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ANNUAL REPORT: Bahrain 2016

*A Series of Repressive Attacks against
Rights and Human Rights Defenders*



BAHRAIN CENTER FOR HUMAN RIGHTS
Defending and promoting human rights in Bahrain

ANNUAL REPORT: Bahrain 2016

*A Series of Repressive
Attacks against Rights and
Human Rights Defenders*



مركز البحرين لحقوق الإنسان
Bahrain Center for Human Rights

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SIGRID RAUSING TRUST

1. About Us

The Bahrain Center for Human Rights (BCHR) is a non-profit, non-governmental organization, registered with the Bahraini Ministry of Labor and Social Services since July 2002. Despite an order by the authorities in November 2004 to close down, BCHR is still functioning after gaining a wide local and international support for its struggle to promote human rights in Bahrain. The vast majority of our operations are carried out in Bahrain, while a small office in exile, founded in 2011, is maintained in Copenhagen, Denmark, to coordinate our international advocacy program.

For more than 13 years, BCHR has carried out numerous projects, including advocacy, online security training, workshops, seminars, media campaigns and reporting to UN mechanisms and international NGOs. BCHR has also participated in many regional and international conferences and workshops in addition to testifying in national parliaments across Europe, the EU parliament, and the United States Congress. BCHR has received a number of awards for its efforts to promote democracy and human rights in Bahrain.

The current President is **Nabeel Rajab**, who has been jailed repeatedly, including most recently on 13 June 2016 for speeches and statements. His recent arrest has been criticized by a number of human rights organizations, the governments of the UK, the USA and France, as well as a number of UN dignitaries, including former UN Secretary General Ban Ki Moon, who have called for his release.

BCHR's Vice-President **Said Yousif Al-Muhafdha** has been forced into exile since October 2013 after being a target of arbitrary arrests for his human rights work in Bahrain. Most of the staff inside Bahrain remain anonymous, including a second Vice-President and members of the Documentation Team.

Our Mission: To encourage and support individuals and groups to be proactive in the protection of their own and others' rights; and to struggle to promote democracy and human rights in accordance with international norms. To document and report on human rights violations in Bahrain. To use this documentation for advocacy to influence international policies according to the Universal Declaration of Human Rights.

For more information on our work, please visit our website and donate through: www.bahrainrights.org

Contents

1. About Us	3
2. Executive Summary	6
3. Statistics	8
4. Extra-Judicial Killings	10
5. Arbitrary Arrests	11
6. Torture	15
7. Harsh Sentences, Unfair Trials and Death Penalty	18
8. Citizenship Revocation and Deportation	20
9. Freedom of Expression	24
9.1 Persecution of Journalists and Photographers	24
9.2 Persecution of Artists	26
9.3 Persecution of Political Activists.	26
9.4 Internet Shutdown	28
9.5 Persecution of Internet Users	29
9.6 Restrictive Laws	30
10. Freedom of Assembly	31
10.1 February 14 anniversary	31
10.2 Open sit-in in Duraz And Protests on Qasim’s Citizenship Revocation	32
11. Human Rights Defenders	36
11.1 Nabeel Rajab	36
11.2 BCHR members	38
11.3 UNHRC and Travel Bans	40
11.4 Other Human Rights Defenders	41

12. Freedom of Religion	45
12.1 Prosecution for Khums Collection.....	45
12.1 Revocation of Citizenship	45
12.2 Restrictions on Friday Prayers	46
12.3 Attacks on Religious Freedoms During Month of Muharram	46
12.4 Arrest and Judicial Harassment of Clerics	47
12.5 Restrictive Laws.....	47
13. Freedom of Association.....	49
13.1 Dissolution of Al-Wefaq, Largest Political Society in the country	49
13.2 Attacks on civil society organizations	50
13.3 Restrictive Laws.....	50
14. Recommendations	51
15. Annexes	53

2. Executive Summary

The year 2016 witnessed an unprecedented crackdown on human rights in the Kingdom of Bahrain since the pro-democracy uprisings in 2011.

The Bahraini authorities sought to attack freedoms enshrined in the Universal Declaration of Human Rights by pursuing arbitrary arrests, attacking peaceful human rights demonstrations and issuing harsh sentences based on political grounds.

The year has witnessed a long series of reprisals against the human rights community in Bahrain. It started with the arresting, and imprisoning of prominent human rights defender **Zainab Al-Khawaja** in March 2016 and her 15-month toddler on charges related to her exercise of freedom of expression and peaceful dissent against the authorities. She was detained for three months in prison before she was released and forced to go into exile in June 2016. A brief time later in the same month the renowned human rights defender and President of BCHR **Nabeel Rajab** was arrested following a police raid on his home. His arrest signified the beginning of a series of systematic acts of judicial harassment against him based on charges related to his freedom of speech. This programmatic abuse of Rajab's freedoms is still ongoing as he continues to be kept in detention, where he has been for over 220 days as of January 2017. Moreover, members of the civil society including members of BCHR's staff based in Bahrain, were summoned to interrogations based on inaccurate and misleading charges. Individuals were also subjected to travel bans. Travel bans were usually handed down before the start of the UN Human Rights Council sessions in Geneva. Due to the continued judicial harassment by the authorities, some members of the human rights community were forced to go into exile.

Almost simultaneously the authorities decided to effectively curtail all freedoms in Bahrain by shuttering the largest political opposition party in Bahrain, Al-Wefaq, in June 2016. This ban came after authorities increased the prison sentence of its General Secretary **Sheikh Ali Salman** to 9 years in May 2016. Other political leaders continued to face judicial harassments, **Ebrahim Sharif** has been sentenced to 1 year in prison in February 2016 for a speech and later interrogated over another press statement.

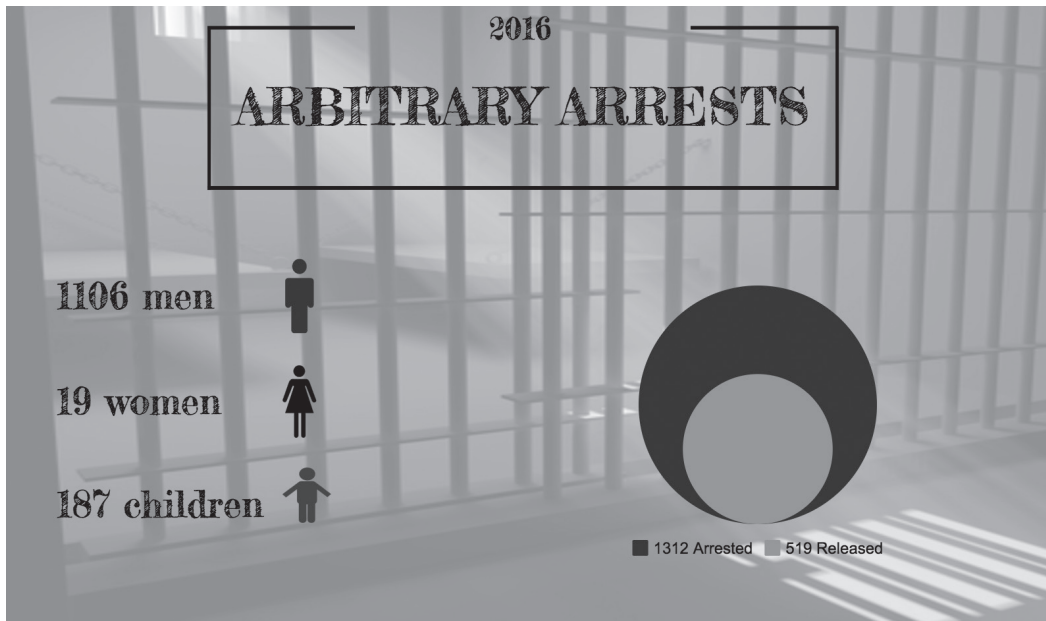
Religious Freedoms were also under attack. Repression heightened in June 2016 as dozens of clerics were summoned, interrogated, prosecuted and sentenced to prison over charges related to freedom of speech and assembly. Shia civil society organizations were shutdown and the citizenship of the highest Shia spiritual leader, **Sheikh Isa Qassim** was revoked without due process and he was later put on a trial on groundless charges.

Government officials revoked citizenship in dozens of cases, and upheld death sentences in documented cases of torture victims. Life sentences and years in prison were handed down to dozens victims of unfair trials. Torture has been documented, yet again, as the preferred tactic for confession extraction. These unreliable confessions are then used as evidence in courts to convict innocent people. The death of one victim, **Hasan Al-Hayky**, was reportedly caused by torture that occurred during his detention in August 2016. Bahraini prisons remain densely populated, with the largest number of prisoners relative to the size of its population in the world.

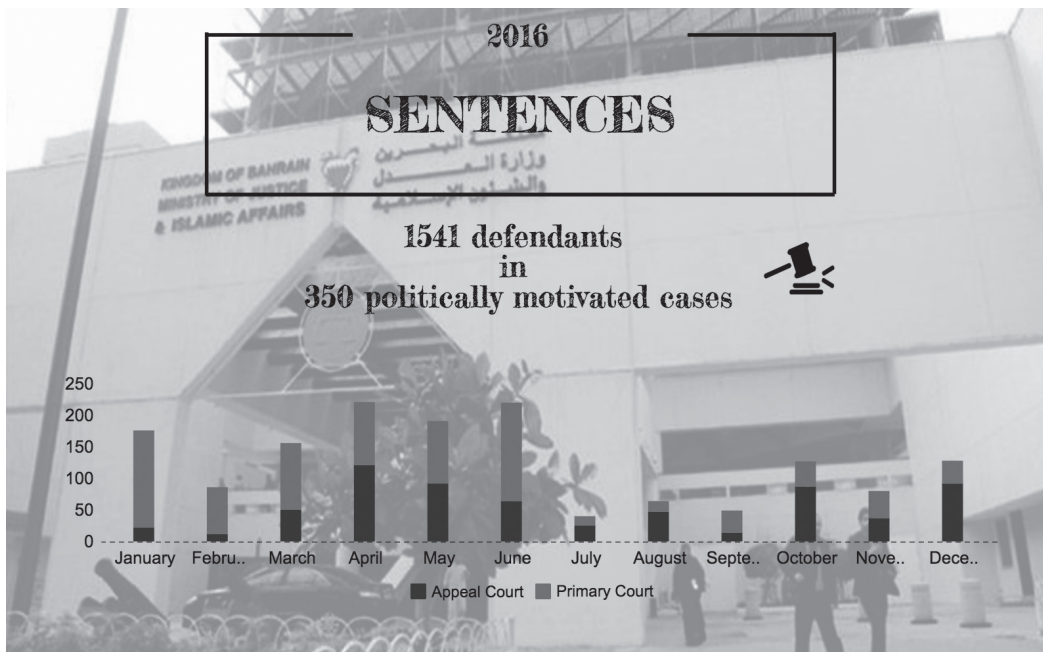
Our President Nabeel Rajab has been detained for more than 220 days since his arrest in June 2016, and he pledges to continue his peaceful work for the human rights defending. Human rights are universal and indivisible, and applicable to all citizens of this world. BCHR and Nabeel Rajab, and all other Bahraini human rights activists, free or incarcerated, will continue promoting and defending human rights in the Kingdom of Bahrain, not only because we believe that freedom is a birthright for the human kind, but because it is the right thing to pursue and to strive for.

The past year has witnessed significant, and major violations of human rights, and it has ended with executions of three torture victims who were sentenced to death in late 2016, and executed in January 2017. There is a duty on all human rights believers and supporters around the world to stand up for the rights of the Bahraini people and to stop the ongoing deterioration of freedom in the country. The international community must show solidarity with the Bahraini people and condemn these human rights violations. Bahrain's close allies, the United States and the United Kingdom have a vital role to play, they must voice their condemnation of this continuing crackdown on rights, and defend the rights of Bahraini citizens and human rights defenders in Bahrain. They must bring Bahrain to the right path, by urging it to respect its obligation towards the international treaties of Human Rights.

3. Statistics



* BCHR started collecting data on marches from April 2016



2016

SENTENCES

204 Citizenship Revocation's Orders
92 from Primary Courts & 112 from Appeal Courts

40 Cases related to Freedom of Expression

19 Cases related to Freedom of Assembly

91 Life Sentences
54 from Primary Courts & 37 from Appeal Courts

4 Death Sentences upheld by Appeal Courts

Disclaimer: some of the statistical evidence documented by the staff of BCHR cannot guarantee a comprehensive overview of violations against freedom of assembly and expression in Bahrain; the repressions against freedoms and liberties in Bahrain exceed the capacity of our staff in filing them. For example, victims of torture do not always expose their ordeal publicly, for fear of retaliations against them or their family members.

4. Extra-Judicial Killings

Since 2011, BCHR recorded over 90 cases of extrajudicial killings. During 2016, BCHR has recorded two additional cases of death that can be attributed to ill-treatment at the hands of the Bahraini officials and where there was lack of proper and transparent investigation to provide justice to the families of the deceased.

17-year old **Ali Abdulghani** reportedly died after suffering injuries caused during a violent arrest attempt. On 31 March 2016 the government agents raided the property of Abdulghani's aunt in Shahrakan. It was reported that the officers ran into him with their car when he attempted fleeing the property, but he got up and started running away to a house 200 meters away, only to be found a few moments later lying on the ground, with blood spilt from a head injury. According to witnesses present at the scene, the police officers surrounded his body, and some even tried to cover the blood marks with sand. The MOI has claimed that he had fallen from the roof of a building whilst trying to escape¹.

Later on, his family received the information that Abdulghani had been taken to Bahrain Military Defense Hospital, without being given clear details on his injuries. When they managed to visit him in the hospital, he was in a coma suffering from severe internal bleeding, and had bruising under his eyes. On their next visit to the hospital on 4 April 2016, the family was told their son had succumbed to his injuries and passed away.

Despite his family's call for an investigation on the circumstances of his injuries, the Minister of Interior has not held anyone accountable for this death.

Hassan Jassim Hasan Al-Hayki died on 31 July 2016. According to his family's testimony his death was due to alleged repeated torture suffered during his detention. The Minister of Interior has claimed that the inmate had died "due to natural causes"². (Please refer to the Torture Section for the full details of the case).

1 Bahrain Mirror, 31.03.2016 <http://bahrainmirror.org/news/30332.html> الداخلية تؤكد إصابة الشاب علي عبدالغني أثناء اعتقاله وتقول إنه كان يحاول الهرب.

2 Bahrain Minister of Interior, Detainee dies at SMC due to natural causes, 31.07.2016 <http://www.policemc.gov.bh/en/news/ministry/54399>

5. Arbitrary Arrests

Since the brutal suppression of the pro-democratic protests that broke out in the early months of 2011, arbitrary arrests have become a common practice in Bahrain. Citizens are brought daily into custody on made-up politically motivated charges.

In 2016 alone, the Bahrain Center for Human Rights (BCHR) was able to document a total of 1312 arrests in Bahrain. Among them 1106 men, 19 women and 187 minors. 519 of them were released after spending some time in detention.

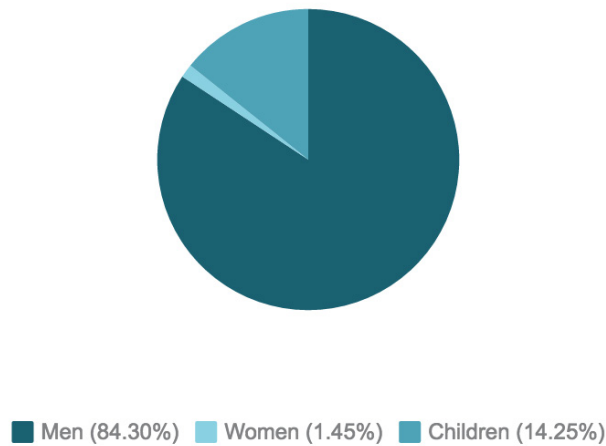


Figure 1. Total number of arrests in 2016

BCHR believes that the real figure of arrests could be even higher, considering that some of those affected, or their relatives, might refuse to come forward due to fear of retaliation by the authorities.

January 2016 was the month with the highest number of arbitrary arrests, among which were 155 men and 38 minors.

BCHR records show that approximately 3000 persons are currently detained.

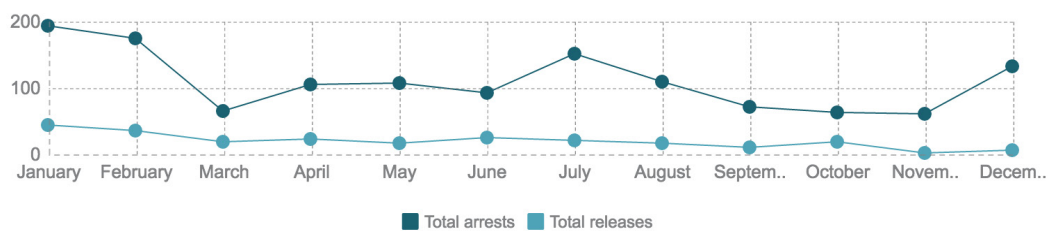


Figure 2 Total number of arrests relative to the number of released individuals

As shown in the graph below the majority of arrests have been carried out through house raids (45%) and on the streets, following ongoing marches and protests (24%).

