ministry of Interior reported three detainee deaths from January to September, which it attributed to natural causes. The ombudsman was still investigating two of these cases, including the March 17 death of 45-year-old Mohammed Sahwan in Jaw Prison. Ministry officials claimed that he died suddenly from cardiac arrest while playing soccer. The victim's family claimed that Sahwan had not received adequate treatment from the prison health authorities for preexisting injuries, resulting in his death.

Although the government reported potable water was available for all detainees, there were reports of lack of access to water for drinking and washing, lack of shower facilities and soap, and unhygienic toilet facilities. Human rights organizations reported food was adequate for most prisoners; however, those prisoners needing dietary accommodations due to medical conditions had difficulty receiving special dietary provisions.

Authorities held detainees under age 15 at the Juvenile Care Center, and criminal records are expunged after detainees under age 15 are released. The Ministry of Interior reported 35 arrests of children under age 15 from January to September. As of September there were 26 children at the Juvenile Care Center awaiting trial and 19 more serving sentences.

As of 2015 the government housed convicted male inmates between ages 15 and 21 in newly constructed buildings located on the grounds of the Dry Dock facility, but they were kept separate from pretrial detainees. The ministry separated prisoners under age 18 from those between ages 18 and 21. Upon reaching the age of 21, prisoners enter the general population at Jaw Prison. The ministry reported 521 children between ages 15 and 18 were arrested in the first half of the year. According to official statistics, 76 were in custody awaiting trial and 90 were serving prison sentences.

The Ministry of Interior reported there were no persons with disabilities in detention. The ministry reserved one ward in the pretrial detention center for the elderly and special needs detainees.

The Ministry of Interior operated a center for rehabilitation and vocational training. According to government statistics, 50 detainees were participating in various educational programs as of September.

Although the ministry reported detention centers were staffed with experienced medical specialists and outfitted with modern equipment, prisoners needing medical attention reported difficulty in alerting guards to their needs, and medical clinics at the facilities were understaffed. Prisoners with chronic medical conditions had difficulty accessing regular medical care. Those needing transportation to outside medical facilities reported delays in scheduling offsite treatment, especially those needing follow-up care for complex or chronic conditions. The PDRC noted numerous deficiencies with health services at most facilities, and human rights organizations noted some prisoners with chronic medical conditions lacked access to medical care. There were outbreaks of communicable diseases due to overcrowded conditions, lack of sanitation, and understaffed medical clinics. To address some of these concerns, the government created a separate ward for prisoners with infectious diseases.

Inmates at Jaw Prison staged several hunger strikes throughout the year in protest of detention conditions, lack of religious freedom, and poor access to health services. On September 9, the press reported inmates from Jaw Prison staged a hunger strike, which ended on September 24, after prison officials agreed to improve conditions and allow Shia inmates greater right to worship.

Administration: The Ministry of Interior reported authorities registered the location of detainees from the moment of arrest. Authorities generally allowed prisoners to file complaints to judicial authorities without censorship, and officials from the ombudsman were available to respond to complaints. Human rights groups reported some prisoners faced reprisals from prison staff for filing complaints. Prisoners had access to visitors at least once a month, often more frequently, and authorities permitted them 30 minutes of calls each week, although authorities denied prisoners communication with lawyers and family members at times. Authorities generally permitted prisoners to practice their religion, but there were reports authorities sometimes denied prisoners access to religious services and prayer time.

Independent Monitoring: Authorities permitted access for the quasi-governmental National Institute for Human Rights (NIHR) and the PDRC, as well as the government's ombudsman and the Special Investigations Unit (SIU), which is part of the Public Prosecutor's Office. During the year the Ministry of Interior

highlighted the work of the Internal Audit and Investigations Department, which receives and examines complaints against security forces. According to the ombudsman's *Annual Report 2016-2017*, the Internal Audit and Investigations Department received 328 complaints, 18 of which were referred to the ombudsman. Some human rights organizations questioned the independence of these government oversight institutions and stated they did not meaningfully investigate or prevent abuses.

The SIU acted as a mechanism for the public to report prisoner mistreatment or poor conditions in prisons and detention facilities. The ombudsman began monitoring prisons and detention centers in 2013, conducting announced and unannounced visits and accepting written and in-person complaints. The ombudsman had complaint boxes at most Ministry of Interior detention facilities and staffed a permanent office at Jaw Prison to receive complaints. The ombudsman office reported it was able to access evidence preserved by the government after receiving complaints regarding mistreatment.

Separately, the NIHR reported it visited the Women's Reformation, Rehabilitation, and Detention Center on August 15-16 and found no forms of systematic torture or abuse against inmates, nor did it find any mistreatment of prisoners. The NIHR conducted the visit in response to complaints and allegations of mistreatment from prisoners and families. It was the first time NIHR commissioners participated in prison inspections.

Throughout the year the PDRC conducted unannounced visits at a number of detention facilities, including the Women's Removal Center and the Men's Removal Center; it posted reports on these facilities on its website.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention. Local and international human rights groups reported that individuals were detained without being notified at the time of the arrest of the legal authority of the person conducting the arrest, the reasons for the arrest, and the charges against them. Human rights groups claimed the Ministry of Interior conducted many arrests at private residences without either presenting an arrest warrant or presenting an inaccurate or incomplete one. Government sources disputed these claims.

In 2013 changes to the law increased 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 increased powers to protect society from terrorism, including the ability to declare a State of National Safety. Human rights groups asserted the 2013 laws conflict with protections against arbitrary arrest and detention, including for freedom of speech.

On November 27, authorities charged Sheikh Ali Salman, the secretary general of leading opposition political society, Wifaq, with “attempting to overthrow the regime” and “giving away state and military secrets to foreign powers in exchange for money.” The charges related to recorded 2011 telephone conversations between Salman and Qatar’s former prime minister Hamad Jassim al-Thani. Activists asserted the charges were political in nature, and the recorded conversation, which involved a discussion of resolving the 2011 unrest in the country, had the direct approval of King Hamad. Salman was already in detention since 2014 for statements allegedly inciting violence. On April 3, the Court of Cassation restored a four-year prison sentence handed down for conviction of incitement charges after an appeals court had increased his sentence to nine years. The UN Working Group on Arbitrary Detention issued an opinion in 2015 that Salman was arbitrarily detained by the government.

Role of the Police and Security Apparatus

The Ministry of Interior is responsible for internal security and controls the public security force and specialized security units responsible for maintaining internal order. The coast guard is also under its jurisdiction. The Bahrain Defense Force is primarily responsible for defending against external threats, while the Bahrain National Guard is responsible for both external and internal threats. Security forces effectively maintained order and generally responded in a measured way to violent attacks.

