

# BAHRAIN 2018 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Bahrain is a constitutional, hereditary monarchy. King Hamad Bin Isa al-Khalifa, the head of state, appoints the cabinet, consisting of 24 ministers; 12 of those ministers were members of the al-Khalifa ruling family. The king, who holds ultimate authority over most government decisions, also appoints the prime minister, the head of government, who does not have to be a member of parliament. Parliament consists of an appointed upper house, the Shura (Consultative) Council, and the elected Council of Representatives, each with 40 seats. The country holds parliamentary elections every four years, and according to the government, 67 percent of eligible voters participated in elections held on November 24. Two formerly prominent opposition parties, al-Wifaq and Wa'ad, did not participate in the elections due to their dissolution by the courts in 2016 and 2017, respectively. The government did not permit international election monitors. Domestic monitors generally concluded authorities administered the elections without significant procedural irregularities.

Civilian authorities maintained effective control over the security forces.

Human rights issues included allegations of torture; arbitrary detention; political prisoners; arbitrary or unlawful interference with privacy; restrictions on freedom of expression, the press, and the internet, including censorship, site blocking, and criminal libel; substantial interference with the rights of peaceful assembly and freedom of association, including restrictions on independent nongovernmental organizations (NGOs) from freely operating in the country; significant restrictions on freedom of movement, including bans on international travel and revocation of citizenship; and restrictions on political participation, including the banning of former members of al-Wifaq and Wa'ad from standing as candidates in the elections.

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

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

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

There were no reports government security forces committed arbitrary or unlawful killings during the year.

As of December authorities reported they were continuing to investigate the circumstances surrounding the death of five protesters during a May 2017 security operation to clear protesters outside the house of Shia cleric Isa Qassim.

Violent extremists perpetrated dozens of attacks against security officers during the year, resulting in 22 injured personnel. The Ministry of Interior claimed there were 81 terrorist attacks against police from January to August.

**b. Disappearance**

There were no cases of enforced disappearances reported during the year (see section 1.d.).

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

The constitution prohibits “harm[ing] an accused person physically or mentally.” Domestic and international human rights organizations, as well as detainees and former detainees, maintained that torture, abuse, and other cruel, inhuman, or degrading treatment or punishment by government security officials continued during the year. Information regarding specific new cases was limited.

Human rights groups reported previous detainee accounts alleging security officials beat them, placed them in stress positions, humiliated them in front of other prisoners, deprived them of sleep and prayers, and insulted them based on their religious beliefs. Human rights organizations also reported authorities denied medical treatment to injured or ill detainees and prisoners. The Ministry of Interior’s Ombudsman’s Office reported they investigated all complaints and made recommendations to the government to address concerns. Detainees reported that security forces committed abuses during searches, arrests at private residences, and during transportation. Detainees reported intimidation, such as threats of violence, took place at the Criminal Investigation Directorate (CID) headquarters facility. Some detainees at the CID reported security officials used physical and

psychological mistreatment to extract confessions and statements under duress or to inflict retribution and punishment.

According to Amnesty International, Ali Mohamed Hakeem al-Arab and Ahmad al-Malali were tortured after being transferred to Jaw Prison following their January 31 conviction on charges including “forming and joining a terrorist group.” They were sentenced to death, and Amnesty International reported al-Arab also alleged being tortured into signing a confession.

The Ministry of Interior denied torture and abuse were systemic. The government reported it had equipped all prisons, detention facilities, and interrogation rooms at local police stations and the CID, with closed-circuit television cameras monitored at all times. In its 2017-18 annual report, the Ombudsman’s Office detailed four cases of video evidence being used in disciplinary cases against police officers.

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

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

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

Physical Conditions: Human rights organizations and prisoners reported gross overcrowding in detention facilities, which placed a strain on prison administration and led to a high prisoner-to-staff ratio. The quasi-governmental Prisoner and Detainees Rights Commission on Prisoner and Detainee Rights (PDRC) reports from 2015 detailed concerns regarding conditions in Jaw Prison, including overcrowding, unsanitary conditions, and lack of access to basic supplies. Previous reports from the Women’s Removal Center and Men’s Removal Center also highlighted some unsanitary conditions.