Methods of Arrest

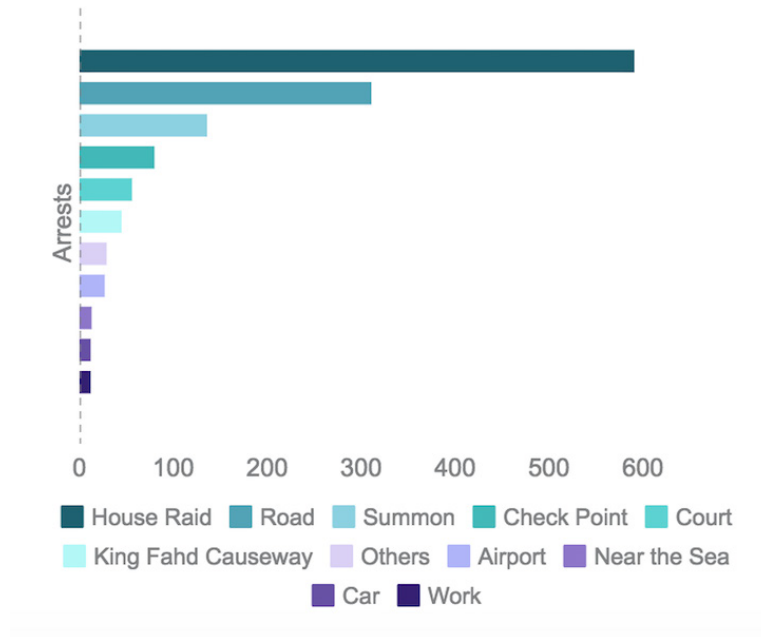


Figure 3 Methods of arrest in 2016

Despite the variety of methods used to take people into custody, information gathered by BCHR confirm the trend witnessed in the last few years. In the vast majority of cases, police officers did not provide any court order or reason for the arrests. Moreover a number of victims have reported to have been subjected to excessive force, ill treatment and torture.

Article 9 of the International Covenant on Civil and Political Rights, which Bahrain ratified in 2006, guarantees the right to liberty and security: “No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him”³.

The majority of the cases documented by BCHR failed to meet those minimum standards, not only violating international obligations, but heightened the risk of arrestees experiencing further human rights abuses and violations of due process as they progress through the Bahraini criminal justice system.

Accordingly, some individuals are detained incommunicado, meaning they cannot access a lawyer nor communicate with families, whom can remain unaware of their loved one’s’ location for periods of up to several weeks.

Among others, in 2016 BCHR documented the case of **Shaker Hani Ali Salman**⁴, 21 years old, held in incommunicado detention for 32 days. First arrested on May 15, 2016, at his arrival at

³ International Covenant on Civil and Political Rights, <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

⁴ Bahrain Center for Human Rights, Concern over safety of incommunicado detention victim Shaker Hani, 15.06.2016 <http://bahrainrights.org/en/node/7903>

Bahrain International airport from Iran, he was released after three hours of questioning about the purpose of his trip. Two days later, on 17 May, he was re-arrested without a warrant. According to his family he was able to make a brief call on the very same day, to announce he was being detained at the Criminal Investigation Directorate (CID).

The nature of the charges brought against him have not been disclosed during his incommunicado detention. The family was highly concerned about his safety and wellbeing, as Shaker suffers from an acute form of Sickle cell disease. He was then transferred to Dry Dock Prison and his trial started.

Two other cases of men held in incommunicado detention have been registered later in 2016: Sayed Fadhel Abbas Radhi and Sayed Alawi Hussain Alawi.



Figure 4 Sayed Fadhel Abbas Radhi

Sayed Fadhel Abbas Radhi⁵, 24 years old, was arrested from his house on the night of 29 September, by security forces in civilian clothes who did not have any warrants permitting a search of the property nor his arrest. His family has since been unable to visit him, despite having been granted permission from the public prosecution. The CID which is detaining Radhi has refused them access. Although he was allowed to make few calls, he was not allowed to talk freely and his family reported that he sounded very weak. He is still not permitted to meet his family or to access his lawyer.



Figure 5 Sayed Alawi Hussain Alawi

Sayed Alawi Hussain Alawi⁶, 43 years old, has spent more than 3 months in detention without access to his lawyer, he has also been denied visitation with his family. As of January 2017, he is still in detention. Charges against him remain unknown. Arrested on October 24 without a warrant, his family filed a complaint with the Ombudsman for illegal and arbitrary arrest and called upon the National Human Rights Institute (NHRI), a governmental body whose members are appointed by the king, to act on the case. Accordingly, the Government, via the head of the Human Rights Committee at the Bahraini Parliament, stated that Alawi is “detained pending investigation” and that “all the formal procedures have been taken properly and correctly according to the rules applicable in the Kingdom of Bahrain”.

5 Bahrain Center for Human Rights, Bahrain: Ongoing Incommunicado Detention of Two Detainees in Absence of Known Legal Charges, 19.12.2016 <http://www.bahrainrights.org/en/node/8393>

6 Bahrain Center for Human Rights, Sayed Alawi Forcibly Disappeared for Over a Month with Complicity of Government Human Rights Bodies, 28.11.2016 <http://www.bahrainrights.org/en/node/8339>

Another alarming case is that of **Khalil Al-Halwachi**⁷, who has been detained for more than 2 years without being sentenced, violating his right to due process. Arrested in September 2014 through a house raid in which no search or arrest warrant was presented, he was transported to the Criminal Investigations Directorate (CID), where he was subjected to physical and psychological torture before being forced to sign a confession. Since his first trial commenced and was postponed in March 2015, the court has postponed his trial more than 17 times. As of January 2017 this systematic postponement was still ongoing.

BCHR finds the practice of incommunicado detention appalling, and believe it can facilitate mistreatment and torture. Moreover it is in breach of international legislation that recognizes the right that “anyone arrested or detained on a criminal charge” is to be “brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody”⁸.

7 Bahrain Center for Human Rights, Bahrain: Justice denied for two years as Khalil Al-Halwachi is imprisoned without a verdict, 29.08.2016 <http://bahrainrights.org/en/node/8100>

8 International Covenant on Civil and Political Rights, <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

6. Torture

In the past year, BCHR has recorded numerous complaints and allegations of torture and ill treatment from detainees after their release, or by recording testimonies provided by the families of detainees still in custody⁹.

Hassan Jassim Hasan Al-Hayky¹⁰, a 35 year-old detainee, died in detention on 31 July amid allegations of torture at the hands of Bahrain security forces. According to his family he died from injuries sustained during torture at the Criminal Investigations Directorate (CID), where he was held after his arrest on 4 July. Al-Hayky was accused of taking part in a 30 June bombing at the village of Al Ekar which led to the death of a civilian, Fakhriya Msallam¹¹.

On 25 July 2016, Al-Hayky's family visited him for the only, and last time. They told the Bahrain Center for Human Rights (BCHR) that he looked exhausted and unnaturally thin during the visit. They also said that security forces subjected him to severe and frequent beatings on his head and genitals at the CID. The authorities also allegedly hung him in chains on multiple occasions over the course of four days, causing him to collapse and lose feeling in his body. He alleged that he was threatened at gunpoint to force confessions. According to information reported to BCHR, officials at the Public Prosecution allegedly subjected him to sexual abuse on 10 July 2016 and forced him to sign the confession. His family has reported that despite his multiple requests to the Public Prosecution for a lawyer, the authorities continued to interrogate Al-Hayki without one. When his lawyer went to the Public Prosecution, officials told him that Mr. Al-Hayki had not been brought in yet.

After signing confessions, he was transferred to the Dry Dock Detention Center, where he died a short time later.

The Interior Ministry alleged that Al-Hayki "suffered from a medical condition" and had died from "natural causes". His family has confirmed that Al-Hayki did not suffer from any health issues prior to his arrest. After observing the body before burial Al-Hayki's lawyer stated that the "wounds and bruises on the body of the deceased confirms beyond any doubt the existence of a criminal suspicion behind the death." The Public Prosecution have since accused him of "spreading false news."¹²

No officials were held accountable for his torture and following death, and BCHR continues to advocate for an independent and impartial investigation into his case.

Particularly appalling are the cases of torture perpetrated against minors.

Hasan Al-Tajer, a 17 year-old high-school student. Arrested on 21 April without being informed of the charges against him, he was later accused of being involved in burning a police car and the murder of a policeman in Karbabad. His family did not know where he was being held until 11 May 2016, when they got a call from him saying that he was at the Dry Dock Prison.

During a meeting with his family he revealed that he was being subjected to torture and ill-treatment while in custody at the CID. He was allegedly handcuffed, blindfolded, and beaten. While blindfolded, he claimed he had been forced to stand behind the door, and the door had been pressed against his

9 For security reason, BCHR has decided to use only the initials of some of the victims, in an attempt to protect them from further retaliation.

10 Bahrain Center for Human Rights, Independent and Impartial Investigation Needed into the Death and Alleged Torture of Detainee, 1 August 2016, <http://bahrainrights.org/en/node/8042>

11 Bahrain Center for Human Rights, BCHR Condemns Violence and Calls for Transparent and Impartial Investigation Into Death of Bahraini Woman, 02.07.2016 <http://bahrainrights.org/en/node/7967>

12 Bahrain Mirror, "14.08.2016. تهمة محامي عائلة الشهيد الحايكي بنشر أمور كاذبة علانية," <http://bhmirror.myftp.biz/news/33140.html>

body while he was cornered behind it. The beating on his genitals was so severe that he collapsed from the pain. While lying on the floor, security forces started kicking him. According to his family's statement, Al-Tajer was also subjected to verbal abuse and insults throughout the entirety of his interrogation. As reported by his relatives, when responding to questions about what his name was, Al-Tajer was admonished not to say "Hassan" but to use "donkey" or "dog" instead, or use other slur words. He was also threatened with rape, and told that there were twenty men in the next room prepared to rape him. He was allegedly beaten with wires until his face turned purple. He was also hanged in a brutal way. Once, a viscous substance was put on his body. He feared he would be electrocuted, so he screamed and moved, then they let him go.

After four days of physical and psychological torture, Al-Tajer agreed to stamp confession papers while handcuffed, and without reading or being informed of the content of the alleged confession.

Al-Tajer allegedly suffered solitary confinement and his psychological well-being deteriorated to the extent that he started hallucinating, talking to the walls. As for food, his family claimed he had only two minutes to eat while blindfolded, suffering beatings on his neck and head during meal time. Throughout the whole time he spent in the CID, Al-Tajer claimed he had not been allowed to sleep, and was beaten whenever he attempted to. He told his family that in all the phone calls that he made to them while he was in the CID, he had been told what to say during the call. He was further interrogated and tortured at Jau Prison. Al-Tajer is still detained on Dry Dock detention pending his trial.

A.A., a 17 year-old student, was arrested on 21 April in Karbabad by security forces in civilian clothing, who did not present any warrant. He was later released on 2 May without being notified of the charges against him. After his release, A.A. told BCHR that when the security forces raided his house, he asked them for the search warrant. They responded by saying that he had no right to ask them about anything. They later transferred him to CID where he allegedly suffered physical and psychological abuses. According to his testimony, he had been put in a very small room at the CID. Every now and then, someone would come and ask him about his name, and when he responded, they would slap and punch him. They also forced him to stand for long periods of time. He was allegedly subjected to beatings, including on his genitals, and threats of electrocution. At one time, he was kicked by a security man hard on his genitals, while another person beat him with a flip-flop all over his body.

When A.A. refused to confess the charges, security forces threatened his family, telling him that his parents were in the building, and that his mother would be raped if he did not confess. He was allowed to eat under the condition that he did not lift up his head, and he was not allowed to use the toilet, or drink water.

Ali Saeed, 15 years old, was arrested on 8 February 2016 by security forces in civilian clothing. They did not show any warrant, nor inform him or his family where he would be transferred to. On 10 February Saeed called his family, and he told them that he was in Hamad Town police station. He revealed that during his detention at the police station he was beaten, punched on his back, slapped and that he was threatened with electric shocks if he did not confess to his alleged crime. In the end he agreed to sign a false confession claiming he had used a fake bomb.

Bassel Abbas, 15 years old, was summoned to Hamad Town police station on 9 April 2016 and immediately arrested without being notified of the charges against him. He was released on 10 April. Based on his family's testimony, while held in custody he was forced to stand from 10:00 PM until 3:00 AM while blindfolded. During that time, he was allegedly severely beaten by the police and was interrogated about his alleged participation in burning tires on 5 April 2016. After he denied the accusation he was asked to work with police as an informer in exchange for his

release; they needed information about three wanted individuals in Bani Jamra. Only an hour and a half after he had been released, his family received a phone call from Budaiya police station summoning him again to the police station. When back at the police station he was rearrested and taken to the General Directorate of Criminal Investigation (CID). At the CID, Abbas claimed he was beaten, kicked and punched by security forces. In addition he was forced to stand for long periods of time and subjected to electric shocks to his genitals. Based on his family's testimony, he had signed confessions while being blindfolded. Charges brought against him were related to illegal gathering on 14 February. On 7 June 2016, Abbas was released without dropping the charges against him.

Torture on minors is a breach of a number of international regulations against torture and in particular to the Convention on the Rights of the Child¹³, which Bahrain acceded to in 1992.

Art. 37 of the Convention clearly stresses that “no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. [...] Arrest, detention and imprisonment shall be used only as a measure of last resort and for the shortest appropriate period of time; every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age.”

Mohamed Ali Ebrahim, 16 years old, was arrested on 27 September 2016 along with his brother during a house raid. His family was not able to see him during the one month of his detention. He was released on 23 October 2016. Based on his testimony to BCHR staff, he reported that he had been subjected to ill-treatment in detention. He had allegedly been beaten, kicked in the abdomen, beaten on the ears, slapped in the face and threatened with a gun to confess. He also alleged that he had been forced to stand for long hours, insulted and verbally abused. He had been forced naked and subjected to electrical shocks and burned with a cigarette lighter, put in a cold room and then transferred to a hot room. He had also reportedly been subjected to sexual harassment by the security officers interrogating him.

Abdulrasool Mohamed Ali, 47 years old, was arrested on 9 November 2016. His family was not able to see him until 29 November 2016. During that meeting, he informed them that he had been subjected to ill-treatment in detention at the CID. He allegedly had been forced to stand on one leg for three days, subjected to electric shocks, beaten with plastic cables, kicked with shoes, slapped and beaten on the face and on the mouth, ears and eyes. The beatings were so severe that he suffered from the inability to hear from one of his ears at that time. He said that he had tried to deny the charges, but that he was eventually forced to sign confessions under torture, on charges related to placing a fake bomb.

During the past year, BCHR documented different methods of ill-treatment and torture used by the Bahraini authorities, which range from physical to psychological torture methods. These include beatings, forced standing, electric shocks, sleep and food deprivation, humiliating and degrading treatment, threats against family members and threats of a sexual nature.

Our findings suggest that the government of Bahrain is not abiding by attributable international and national laws with respect to the crime of torture. Particularly, authorities continue to act with impunity in violation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment¹⁴, to which Bahrain acceded in 1998.

Moreover Bahrain continues to deny entry in the country to the UN Special Rapporteur on Torture.

¹³ Convention on the Rights of the Child <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

¹⁴ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx>

7. Harsh Sentences, Unfair Trials and Death Penalty

During 2016, the Bahraini courts continued to pass harsh sentences for those convicted of politically motivated charges. As per BCHR monitoring, the primary courts only have issued sentences in a total of 179 cases, sentencing 873 persons to a total of 8,464 years in prison, and to pay fines of BHD 4,435,580, while dropping the citizenship of 92 persons. There were 54 new life sentences.

The courts of appeal have upheld 171 sentences concerning 668 persons who received a total of 6006 years in prison, including 37 life sentences, and have to pay total of BHD 497,710 in fines. It has also upheld the citizen revocation of 112 persons and 4 death sentences.

On 31 May 2016 an appeals court in Bahrain upheld the death sentences of three victims of torture - **Sami Mushaima, Abbas Al-Samea, and Ali Abdulshaheed Al-Singace**. On 9 January 2017 the Court of Cassation upheld their death sentence. Bahraini authorities executed the three on 15 January 2017 by firing squad.