Civilian authorities maintained effective control over security forces during the year, although violating rights of citizens with impunity remained a problem. Many human rights groups asserted that investigations into police abuse were slow and ineffective.

The SIU investigates and refers cases of security force misconduct to the appropriate court, which includes civilian criminal courts, the ministry’s Military Court, and administrative courts. As of September, 39 police officials received disciplinary violations, four were expelled from the force during the year. Seven police officers were awaiting trial and three were in prison. The ministry generally

did not release the names of officers convicted, demoted, reassigned, or fired for misconduct.

There was also a BNSA Office for the Inspector General and a Ministry of Interior Ombudsman. While both offices were responsible for addressing cases of mistreatment and abuse, there was little public information available regarding the BNSA inspector general's activities.

The Ministry of Interior Ombudsman's annual report, released in September, reported 465 complaints and 691 assistance requests between May 2016 and April from alleged victims of mistreatment by police and civilian staff, their families, or organizations representing their interests,. Of these complaints, 83 were referred to the relevant body, 123 were still under investigation, and 215 were closed without resolution. The ombudsman reported receipt of 96 complaints against the CID and 139 against Jaw Prison from May 2016 to May. The ombudsman referred 14 of the cases against the CID and 39 against Jaw Prison for criminal or disciplinary procedures: 20 and 70 additional cases were still under investigation, respectively. Of those cases, one complaint was sent to the PPO, 66 were sent to Security Prosecution, 15 were to the SIU, and one to the Disciplinary Committee.

The ombudsman maintained a hotline for citizens to report police abuse via telephone, email, or in person, but human rights groups reported many citizens hesitated to report abuse due to fear of retribution. The ombudsman reported receiving 16 complaints as of September.

The Ministry of Interior police code of conduct 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 forbids the use of force "except when absolutely necessary." The Royal Police Academy included the code in its curriculum and provided recruits with copies in English and Arabic. The ministry reported it took disciplinary action against officers who did not comply with the code.

The ministry strengthened the Directorate of Audit and Internal Investigations, responsible for receiving, reviewing, and examining complaints against any member of the public security forces. The directorate referred 16 cases of police misconduct to Police Court, resulting in seven convictions.

The ministry organized various human rights training for its employees, including a new year-long human rights curriculum and diploma at the Royal Police

Academy. The academy regularly negotiates memoranda of understanding (MOU) with the NIHR to exchange expertise. During the year the academy updated its Masters' in Security Administration and Criminal Forensics curriculum to include a unit on human rights in international law and international humanitarian law. In December the NIHR signed a MOU with the BNSA to organize workshops and training sessions relating to human rights and basic rights, and to collaborate on future research.

The police force has included women since 1970, and during the year two women achieved the rank of brigadier general and general director.

Local activists and human rights organizations reported that the demographics of police and security forces failed to represent adequately Shia communities. To address these concerns, the government established in 2012 the community police program, which recruits individuals to work in their own neighborhoods. Official statistics documented 1,425 community police, of which 323 were women. The ministry did not keep official statistics on the number of Shia members of the community police force, however, and did not recruit new community police during the year. Community members reported that Shia citizens were among those integrated into the community police and the police cadet programs but not in significant numbers; information was not available on recruitment rates of Shia citizens into other security forces.

Unidentified individuals conducted numerous attacks aimed at security personnel during the year, which the perpetrators often filmed and posted to social media. These videos showed attackers using Molotov cocktails and other improvised weapons against police patrols and stations, including in close proximity to bystanders. Police usually avoided responding with deadly force. During the year the Ministry of Interior reported four police officer deaths (see section 1.a.) and 110 injuries, including 13 serious or life-threatening injuries.

Arrest Procedures and Treatment of Detainees

The law stipulates law enforcement officers may arrest individuals without a warrant only if they are caught committing certain crimes for which there is sufficient evidence to press charges. Additionally, the Code of Criminal Procedure requires execution of an arrest warrant before a summons order to appear before the public prosecutor. Local activists reported police sometimes made arrests without presenting a warrant and that the PPO summoned political and human rights activists for questioning without a warrant or court order.

By law the arresting authority must interrogate an arrested individual immediately and may not detain the person for more than 48 hours, after which authorities must either release the detainee or transfer the person to the PPO for further questioning. The PPO 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 PPO must issue a formal detention order based on the charges against the detainee. Authorities may extend detention up to seven days for further questioning. If authorities require any further extension, the detainee must appear before a judge, who may authorize a further extension not exceeding 45 days. The High Criminal Court must authorize any extensions beyond that period and any renewals at 45-day intervals. In the case of alleged acts of terror, law enforcement officers may detain individuals for questioning for an initial five days, which the PPO may extend up to 60 days. A functioning system of bail provides maximum and minimum bail amounts based on the charges; however, judges often denied bail requests without explanation, even in nonviolent cases. The bail law allows the presiding judge to determine the amount within these parameters on a case-by-case basis.

Attorneys reported difficulty in gaining access to their clients in a timely manner through all stages of the legal process. They reported difficulty registering as a detainee's legal representative because of arbitrary bureaucratic hurdles; arbitrary questioning of credentials by police; lack of notification of clients' location in custody; arbitrary requirements to seek court orders to meet clients; prohibitions on meeting clients in private; prohibitions on passing legal documents to clients; questioning of clients by PPO on very short notice; lack of access to clients during police questioning; and lack of access to consult with clients in court. While the state provides counsel to indigent detainees, there were reports detainees never met with their state appointed attorney before or during their trial.

According to reports by local and international human rights groups, authorities held some detainees for weeks with limited access to outside resources. The government sometimes withheld information from detainees and their families regarding detainees' whereabouts for days.

In October 2016 Sayed Alawi Hussain Alawi from Diraz went missing, and his family immediately filed a missing person's report with police. The family then received a call from an individual who identified himself as an official from the CID, who said police had arrested Alawi. According to social media reports, police prevented Alawi's lawyer from meeting with his client and prevented Alawi

from calling his family until December 2016. In October authorities referred Alawi's case to military courts for prosecution. As of December the exact charges in the case were unclear, although according to legal procedures, observers believed the charges were related to national security.

