



## US State Department releases 2016 report on human rights in Bahrain

On 3 March 2017, the US Department of State [released](#) its Country Reports on Human Rights Practices for 2016. Americans for Democracy & Human Rights in Bahrain (ADHRB) welcomes the release of the extensive report detailing the wide range of US human rights concerns in Bahrain and urges the State Department to remain engaged on these issues despite the recent change in administration.

The Country Report on Bahrain begins by enumerating what the State Department perceives to be the “most serious” human rights problems. These include “limitations on citizens’ ability to choose their government peacefully, including due to the government’ ability to close arbitrarily or create registration difficulties for organized political societies; restrictions on free expression, assembly, and association; and lack of due process in the legal system, including arrests without warrants or charges and lengthy pretrial detentions—used especially in cases against opposition members and political or human rights activists.” The State Department specifically noted the significant intensification of such violations in the months since June 2016, when the Government of Bahrain stripped prominent Shia cleric Sheikh Isa Qassim of his citizenship, re-arrested human rights defender Nabeel Rajab, and began dissolution proceedings against largest opposition society Al-Wefaq, among other abuses. The report particularly emphasized the extent of due process violations endemic to Bahrain’s judicial system, listing in detail the undue obstacles imposed on legal defense teams, for example.

Reiterating reports from past years, the Department of State indicated that it remains seriously concerned by the lack of judicial accountability and transparency; prison overcrowding; violations of privacy; and systemic discrimination against the Shia community, as well as “other forms of discrimination based on gender, religion, and nationality.” The State Department also criticized the government’s practice of imposing travel bans on members of civil society, specifically highlighting that the authorities target “political activists to prevent travel to participate in the international fora.” While the report did not focus on the full scale of arbitrary deprivation of citizenship and statelessness in Bahrain, it did comment on 103 individuals whose past denaturalization was upheld by the government, as well as the new case of Sheikh Isa Qassim.

“We are glad to see the State Department’s continued criticism of the Bahraini government’s systematic human rights violations in the 2016 report,” said ADHRB Executive Director Husain Abdulla. “However, we hope that the findings, including systemic use of torture, arbitrary detention, lack of judicial independence, and the closure of civil and political space, will inform US foreign policy decisions. The US Administration and Congress should refer to the human rights report before making policy decisions involving the Government of Bahrain.”

Despite highlighting many of the core human rights violations in Bahrain, however, the State Department did fail to fully address several key areas. The State Department writes, for example, that “there were no reports of politically motivated disappearances” in 2016. Yet, in its “Arrest Procedures and Treatment of Detainees” subcategory, the report does include the case of Sayed Alawi Husain Alawi Husain, a Diraz resident held [incommunicado](#) by the authorities for over a month. The State Department rightly reports that Sayed Alawi was missing, and that his family did not know his whereabouts, but it fails to indicate that he is an administrative assistant for Sheikh Isa Qassim. Activists suggest that he was targeted for his association with the prominent cleric, which would make his situation a reported case of politically – and possibly religiously – motivated disappearance.



Similarly, the State Department cursorily assessed that “security forces effectively maintained order and generally responded in a measured way to violent attacks.” This assessment does not reflect the Bahraini authorities’ consistent use of excessive force against nonviolent gatherings and demonstrations. The Bahrain Center for Human Rights (BCHR) [documented](#) 155 riot police attacks on demonstrations throughout the year, many of which were characterized by the aggressive or “weaponized” use of crowd control equipment like bird shot and tear gas, causing severe injuries. In January 2017, just beyond the report’s scope, security forces fired live ammunition on participants of a “non-violent, long-term sit-in” protesting Sheikh Isa Qassim’s denaturalization in Diraz, [striking](#) 18-year-old Mustafa Hamdan in the back of the head. By the time his family navigated Bahrain’s militarized medical system and took him to a hospital that would treat him, Hamdan was brain dead.

The report claims that in April 2016, the Bahraini “parliament passed a royal decree lifting all reservations on the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).” According to the [website](#) of the Office of the High Commissioner for Human Rights (OHCHR), the Government of Bahrain continues to maintain a number of reservations to CEDAW. Additionally, the United Nations CEDAW website notes that the Bahraini government makes [reservations](#) to the following provisions of the Conventions: Article 2, Article 9(2), Article 15(4), Article 16, and Article 29(1).

The recent human rights report noted that “the [Bahraini] government has taken steps... to implement recommendations by the Bahrain Independent Commission of Inquiry (BICI).” However, we note with concern that the government has taken very minimal steps in implementing these reforms. ADHRB [found](#), as of 2016, that the Bahraini government had only fully implemented two of the total 26 BICI recommendations – to commute the death sentence for deaths arising during February and March 2011 and to revoke the National Security Agency’s arrest powers. In January 2017, the government restored arrest powers to the NSA, reversing one of the two fully implemented BICI recommendations. The Department of State [released](#) their own [report](#) assessing the implementation of each BICI recommendation in June 2016. The report found that after more than four years, the Government of Bahrain failed to implement a majority of the recommendations.

The State Department’s Bahrain report also noted the establishment of the country’s government human rights bodies, commenting that “human rights groups doubted... impartiality.” In 2016, the Bahrain National Institute for Human Rights (NIHR) [failed](#) to attain accreditation under the Paris Principles, a set of international guidelines and standards for human rights institutions. The NIHR exhibits deep structural problems that violate its duty of impartiality and independence. Namely, the NIHR has permitted a number of government officials to serve as full members of the NIHR, including former employees of the Ministry of Interior (MOI) and the Office of the Public Prosecutor – two institutions implicated in the governments systemic human rights abuses.

In June 2016, the Ombudsman of the MOI [released](#) its annual report for 2015/2016. The Ombudsman claims to be independent from the MOI, but its mandating legislation makes it dependent on the MOI for funding and authority. The report claims that it has aided in the resolution of serious cases of abuse, yet suspected abusers have been transferred to administrative positions instead of suspended from active duty. The Ombudsman claims that it has achieved growing trust among the population. However, individuals who spoke to ADHRB stated that they feared retaliation for submitting complaints to the Ombudsman, and that the ability of the government to use Ombudsman investigative findings against complainants negatively affected their ability to trust the Ombudsman.



# Americans for Democracy & Human Rights in Bahrain

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While the State Department's 2016 Country Reports on Human Rights Practices for 2016 raises awareness of human rights violations, it is only a foundational step. The US Administration and Congress must follow through with policy decisions that address such violations. Namely, the US Administration must immediately halt the sale of weapons to Bahrain, especially the [recently-announced fighter jet sale](#) that reportedly has no human rights conditions attached to the deal. Additionally, US Congress should push to reintroduce legislation from last Congress that would halt the sale of small arms and crowd control weapons to the Government of Bahrain until it fully implements all 26 BICI recommendations. Congress adjourned last December without passing [H.R. 3445](#) / [S. 2009](#); however one of the original sponsors of the Senate bill, Sen. Ron Wyden, recently [announced](#) that he intended to "resume [his] efforts." This report demonstrates that the US Administration acknowledges the Government of Bahrain's continued perpetration of systematic human rights violations. ADHRB therefore calls on the United States to implement measures in its foreign policy initiatives that seek to address and encourage human rights reform in Bahrain.