The defendants were denied basic fair trial guarantees. The first three mentioned above, alongside seven other defendants sentenced to prison terms, were arrested nearly three years ago, on and after 3 March 2014. Security forces arrested them in house raids on charges of allegedly using improvised explosive devices which led to the death of three police officers, one of which was an Emirati citizen. State-sponsored media quickly published photos of the defendants accusing them of murder before the investigation was completed. On 26 February 2015, the High Criminal Court convicted them of all charges and handed down the defendants' sentences, which included the revocation of their citizenship. Ali Al-Singace was sentenced in absentia and had no access to legal defense after he was arrested in 2015, this resulted in him being denied representation at the Court of Cassation.

The sentences were particularly harsh given the lack of due process during the trial: defendants' lawyers were prevented from accessing the case files during trials, and from cross-examining the public prosecution's witnesses, while the case document submitted by the public prosecutor relied entirely on the defendants' confessions, which were reportedly extracted through torture.

The court ignored the reported torture allegations. Abbas Al-Samea, a teacher, was at school at the time of the bombing incident. Sami Mushaima was illiterate. Based on the information collected by BCHR from the detainees' families, torture and other forms of ill-treatment were used during interrogations to force them to sign false confessions. Sami Mushaima had reportedly been tortured into signing a false confession, he had been beaten in the genital area, kept handcuffed in his cell and forced to stand for hours. Abbas Al-Samea was allegedly subjected to electric shocks, sleep deprivation and sexual assault. Other detainees in this case reported similar methods of torture before being forced to sign false confessions. No investigation into the torture allegations was conducted during any of the several trial stages. The Court of Cassation claimed that "there was no evidence of coercion in the case documents."

Hussein Abdullah Khalil Ebrahim, 27, was sentenced to death in 2015 and had his sentence upheld by the Criminal Court on 23 December 2016. The court found him and defendant Ahmed Isa Abdulhussein Hussein guilty of forming a terrorist organization, recruiting agents, engaging in rioting and planting explosives to disturb the peace and target police officers. They were also

found guilty of killing a police officer in 2014 with the aim of the violent overthrow of the regime. However, only Hussein Ebrahim was sentenced to death.

At the end of 2016, there were four persons on death row on politically motivated charges, two of which are at imminent risk of execution. In 2015 the Court of Cassation upheld the sentences of **Mohammad Ramadan** and **Husain Moosa**, sentenced to death in 2014 for their alleged role in the death of a policeman. They now face imminent execution. Both allege that they were subjected to torture. Ramadan maintains that someone from the government has told him they knew he was innocent, but that he was a traitor and therefore deserving of these violations.

8. Citizenship Revocation and Deportation

Bahrain has used denaturalization as a tool against individuals expressing dissent regarding the government's decision. Many among those whose Bahraini citizenship had been revoked were active members of the civil society, including human rights activists, journalists and opposition and religious figures. The majority of those stripped of citizenship have also been rendered stateless. Stateless persons have no recognised rights in Bahrain, and their ability to obtain and retain housing, employment, legal representation, banking facilities and medical aid are all severely restricted.

In the past four years, 352 Bahrainis were rendered stateless following the 2011 pro-democracy uprisings. In 2012, 31 individuals were stripped of their citizenship through a ministerial order, whilst in 2014, 21 people lost their citizenship through court sentences. An unprecedented number of citizenship revocations occurred in 2015, when a ministerial order was issued to denaturalize 72 individuals. Later in that same year, the authorities revoked citizenship of 136 defendants through the courts over politically motivated charges.

The year 2016 saw an alarming rate of citizenship revocations. The total number of people rendered stateless in 2016 in Bahrain was 92 in primary courts. Over the course of three days in May 2016¹⁵, as many as 33 individuals, including minors, were stripped of their citizenship. Furthermore, the Bahraini authorities have now started to deport some of the stateless citizens.

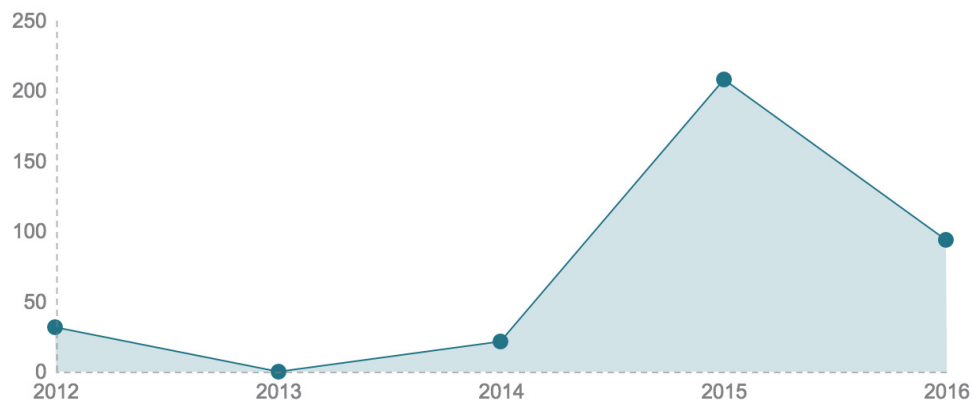


Figure 6 Citizenship revocations 2011-2016

15 Bahrain Center for Human Rights, Within Three Days Bahrain Revokes the Citizenship of 33 People 13.06.2016 <http://bahrainrights.org/en/node/7883>

Citizenship Revocation Orders 2012 - 2016

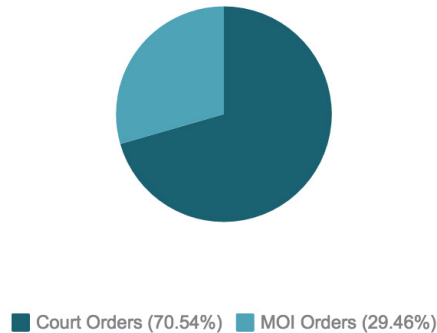


Figure 7 Citizenship revocation orders 2012-2016

In February 2016 a deportation order was upheld in the case of **Sheikh Mohammed Hasan Ali Husain (Khojasta)**¹⁶, whose citizenship had been revoked prior to this in January 2015, along with that of 72 other individuals. The Ministry of Justice issued a statement to justify their actions, claiming that denaturalization was punishment for committing “illegal acts”, such as “defaming the image of the state, inciting against the state and spreading false news to hinder the rules of the constitution,” as well as “defaming brotherly countries.”¹⁷ Following this decision, Khojasta was summoned to the criminal court and charged with “illegal residency”. Deportation and a fine of 100 BHD were ordered in May 2015, a decision upheld by the court of appeals in February 2016. Later that year he was deported to Lebanon.

Husain Khairallah¹⁸, an alleged victim of torture during the period of his detention following his arrest in 2011, was forcefully deported on 24 February 2016 without being allowed to prepare in advance or say goodbye to his family and friends. Khairallah was a member of ALBA union and one of the doctors treating wounded protesters during the Pearl Roundabout unrest in Bahrain. His citizenship was revoked in 2012 and his deportation order was upheld on 23 February 2016. Soon after Bahrain’s Directorate of Immigration, Passport, and Citizenship summoned and arrested him, after which he was transferred to the airport. Having refused to leave, he was detained. The following day his wife was the only person allowed to visit him before he was forced to board a plane to Lebanon.

On 7 March 2016, Bahraini authorities summoned **Dr. Masood Jahroomi** for deportation¹⁹. His citizenship was revoked in 2015 and upheld by the court of appeal on 6 March 2016.

The security forces arrested Dr. Jahroomi on 14 April 2011; he was subjected to enforced disappearance for a month and reportedly tortured during the interrogation. He was denied

16 Bahrain Center for Human Rights, Bahraini Sheikh Mohammed Khojasta deported after citizenship revoked, 22.02.2016 <http://bahrainrights.org/en/node/7732>

17 <http://bna.bh/portal/en/news/651916>

18 Bahrain Center for Human Rights, Bahrain Deports Another Man Whose Citizenship Was Revoked, 25.02.2016 <http://bahrainrights.org/en/node/7739>

19 Bahrain Center for Human Rights, Bahraini Scholar Dr Masood Jahroomi Forcibly Deported after Citizenship Revocation 08.03.2016 <http://bahrainrights.org/en/node/7743>

access to a lawyer and his trial lacked due process. His detention lasted six months before he was sentenced to four months for “illegal assembly”. Dr. Jahroomi’s citizenship was revoked in 2015 through an administrative order that stripped 72 individuals of their rights to a Bahraini passport.

Human rights lawyer and torture survivor **Taimoor Karimi** was deported on 26 June 2016 to Iraq. Karimi had his citizenship revoked in 2012 along with that of 30 other individuals based on charges of having “caused damage to state security” (Art. 10 Citizenship Law)²⁰. Karimi was arrested in 2011 and reportedly subjected to torture during detention. On 28 October 2014, Karimi’s deportation along with ten other denaturalized persons was ordered. The deportation order was later upheld by the court of appeal on 23 May 2016. As a human rights lawyer, Karimi defended political detainees. He was unable to practice after his license was withdrawn following the revocation of his citizenship and his subsequent status as a stateless individual.

Football player **Mahmoud Ahmed Khawouri** was detained for more than 23 months by the Department of Citizenship, Passports and Residency, after he had served his one year sentence in prison, due to his lack of a Bahraini passport and citizenship²¹.

Khawouri was arrested on 29 April 2013 for his participation in the demonstrations of 2011. He was accused of unlawful assembly and rioting by the First Tier Criminal Court and sentenced to one year in prison. Having served his sentence, Khawouri was not released, but instead transferred to the Criminal Investigations Directorate (CID) and then to a immigration deportation center where he was held for almost two years before being forcibly deported at the end of 2016. The family reported their son had been subjected to torture and ill-treatment while being held at CID he was also denied access to legal representation throughout the interrogations.

Khawouri had lived all his life in Bahrain, the authorities did not issue him a Bahraini passport due to his father’s foreign origin (Shia Iranian). His mother is a Bahraini citizen. According to Family Law, only Bahraini fathers are allowed to transmit Bahraini citizenship to their children. Bahraini mothers married to non-Bahraini partners are denied this right.

However, the Bahraini government has been known to naturalize foreigners. Hence, the legislative measure seems to be applied in a discriminatory manner. This is especially evident in cases such as Khawouri’s, who was raised, educated and had spent all his life as a member of the Bahraini society.

The most notorious case of citizenship revocation in Bahrain in 2016 has been that of the Shia spiritual leader **Sheikh Isa Qasim**, who was rendered stateless on 20 June 2016 in absence of due process, being accused of having allegedly “exploited the religious pulpit for political purposes.”²² In an attempt to justify its decision, the Minister of Interior cited Art.10/c of the Bahraini Nationality Law, which states citizenship revocation can be used as punishment for anyone who “causes damage to the interest of the state or took action contrary to the duty or loyalty to it.”Qasim has pioneered democratic reforms in Bahrain since the 1970’s and was part of the group drafting the 1973 Bahraini Constitution. The news of his statelessness drew thousands of people to his house in the village of Duraz. They organized a sit-in protesting the decision, and out of fear that their leading cleric would be deported. (read more on the section of Freedom of Assembly)

20 Bahrain Center for Human Rights, Bahraini Authorities Forcibly Deport Human Rights Lawyer Taimoor Karimi 27.06.2016 <http://bahrainrights.org/en/node/7950>

21 Bahrain Center for Human Rights, Football Player Khawouri Split between Bitterness of Deportations and Staying in Prison for Life 07.04.2016 <http://bahrainrights.org/en/node/7779>

22 Bahrain Center for Human Rights: Bahrain Revokes the Citizenship of Top Shia Muslim Leader 20.06.2016 <http://bahrainrights.org/en/node/7921>

Used as means of reprisals against participants in peaceful pro-democracy demonstrations, revoking citizenship has been facilitated through the 2013 amendment to the Citizenship Act (1963) Art.10/c which allows governors to revoke citizenships if the accused “harm the security of the state”. The Anti-Terrorism law was amended simultaneously. This second amendment, listed revocation of citizenship as penalty for terror offences. The broad manner in which this law can be interpreted means it lends itself to arbitrary application by Bahraini authorities. This has led to political dissidents and human rights defenders to be charged with terror offences. The Bahraini authorities have therefore put increased pressure on dissidents and human rights activists, effectively curtailing the right to free expression and the right to free assembly.

9. Freedom of Expression

During the course of the year 2016, authorities in Bahrain had increasingly limited the exercise of freedom of expression through new restrictive laws and ad-hoc punishments against anybody who voiced his dissent with the current political status-quo. Such restrictions resulted in a concerning number of arrests not only of human rights defenders and activists, but also of people less politically involved individuals such as journalists and social media users, over remarks and speeches they made.

Throughout the year, the Bahrain Center for Human Rights was able to record sentences delivered in 40 cases related to freedom of expression (FOE), from both primary (16) and appeal courts (24). The Primary Courts alone has sentenced 16 persons to a total of 26 years in prison, along with a total fine of 14,000 Bahraini dinars (around USD 37,000) in freedom of expression cases.

The indiscriminate arrest and harassment of journalists and writers over the past months in Bahrain is particularly worrisome as it is in direct violation of one of the most fundamental international regulations on human rights. Precisely, article 19 of the International Covenant on Civil and Political Rights states: “everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of the frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”²³

9.1 Persecution of Journalists and Photographers

Being by vocation major advocates of free speech, journalists and photographers were among those affected by the systematic programmes of repression pursued by Bahraini authorities.

On 3 February 2016, Bahraini Court of Appeal upheld the three-month prison sentence of international award winning photographer **Ahmed Al-Fardan**²⁴ on charges of “attempting” to protest. He was immediately remanded and taken into custody from inside the court to serve his sentence. He was arrested prior to this in December 2013 by security forces who confiscated his camera and other electronic devices. He was subjected to torture during his time at CID. Security forces have allegedly repeatedly beaten him on his face and genitalia, kept him in a very cold room, and limited his access to sanitary facilities. Al-Fardan suffered difficulty breathing, passed out, and was taken to the hospital. His torture was so severe that he suffered two broken ribs.

On 14 February 2016, around the anniversary of the 2011 protests, the authorities arrested four American journalists who were covering the protests, and accused them of “illegal assembly and intent to commit a crime”. They were kept in detention for two days before release and deportation²⁵.

On 13 June 2016, Bahraini Court of Appeal upheld the sentence of another journalist and torture victim, **Sayed Ahmed Al-Mosawi**.²⁶ Arrested in 2014, the government accused him of giving SIM cards to “terrorist” demonstrators and taking photos of anti-government protests. In November 2015 he was found guilty of participating in a terror organization, and sentenced to 10 years imprisonment, his citizenship was also revoked. It’s believed that his only crime was photographing anti-government demonstrations. He is now serving his sentence in Jau Prison.

²³ International Covenant on Civil and Political Rights, <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

²⁴ Bahrain Center for Human Rights, Photographer Ahmed al-Fardan Sentenced to Prison for Illegal Assembly, 05.02.2016, <http://bahrainrights.org/en/node/7704>

²⁵ NPR, 4 American Journalists Are Released After Arrest In Bahrain, 16.02.2016 <http://www.npr.org/sections/thetwo-way/2016/02/16/466907849/four-american-journalists-are-released-after-arrest-in-bahrain>

²⁶ Bahrain Center for Human Rights, Bahrain: The Authorities in Bahrain Continue their Campaign against Photographers by Arresting and Torturing another Photographer: Ahmed Al-Mousawi, 28.02.2014 <http://bahrainrights.org/en/node/6779>



Figure 8 Nazeera Saeed

On 17 July 2016, Bahraini journalist, human rights defender and torture survivor, **Nazeera Saeed**, was interrogated for “exercising media work without an authorization,” according to the Information Affairs Authority (IAA)²⁷. Saeed had allegedly violated Article 88 of the 2002 Bahraini Press Law, which regulates the press, printing and publications. The law states that “correspondents of foreign newspapers, magazines, news agencies and radios shall not exercise their work in the Kingdom of Bahrain unless licensed by the ministry for a renewable one-year period.” Prior to the expiration of her license, at the end of March 2016, Nazeera Saeed’s application for renewal was denied. This is the first time she has received such a rejection. Saeed is currently undergoing a trial for these charges, the trial began in January 2017²⁸.

Two other Bahraini-based reporters of major foreign news agencies were denied a renewal of their authorization to work in Bahrain, effectively banning them from working.

Mohammed Al-Sheikh, a photojournalist for Agence France Presse (AFP) based in Bahrain, was notified on 22 September 2016 that his request to renew his permit was denied due to his allegedly “biased coverage.” Al-Sheikh has received over 200 international photography awards for a series of images taken during pro-democracy protests in Bahrain.