Arbitrary Arrest: Human rights groups reported the Ministry of Interior sometimes arrested individuals for activities such as calling for and attending protests and demonstrations, expressing their opinion either in public or on social media, and associating with persons of interest to law enforcement. Some of these detained individuals reported arresting forces did not show them warrants. Authorities arrested dozens of participants in a nonviolent, long-term sit-in that started in June 2016 and continued until May 23 outside the residence in Diraz of prominent Shia cleric Sheikh Isa Qassim, protesting the revocation of his citizenship (see section 2.b., Freedom of Assembly). The government maintained that police only summoned, questioned, and detained individuals who had broken the law.

Over the period of June 22-26, BNSA authorities summoned Mohammad Sultan, son of former Wifaq Council of Representatives member Sheikh Hassan Sultan, four times for questioning. Opposition media claimed that during sessions, BNSA officials attempted to recruit him to work as an informant against his father. The interrogations followed Bahrain TV broadcasting alleged calls between Sheikh Hassan Sultan and a Qatari official during the 2011 protests in which authorities claimed they plotted to overthrow the regime. Reports from opposition media and activists alleged he was beaten, stripped naked, and threatened with rape. After his interrogations, Sultan was banned from international travel. (See section 2.a. for information regarding the arrest and detention of human rights activist Nabeel Rajab.)

Detainee's Ability to Challenge Lawfulness of Detention before a Court: There were reports that authorities sometimes delayed or limited an individual's access to an attorney. There were no reports of courts finding individuals to have been unlawfully detained and recommending compensation.

On March 29, a court convicted former opposition member of parliament, Sheikh Hassan Isa, of funding terrorism and sentenced him to 10 years' imprisonment. His appeal remained pending as of December. Authorities detained Isa in 2015 at the airport upon his return from an international trip. According to Wifaq, CID investigators prohibited Isa's lawyers from speaking to him and from being present during his questioning, during which he alleged he was tortured.

e. Denial of Fair Public Trial

Although the constitution provides for an independent judiciary, political opposition figures reported the judiciary remained vulnerable to political pressures, especially in high-profile cases. The judiciary has two branches: the civil law courts deal with all commercial, civil, and criminal cases, including family issues of non-Muslims, and the sharia law courts handle personal status cases of Muslims. The government subdivided the sharia courts into Sunni and Shia sharia courts. Many of the country's approximately 160 judges were foreign judges serving on limited-term contracts (which are subject to government approval for renewal and residence in the country). The Supreme Judicial Council is responsible for supervising the work of the courts, including judges, and the PPO.

Trial Procedures

The constitution presumes defendants are innocent until proven guilty. By law authorities should inform detainees of the charges against them upon arrest. Civil and criminal trial procedures provide for a public trial. A panel of three judges makes the rulings. Defendants have the right to consultation with an attorney of their choice within 48 hours (unless the government charges them pursuant to counterterrorism legislation); however, there are reports that defendants and their lawyers had difficulty getting police, public prosecutor, and courts to recognize or register representation by an attorney. The government provides counsel at public expense to indigent defendants but does not provide for access to an interpreter if needed. Defendants have the right to present witnesses and evidence on their behalf. While defendants have the right to question witnesses against them, the judges may declare the questions to be irrelevant and prohibit a line of questioning without providing reasoning. Prosecutors rarely present evidence orally in court but provide it in written and digital formats to judges in their chambers. In criminal trials, prosecutors and judges walk into the courtroom together. Defendants are not compelled to testify or to confess guilt and have the right to appeal. The government frequently tries defendants in their absence.

Family status law varied according to Shia or Sunni interpretations of Islamic law, especially for women (see section 6). On July 19, King Hamad ratified a new Unified Family Law, which for the first time included a civil code for Shia family law. According to supporters of the law, the new civil code provides for the protection of Shia, in particular Shia women, from the imposition of arbitrary decisions by unregulated clerics.

On April 3, King Hamad ratified a constitutional amendment that granted military courts the right to try civilians accused of threatening the security of the state. The 2002 constitution had limited the jurisdiction of military courts to offenses by security forces. Government media reported the government approved the amendment to better fight terrorist cells, while activists claimed the change would jeopardize fair trial standards. On May 9, the PPO referred the case of Fadhel Sayed Abbas Hasan to military courts, the first case to fall under the new amendment. On October 23, his trial began at the High Military Court on charges of terrorist attacks and the attempted killing of the Bahraini Defense Force commander-in-chief. Three other defendants--Sayed Alawi Sayed Husain al-Alawi (see section 1.d., Arrest Procedures and Treatment of Detainees), Muhammed Abdulhassan al-Mutaghwi, and Muhammad Husain al-Shehabi--also were named in the case. As the trial progressed, 14 others were added to the case. On December 25, the court convicted Hasan and five of his codefendants and sentenced them to death. Seven other convicted codefendants were sentenced to seven years' imprisonment; others were acquitted.

Political Prisoners and Detainees

The government denied holding any political prisoners, although it acknowledged holding several dozen high-profile individuals, including leaders or prominent members of political societies and organizations and others who were publicly critical of government institutions or government actions prior to their arrests. According to the Ministry of Interior, the total number of persons in pretrial detention was 895, and the number of prisoners was 3,485. Some human rights organizations and opposition groups asserted that the majority of detained individuals were political prisoners, but the assertion could not be substantiated. Authorities held some high-profile prisoners separately from the general prison population. There were some reports authorities held political prisoners in better conditions than other prisoners and detainees.

Bahrain Center for Human Rights (BCHR) President Nabeel Rajab was the only prisoner held at the East Riffa police station until he was transferred to al-Qalaa police clinic in April following a medical emergency and then to Jaw Prison on October 26. Human rights organizations raised concerns that he was not consistently provided prompt access to medical care (see section 2.a.). Ebtisam al-Saegh was kept isolated from the rest of the prisoner population in Isa Town Women's Detention Center during her detention from July to October (see section 1.c.).

Political activist Abdulhadi al-Khawaja, one of 13 Shia leaders sentenced to life in prison in 2011, orchestrated a hunger strike of Jaw Prison inmates in September to protest poor prison conditions and lack of religious freedom for Shia prisoners (see section 1.c., Prison and Detention Center Conditions).

Authorities released several Shia scholars and activists arrested during the Diraz protests in front of Sheikh Isa Qassim's house in May 2016. On August 6, the government released Shaikh Ali Naji after he completed one year in prison; similarly, on August 2, film director Yasser Nasser was released after one year in prison and, on August 12, Taha al-Derazi was released after serving three months in prison. (See section 1.d. for information regarding the arrest and detention of Wifaq secretary general Sheikh Ali Salman. See section 2.a. for more information on the arrest and detention of activists Nabeel Rajab and Zainab al-Khawaja.)

Civil Judicial Procedures and Remedies

Citizens may submit 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.

Decree number 18, which establishes alternative penalties and measures to reduce the number of inmates in detention centers and prisons, went into effect in July, and the first reported use of the guidelines was on October 18 in the case of an elderly man who was sentenced to two months' house arrest for stealing 22,000 dinars (\$58,225). The alternative measures are available when a person has no previous criminal history, is a minor, or is charged with minor legal infractions.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

Although the constitution prohibits such actions, the government violated prohibitions against interference with privacy, family, home, or correspondence. Human rights organizations reported security forces sometimes entered homes without authorization and destroyed or confiscated personal property. The law requires the government to obtain a court order before monitoring telephone calls, email, and personal correspondence. Many citizens and human rights organizations believed police used informer networks, including ones that targeted or used children under age 18.

Reports also indicated the government used computer programs 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 for the detainee's unwillingness to cooperate during interrogations and refusal to sign confession statements.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the 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 that targeted citizen and professional journalists and by passing legislation to limit speech in print and social media.

Freedom of Expression: 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. During the year the government took steps against what it considered acts of civil disobedience, which included critical speech, under charges of unlawful assembly or "insulting the king." The penal code allows penalties for conviction of no less than one year and no more than seven years' imprisonment, plus a fine, for anyone who "offends the monarch of the Kingdom of Bahrain, the flag, or the national emblem." The government charged two persons with "insulting the king" during the year. Additionally, the government charged or convicted four individuals for "insulting a government institution." There were 32 cases of "inciting hatred against a religious sect" and 1,017 cases of misuse of a telecommunications device.

In 2016 police arrested BCHR President Nabeel Rajab for tweets released in 2015 criticizing the Saudi-led coalition's military operations in Yemen and treatment of prisoners in Jaw Prison. His trial began in July 2016 and continued as of December. A separate trial began January 23 for a second set of charges, spreading false information and malicious rumors. The charges in the second case alleged he provided two television "foreign interviews" to foreign press in 2015 in

which he defamed Bahrain. On July 10, although present for some portions of his trial, the Lower Criminal Court convicted Rajab in absentia for his foreign interviews and sentenced him to two years in prison; on September 28, an appeal of the conviction was heard before the Court of Appeals. On November 22, a judge denied Rajab's appeal in the interviews case. Rajab's final appeal to the Court of Cassation, the country's highest court, was scheduled to begin January 15. His "tweets" case continued as of year's end, with the next session also scheduled for January 15.

Press and Media Freedom: The government did not own any print media, but the Ministry of Information Affairs 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 ministry reviewed all books and publications prior to issuing printing licenses. The Ministry of Justice and Islamic Affairs reviewed books that discussed religion.

On June 4, the Ministry of Information Affairs ordered the indefinite suspension of the only independent newspaper operating in the country, *al-Wasat*. The government accused it of publishing content "offensive to a sisterly Arab state" when it covered protests in Morocco. On June 26, the newspaper's board of directors issued a letter terminating the contracts of its approximately 160 employees.

On January 7, journalist Faisal Hayyat, a video blogger, was released after serving three months in prison for conviction of posting an allegedly defamatory tweet against an Islamic religious figure. Security forces summoned him again for questioning on April 23 for charges related to the Diraz protests. He was released and banned from international travel while his case remained under investigation.

Violence and Harassment: According to local journalists, authorities sometimes harassed, arrested, or threatened journalists and photographers due to their reporting. Authorities claimed, however, that some individuals who identified themselves as journalists and photographers were associated with violent opposition groups and produced propaganda and recruiting videos for these groups. International media representatives reported difficulty in obtaining visas to work as journalists. The government brought criminal complaints against journalists who

worked without accreditation. The government arrested or deported individuals engaged in journalism that were in the country on other types of visas.

On March 22, CID detained and questioned Agence France Presse photographer Mohammed al-Sheikh at Bahrain Airport, then released him without charge the same day.

On May 25, the government refused for the second time renewal of Nazeha Saeed's permit as an independent journalist for France 24 and Radio Monte Carlo and fined her 1,000 dinars (\$2,650). The ministry did not give a reason for its decision, nor was recourse available.

Censorship or Content Restrictions: Government censorship occurred. Ministry of Information Affairs 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 media reported government officials contacted editors directly and told them to stop publishing articles, press releases, or stories on certain subjects.

The press and publications law prohibits anti-Islamic content in media and mandates imprisonment for “exposing the state’s official religion to offense and criticism.” The law states, “Any publication that prejudices the ruling system of the country and its official religion can be banned from publication by a ministerial order.”

Libel/Slander Laws: The government enforced libel and national security-related laws restricting freedom of the press. The penal code prohibits libel, slander, and “divulging secrets”; and it stipulates a punishment for conviction 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. The Ministry of Interior reported the government fined or imprisoned 88 individuals for “slander,” “libel,” or “divulging secrets” between January and September.

National Security: National security-related law provides for fines up to 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 ministry approval, 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 concerning an accredited representative of a foreign country due to acts connected with the person's position.

Internet Freedom

According to the International Telecommunication Union, 98 percent of citizens used the internet in 2016. The government blocked some websites from being accessed from inside the country, including some opposition-linked websites. After the government cut relations with Qatar in June, it blocked Qatari news websites such as *al-Jazeera*, *al-Sharq*, and *Raya*. The government restricted internet freedom and monitored individuals' online activities, including via social media, leading to degradation of internet and mobile phone services for some neighborhoods and to legal action against some internet users. The government sentenced several journalists and bloggers arrested in 2016-17 to prison for social media postings.

Political and human rights activists reported being interrogated by security forces regarding their postings on social media. They sometimes reported repeated interrogations that included threats against their physical safety and that of their families, threats against their livelihood, and threats of denial of social services like housing and education. Several activists reported shutting down or deciding to cease posting to their social media accounts because of the threats.

Opposition leader Ebrahim Sharif was interrogated on January 15 for using Twitter to criticize the government's execution of three Shia citizens that same day, and on March 20, he was charged with "inciting hatred against the regime" for a series of tweets critical of the government, including one questioning the dissolution of political societies. Sharif believed he remained under an active international travel ban.

Academic Freedom and Cultural Events

The government restricted academic freedom and cultural events. Some academics engaged in self-censorship, avoiding discussion of contentious political issues.