Similarly, **Hasan Jamali**, a photographer for the Associated Press (AP), had the renewal of his license denied on 15 August 2016 by the Bahraini authorities. On his personal Facebook account he wrote a statement saying, “Hopefully independent journalism will be allowed again in Bahrain soon.”²⁹

In a further attempt to block objective and independent journalism in the country, the Bahraini government prevented international journalists from covering the two-day 37th summit of the Gulf Cooperation Council (GCC), hosted in Manama on 6 and 7 December 2016. The GCC was attended, somewhat exceptionally, by British Prime Minister Theresa May.

An employee from Al-Araby TV Channel (headquartered in London) was arrested on 6 December 2016 by the Bahraini authorities after the authorities stopped a live stream with the guest **Abdulaziz Abul**, a member of the Shura council. Abul was commenting on the GCC summit. Al-Jazeera Media Network (AJMN) announced on 6 December 2016 that Bahraini authorities blocked their employees from covering the GCC summit on the ground as their staff were prevented from entering the country. **Jamal Elshayyal**, a journalist from AJMN, was refused entry at Bahrain International Airport on 6 December, stated that his news agency was prevented from covering an international conference with global interest, for “no legitimate reason” and even though all necessary procedures were followed and all requested documents were submitted to the authorities on time.³⁰

27 Bahrain Center for Human Rights, Bahrain: Continued Attack on Freedom of Press and Expression as Journalist Nazeera Saeed Banned from Work and Travel, 19.07.2016 <http://bahrainrights.org/en/node/8019>

28 Bahrain Center for Human Rights, Trial of Radio Monte Carlo Doualiya’s Reporter Nazeera Saeed Begins Monday, 12.01.2017, <http://bahrainrights.org/en/node/8423>

29 Bahrain Center for Human Rights, Three News Reporters Banned from Working in Bahrain, 17.10.2016, <http://bahrainrights.org/en/node/8247>

30 Bahrain Center for Human Rights, Freedom of the Press: Bahrain Restricts Media Access During GCC Summit in Bahrain, 15.12.2016 <http://bahrainrights.org/en/node/8384>

9.2 Persecution of Artists

In the past year, even artistic expression such as poetry came under scrutiny and attack. The government often uses charges like “disrespecting the monarchy” to incriminate the citizens merely exercising their right to freedom of speech.

On 20 April 2016, **Sayed Hasan Alawi**³¹, a 25 year-old religious singer was incarcerated for reciting a poem, in which he allegedly insulted the king and the national flag. The accusation was related to a poem which Alawi had read aloud on 8 April during the funeral service of **Ali Abdulghani**, a teenager who allegedly died after succumbing to injuries sustained during his arrest by the Bahraini security forces.³² During his arrest and interrogation, Sayed Hasan Alawi was intimidated and threatened with torture by the Public Prosecution. According to his family, he was verbally abused by the prosecutor and forced to sign a confession.

In another case, on 22 July 2016, authorities summoned poet **Khalil Al-Ismaeel**³³ to Budaiya police station, where he was arrested. The following day, he was interrogated by the public prosecution over a poem he wrote and recited in a public gathering. Consequently, the authorities charged him with allegedly “reciting a political poem” and “illegal gathering” at Duraz. Al-Ismaeel is well-known in Bahrain for his political poems – in which he expresses his support for the popular pro-democracy movement. He was released after one month in prison.

9.3 Persecution of Political Activists

Bahraini authorities reacted particularly harshly against opposition political figures, undermining the democratic system and rendering any form of dialogue aimed at achieving tangible reforms impossible.



Figure 9 Sheikh Ali Salman

On 30 May 2016, the Bahraini Court of Appeal increased the sentence against **Sheikh Ali Salman**³⁴, Secretary General of the Al-Wefaq National Islamic Society, to nine years in prison. A move which represents a dramatic increase on the original sentence of four years. Ali Salman was convicted of “attempting to overthrow the regime”. He was arrested on 28 December 2014, two days after his re-election as the Society’s Secretary General, when he delivered a speech calling for reforms in the country’s political system. On 16 June 2015 he was sentenced to four years imprisonment for “publicly inciting hatred, inciting civil disobedience of the law, and insulting public institutions”.³⁵

Regardless of clear and persistent evidence, demonstrating Sheikh Ali Salman’s peaceful method of resistance; in his actions and in his speeches, the Government of Bahrain has chosen to escalate its action against him, and to extend his sentence. Ali Salman’s increased sentence was upheld on 12 December 2016. He is now serving this sentence in Bahrain’s Jau Prison

31 Bahrain Center for Human Rights, Poets suffer arrest and prosecution in Bahrain for exercising their freedom of speech, 15.06.2016 <http://bahrainrights.org/en/node/7902>

32 Bahrain Center for Human Rights, Immediate and Impartial Investigation Needed After Death of Teenager, 04.04.2016, <http://bahrainrights.org/en/node/7775>

33 Bahrain Center for Human Rights, Bahrain Criminalizes Freedom of Artistic Expression & Creation: Poet Khalil Al-Ismaeel Arrested Over Political Poem, 25.07.2016, <http://bahrainrights.org/en/node/8029>

34 Bahrain Center for Human Rights, Bahrain Court of Appeal Increases the Sentence of Al-Wefaq’s Sheikh Ali Salman to Nine Years in Prison, 30.05.2016 <http://bahrainrights.org/en/node/7849>

35 Bahrain Center for Human Rights, NGOs Condemn 4 Year Prison Sentence Against Bahrain Opposition Leader Sheikh Ali Salman, 16.06.2015 http://www.bahrainrights.org/en/node/7541?_ga=1.244678979.758376942.1460647923



Figure 10 Ebrahim Sherif

In an analogous move, on 24 February 2016, Bahraini authorities sentenced **Ebrahim Sherif**³⁶, former secretary-general of the secular opposition National Democratic Action Society (Wa'ad), to one year imprisonment for allegedly “inciting hatred against the regime”. The verdict comes in retaliation to a peaceful political speech given on 10 July 2015 at the annual commemoration of **Hussam al-Haddad**, a 16-year-old peaceful protester killed by security forces in 2012. In his speech, Sharif reiterated his peaceful calls for reform, an end to discrimination in the country, and for the opposition to continue its peaceful movement as the only means to effect real change and produce

true dialogue within the government. The Ministry of Interior arrested Sherif on 12 July 2015, just three weeks after his early release from prison. Where he had been was serving five years in prison passed by a military tribunal on charges almost identical to those that the court tried him on in 2016.³⁷ Sharif was released from prison after serving his latest sentence in July 2016. He is currently under a travel ban order.

Later last year, during the controversial visit of the United Kingdom’s Prince Charles to Bahrain in November 2016, Bahrain’s Public Prosecution charged Sharif again under article 165 of the penal code with “inciting hatred against the regime,” after he spoke to the Associated Press (AP). He said he was afraid the visit would “whitewash” human rights abuses. Sharif told AP: “[...] Bahrain’s government values its relations with the U.K. and if the U.K. puts its weight behind the improvement of human rights in Bahrain, the government will listen. They need friends.” He further added: “All parties should compromise. We can’t have absolute power in the hands of the ruling family.”³⁸ After strong international pressures charges against Sharif were dropped on 23 November.³⁹

On 26 October 2016 the Government of Bahrain decreased the sentence of **Fadhel Abbas**, former Secretary-General of the *al-Wahdawi* Political Society, from five years to three years in prison. Abbas was convicted in June 2015 on charges violating his freedom of expression. Abbas was charged with “spreading false information”, in relation to public statements made by the *al-Wahdawi* Political Society condemning the Saudi Arabia-led military coalition in Yemen. These statements were widely publicised online.⁴⁰

36 Bahrain Center for Human Rights, Bahrain Court Sentences Ebrahim Sharif to 1 Year for Peaceful Speech, 24.02.2016 <http://www.bahrainrights.org/en/node/7736>

37 ADHRB, Ibrahim Sharif: October Champion for Justice, 01.10.2014 <http://www.adhrb.org/2014/10/ibrahim-sharif-october-champion-for-justice/>

38 Bahrain Center for Human Rights, Bahrain Charges Ebrahim Sharif for AP Interview After Prince Charles Visit, 15.11.2016 <http://www.bahrainrights.org/en/node/8311>

39 Amnesty International, Good News! - Charges Dropped, Ebrahim Sharif Remains Free, 29.11.2016 <http://www.amnestyusa.org/our-work/latest-victories/good-news-charges-dropped-ebrahim-sharif-remains-free-bahrain-ua-16815>

40 Bahrain Center for Human Rights, Bahraini Opposition Activist Fadhel Abbas Sentenced to Three Years in Prison on Appeal, 27.10.2016 <http://bahrainrights.org/en/node/8271>

9.4 Internet Shutdown



Figure 11 Impact on internet shutdown in Duraz 2016

On 1 July 2016, the UN Human Rights Council passed a new resolution for the protection of freedoms on the Internet, which “condemns unequivocally measures to intentionally prevent or disrupt access to or dissemination of information online in violation of international human rights law and call on states to refrain from and cease such measures.”⁴¹ Once again, Bahraini authorities proved they were unwilling to comply with international obligations, and that they were determined to pursue their own agenda.

Since the 2011 uprising it has been common practice, to prevent people from uploading content about the government’s brutalities or co-ordinating for protests. 2016 witnessed the most extensive and restrictive Internet shutdown in the country.

Following the revocation of Sheikh Isa Qassim’s citizenship, spiritual leader of the Bahraini Shia community, on 20 June 2016, protests erupted in his hometown, Duraz, where he also preached. The government response was immediate, subjecting the city to a complete lockdown which is still ongoing (see details under section of “Freedom of Assembly”). Since 23 June 2016, all major ISPs — including the three largest, Batelco, Zain, and Viva — have enforced a daily Internet blackout on Duraz between 7:00 p.m. and 1:00 a.m., probably as a result of a Service Restriction Order from the authorities. The shutdown is not only affecting the people of Duraz, who are left unable to communicate with the outside world, access information or contact emergency services but is also having a negative impact on the city’s economy. E-commerce traders and consumers, IT professionals, and office workers in and around Duraz cannot engage in their regular work activities. Shopkeepers’ card machines are rendered useless, as they use Internet connections to process payments, and transactions can only be made by cash, potentially limiting customers.⁴²

41 The Hill, UN rights council condemns internet blocking, 01.07.2016, <http://thehill.com/policy/technology/286236-un-rights-council-condemns-internet-blocking>

42 Bahrain Center for Human Rights, Duraz: A Community Under Siege, 13.07.2016 <http://bahrainrights.org/en/node/8005>

In February 2016, the Telecommunications Regulatory Authority (TRA) revoked the license of the telephone and Internet services provider 2Connect for an alleged failure to comply with national security obligations, which included not providing a plan to allow security units' access to the calls data and access related information sent over the provider's network.

Moreover, on the pretext of combatting terrorism, authorities have blocked websites critical of government's policies and actions, including news sites, Shia religious websites and human rights organizations homepages. BCHR's website, bahrainrights.org, was blocked on numerous occasions.⁴³

9.5 Persecution of Internet Users

In the previous year, freedom of expression had also been highly undermined online, with heightened Internet restrictions and persecutions of Internet users. Currently there are no less than 18 Internet users detained for charges related to online freedom of expression. In 2016 17 new cases relating to online expression were opened. By prosecuting bloggers, the Bahraini courts seek to silence the last remaining critical voices online. BCHR's President Nabeel Rajab is one of those being prosecuted. In 2016, the courts have sentenced at least 11 internet users with a total of 20 years in prison and total fines of 13,000 Bahraini dinars (around USD 34,000).

In March 2016, the third lowest criminal court sentenced **Hussain Mahdi**⁴⁴ to five years in prison and a BHD10,000 fine, for operating the satirical Twitter account "@Takrooz" known for its harsh criticism of both the opposition and government, over charges of "insulting the King." Takrooz has been an active voice in outlining the government crackdown on activists; his tweets covered abuse by law enforcement personnel, anti-corruption content and everyday concerns of the average Bahraini. He reported being subjected to torture during interrogation.⁴⁵ He is currently outside Bahrain after being released on bail before the sentence.

On 1 April 2016, **Ebrahim Karimi**⁴⁶ was sentenced to two years imprisonment and to pay a fine of BHD2,100 for "insulting a brotherly country and inciting hatred against the regime."

Karimi, who had his citizenship revoked through an administrative decision in 2012, was arrested in October 2015 for allegedly running the Twitter handle "@FreejKarimi". Security forces raided his house, confiscated his electronic devices, and arrested him without presenting a warrant. Brought to the CID, he was allegedly subjected to ill-treatment including forced standing for prolonged hours and sleep deprivation. He said his family had also been threatened, if he did not confess. Moreover he was prevented from contacting his lawyer. The public prosecution later charged Karimi with inciting hatred against the regime, insulting the king, and misusing social media, among other related offenses.

In June 2016, former Member of Parliament **Khalid Abdulaai** was sentenced by the First Lower Criminal Court to one year in prison on charges of "insulting the Ministry of interior" for a tweet he posted while still an MP at the time. In his tweet, he condemned the use of torture to extract confessions. He stated that the tweets were not designed to insult the government, but were

43 Bahrain Center for Human Rights, Bahrain Moves Forward with Measures to Centralize Internet Censorship, 08.08.2016 <http://www.bahrainrights.org/en/node/8055>

44 Bahrain Center for Human Rights, More prison sentences and interrogations for free expression "crimes" in Bahrain such as "insulting the king", 07.04.2016, <http://www.bahrainrights.org/en/node/7780>

45 Bahrain Center for Human Rights, World Day Against Cyber Censorship: March 12, 12.03.2015, <http://bahrainrights.org/en/node/7427>

46 Bahrain Center for Human Rights, Digital Rights Derailed in Bahrain, p.20, 31.08.2016 http://bahrainrights.org/sites/default/files/BCHR_Derailed_Web_0.pdf

simply a criticism for improving the situation. Abdulaai is currently out of prison having paid a BHD 1,000 bail.

On 9 October 2016, Bahraini authorities arrested journalist and social media activist **Faisal Hayyat**⁴⁷ after he was summoned over a “defamatory tweet”. The Public Prosecution remanded Hayyat in custody on charges of insulting a sect and a religious figure. On 29 November 2016, Hayyat was sentenced to three months in prison for these offences. Hayyat is a former sports journalist and a social media activist who directs and presents short video programs online which provide critical perspectives on local politics. Hayyat is also a previous political prisoner. He was detained in 2011 for 84 days and suffered physical and psychological torture, including sexual harassment.⁴⁸ He has been vocal about this and recently published a letter over social media to the Bahraini Minister of Interior detailing the torture he was subjected to in 2011, for which he was never compensated, and the abusers never held accountable. In the letter Hayyat mentions, “I write this and I know it can cost me my freedom.”

9.6 Restrictive Laws

On 26 July 2016, the Minister of Information Affairs issued Decree 68/2016, which increases the oversight of all electronic media and allows content producers to be easily targeted and persecuted by the authorities. The law requires that newspapers apply for a license to disseminate electronic media. However, the law does not detail the criteria that is used to judge and approve applications for the one-year license. Newspapers are required to submit a list of social media accounts, website addresses, and the names of those responsible for them. This could lead to hasty prosecution of individuals, if the content is deemed a violation of the law.

The decree extends the 2002 Press Law, which is already extensively used to target journalists.

On 5 August 2016, the Bahrain Telecommunication Regulatory Authority (TRA) issued Decision 12/2016, which orders all Internet providers in Bahrain to use a unified technical system for blocking websites, which would then allow government agents to take direct control to block content they deem undesirable.

47 Bahrain Center for Human Rights, Journalist and Social Media Activist Arrested after Writing Critical Letter to Minister of Interior about Torture Suffered in 2011, 10.10.2016 <http://bahrainrights.org/en/node/8238>

48 Bahrain Center for Human Rights, Sports Journalist Faisal Hyat speaks of torture at Bahrain detention center, 05.10.2011 <http://www.bahrainrights.org/en/node/4723>

10. Freedom of Assembly

The government in Bahrain has for a long time been taking measures to restrict people from exercising their rights to free assembly. In 2013, the authorities amended the gathering law, requiring demonstrators to get permits from the MOI to conduct demonstrations, and banning all forms of gatherings in the capital, Manama.

During the year 2016, the Bahraini authorities continued its policy of suppressing and attacking peaceful protests, as well arresting and prosecuting the participants. The government has not authorized any mass demonstrations by the opposition as per the legal procedures. In this section, BCHR reviews some of the significant protests that were suppressed during the year.

During 2016, BCHR was able to record court sentences over Freedom of Assembly charges in 19 Cases at both Primary courts (11) and Appeal courts (8) where 27 Defendants were sentenced in total to 33.2 years total for allegedly “illegal gathering”.