Human rights advocates claimed government officials unfairly distributed university scholarships and were biased against Shia students, for both political and religious reasons, when admitting students into certain programs. In 2011 the

government instituted interviews into the university selection process, partially to correct for grade inflation, as there is no national standardized test to account for different grading practices across secondary schools; however, students reported authorities questioned them on their political beliefs and those of their families during interviews. The government maintained it distributed all scholarships and made all placements based on merit.

b. Freedoms of Peaceful Assembly and Association

Freedom of Peaceful Assembly

The constitution provides for the right of free assembly, but a number of laws restrict the exercise of this right. The Ministry of Interior maintained a prohibition on public demonstrations, stating the purpose was to maintain public order in view of recent sectarian attacks in the region and that the ban was expected to be temporary in nature. Prior to the ban, the government limited and controlled political gatherings, and activists reported the government denied permits for organized demonstrations by refusing to accept application paperwork. For the third year, there were no authorized demonstrations, although the ministry generally did not intervene in peaceful, unauthorized demonstrations. For the second year in a row, the government declined to issue permits for a “May Day” rally in support of workers’ rights. The permit would have allowed public assembly of the thousands of members of the more than 45 trade unions affiliated with the General Federation of Bahrain Trade Unions (GFBTU).

The law outlines the locations and times during which it prohibits functions, including areas close to hospitals, airports, commercial locations, security-related facilities, and downtown Manama. The General Directorate of the Police may prevent a public meeting if it violates security, public order, or for any other serious reason. The law states mourners may not turn funeral processions into political rallies, and that security officials may be present at any public gathering.

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. According to the law, the Ministry of Interior 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 prohibited the use of

vehicles in any demonstration, protest, or gathering unless organizers obtained special written permission from the head of public security.

Organizers of an unauthorized gathering faced prison sentences of three to six months. The minimum sentence for conviction of participating in an illegal gathering is one month, and the maximum is two years' imprisonment. Authorities gave longer sentences for cases where demonstrators used violence 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.

Police continued to summon individuals for questioning over their participation in unauthorized gatherings, including protests in Diraz. The government interrogated dozens of individuals, including Shia clerics, for their participation in the protest, which began after the government revoked Sheikh Isa Qassim's citizenship in June 2016 and ended when police broke up the protests with force on May 23. Those charged with "illegal gathering" during the year included senior defense attorney Abdunabi al-Ekry; Wa'ad political society founder Ibrahim Sharif, Fareeda Ghulam; Eras Oun, Fatima al-Halwachi; and Adam Rajab, son of imprisoned activists Nabeel Rajab. Many of those who reported being questioned said they remained under a government-imposed "international travel ban."

Freedom of Association

The constitution provides for freedom of association, but the government limited this right. The government required all groups to register: civil society groups and labor unions with the Ministry of Labor and Social Development and political societies with the Ministry of Justice and Islamic Affairs. 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 (see section 3).

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 Ministry of Labor and Social Development 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 authorities rejected or ignored may appeal to the High Civil Court, which may annul the ministry's decision or refuse the appeal.

Many nongovernmental organizations (NGOs) and civil society activists asserted the ministry 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 Ministries of Justice and Interior must vet funding from international sources, and authorities sometimes did not authorize it. (For information on the closure of the Wifaq political society, see section 3, Political Parties and Political Participation.)

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

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

The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, or 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, including citizens of other countries, reported authorities banned them from travel out of the country due to unpaid debt obligations or other fiduciary responsibilities with private individuals or with lending institutions, as well as for open court cases. The government launched an online website during the year that allowed individuals to check their status before they traveled. Authorities relied on determinations of "national security" when adjudicating passport applications. During the year

authorities prevented a number of activists from leaving the country without providing options for legal recourse.

The government reported that as of September it had banned 102 citizens from international travel for various reasons. The “travel bans” were most often justified by the government to prevent the travel of those with pending criminal charges. Between June 2016 and October 2017, approximately 40 individuals, including activists and opposition figures, reported government agents stopped them from leaving the country. Individuals under “travel bans” sometimes claimed the government had not informed them of the ban, provided them with an official document citing the reason, or allowed them to present an appeal. Critics stated authorities tried to build cases against the individuals retroactively to give the travel bans the appearance of legality. Observers noted the travel bans prevented activists from participating in UNHRC sessions and other international events. Activists reported dozens of cases of travel bans just before and during UNHRC meetings in March, June, and September. In July 2016 the NIHR urged the government to stop issuing travel bans without a judicial order.

High-profile cases with travel bans include those imposed on Ebtisam al-Saegh (see section 1.c.) and Adam Rajab, son of imprisoned activist Nabeel Rajab.

Exile: There were no reports the government prohibited the return of individuals whom the government maintained were citizens. The government, however, prohibited the return of those whose citizenship it formally revoked, or those it no longer considered citizens. There were reports of individuals who lived in self-imposed exile, often to avoid jail time for convictions imposed in their absence.

Citizenship: As a punitive measure, the government continued to revoke citizenship for both criminal and political cases, including in the case of natural-born citizens. Authorities maintained the revocation of citizenship of some opposition political and religious figures. The government has not implemented a comprehensive legal review process concerning citizenship revocation, as recommended by the NIHR in 2015, to assure the government protected the rights of individuals and their family members. The government did not consider whether individuals may become stateless by these actions and has at times threatened to halt payments of pensions, or remove families from government-assisted housing if a head-of-household loses his citizenship. Some family members, especially women and minor children, reported difficulties renewing their passports and residence cards and obtaining birth certificates for children. During the year the government issued limited-validity passports to a number of

individuals, whose citizenship it had revoked, and deported them to Iraq, Iran, and Lebanon. There is no procedure for accused persons to mount a defense prior to citizenship revocation.

On May 21, a court sentenced Shia cleric Sheikh Isa Qassim to a one-year suspended prison sentence and confiscated money the government argued he collected illegally. The government revoked Qassim's citizenship in 2016. Government sources reported Qassim had the right to appeal the decision, but he declined to do so. Authorities indicted him and two staff, Mirza al-Dirazi and Sheikh Hussain al-Mahrous, on money-laundering charges, citing large transfers of funds overseas that allegedly bypassed banks to avoid detection. Qassim denied the charges and did not attend any court proceedings.

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 at times 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; however, protection was mostly limited to those who had been able to obtain and maintain employment in the country. Such individuals generally had access to health care and education services while employed but were at risk of deportation if they became unemployed or if their country of origin revoked their passports. UNHCR reported that as of June 2016, there were 373 refugees and asylum seekers registered with the agency.

Stateless Persons

Individuals generally derive citizenship from the father, but the king may confer or revoke it. Since the government only considers the father's citizenship when determining citizenship, it does not generally grant children born to a non-Bahraini father citizenship, even if they were born in the country to a citizen mother (see section 6. Children). Likewise, the government does not provide a path to citizenship for foreign men married to Bahraini women, unlike the process by which foreign women married to Bahraini men may become citizens. Human rights organizations reported these laws have resulted in stateless children, particularly when the foreign father is unable or unwilling to pursue citizenship from his country of origin for his children, or when the father himself was stateless, deceased, or unknown. It was unknown how many stateless persons

resided in the country. Stateless persons had limited access to social services, education, and employment. There were reports authorities refused applications for birth certificates and passports for children whose Bahraini fathers were in prison because the fathers were not able to submit the applications in person (see section 6, Children).

The government charged individuals whose citizenship it revoked with violating immigration law.

Section 3. Freedom to Participate in the Political Process

Citizens have limited ability to choose 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 in November 2014. Turnout was significantly lower in opposition districts, due to a decision to boycott by the main opposition political societies, who expressed a lack of confidence that the elections would produce a parliament that they believed would address their concerns in a fully representative way. Among these concerns the opposition contended the government delineated voter districts to provide for its desired electoral outcomes and marginalize opposition-majority districts.

The government did not permit international election monitors. Domestic monitors generally concluded that authorities administered the elections without significant irregularities. 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.

Political Parties and Political Participation: The government did not allow the formation of political parties, but some “political societies” developed political platforms, held internal elections, and hosted political gatherings. The government dissolved several political societies through legal actions during the year. 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 base itself on sectarian, geographic, or class identity. A number of societies operated outside these rules, and some functioned on a sectarian basis.

The government authorized registered political societies to run candidates for office and to participate in other political activities. In 2016 parliament passed an amendment to the political societies’ law, which banned practicing clerics from membership in political societies (including in leadership positions) and involvement in political activities, even on a voluntary basis.

Political societies are required to coordinate their contacts with foreign diplomatic or consular missions, foreign governmental organizations, or representatives of foreign governments with the Ministry of Foreign Affairs, which may elect to send a representative to the meeting. Although this requirement was enforced in the past, there were no reports of the government enforcing the order during the year.

On March 6, the Ministry of Justice filed a lawsuit to dissolve the National Democratic Action Society Wa’ad, a secular political society. The ministry charged Wa’ad with “supporting terrorism” after its leadership criticized the government for the January execution of three Shia citizens, whom the group publicly called martyrs. The three were convicted of a bombing that resulted in the death of a police officer; the government accused the society of glorifying terrorism and promoting regime change by force, charges that Wa’ad denied. Wa’ad’s appeal of its closure was denied by the Administrative Court of Appeals, but it intended to file a final appeal with the Court of Cassation.

On February 6, the Court of Cassation turned down an appeal by Wifaq political society, thus upholding a September 2016 appeals court decision to dissolve Wifaq and confiscate its assets on the grounds Wifaq incited terrorism. Observers asserted the government did not provide sufficient evidence to prove the incitement claim. In 2016 the Ministry of Justice filed a motion against Wifaq resulting in suspension of Wifaq’s activities.

Individuals active with opposition political society groups also faced repercussions during the year (see section 1.e., Political Prisoners).

Participation of Women and Minorities: No laws limit participation of women or members of minorities in the political process, and they did participate. The 2014 elections selected three women to parliament's 40-member lower elected house. Also in 2014 the royal court appointed nine women to the Shura Council, the appointed 40-member upper house, and the prime minister appointed a woman to the 26-seat cabinet. During the year King Hamad appointed the first woman judge to the Court of Cassation.

Shia and Sunni citizens have equal rights before the law, but Sunnis dominated political life, while the majority of citizens are Shia. The 2014 elections brought 13 Shia members to parliament. The appointed Shura Council included 17 Shia members, one Jewish member, and one Christian member. Five of the 26 appointed cabinet ministers were Shia citizens, including one of the deputy prime ministers.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for conviction of 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 for conviction may be up to 10 years' imprisonment.

Corruption: The Bahrain National Audit Office is responsible for combating government corruption. In November 2016 the government released the office's annual report; however, the full report was not published or made available online.

Significant areas of government activity, including the security services and the Bahrain Defense Force, lacked transparency, and the privatization of public land a concern among opposition groups.

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

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses 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 politicized and unfairly critical of the government.

Domestic human rights groups operated with some government restrictions. These groups included the Bahrain Human Rights Society, the primary independent and licensed human rights organization in the country; BCHR, that the government dissolved in 2004 but continued to operate and maintain an online presence; and the unlicensed Bahrain Youth Society for Human Rights. 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 issued numerous reports.

Some domestic human rights groups faced significant difficulties operating freely and interacting with international human rights organizations. The government sometimes harassed and deprived local NGO leaders of due process. Local NGO leaders and activists also reported government harassment, including the imposition of travel bans (see section 2.c.), police surveillance, delayed processing of civil documents, and “inappropriate questioning” of their children during interviews for government scholarships.

Individuals affiliated with international human rights and labor organizations, or who were critical of the government, reported authorities indefinitely delayed or refused visa applications, or at times refused entry to the country for individuals who possessed a valid visa or qualified for the country’s visa-free entry program.

Government Human Rights Bodies: A December 2016 amendment to a royal decree re-establishing the country’s National Human Rights Organization, now called the NIHR, strengthened the NIHR by giving it the right to conduct unannounced visits to police facilities and increasing its financial independence. Throughout the year the NIHR conducted numerous human rights workshops, seminars, and training sessions, as well as prison visits, and referred numerous complaints to the PPO. It issued its latest annual report in February and contributed to PDRC, ombudsman, and SIU investigations. Although some observers viewed the NIHR as effectively resourced and independent, other human rights groups doubted the government would implement most of its recommendations and doubted its impartiality.

During the year the government also maintained the Ombudsman's Office within the Ministry of Interior, the SIU within the PPO, and the PDRC. These organizations worked with each other throughout the year.

Local and international observers and human rights organizations expressed concern the government did not make significant progress on recommendations issued by the Bahrain Independent Commission of Inquiry, including dropping charges against individuals engaged in nonviolent political expression, criminally charging security officers accused of abuse or torture, integrating Shia citizens into security forces, and creating an environment conducive to national reconciliation.

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

Women

Rape and Domestic Violence: Rape is illegal, although the criminal code allows an alleged rapist to marry his victim to avoid punishment. The law does not address spousal rape. Penalties for conviction of rape include life imprisonment and execution in cases where the victim is a minor younger than age 16 or when the rape leads to the victim's death. The Migrant Workers Protection Society (MWPS) temporarily sheltered at least one woman who reported being raped.