10.1 February 14 anniversary

14 February 2011 marked the beginning of the peaceful uprisings in Bahrain, in which people marched for respect for human rights and asked for democratic mechanisms in their country. In 2016, the authorities sought to repress any civil society action commemorating the events on 14 February, by violently suppressing street protests and imposing sieges to restrict individuals from participating in these marches. In the days leading up to the anniversary and on the day itself, the Bahraini authorities attacked and arrested many of the protesters on the streets.

On 9 February 2016, the Chief of Public Security issued a statement threatening to “confront anyone aiming to upset the stability of the nation,” and that “anyone who responds to such calls and engages in illegal behaviour will be held legally accountable.” On 14 February 2016, Bahrain’s police chief implied in a public statement that the protesters posed “security threats from Iran-backed elements and militants linked to Islamic State”.

Although protests in Bahrain are ongoing, during the period between 11 and 14 February, the BCHR documented 157 protests, where at least 33 protests were suppressed using tear gas and shotgun pellets by the riot police.



Figure 12 14 February anniversary attacks on demonstrators

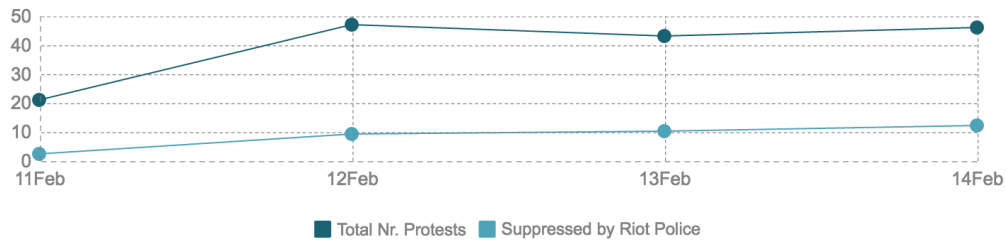


Figure 13 Total number of protests suppressed by riot police in February 2016

From 7 February to 14 February, the Bahraini authorities arrested 89 individuals, including 30 minors as young as 10. More than 60% of the arrests occurred between 11 and 14 February, and most of the documented arrests were based on charges of participation in these protests.

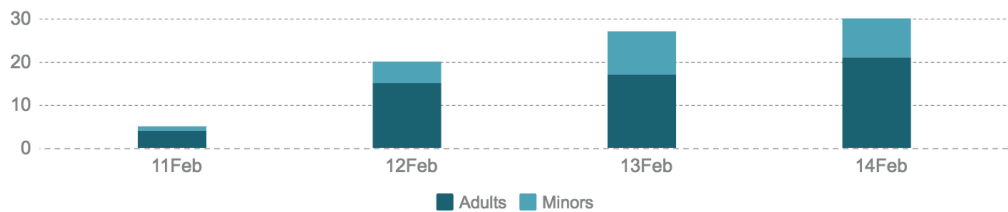


Figure 14 Total number of minors arrested during February protests

10.2 Open sit-in in Duraz And Protests on Qassim's Citizenship Revocation

Rendering the highest Shia religious authority in Bahrain stateless on 20 June 2016 triggered massive protests, and a peaceful open sit-in around the house of Qasim in the village of Duraz. The sit-in has now lasted more than 200 days and is still ongoing.

Police forces were deployed around Duraz from 21 June 2016 and they have reportedly been controlling and limiting access to the area to the extent that even residents of the area and workers have faced difficulty gaining access to it. Security forces have blocked several entrances to the area and erected checkpoints to check the identities of those entering the area.

Since then, the village of Duraz, counting a population of 20-30.000 residents, has been subjected to an unprecedented lockdown, in what is a form of collective punishment against the entire village. The community in Duraz is experiencing severe restrictions of its freedom of movement, as the authorities established blockades and checkpoints, limiting access to and from Duraz. Families were not able to visit relatives resident in Duraz, and many were unable to participate in celebrations. The Abu Subh beach park, located in Duraz and typically busy during Eid, was virtually empty. The blockade is impacting the local economy significantly. Local businesses in Duraz have reported to local newspaper Al Wasat that customers and sales are down by as much as 90% in shops, salons and supermarkets, as regular non-Duraz customers can no longer visit. Moreover, a strict control of communications has been imposed, with major internet service providers shutting down internet connections from evening until morning. (see more on the Freedom of Expression Section).

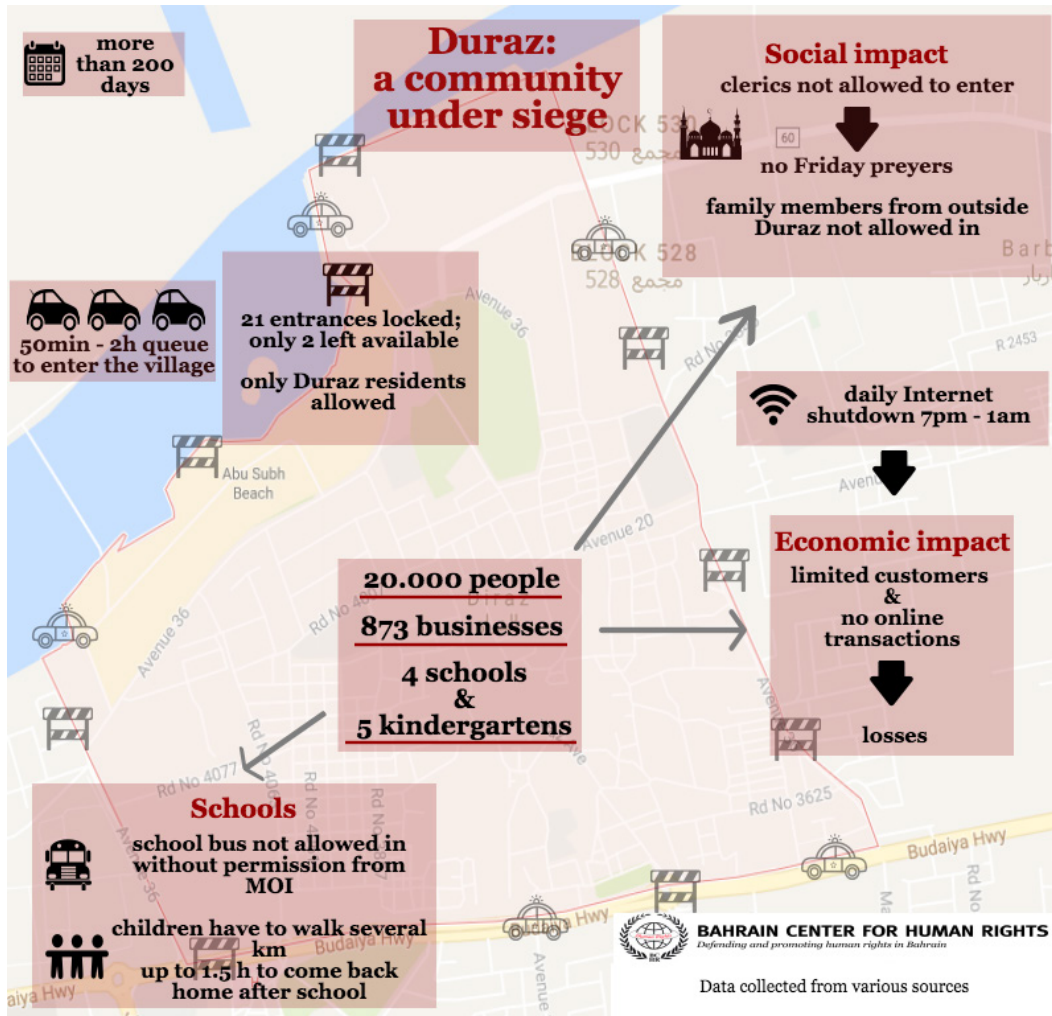


Figure 15 Socio-economic impact of the siege on Duraz 2016



Figure 16 Open-ended sit-ins in front of the house of Shia cleric Sheikh Isa Qasim

Outside Duraz, the Ministry of Interior (MOI) has responded to the mass protests against Qasim’s citizenship revocation with excessive force. Based on BCHR’s research on the ground, the Bahraini police has used tear gas and shotgun pellets, to disperse and intimidate peaceful protesters.

Additionally, the MOI issued a warning⁴⁹ against those with intention to participate in these protests, stating that “MOI warned against calls inciting security disturbances” and that “legal action would be taken against violators”. From 20 to 22 June 2016 only, 46 protests took place in Bahrain, out of which 10 were repressed by the riot police. In the cities of Juffair and Aali protesters were attacked with shotgun pellets on 20 June 2016, while

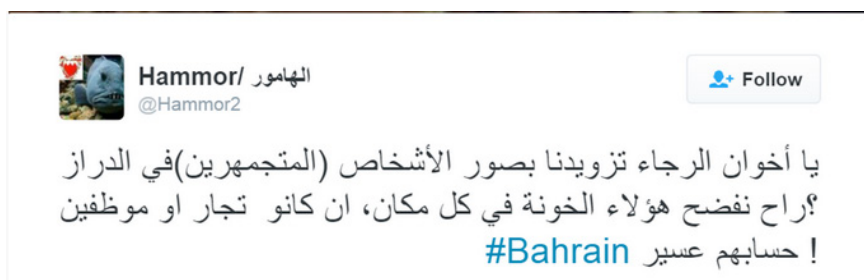
49 Ministry of Interior tweet on 20.06.2016 https://twitter.com/moi_bahrain/status/74490471026459033

peaceful protesters in Al-Dair, Adhari and Bilad Al-Qadeem were met by the police forces on 21 June 2016.

Moreover, the MOI started issuing summons for interrogation among those peacefully taking part in the open-ended sit-ins. On 23 June, six clerics were referred for interrogation, based on charges of “illegal gathering at Duraz, and incitement to violate the law.” Those clerics identified as **Sheikh Mahmood Al-Aali** (holding a leadership position in the now dissolved Council of Islamic Scholars), **Sheikh Hamza Al-Dairi** (former MP), **Sheikh Fadhel Al-Zaki** (holding a leadership position in the now dissolved Council of Islamic Scholars), **Sheikh Muneer Al-Matooq**, **Sheikh Ali Rahmah** and **Sheikh Ebrahim Al-Safa**. As well as two popular religious singers: **Mahdi Sahwan** and **Jafar Al-Qashami**.

Repeating practices from 2011, pro-government social media accounts have started to call for individuals to publish the photos of the protesters so they can be identified and consequently punished, including imprisonment, cutting their government services such as housing, and suspending them from their jobs, among other penalties.⁵⁰

Calls were made in the social media for sanctions against this behaviour.



BCHR translation: “Brothers/ Sister, please provide us with photos of individuals (protesters) in Duraz? We will expose those traitors, whether they’re businessmen or employees! Their punishment will be harsh. #Bahrain”

Despite measures taken by the authorities to suppress and intimidate participants partaking in these gatherings, by staging blockades and issuing summons and arrests for participants, the open-ended sit-ins in front of Sheikh Qasim’s house, has continued for over 7 months.

During the month of August 2016, the Bahraini courts started to issue prison sentences based on charges related to participation in the sit-ins in Duraz. Since the beginning of August 2016, BCHR documented 73 summons for interrogation due to participation in the sit-ins, out of which 44 were Shia clerics and religious singers. Most of them reported being held in detention overnight before appearing in front of the Public Prosecution. At least 23 of them were remanded for 15 days in detention over charges of illegal assembly.

Sheikh Majeed Al-Mesha’al, the head of the dissolved Ulema Council actively participated in the open-ended sit-in in Duraz and was summoned several times since 20 June 2016. The security forces raided his house on 30 July 2016 and the Public Prosecution charged him with allegedly persisting in inciting others to disobey the law, incitement of hatred of the regime, and over his participation in an illegal gathering. He was initially sentenced to three years on these charges before an appeal court reduced the sentence to 2 years and 6 months. He is currently serving the sentence.

⁵⁰ Bahrain Center for Human Rights, Return of Electronic Witch Hunt in Bahrain Leads to Arrest of Ali Abdulaheem, 14.07.2016 <http://bahrainrights.org/en/node/8008>

On 14 August 2016, the human rights defender and scholar **Sheikh Maytham Al-Salman** and activist and medic **Dr. Taha Al-Derazi** were arrested and interrogated over their participation in the assembly in the village of Duraz, On the following day, they were charged with illegal assembly. Al-Salman was released on bail while Al-Derazi remained in custody for 15 days then he was released.

At least 20 individuals were interrogated for lengthy hours by the authorities on 14 August in relation to their participation in the Duraz sit-ins, including human rights defenders and activists, doctors, clerics, and families of victims of extrajudicial killing. Based on their reports, these individuals were asked to sign a pledge not to participate in the Duraz sit-ins. By the middle of August 2016, 80 participants in Duraz peaceful protests were summoned for interrogation, more than 20 of them were remanded and at least eight were referred to court based on charges issued in connection to the Duraz gatherings.

Within weeks of the trials in August, the authorities rushed to distribute prison sentences in an unusually swift show of the Bahraini justice system. On 19 August 2016, the Court issued the first verdict of a prison sentence in relation to the case of the Shia cleric **Sheikh Ali Humeidan**, who received one year imprisonment. On 22 August, a second sentence was issued in the case of religious reciter **Abdullah Subah**, who was to be imprisoned for one year “over charges of assembling in the Duraz area.” In a similar act of reprisal, **Sheikh Hamza Al-Dairy** was charged for “inciting hatred against the ruling system, joining among others a public assembly of more than five people and participating in an unannounced gathering”, his trial is still ongoing.

On 21 September 2016, a Bahraini Court upheld the two-year sentence against Shia preacher **Habib Al-Dirazi**, who joined in the sit-ins on 25 and 26 June. The sentence was delivered based on charges of “illegal gathering”, and proved disturbingly harsh: one year for each day of participation in the sit-ins.

Overall, Since August 2016, 19 defendants in 9 cases have been sentenced to a total of 23 years of prison sentence through the primary courts for gathering in Duraz.

The mass gathering at Duraz continues to be the target of harassment and attacks by the government. On the morning of 21 December 2016, Protesters around Sheikh Isa Qasim’s house were alerted to the presence of the security forces and became fearful that the government may move in to arrest Sheikh Isa Qassim. Security forces then moved in on the protesters and fired tear gas on them. Since these clashes occurred, there have been two reported injuries from tear gas canisters shot at protesters; one of these victims is a minor.

11. Human Rights Defenders

During the past year reprisal against human rights defenders (HRDs) has been particularly stifling. Human rights defenders and activists in Bahrain have been ongoing targets of the authorities who have attempted countless times to silence them, stop their work and oppress their right to freedom of expression, through the imposition of travel bans, arrests and arbitrary sentences. The most worrying aspect of the situation with regards to the situation of HRDs in Bahrain is that national and international outrage from NGOs reporting the ongoing human rights violations has done nothing to improve the situation.

The government especially utilises the vague laws to target HRDs, who are commonly convicted for “crimes”, such as “insulting authorities”, “insulting the king”, (for example by ripping a picture of the king), “criticising a national institution”, “illegal assembly”, or “use of social media”. These are actually no more than peaceful opposition and expressions of opinion or peaceful assembly that fall under the human rights of freedom of expression and assembly.



11.1 Nabeel Rajab

On 13 June 2016, on the first day of the UN Human Rights Council (UNHRC)’s 32nd session, the authorities arrested prominent human rights defender Nabeel Rajab following a police raid on his house at 5am. Nabeel Rajab is the co-founder and president of the Bahrain Center for Human Rights, the founding director of the Gulf Center for Human Rights, a Deputy Secretary General of the International Federation for Human Rights (FIDH) from 2012 to 2016, and holds advisory positions with Human Rights Watch.

Rajab was taken to West Riffa police station and held in pre-trial detention, well into 2017. While in detention, Rajab spent at least two weeks in solitary confinement. On various occasions, he would be placed in a cell with non-Arab inmates or other detainees suffering from speech impediments.

Following his detention, the Public Prosecution charged him with “spreading false news and rumors about the internal situation in a bid to discredit Bahrain” and with “publishing and broadcasting false news that undermine the prestige of the state”. This charge was made in response to some of Rajab’s statements given during television interviews in 2015 and 2016. The case related to interviews was not referred to court until 23 January 2017; Rajab’s pre-trial detention throughout 2016 was justified in light of charges related to twitter remarks attributed to his account.

His first court hearing started on 12 July 2016 in a case related to tweets and retweets on allegations of torture being used against political prisoners in Bahraini Jau prison, and on criticizing the Saudi-led coalition war in Yemen, published in 2015. He was tried on charges of “spreading false or malicious news or statements or rumours”, “posting information that could incite others and disrupt civil peace,” punishable with up to 10 years imprisonment under Art. 133 in Bahrain Penal Code; in addition to this, based on Art. 215, he was charged with “offending a foreign country [Saudi Arabia]”, which carries a two-year sentence, and based on Art. 216, with “offending a statutory body”, which is sanctioned with up to three years in prison - all these in relation to his tweets.