No government policies or laws explicitly address domestic violence. According to the BCHR, 30 percent of women had experienced some form of domestic abuse. Authorities devoted little public attention to the problem. The government maintained the Dar al-Aman Shelter for women and children who were victims of domestic violence. Victims of domestic violence had difficulty knowing whom to contact or how to proceed when filing a complaint.

The Ministry of Justice reported 3,825 cases of physical or sexual abuse as of September. Of these cases, 469 cases involved children and 46 cases resulted in conviction. Nineteen cases of rape were reported, two of which were referred to court; the proceedings for both cases were underway as of September.

Other Harmful Traditional Practices: By law "honor" killings are punishable, but the penal code provides a lenient sentence for conviction of killing a spouse caught in the act of adultery, whether male or female.

Sexual Harassment: The law prohibits sexual harassment, including insulting or committing an indecent act towards a woman in public, with penalties for conviction of imprisonment and fines. Although the government sometimes enforced the law, sexual harassment remained a widespread problem for women, especially foreign women domestic workers.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at: www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/.

Discrimination: Women have the right to initiate divorce proceedings, but Shia and Sunni religious courts may refuse the request. In divorce cases the courts routinely granted mothers custody of daughters younger than age nine and sons younger than age seven, with fathers typically gaining custody once girls and boys reached ages nine and seven, respectively. Regardless of custody decisions, the father retains guardianship, or the right to make all legal decisions for the child until age 21. A noncitizen woman automatically loses custody of her children if she divorces their citizen father “without just cause.”

The basis for family law is sharia as interpreted by Sunni and Shia religious experts. On July 19, King Hamad ratified the Shia portion of the Unified Family Law codifying the rights of Shia citizens, in particular women, according to the civil code on issues such as marriage, divorce, child custody, and inheritance. Shia and Sunni family law is enforced by separate judicial bodies composed of religious authorities charged with interpreting sharia, rather than the principal civil court. It was not always clear which courts have jurisdiction in mixed Sunni-Shia marriages.

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, with the brothers or other male relatives of the deceased also receiving a share.

Labor laws prohibit discrimination against women, but discrimination against women was systemic, especially in the workplace, although the law prohibits wage discrimination based on gender.

Children

Birth Registration: Individuals derive citizenship from their father or by decree from the king. Women do not transmit their nationality to their children, rendering stateless some children of citizen mothers and noncitizen fathers.

Authorities do not register births immediately. From birth to age three months, the mother's primary health-care provider holds registration for the children. Upon reaching three months, authorities register the birth with the Ministry of Health's Birth Registration Unit, which then issues the official birth certificate. Children not registered before reaching their first birthday 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 until age 15 and is provided free of charge to citizens and legal residents through grade 12. Authorities segregated government-run schools by gender, although girls and boys used the same curricula and textbooks. Islamic studies based on Sunni doctrine are mandatory for all Muslim public school students and are optional for non-Muslim students.

Child Abuse: Sharia courts, not civil courts, address crimes involving child abuse, including violence against children. NGOs expressed concern over the lack of consistently written guidelines for prosecuting and punishing offenders and the leniency of penalties in child abuse conviction cases.

There were reports police approached children outside schools and threatened or coerced them into becoming police informants.

Early and Forced Marriage: According to the law, the minimum age of marriage is age 15 for girls and age 18 for boys, but special circumstances allow marriages below these ages with approval from a sharia court.

Sexual Exploitation of Children: The law prohibits exploitation of a child for various crimes, including prostitution. Penalties for conviction 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. The law also prohibits child pornography. The Ministry of Justice reported two cases of sexual exploitation of children as of September.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.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 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. The government administered a committee to care for persons with disabilities that included representatives from all relevant ministries, NGOs, and the private sector. The committee is responsible for monitoring violations against persons with disabilities. During the year the government prosecuted two cases for violations against persons with disabilities.

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 does not mandate access to other nonresidential buildings for persons with disabilities.

No information was available on the responsibilities of government agencies to protect the rights of persons with disabilities. According to anecdotal evidence persons with disabilities 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 disabilities, and Down syndrome.

Eligible voters may vote either in their regular precincts or in a general polling station. The local precincts, which are mostly in schools, sometimes posed problems to those with mobility disabilities. General polling stations in public spaces such as malls allow for assistance devices. 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. Some persons with disabilities were employed in the public sector.

The Ministry of Labor and Social Development continued to work with the UN High Committee for Persons with Disabilities in cooperation with the UN Development Program.

National/Racial/Ethnic Minorities

The law grants citizenship to ethnic 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 were numerous reports authorities did not apply the citizenship law uniformly. Human rights and civil society groups stated the government allowed foreign Sunni employees of the security services who had lived in the country less than 15 years to apply for citizenship. There were also reports authorities had not granted citizenship to Arab Shia residents who had resided in the country for more than 15 years and non-Arab foreign residents who had resided more than 25 years. Rights groups reported discrimination, especially in employment, against Shia citizens of Persian ethnicity (Ajam).

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.

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 age 21, but discrimination based on sexual orientation or gender identity occurred. On rare occasions, courts approved the issuance of new legal

documents for those who have undergone gender reassignment surgeries. On November 23, the courts denied a citizen who underwent gender reassignment surgery the right to change his name and identity documents to match his sex; the case was still pending final appeal before the Court of Cassation as at year's end.

HIV and AIDS Social Stigma

There were no known cases involving societal violence or discrimination against persons based on HIV/AIDS status, but medical experts acknowledged publicly that discrimination existed. The government mandated screening of newly arrived migrant workers for infectious diseases, including HIV/AIDS. In prior years the government deported migrant workers found to be HIV/AIDS positive, but the status of deportations during the year was unclear.

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 may not bargain on their behalf. The law also prohibits members of the military services and domestic workers from joining unions. Foreign workers, comprising nearly 80 percent of the civilian workforce, may join unions if they work in a sector that allows 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 GFBTU or the Bahrain Free Labor Union Federation.

The law specifies only an official trade union may organize, declare a strike, and it 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 pharmacies and bakeries. The law makes no distinction between "vital" and "nonvital" employees within these sectors. Workers must approve a strike with a simple majority by secret ballot and provide 15 days' notification to the employer before conducting a strike.

The law allows multiple trade union federations but prohibits multisector 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 law 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. The law prohibits antiunion discrimination; however, in practice independent unions face government repression and harassment. The law does not require reinstatement of workers fired for union activity.

Relations between the main federations and the Ministry of Labor and Social Development were publicly contentious at times. The government sometimes interfered in GFBTU activities. The government prevented international stakeholders from attending GFBTU events and from providing training opportunities to the GFBTU. In June the government also issued a last-minute travel ban for a GBFTU representative to the ILO's annual conference.