The arrest of Rajab was widely condemned in June 2016 by international human rights bodies and governments, including the former United Nations Secretary-General Ban Ki-moon who said that “such actions by the State authorities could potentially damage the human rights situation in the country”⁵¹. In addition the United States⁵², France⁵³ and Germany⁵⁴ have raised concerns.

The Office of the UN High Commissioner issued a statement⁵⁵ mentioning the case of Rajab and other recent alarming issues in Bahrain, while the Human Rights Commission of the US Congress expressed concern⁵⁶ about Rajab’s health during detention. In July 2016, members of the European Parliament demanded the release of Rajab in their open letter⁵⁷ addressed to High Representative of the European Union for Foreign Affairs and Security Policy. The European Parliament reiterated⁵⁸ its demands for the release of Rajab and its condemnation of the widespread campaign against human rights and political activists in Bahrain.

Since he was detained, Rajab’s health has deteriorated and he was transferred to the hospital at least three times after suffering from irregular heartbeats, and he has lost 8 kgs since his arrest.

The United Nations Standard Minimum Rules for Non-Custodial Measures state that “pre-trial detention shall be used as a means of last resort in criminal proceedings, with due regard for the investigation of the alleged offence and for the protection of society and the victim.” The government’s use of pretrial solitary confinement against Nabeel Rajab while prosecuting him for free expression is an explicit additional form of reprisal for his work as a human rights defender and is in breach of the UN’s standards for detention.

On 5 September 2016, the government brought an additional charge against Rajab in relation to an open letter published in the *New York Times* on 4 September 2016 [see Annex A]. The Bahraini authorities immediately responded by charging Rajab with “undermining the prestige of the state”, a charge that carries a one-year sentence if convicted.

51 UN News Centre: Ban dismayed at actions aimed at restricting political opposition in Bahrain 16.06.2016 <https://www.un.org/apps/news/story.asp?NewsID=54250#.Wid-1VziA2z>

52 Bahrain Centre for Human Rights: Freedom for BCHR President Nabeel Rajab (archive and updates on since his arrest on 13 June 2016) <http://www.bahrainrights.org/sites/default/files/NabeelRajabFreedom.png>

53 France Diplomatie: Bahrain-Human Rights-Arrest of Nabeel Rajab 13.06.2016 <http://www.diplomatie.gouv.fr/en/country-files/bahrain/events/article/bahrain-human-rights-arrest-of-nabeel-rajab-13-06-16?xtor=RSS-4>

54 Federal Foreign Office: Human Rights Commissioner Kofler on the Human Rights Situation in Bahrain 16.06.2016 http://www.auswaertiges-amt.de/EN/Infoservice/Presse/Meldungen/2016/160616_Bahrain.html

55 UN Office of the Human Rights Commissioner: Press briefing note on Bahrain and Iraq 20.06.2016 <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20146&LangID=E>

56 Human Rights Commission twitter account @TLHumanRights 28.06.2016 <https://twitter.com/TLHumanRights/status/747795464054054913>

57 Letter from members of the European Parliament to Vice President Federica Mogherini: Nabeel Rajab and the crackdown on human rights in Bahrain 21.06.2016 <http://www.adhrb.org/wp-content/uploads/2016/06/MEPs-Letter-on-Nabeel-Rajab-re-arrest-June-2016.pdf>

58 European Parliament News: Human Rights: albinos in Malawi, activists in Bahrain and Rohingya in Myanmar 07.07.2016 <http://www.europarl.europa.eu/news/en/news-room/20160701IPR34497/human-rights-albinos-in-malawi-activists-in-bahrain-and-rohingya-in-myanmar>

On 21 December 2016 the Ministry of the Interior's Cybercrime Unit has removed Rajab from custody in order to question him over the contents of a *Le Monde* article published in his name on 19 December [see Annex B]. The Cybercrime Unit accused Rajab of using the article to "spread false information and tendentious rumors" that insult Bahrain and the Gulf Cooperation Council (GCC) states" and harms their relations.

On 23 December, the UN's High Commissioner for Human Rights⁵⁹ issued a statement calling for Rajab's release. His spokesperson stated, "*Criticising the Government should not be the grounds for detention or prosecution and we call on the Bahraini authorities to immediately and unconditionally release Mr. Rajab.*" The US has called for Rajab's release "full stop"⁶⁰ and the EU's top human rights official has expressed his "hope"⁶¹ for Nabeel's release. In September 2016, the UN High Commissioner for Human Rights used his opening statement⁶² at the 33rd session of the Human Rights Council to warn Bahrain: "*The past decade has demonstrated repeatedly and with punishing clarity exactly how disastrous the outcomes can be when a Government attempts to smash the voices of its people, instead of serving them.*"

On 28 December 2016, a Bahraini court ordered his provisional release on bail. However, the Public Prosecution subsequently ordered his continued detention for seven days, citing further investigation into another case in which Rajab is accused of "spreading false news," returning back to the case he was arrested for in June 2016.

As of January 2017, Rajab was still in detention, going through trials on the above mentioned two cases, and facing up to 18 years imprisonment.

11.2 BCHR members

Since the arrest of Nabeel Rajab on 13 June 2016, other members of the Bahrain Center for Human Rights, have experienced harassment from the authorities, in retaliation for their advocacy work and vocal criticism of the human rights' situation in the country.



Figure 17 Nedal Al-Salman,
Head of International Relations
BCHR

Nedal Al-Salman⁶³, Head of International Relations and Women & Children's Rights Advocacy, was interrogated, on 15 November 2016, on charges of "illegal assembly," after being summoned by the Public Prosecution. Previously, on 29 August 2016, when attempting to travel to Geneva to participate in the 33rd session of the UN Human Rights Council, she was informed that a travel ban was imposed on her, based on an order by the Public Prosecution, and that she was not allowed to leave the country.

59 UN Office of the Human Rights Commissioner: Press briefing note on DRC and Bahrain 23.12.2016 <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21061&LangID=E>

60 On Twitter: US State Department: We call on Bahrain to release Nabeel Rajab.Full stop. 08.08.2016 <https://twitter.com/nabeelrajab/status/762904128624418820>

61 Stavros Lambrinidis on Twitter: In Bahrain EU closely follows tomorrow Nabeel Rajab trial. Hope for release from jail and commencement of national reconciliation efforts 05.08.2016 <https://twitter.com/SJLambrinidis/status/783624962162786304>

62 UN Office of the High Commissioner for Human Rights opening statement by Zeid Raad Al Husein UN High Commissioner for Human Rights at the 33rd session for the Human Rights Council 13.09.2016 <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20474&LangID=E>

63 Bahrain Center for Human Rights, Bahrain Continues Targeting Women Human Rights Defenders - A Briefing Of The Situation, 25.11.2016 <http://www.bahrainrights.org/en/node/8337>



Figure 18 Enas Oun, Head of Documentation BCHR

Similarly, **Enas Oun**⁶⁴, Head of BCHR’s Monitoring and Documentation Section, was summoned on 13 November 2016 and accused of organizing an assembly on 20 June 2016 in the Al-Dair area, around 11:45 pm. On 22 August 2016, Enas Oun was also stopped by the authorities at Bahrain’s international airport when she was intending to travel to Tunisia to participate in a human rights workshop. The authorities informed her that the decision was based on an order issued by the Criminal Investigations Directorate (CID).



Figure 19 Ahmad Al-Saffar

Ahmad Al-Saffar⁶⁵, human rights defender and a member of BCHR, was also interrogated on 13 November 2016 by the Bahraini Public Prosecution, which charged him with “illegal assembly.”

All were subsequently released.

Security forces even surrounded the house of BCHR’s Advocacy Officer [at that time], **Asma Darwish**⁶⁶ in November 2016, to summon her for interrogation over “illegal assembly”, even though she had been living abroad for over a year.



Figure 20 Asma Darwish

Particularly concerning was the case of **Hussain Radhi**⁶⁷, member of the BCHR documentation team. Charged with “inciting hatred against the regime, threatening civil peace and publishing false news”, he was summoned to appear on 17 November 2016 in front of the Public Prosecution to be interrogated over tweets and retweets. These tweets allegedly documented protests in Bahraini villages, the suppression of protests by the authorities, the arrests of protesters or activists, the siege on the village of Duraz, and some tweets regarding statements made by UN experts about religious discrimination in Bahrain. Radhi denied all the charges brought against him.



Figure 21 Husain Radhi

On 23 August 2016, the authorities banned Radhi from traveling as he was attempting to leave Bahrain to participate in the UNHRC’s 33rd Session in Geneva. He was informed by the airport staff that the travel ban was based on an order of the Criminal Investigation Department (CID). When Radhi requested the removal of the ban by the Public Prosecution, his request was rejected and, he was simultaneously informed that he was being charged for remarks he had allegedly made on Twitter.

Bahraini authorities have targeted Radhi in the past. On 12 June 2016, the authorities also prevented him from travelling

64 *Ibid.*

65 Bahrain Center for Human Rights, Bahraini Authorities Continue Crackdown on Activists: More Human Rights Defenders and BCHR Members Face Reprisals, 16.11.2016 <http://bahrainrights.org/en/node/8317>

66 Bahrain Center for Human Rights, Bahrain: Human Rights Defender Hussain Radhi Charged over Tweets and Retweets, 18.11.2016, <http://bahrainrights.org/en/node/8326>

67 *Ibid.*

to attend the UNHRC's 32nd Session in Geneva. In February 2015, Radhi was tried for charges of "illegal assembly" in Manama, but was eventually acquitted.⁶⁸ He had previously been arrested on 25 January 2013 in a similar case, when he was monitoring protests and human rights violations as part of his human rights work, and was kept in detention for more than two weeks.

Through its efforts to unveil abuses and raise awareness, BCHR has become a frequent target of government repression. The authorities dissolved BCHR in November 2004 following a speech by human rights defender Abdulhadi Al-Khawaja, then President of BCHR in which he criticized the prime minister. Since 2010, there has not been a single year where at least one of BCHR's leadership members was not in prison. Moreover, BCHR's Vice-President Said Yousef Al-Muhafdah was forced to seek exile in Germany after he became a target of arbitrary arrest for his human rights work. The BCHR website is blocked in Bahrain and alternative links are frequently blocked to disallow locals from reaching the human rights data published by BCHR.⁶⁹

11.3 UNHRC and Travel Bans

Ahead of the 32nd session of the UN Human Rights Council, held in Geneva in June 2016, Bahraini authorities imposed travel bans on at least 23 individuals, including human rights defenders, violating their right to freedom of movement according to Bahrain's own Constitution. The list is believed to be longer – however, individuals cannot find out they're banned from traveling until they attempt to leave the country.

In the month of June 2016 alone, BCHR documented 14 cases of Bahraini human rights defenders and civil society members who were banned from leaving the country, including the case of at least six individuals who were blocked from boarding their flights to Geneva on 12 June 2016 to attend the 32nd Session of United Nations Human Rights Council (UNHRC).⁷⁰

Travel bans were imposed on human rights defenders Hussain Radhi, **Ebtisam Al-Saegh**, **Ebrahim Al-Demistani**, the parents of extrajudicial killing victim **Ali Mashaima**, in addition to one more activist who preferred to remain unnamed. They were stopped at the Bahrain International Airport after attempting to travel to the UNHRC in Geneva. No reason was given for the bans.⁷¹

On 19 June 2016, the Bahraini authorities also prevented **Sayed Saeed**, father of 15-years-old Sayed Ashemi, who was reportedly shot and killed by a teargas canister at the hands of Bahraini riot police back in 2011, from joining the Bahrain human rights delegation in Geneva.

Similarly, on 18 June 2016, the human rights defender and member of Bahrain Human Rights Observatory (BHRO) **Abdulnabi Al-Ekry** was also notified of a travel ban imposed on him, as he was leaving to Paris via Sharja, UAE. Al-Ekri was also not notified of the reasons why he was placed under a travel ban.

On 13 June, **Jalila Al-Salman**, the vice president of the dissolved Bahrain Teachers Society and member of BHRO, was on her way to participate in the Arthur Svensson Prize ceremony in Oslo, where she was scheduled to receive the prize for her union activism and commitment to human rights issues.

68 Bahrain Center for Human Rights, Bahrain: Human rights defender Husain Radhi expecting a verdict for "illegal assembly", 31.01.2015 <http://www.bahrainrights.org/en/node/7260>

69 Bahrain Center for Human Rights, Frequent Target: BCHR's Human Rights Defenders Subject to Continuous Governmental Reprisals, 30.08.2016 <http://bahrainrights.org/en/node/8106>

70 Bahrain Center for Human Rights, Bahrain: Authorities Violate Right to Freedom of Movement of HRDs and Civil Society, 18.07.2016 <http://bahrainrights.org/en/node/7974>

71 Bahrain Center for Human Rights, Bahrain Authorities Prevent Civil Society Members and Human Rights Defenders from Participating in UN HRC 32, 12.06.2016 <http://bahrainrights.org/en/node/7882>

On 8 June, **Dr. Taha Al-Derazi**, a former political prisoner and activist, was denied permission to travel to the United Kingdom together with his wife, and no information was provided as to the reasons behind the travel ban. Dr. Al-Derazi had participated in the 31st session of the UN Human Rights Council back in 2015, and it is believed that the travel interdiction was meant to prevent him from participating in the 32nd UNHRC.⁷²

The same measures were taken prior to the 33rd session of the UNHRC. In August 2016 the authorities again imposed travel ban on HRDs and activists to prevent them from attending the council, bringing the number of people affected to nearly 30.

BCHR members Nedal Al-Salman, Hussain Radhi and Enas Oun were prevented from leaving the country. (Please refer to the previous section on Reprisal against other BCHR members for the full details of the case).

While travel bans have been used before to limit the movement of high-profile activists, including Nabeel Rajab and religious freedoms defender Sheikh Maytham al-Salman, the Government of Bahrain recently began to employ them systematically. BCHR documented other incidents in late August of individuals being placed under a travel ban. Human rights lawyer Mohammad al-Tajer on 23 August, and activists Ebtisam al-Saegh and **Ahmed al-Saffar**, both on 27 August were all barred from leaving Bahrain. Al-Sayegh and al-Tajer had previously been banned from travel in June and July 2016 respectively. Other activists banned from travel included trade unionist Jalila al-Salman, activist Taha Al-Durazi and journalist Nazeeha Saeed.⁷³

Preventing civil society from engaging with the UN is a new tool being used in Bahrain to intimidate and silence freedom of expression. A pattern of reprisals against human rights defenders has emerged to prevent reporting on severe ongoing rights abuses in the country.

At the 33rd Session of the UNHRC, the Bahrain Center for Human Rights, along with partner organizations, submitted a written statement to the council regarding the ongoing and intensified suppression of civil society in Bahrain.⁷⁴ On 13 September 2016, the UN High Commissioner for Human Rights called on the Bahraini Government for compliance with the Human Rights mechanisms.⁷⁵

11.4 Other Human Rights Defenders



Figure 21 Sheikh Maytham Al-Salman

During the past year human rights defender and renowned Shia scholar, **Sheikh Maytham Al-Salman**, was systematically harassed by the Bahraini authorities due to his advocacy work for the peaceful coexistence and mutual respect between cultures, religions and sects.

Summoned by the authorities on 31 December 2015, he was interrogated at CID about his participation in an event on the occasion of the anniversary of Sheikh Ali Salman's

72 Bahrain Center for Human Rights, Bahrain: Authorities Violate Right to Freedom of Movement of HRDs and Civil Society, 18.07.2016 <http://bahrainrights.org/en/node/7974>

73 Bahrain Center for Human Rights, Bahrain NGOs Condemn Reprisals against HRDs for UN Engagement, 02.09.2016 <http://bahrainrights.org/en/node/8126>

74 Bahrain Center for Human Rights, BCHR Submits Written Statement on Bahrain to the Human Rights Council, 07.09.2016 <http://bahrainrights.org/en/node/8149>

75 Bahrain Center for Human Rights, United Nations High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, Calls on the Bahraini Government for Compliance with the Human Rights Mechanisms, 13.09.2016 <http://bahrainrights.org/en/node/8154>

arrest, during which he delivered a speech⁷⁶, pointing out the invalidity of Ali Salman's trial, as it was merely a retaliatory action in response to his political views which were critical of the status quo, Salman's trial was therefore not in accordance with against international standards. The speech also called for the implementation of the Bahrain Independent Commission of Inquiry (BICI) recommendations.

He was later released only to be summoned again by the Public Prosecution on 6 January 2016. He was again questioned on the aforementioned speech and his human rights activism.

At the end the Public Prosecution accused him of "inciting hatred against the regime" and "expressing views regarding a case still at court". In a later attempt to silence him and stop his international advocacy activities, he was banned from travelling in March 2016.

On 15 August 2016 authorities charged him with "illegal gathering", for his participation in a peaceful assembly in the village of Duraz, which had been subject to a police blockade since June 2016. He was later released on bail.⁷⁷ On 10 October 2016 Maytham Al Salman was summoned, once again, for an investigation over a religious summon he delivered in Ashura. He was later released after 6 hours of interrogation⁷⁸



Figure 23 Zainab Al-Khawaja

Zainab Al-Khawaja is a leading figure among Bahraini human rights defenders, and has been detained several times since 2011 on different charges related to her human rights work and exercise of freedom of expression and freedom of assembly. She is the daughter of the internationally renowned Danish-Bahraini HRD Abdulhadi Al-Khawaja who is now serving a life sentence for his pro-democracy activism during the Bahraini uprising. On 14 March 2016 security forces raided Zainab's apartment where she was arrested with her 15-month old son, Abdulhadi, to serve prison sentences she had received prior to her arrest.⁷⁹

Zainab was sentenced to a total of three years and one months in prison and BHD 3,000 fine over several charges related to her exercise of freedom of expression and her peaceful dissent against the Bahraini government. On 2 February 2016, the court of appeal upheld a nine-month prison sentence against Zainab for trying to visit her father in Jaw Prison when he was on hunger strike in August 2014. In December 2015, the court amended a prison sentence against Zainab to one year and four months instead of three years and three months on charges related to tearing up a picture of the King and allegedly insulting a public officer during a peaceful protest in Bahrain. In October 2015, the court reduced her sentence to one year in prison instead of three years over the same charge of insulting the Kings. Following international pressure she was released from prison on 31 May 2016 on "humanitarian grounds", and subsequently threatened with indefinite detention, if she did not leave the country. Al-Khawaja was threatened with the prospect of lengthy prison sentences on new charges if she didn't leave immediately, this would have resulted in her being separated from both of her children.

76 Bahrain Center for Human Rights, Bahraini Authorities Continue to Harass Human Rights Defenders, 08.01.2016 <http://bahrainrights.org/en/node/7682>

77 Bahrain Center for Human Rights, Bahrain: Gov't Prosecutes Religious Freedoms Advocate Sheikh Maytham Al-Salman and Rights Activist Al-Derazi for "Illegal Gathering", 15.08.2016 <http://www.bahrainrights.org/en/node/8069>

78 Bahrain Mirror, Authorities Release Sheikh Maytham Al-Salman, Ask him to Return to Police Station to Finish Interrogation, 11.10.2016 <http://bhmirror.myftp.biz/en/news/34116.html>

79 Bahrain Center for Human Rights, NGOs Call for the Release of Activist Zainab al-Khawaja, 14.03.2016 <http://www.bahrainrights.org/en/node/7757>

On 6 June 2016 she arrived in Denmark with her two children, Jude and Abdulhadi Jr., where she is now living in exile.⁸⁰



Figure 24 Mohammed Al-Tajer

On 10 November 2016, Bahraini authorities summoned human Rights lawyer **Mohammed Al-Tajer**. They interrogated him over charges of inciting hatred against the regime, misusing social media and communication devices (Mobile phones).⁸¹ In a private WhatsApp voice message that the public prosecutors cited in support of the charges, al-Tajer says, “It’s clear that there’s a team in the public prosecution and Cybercrimes division whose only job is to sit at computers and intercept every word about Sunnis, Saudi Arabia, hatred of the regime, or insults against the king.”

Al-Tajer said that a public prosecutor interrogated him for an hour about the WhatsApp voice message sent in early 2016. The prosecutor also interrogated him about a tweet he posted on February 14 that said, in English, “history tells stories of falling dictators, but the lesson is never learnt #bahrain,” and his retweet of a July 24 comment on Twitter referring to the government as “the regime of prohibition.” Al-Tajer said he does not know how the authorities obtained a copy of the voice message.

Al-Tajer faces prison sentences totaling more than five years if convicted of all three charges. Previously the same year, on the occasion of the 32nd session of the Human Rights Council in Geneva, Al-Tajer was among the activists that were prevented from leaving the country in order to attend. Nevertheless, the ban did not impede him from continuing his human rights work, reporting on violations and virtually participating in events and meeting. Back in 2011, Al-Tajer spent four months in detention after masked men arrested him and prosecutors charged him with inciting hatred of the government. An appeal court overturned an initial conviction, but Al-Tajer has alleged that he was tortured and mistreated in detention.⁸²



Figure 25 Ghada Jamsheer

On 15 August 2016, authorities arrested women human rights’ defender, writer and blogger **Ghada Jamsheer**, upon her arrival in Bahrain International Airport from London, where she was receiving medical treatment for her arthritis. Jamsheer was the President of the Women’s Petition Committee (WPC), a network of female human rights defenders in Bahrain, campaigning for reform of Bahrain’s family laws. She was arrested to serve a one-year sentence prison sentence, the sentence was upheld by a Bahraini court on 22 June. Charges against Jamsheer related to remarks she made on Twitter, regarding corruption by members of Bahrain’s ruling family in one of the government-run hospitals, King Hamad. Additionally, she was fined 10,000 dinars (approx. USD\$26,500) for defamation of the management of the hospital.⁸³

80 Bahrain Center for Human Rights, GCHR: Bahrain: Zainab Al-Khawaja forced to leave her country or risk indefinite detention, 11.06.2016 <http://bahrainrights.org/en/node/7879>

81 Bahrain Center for Human Rights, Bahraini Authorities Continue Crackdown on Activists: More Human Rights Defenders and BCHR Members Face Reprisals, 16.11.2016 <http://www.bahrainrights.org/en/node/8317>

82 Human Rights Watch, Bahrain: Human Rights Lawyer Charged, 1.12.2016 <https://www.hrw.org/news/2016/12/01/bahrain-human-rights-lawyer-charged>

83 Bahrain Center for Human Rights, In the Firing Line: Women Human Rights Defenders in Bahrain Increasingly Targeted by Authorities, 22.08.2016 <http://www.bahrainrights.org/en/node/8086>

On 7 November 2016, Jamsheer appeared before Judge Mohamed Al-Khalifa of the High Criminal Court of Appeal to request that she be freed due to debilitating rheumatoid arthritis.

She reported that she needs medication to ease the pain but fears that she will risk her health if she takes the medication in jail, because it compromises her immunity. Jamsheer showed the Judge her medical reports, which have been translated to Arabic. Following the hearing she was returned to Isa Town women's prison, where conditions are cold and unsanitary.⁸⁴ She was freed on 12 December 2016, after four months in prison, after reaching an agreement to work for the rest of her sentence.

Jamsheer has long been targeted by the Bahraini authorities; since 2009 she has been effectively banned from all national media and her online blog has been blocked. She was previously arrested and detained for over three months in September 2014 for charges of defamation via Twitter in the same case.⁸⁵ A few months later, in March 2015, the authorities imposed a travel ban on her, after she attempted to fly to France to receive medical treatment.⁸⁶ She was sentenced in the defamation case, in June 2015, to one year and eight months in prison for tweeting about corruption at King Hamad hospital.⁸⁷

84 Bahrain Center for Human Rights, Bahrain: Human Rights Defender Ghada Jamsheer Remains in Jail Despite Poor Health, 16.11.2016 <http://www.bahrainrights.org/en/node/8318>

85 Bahrain Center for Human Rights, Bahrain: Women's rights defender Ghada Jamsheer arrested for tweets, 18.09.2014 <http://bahrainrights.org/en/node/7067>

86 Bahrain Center for Human Rights, Bahrain: After detaining her as punishment for her activism, authorities ban human rights defender Ghada Jamsheer from travel, 19.03.2015 <http://www.bahrainrights.org/en/node/7444>

87 Bahrain Center for Human Rights, Women Human Rights Activists Zainab Al-Khawaja and Ghada Jamsheer sentenced to prison again, 23.06.2015 <http://www.bahrainrights.org/en/node/7540>

12. Freedom of Religion

The authorities have heightened discrimination against the Shia majority in Bahrain.

12.1 Prosecution for Khums Collection

On 14 June 2016, the Minister of Development closed down Al-Risala Islamic Society and Islamic Enlightenment Society, two religious non-profit Shia organizations. To justify the legality of this action, the Public Prosecution issued a statement the following day, in which it revealed the authorities' investigation into what it called "instance of illegal fund-raising and money-laundering," these were the official charges brought against the leaders of the two societies. **Mahmood Al-Arab**, the head of Al-Risala Society, was arrested, interrogated, and then released. This incident was followed with more summons and arrests of clerics⁸⁸.

Within 48 hours, at least nine Shia religious figures were summoned for interrogation, in response to a Public Prosecution's investigation into "illegal collection of money," including:

- **Sheikh Majeed Al-Mishal**: the head of the dissolved Islamic Scholars Council.
- **Sheikh Baqer Al-Hawaj**, the head of the Islamic Enlightenment Society.
- **Sheikh Hussain Al-Mahroos**: the Office director for **Sheikh Isa Qassim**, the most prominent religious figure for the Shia community in Bahrain and a founder of the Islamic Enlightenment Society.
- **Sheikh Ebrahim AlAnsari**: Shia cleric and preacher.
- **Sayed Hashim Al-Bahrani**: a member of Al-Wefaq political society which was shut down several days ago.

These charges are related to the Shia religious practice of Khums, despite the authorities' denial⁸⁹. Khums represent the Shia believers' obligation towards annual payments, which are collected by their clerics and then distributed to vulnerable members of society, such as political prisoners' families. The Shia clerics play a central role in this practice, it is therefore believed that this may be the reason for the charges of illegal fundraising brought against a significant number of Shia spiritual leaders in Bahrain, including the highest spiritual leader of Bahrain's Shia population, **Sheikh Isa Qasim**.

On 16 July 2016, the Public Prosecution stated that "three cases related to raising funds illegally, money-laundering, and carrying out transactions to conceal their sources and make them appear legitimate will be reviewed by a court." If convicted, these individuals face up to seven years in prison and a fine of one million dinars (USD \$2,650,000).

12.1 Revocation of Citizenship

On 20 June 2016, without any due process, the government announced the revocation of the citizenship of the highest spiritual leader of Bahrain's Shia population, **Sheikh Isa Qasim** after accusing him of having allegedly "exploited the religious pulpit for political purposes." The MOI cited Article 10/c of the Bahraini Nationality Law, to justify its decision to revoke citizenship "if he causes damage to the interest of the state or took action contrary to the duty or loyalty to it."

88 Bahrain Center for Human Rights: Authorities Escalate Crackdown on Shia Clerics and Freedom of Religion 17.06.2017 <http://bahrainrights.org/en/node/7914>

89 Bahrain Center for Human Rights: Continued Crackdown on Clerics and Freedom of Religion and Assembly 27.07.2016 <http://bahrainrights.org/en/node/8033>



Figure 26 Sheikh Isa Qasim

Sheikh Qasim has been a leading figure in introducing democratic reforms in the country since the 1970s. In 1972, Sheikh Qasim became a member of the first Bahraini Parliament appointed with the highest percentage of votes. Sheikh Qasim also contributed to drafting the 1973 Bahraini constitution.

On 27 July 2016, Bahrain's High Criminal Court commenced the trial of Sheikh Qasim along with two others on charges of "illegal fund-raising and money-laundering". The Court postponed the trial several times since then and it has been still ongoing as of January 2017.

12.2 Restrictions on Friday Prayers

In May 2016, **Sheikh Mohamed Al-Mansi**⁹⁰ was charged with delivering an unauthorized sermon and sentenced to one-year in prison. More clerics soon joined the rank of those summoned and arrested due to their religious work.

On 15 June, **Sheikh Mohamed Sanqoor** was suspended from conducting sermons and Friday prayers at Imam Sadiq Mosque in Al-Duraz, where the largest Shia prayer was held on a weekly basis.

The pressure felt by the community of Shia religious figures, as the authorities intensified their efforts in targeting them, led them to suspend Friday prayers for fear of retribution. On 16 June, members of the Shia clerics community issued a statement explaining their action: "suppression of the Bahraini Shia Muslims had reached its highest level ever, and members of the kingdom's largest religious community feel insecure and face threats of arrest and prosecution if they seek to observe their religious rituals, primarily congregational prayers and Friday prayers." on 16 June 2016, **Sheikh Abdulmuhsen Attya Al-Jamri** was summoned just a few hours after he made a statement in support of the decision to suspend Friday prayers.

Since 20 June 2016, the day the Shia spiritual leader Sheikh Isa Qasim had his citizenship revoked (see details above), the Bahraini authorities have physically prevented a number of Shia clerics from reaching their mosques in order to lead prayer gatherings in Duraz, leaving Duraz without mass prayers for over 6 months.

12.3 Attacks on Religious Freedoms During Month of Muharram

During October 2016, the authorities have engaged in violent actions to forcefully remove religious signs from several areas in Bahrain. These extreme acts potentially deprived thousands of Bahrainis of their right to freely practice their religious rituals, especially during Muharram, which is an Islamic month in which people mourn the death of the grandson of the prophet, Imam Husain ibn Ali, by engaging in multiple religious events⁹¹.

BCHR documented the security forces' removal of religious signs in at least 15 Shia neighbourhoods, which were put up in commemoration of Muharram. In addition, police used tear gas to suppress

90 Bahrain Center for Human Rights: Continued Crackdown on Clerics and Freedom of Religion and Assembly 27.07.2016 <http://bahrainrights.org/en/node/8033>

91 Bahrain Center for Human Rights: As the Religious Season of Muharram Begins, Bahrain Increases Restrictions and Attacks on Religious Freedom 10.10.2016 <http://www.bahrainrights.org/en/node/8233>

people who protested the removal of these signs. Moreover, the authorities summoned and interrogated numerous Shia clerics for speeches they delivered during this month. Several heads of the religious community centers “Matams” said that there are nine religious preachers who were denied entry to Bahrain on 1 October 2016, where they were scheduled to deliver sermons during Muharram. The entry denial was due to security reasons, despite the fact that they have visa entries that were approved by the Ministry of Interior.

The crackdown on freedom of religion was most apparent in the village of Duraz during Muharram. Non-residents of Duraz were unable to enter the village. This included clerics who intended to participate and give sermons during religious gatherings there. The authorities denied at least two religious preachers; **Sayed Mustafa Al-Karrani** and **Sheikh Mohammed Al-Mahfoodh**, entry to Duraz, they were supposed to participate in a religious event in the village.

12.4 Arrest and Judicial Harassment of Clerics

Participation in the peaceful open sit-ins close to Qasim’s house was used as a criminal charge against preachers, singers as well as community members in Duraz. From June to August 2016 alone, at least 56 Shia clerics and religious singers were subject to judicial harassment e.g. summoned for interrogation, had their houses raided by security forces or were arrested. These clerics were charged, among others, with: illegal assembly, preaching without a permit and inciting hatred against the regime.

On 19 August 2016, Shia cleric **Sheikh Ali Humeidan** was sentenced for gathering with intention to cause disorder with one year imprisonment. Since then, eight more people including clerics, have been sentenced to a total of 12 years in prison. One cleric, **Habib Al-Dirazi**, received a sentence of one-year imprisonment for each day spent in the open sit-in, thus receiving a total of 2 years- prison sentence.

12.5 Restrictive Laws

A final measure used by the Bahraini authorities to impact the right to practice one’s beliefs was taken on 13 June 2016, when Bahrain’s King promulgated a bill amending the 2005 Political Societies Law, and placed a ban on participation in political decision-making based on discriminatory religious grounds. The new law includes an article stating that heads and leaders of “political societies” should not be religious preachers, even if they occupy the position in the societies’ without being paid.” Although this amendment restricts an individual’s ability to practice political activity via civil society associations, it does not stop the government from appointing clerics who support its views directly to the Shura council, where currently at least two clerics are members appointed by royal decree.

Bahrain’s actions are in breach of Art.22 of Bahraini Constitution, which stipulates that “freedom of conscience is absolute. The State shall guarantee the inviolability of places of worship and the freedom to perform religious rights and to hold religious processions and meetings in accordance with the customs observed in the country.”