Some workers and union affiliates complained union pluralism resulted in company management interfering in union dues collection and workers' chosen union affiliation. They stated that management chose to negotiate with the union it found most favorable--to the detriment of existing collective bargaining agreements and the legitimate voice of workers.

In 2014, after signing a second tripartite agreement, the ILO dismissed the complaint filed in 2011. During the year the government reported it considers efforts at reinstatement, as reflected in the tripartite agreement, to be completed. Human rights organizations and activists questioned the government's claims and reported continuing, systemic labor discrimination. Moreover, some reinstated workers stated some companies insisted they sign loyalty pledges and agreements to not strike, despite the illegality of such requirements.

Throughout the year, hundreds of foreign construction workers went on strike because of unpaid salaries. An Indian worker, Narayanan Pitchai, died on January 15 after being struck by a teargas canister as dozens of workers of the GP Zachariades construction group protested over unpaid wages.

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 always enforce the law effectively. 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 of forced labor practices that occurred among domestic workers and others working in the informal sector; labor laws did not protect most of these workers. Since 2012 domestic workers have 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.

Estimates of the proportion of irregular migrant workers in the country under “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.

On July 24, Labor Market Regulatory Authority (LMRA) launched a flexible work permit pilot program, the “blue card,” which permits an individual to self-sponsor a work permit. It is only available to workers who are out of status and costs approximately 450 dinars (\$1,200). Some NGOs have expressed concerns regarding the cost of the visa and the fact that it shifts responsibilities, such as health insurance, from the employer to the worker.

In 2016 LMRA instituted procedures that allowed workers to change their employer associated with their visa--either without permission from their old employer or without their passport. LMRA threatened employers who withheld passports with criminal and administrative violations and prohibited at-fault employers from hiring new workers.

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

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for employment is 15, and the minimum age for hazardous work is 18. Children under age 18 may not work in industries the Ministry of Health deemed hazardous or unhealthy, including construction, mining, and oil refining.

They may work no more than six hours a day--no more than four days 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 age 14 or 15, with 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.

The law requires that before the ministry 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 determine suitability, and assurance from the employer the minor would not work in an environment the ministry deemed hazardous. Generally, the government effectively enforced the law.

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

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

d. Discrimination with Respect for Employment and Occupation

The constitution provides for equality between men and women in political, social, cultural, and economic spheres without breaching the provisions of Islamic law. The Labor Law deems dismissal for sex, color, religion, ideology, marital status, family responsibilities, and pregnancy to be arbitrary and illegal, but provides for no right to reinstatement. The Labor Law also prohibits wage discrimination based on sex, origin, language, religion, or ideology. There are no other specific protections regarding race, disability, language, sexual orientation or gender identity, HIV-positive status or having other communicable diseases, or social status.

Women continued to face discrimination, especially in fields traditionally dominated by men, including leadership positions. Women reported having to work harder than men to be recognized at work; they often faced hiring discrimination because of a perception they would become pregnant or their family lives would interfere with their work.

It remained rare for persons with disabilities to find employment in positions of responsibility. Many workplaces remained difficult to access for those needing assistance due to a lack of ramps, narrow doorways, and unpaved parking lots. The Ministry of Labor continued to fund a center offering employment and training services for citizens with disabilities.

Many workers in the country were foreign workers. There are no provisions to provide for equality in the hiring process. It was 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.

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 that Shia citizens faced widespread employment discrimination in both the public and private sectors. Several international firms reported pressure not to promote Shia employees to positions of responsibility within their companies. Sunni citizens often received preference for employment in sensitive government positions, notably in the managerial ranks of the civil service, as well as positions in the security services and the military.

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. 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 (\$405) per month. There was no official poverty level.

Subject to the provisions of the private-sector law, employers may not employ a worker for more than 48 hours per week. Employers may not employ Muslim workers during the month of Ramadan for more than six hours per day or 36 hours per week.

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

Inspectors have the authority to levy fines and close worksites if employers do not improve conditions by specified deadlines. A judge determines fines per violation, per worker affected, or both. A judge may also sentence convicted violators to prison. For repeat violators the court may double the penalties.

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 because of heat conditions. Authorities enforced the ban among large firms but, according to local sources, violations were common among smaller businesses. Employers who violated the ban are subject to imprisonment and a fine. The ministry documented a 98 percent compliance rate among employers during the year.

The government and courts generally worked to rectify abuses brought to their attention. Workers could file complaints with the ministry. The vast majority of cases involving abused domestic workers did not reach the ministry or the public prosecutor.

The Migrant Workers Protection Society (MWPS) reported it visited unregistered camps and accommodations, including accommodations of irregular “free visa” workers, who often lived in overcrowded apartments with poor safety standards.

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.

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, constituted approximately 60 percent of the total workforce. These workers were vulnerable to dangerous or exploitive working conditions. According to NGOs, workplace safety inspection and compliance were substandard.

The labor law does not fully protect domestic workers, and this group was particularly vulnerable to exploitation. Domestic employees must have a contract, but the law does not provide for same rights accorded to other workers, including rest days.

There were credible reports employers forced many of the country's 70,000 domestic workers, most of them women, to work from 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, but the majority of cases involving domestic workers did not reach the Ministry of Labor and Social Development. The press, embassies, and police received numerous reports of abuse. During the year the MWPS shelter provided more than 150 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 ministry reported 24 fatalities and 145 serious injuries from occupational accidents as of June. The largest number of accidents was in the construction sector (114), and falls from a height (90) represented the largest category of injuries. According to NGO sources, the construction sector employed more Indians, Bangladeshis, and Pakistanis than other nationalities. Worker deaths generally were due to a combination of inadequate enforcement of standards, violations of standards, inadequate safety procedures, worker ignorance of those procedures, and inadequate safety standards for equipment. While some workers may remove themselves from situations that endanger health or safety without jeopardizing their employment, the level of freedom workers enjoyed directly related to the types of work they performed.

On October 4, according to reports, Indian construction worker Kamlakar Rai was suffocated when a 10-foot trench collapsed on him. Media reported labor inspectors blamed the accident on a lack of trench support.

Many workers lived in unregistered accommodations that ranged in quality from makeshift accommodations in parking garages, to apartments rented by employers from private owners, to family houses modified to accommodate many persons. Conditions in the many unregistered or irregular worker camps were often poor. Inspectors do not have the right to enter houses or apartment buildings not registered as work camps to inspect conditions.