On 16 August 2016, a group of United Nations (UN) experts issued a statement in response to Bahrain’s use of citizenship revocation, which they deemed as “deeply concerning”⁹². In that statement, the UN experts concluded that retaliations based on religion are aimed at the Shia community in Bahrain, listing the “dissolution of Al-Wefaq National Islamic Society, the shutting

92 UN Office of the High Commissioner for Human Rights: UN rights experts urge Bahrain to end the persecution of Shias 16.08.2016 <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20375&LangID=E>

of faith-based organizations, restrictions on the practice of religious rites, on Friday prayers and peaceful assemblies, restrictions on movement, restricted access to the Internet and a ban on Shia religious leaders from preaching” as a case in point.

The systematic discrimination practiced against the Shia majority in Bahrain is not a recent issue however. On 30 October 2015 during the latest UN Procedures Joint Communication, the Special Rapporteur on Freedom of Religion or Belief expressed concerns regarding Bahrain’s “alleged patterns of continuous discrimination against Shia citizens, which have been taking place since 2011”⁹³.

93 UN Office of the High Commissioner for Human Rights: Mandates of the Special Rapporteur in the field of cultural rights, the Special Rapporteur on extreme poverty and human rights, and the Special Rapporteur on freedom of religion or belief 30.10.2015 [https://spdb.ohchr.org/hrdb/31st/public_-_AL_Bahrain_30.10.15_\(6.2015\).pdf](https://spdb.ohchr.org/hrdb/31st/public_-_AL_Bahrain_30.10.15_(6.2015).pdf)

13. Freedom of Association

13.1 Dissolution of Al-Wefaq, Largest Political Society in the country

The dissolution of the largest political society in the country expressly demonstrates that the government has officially repressed the circulation of political activities in the country. On 14 June 2016, the Ministry of Justice requested the High Civil Court for an emergency order to shutdown the society. The request was granted two hours later and immediately put into effect. The authorities suspended Al-Wefaq⁹⁴, froze its assets and closed its headquarters, as well blocking its website inside Bahrain. The Bahraini government supported their decision to suspend the largest political society in the country in light of the “association’s practices that targeted, and still targeting, harming the principle of respect the rule of law and the foundations of citizenship based on coexistence, tolerance and respect for others, and to create an environment for terrorism, extremism and violence as well as a call for foreign interference in internal national affairs.”⁹⁵

The Ministry of Justice expedited the court hearings, moving them to earlier dates than those previously scheduled. Due to lack of access to necessary documentation needed to defend their case, the team of lawyers representing Al-Wefaq in court decided to withdraw from the trial on 28 June 2016, submitting a complaint letter to the Court, in which they stated that “in light of the court’s decision to postpone the hearing to 4 July 2016 for our response; and while not permitting us to enter the headquarters of Al-Wefaq to get the necessary documents to prepare our defense and support it with documents; the defense team believes that it is impossible to carry out its work legally and professionally, due to the very short deadline and the refusal of allowing access to those documents.”

On 17 July 2016, the High Civil Court ordered the dissolution and the liquidation of assets of the Al-Wefaq Political Society in the absence of any defense counsel, only one month later after ordering its dissolution. The decision was upheld on 22 September 2016 by the Bahrain’s second High Civil Court of Appeals.

The decision to take down the largest opposition party in the country was met with wide international disapproval. The European Parliament adopted a resolution on 7 July 2016 calling for an end of reprisals against human rights defenders, political opposition and civil society in Bahrain, stating that “free expression of legitimate and peaceful grievances must be allowed; notes with concern the Bahraini Government’s suppression of legitimate political opposition, including the extension of Sheikh Ali Salman’s sentence, the suspension of the Al-Wefaq National Islamic Society and the freezing of its assets; calls for greater basic freedoms for all Bahraini citizens; insists on an immediate halt to the suppression of different political opinions in the country and the repression of their leading representatives, regardless of their political or religious affiliation.”⁹⁶

94 Bahrain Center for Human Rights: Further Repression on Freedom of Association: Bahrain Dissolves Al-Wefaq, the Largest Political Society in the Country 17.07.2016 <http://bahrainrights.org/en/node/8009>

95 Bahrain News Agency: Court rules closure of Al-Wefaq society, suspension of its activities and reservation of its funds 14.06.2016 <http://bna.bh/portal/en/news/732195>

96 European Parliament: European Parliament resolution on 7 of July on Bahrain 07.07.2016 <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P8-TA-2016-0315+0+DOC+PDF+V0//EN>

13.2 Attacks on civil society organizations

2016 marked severe restriction on the rights to freedom of association. On 25 April 2016, the Head of the Bahrain Authority for Culture and Antiquities, **Sheikha Mai Al-Khalifa**, issued an order to disband the Bahrain Photographic Society, effective immediately, based on alleged charges of “involvement of members of the Society in activities contrary to the law and public order.” No further information was offered to justify the claims. The organization’s goal was to promote photography in Bahrain, organizing events and workshops. It is hence believed that the decision has to be politically motivated, and part of a series of reprisals against photojournalism and against the peaceful exercise of the right to free assembly and free expression.

On 14 June 2016, the Ministry of Social Development closed down Al-Risala Islamic Society and the Islamic Enlightenment Society. Several of these two societies’ members were referred to court on charges of “instances of illegal fund-raising and money-laundering”. (See section of religious Freedoms for more details)

13.3 Restrictive Laws

On 16 May 2016, members of the Parliament passed a draft amending article 5 of the Political Societies Law (2005), thus preventing clerics delivering sermons from joining political societies and from engaging in political activities⁹⁷. The amendment was referred to the Shura Council, which passed the law on 22 May 2016. The drafted law included an article declaring that “political societies’ heads and leaders shouldn’t be religious preachers, even if they occupy the positions in the society without being paid”. Justifying this decision, lawmakers argued it would prevent religious activities from being politicized.

⁹⁷ Bahrain Center for Human Rights: Further Restrictions Aimed at Curtailing Bahraini Opposition’s Participation in Political Decision 23.05.2016 <http://www.bahrainrights.org/en/node/7840>

14. Recommendations

Based on the above, BCHR calls on the government in Bahrain to:

1. Release all political prisoners and human rights defenders in detention and commence conciliation efforts in order to solve the political crisis in Bahrain
2. End the judicial harassment against human rights defenders and activists in Bahrain
3. End judicial harassment against members of the political opposition parties in Bahrain and allow the opposition members to pursue their activities in line with the goals and projects established by opposition societies, currently dissolved in Bahrain
4. Reinstate political opposition societies in Bahrain and other civil societies dissolved in the previous years
5. End the systematic discrimination on sectarian and religious grounds against members of the Shia community; end the judicial harassment against clerics part of the Shia religious community and put an end to acts of intimidation and aggression aimed at Shia religious practices and customs
6. Put in place laws that forbid practices going against the rights to justice and to equal citizenship; establish a body to monitor and document these violations and propose solutions, and work to empower segments of society that have been victims of discriminatory practices
7. End the practice of arbitrary citizenship revocations and forced deportations, and address the social, political and economic restrictions forced upon stateless individuals and on their families
8. End the use of anti-terrorism regulation until they are revised and amended to ensure compatibility with international human rights standards, as highlighted in the past years by United Nation experts; the authorities must cease use these laws against human rights defenders and peaceful opposition activists
9. End the use of systematic torture and ensure investigations into these allegations, as well as sanctions and penalties for perpetrators, and compensatory measures for the abused victims and for their families
10. Sign the Optional Protocol to the UN Convention against Torture and the Appendix of the International Covenant on Civil and Political Rights
11. The authorities must suspend the laws violating freedom of expression and that of the press; the government should protect free speech and peaceful dissent, as well as ensure those expressing peaceful dissent are shielded from aggression in any form, and thus create a fostering environment for freedom of expression and freedom of opinion
12. Allow the visits of the United Nations rights experts into the country; allow the visit of the Special Rapporteur on Freedom of Religion and Belief, the Special Rapporteur on Torture and the Special Rapporteur on Extrajudicial Killings.

BCHR calls on Bahrain's allies, United States of America and the United Kingdom, to:

- 1.** Condemn Bahrain's judicial harassment against its human rights defenders and political opposition, and the blatant discrimination on religious and ethnic grounds
- 2.** Call on the government in Bahrain to repeal discriminatory and aggressive legislation used to punish dissent and the peaceful exercise of freedom of expression and of opinion
- 3.** Urge the officials in Bahrain to allow the visit of United Nations human rights experts to evaluate the human rights situation in Bahrain, including the UN Special Rapporteur on Torture, UN Special Rapporteur on Freedom of Religion and Belief, and UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions.

15. Annexes

The New York Times | <http://nyti.ms/2cbZBZx>

The Opinion Pages | OP-ED CONTRIBUTOR

Letter From a Bahraini Jail

By NABEEL RAJAB SEPT. 4, 2016

RIFFA, Bahrain — I write this from a Bahraini jail cell where I have been detained, largely in isolation, since the beginning of summer. This is not new to me: I have been here before, from 2012 to 2014, in 2015, and now again, all because of my work as a human rights defender.

Nor am I alone: There are some 4,000 political prisoners in Bahrain, which has the highest prison population per capita in the Middle East. This is a country that has subjected its people to imprisonment, torture and even death for daring to desire democracy. My close colleague Abdulhadi al-Khawaja was tortured and sentenced to life in prison in 2011 for his human rights work.

No one has been properly held to account for systematic abuses that have affected thousands. In 2015, I was arrested on new charges of “insulting a statutory body” and “spreading rumors during a time of war” for posts on Twitter. The police held me from April to July last year. I was released only after the king of Bahrain issued a pardon in an earlier case, also related to views I had expressed.

Despite the pardon, the 2015 charges and a travel ban remained in place, and I was threatened with further action. The head of the cybercrimes unit at the Criminal Investigation Directorate in Bahrain summoned me and my family to a meeting, where — in front of my children — he warned me that if I didn’t stop my advocacy work, I would face up to 15 years in prison.

That threat became reality when I was arrested in June. The warrant came from the same cybercrimes unit chief who threatened me last year, and I now face prosecution for my work exposing human rights abuses. The authorities even

added a third charge of “insulting a neighboring country,” meaning Saudi Arabia. They have also laid a new charge against me of spreading “false news,” in relation to interviews I’ve given to the news media. It’s quite the rap sheet.

My supposed “insult” to Saudi Arabia relates to tweets I posted calling for an end to the war in Yemen, a war escalated by the Saudi-led coalition to which Bahrain belongs and for which the United States provides support. The United States has authorized multibillion-dollar arms sales to the Saudis since the war began last year.

From the beginning, I was against the war. The civilian death toll was immediate and catastrophic, and I spoke out against the unfolding humanitarian crisis, calling for peace. Now, I am paying the price.

I met Secretary of State John Kerry on his visit to Bahrain earlier this year and was glad to talk with him about our difficult situation. Mr. Kerry criticized the boycott of the 2014 election by opposition parties, although the opposition’s demand was simply for a constitutional monarchy in place of Bahrain’s autocratic system. Since that election, the leader of the largest opposition group, the Wefaq National Islamic Society, was sentenced to nine years for “promoting violence,” and the society was suspended and its assets frozen.

I would like to ask Mr. Kerry now: Is this the kind of ally America wants? The kind that punishes its people for thinking, that prevents its citizens from exercising their basic rights?

The government has gone after me not only for my comments on Yemen, but also for my domestic activism. One of my charges, “insulting a statutory body,” concerns my work shedding light on the torture of hundreds of prisoners in Jaw Prison in March 2015. The State Department has highlighted the same problem, but last year lifted the arms embargo it had placed on Bahrain since the repressions that followed the 2011 Arab Spring protests, citing “meaningful progress on human rights reforms.” Really?

After I met Mr. Kerry, I was interrogated at the Interior Ministry by the chief of the cybercrimes unit, the one who later ordered my arrest. He wanted to know everything about my conversation with the secretary of state. That official interrogated me again in April after I signed an open letter, with 25 other

activists, calling on President Obama to discuss human rights and the plight of activists in the Middle East when he visited Saudi Arabia earlier this year.

The Bahraini government tried to pressure me into publicly disavowing the letter. I refused.

Recent American statements on Bahrain's human rights problems have been strong, and that is good. But unless the United States is willing to use its leverage, fine words have little effect. America's actions, on the other hand, have emboldened the government to detain me and other rights advocates: Its unconditional support for Saudi Arabia and its lifting of the arms ban on Bahrain have direct consequences for the activists struggling for dignity in these countries.

Instead of fanning the flames in Yemen by supplying arms to the Saudi coalition, Mr. Obama's administration should use its leverage to resolve the conflict. Working to secure the release of people who call for peace, and are trying to build democracy in the region, would serve that aim.

Update: *After this Op-Ed essay was published, Nabeel Rajab was charged with publishing "false news and statements and malicious rumors that undermine the prestige of the kingdom."*

Nabeel Rajab is the president of the Bahrain Center for Human Rights and an advisory committee member for Human Rights Watch's Middle East and North Africa Division.

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A version of this op-ed appears in print on September 5, 2016, on Page A11 of the New York edition with the headline: Letter from a Bahraini jail.

France and Germany: It's Time to Assert Your Values

A Letter to France and Germany from an imprisoned Bahraini activist

By Nabeel Rajab, Director of the Bahrain Center for Human Rights - published in le Monde (in french) on 21 december 2016

It took years for the consequences of the west's failures in the Middle East to be felt, but as the tragedy of the refugee crisis has spilled onto the European mainland, it clear that the consequences of what began with the events of the 2011 "Arab Spring" now ripple in Europe. France has been actively involved in region's two crisis points – Syria and Libya – and it was the previous Sarkozy government, alongside Britain, which led the bombing of Gaddafi's forces. The dictator deserved to fall, but in the aftermath the European forces retreated without helping Libya establish a post-Gaddafi consensus. The impacts have been devastating. Then there is the rise of ISIS, the worst manifestation of a violent ideology which still receives state-support in the Middle East.

European countries need to do their part to address these issues, but to do so they must win the war of ideas which pits democracy and human rights against authoritarianism and brutality, and to help establish these concepts in the Middle East, they must be willing to face off against the Arab Gulf monarchies. The Gulf states claim to be allies in this fight, but they have fuelled the crisis and alliances and support for these monarchies must be re-assessed. France and Germany are now the twin beating hearts of Europe and they need to assert their values.

I am on trial facing 15 years in prison for criticising the Saudi bombing of Yemen and exposing torture in Bahrain's prisons. In September, I wrote a letter to the US administration and new charges of damaging Bahrain's reputation were brought against me.

My trial is not exceptional, it is ordinary. Thousands of Bahrainis are in prison for voicing criticism and demonstrating against the government, and thousands more have been murdered across the Arab world for daring to exercise their right to self-determination. That is truly appalling.

Saudi Arabia and the United Arab Emirates sent troops into Bahrain to crush its pro-democracy protests in 2011, and these are the same countries that have created a humanitarian crisis in Yemen. The international community could have countered the negative role played by the Arab Gulf monarchies on numerous occasions since 2011, but have not. European support for Saudi Arabia, the United Arab Emirates, Bahrain and their allies, through security cooperation and arms sales, has only increased.

It is the height of irony that Saudi Arabia claims to be fighting for Syrians who desire self-determination and for the legitimate government of Yemen, when it is one of the most violent dictatorships in the world. The Arab Gulf countries, rather than being induced to hold war criminals, human rights violators and terrorism supporters accountable, have felt empowered by the silence of key international allies – who don't want to rock the boat with oil-rich countries – to use deadly force against innocent civilians and protestors.

Rather than open their doors to refugees, they create them. Rather than pursue those responsible for civilian deaths in Yemen, these countries imprison peace advocates and rights activists. I am not the only Bahraini who has been jailed for daring to voice criticism of the war being waged in Yemen – the leader of the Wahdawi political party, Fadhel Abbas, is serving five years in prison for calling the war unconstitutional.



Bahraini human rights activist Nabeel Rajab arrives for his appeal hearing at court in Manama, February 11, 2015.

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There are books published by Bahrain's Ministry of Defence which endorse the killing of Shia if they do not 'repent'. How is this different from the ideologies of ISIS, which Bahrain is supposedly fighting against? The Bahrain Defence Force is a de facto sectarian army, and includes virtually no Shia soldiers, even though they account for the majority of the population. After ISIS published videos showing three recruits who had defected from the Bahraini security forces, I criticised the Bahraini security forces for allowing these violent sectarian ideologies to foster in their ranks. I received a six month prison sentence, and the Bahraini authorities still refuse to acknowledge the problem.

It is ultimately impossible to successfully defeat terrorism in countries such as ours, where it is impossible for a person to peacefully express their opinions without ending up in a prison cell.

You need to reassess your relationship with these monarchies, which actively work against democracy and human rights and fan the flames of violence and extremism. Security cooperation and arms sales must come with this strong condition: that these countries must respect human rights and international law, or lose their privileged relations.

Anything less will have calamitous long-term effects. These are the very countries which consider democracy and human rights a threat, and so condemn our region – and the world – to violence.



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