A number of female inmates staged hunger strikes to protest conditions in the Isa Town Prison, including what they viewed as unwarranted strip searches. Medina Ali began her strike on March 22 to protest allegedly being stripped-searched by

authorities after a family visit. She claimed the strip search was retaliation for her political views; she also alleged that prison officials threatened to revoke her family visitation rights and telephone calls to punish her for the strike. On September 30, the National Institute for Human Rights (NIHR) visited the prison, and after a review of video and audio tapes of the alleged incidents, determined the prison guards' actions were "within the limits of reasonable force."

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

Authorities held detainees younger than 15 at the Juvenile Care Center, and criminal records are expunged after detainees under 15 are released.

The government housed convicted male inmates between ages 15 and 21 in separate buildings located on the grounds of the Dry Dock facility. The ministry separated prisoners younger than 18 from those between ages 18 and 21. Upon reaching 21, prisoners enter the general population at Jaw Prison.

The ministry reserved one ward in the pretrial detention center for the elderly and special needs detainees. The government reported they offered these detainees special food, health care, and personal services to meet their needs.

The ministry operated a center for rehabilitation and vocational training, including various educational programs, antiaddiction programs, and behavioral programs. Activists said that the programs lacked trained teachers and adequate supplies, and that the government did not allow some inmates to sit for national exams.

Although the ministry reported detention centers were staffed with experienced medical specialists and outfitted with modern equipment, prisoners needing medical attention reported difficulty in alerting guards to their needs, and medical clinics at the facilities were understaffed. Prisoners with chronic medical conditions had difficulty accessing regular medical care, including access to routine medication. Those needing transportation to outside medical facilities reported delays in scheduling offsite treatment, especially those needing follow-up care for complex or chronic conditions. In previous reports the PDRC noted

numerous deficiencies with health services at most facilities, and human rights organizations noted some prisoners with chronic medical conditions lacked access to medical care. To address some of these concerns, the government maintained a separate ward for prisoners with infectious diseases.

In July human rights activists alleged on social media that officials had denied prisoners detained at Jaw Prison proper medical care and drinkable water. In the same month, Elias Mullah's family asserted Mullah, serving a 15-year sentence, was dying from stage three colon cancer in Jaw prison and alleged prison officials had failed to ensure he received adequate medical treatment. They also reported that officials denied Mullah his cancer medication for 21 days.

Administration: The Ministry of Interior reported authorities registered the location of detainees from the moment of arrest. Authorities generally allowed prisoners to file complaints to judicial authorities without censorship, and officials from the Ombudsman's Office were available to respond to complaints. Human rights groups reportedly sometimes had to file multiple complaints to receive assistance. Prisoners had access to visitors at least once a month, often more frequently, and authorities permitted them 30 minutes of calls each week, although authorities denied prisoners communication with lawyers, family members, or consular officials (in the case of foreign detainees) at times. Authorities generally permitted prisoners to practice their religion, but there were reports authorities sometimes denied prisoners access to religious services and prayer time.

Independent Monitoring: Authorities permitted access for the quasi-governmental NIHR and the PDRC (see section 5), as well as the Ombudsman's Office and the Special Investigations Unit (SIU), which is part of the Public Prosecutor's Office (PPO) in the Ministry for Justice and Islamic Affairs. During the year the Ministry of Interior highlighted the work of the Internal Audit and Investigations Department, which receives and examines complaints against security forces. According to the ombudsman's *Annual Report 2017-2018*, it received 334 complaints between April 2017 and March, and it referred 30 of those cases to the SIU for further action and 90 for disciplinary proceedings. The largest number of referred cases (88) came from Jaw Prison, and the CID (15).

The SIU acted as a mechanism for the public to report prisoner mistreatment or poor conditions in prisons and detention facilities. The ombudsman began monitoring prisons and detention centers in 2013, conducting announced and unannounced visits and accepting written and in-person complaints. The ombudsman had complaint boxes at most Ministry of Interior detention facilities

and staffed a permanent office at Jaw Prison to receive complaints. The Ombudsman's Office reported it was able to access evidence preserved by the government after receiving complaints regarding mistreatment.

Amnesty International and other human rights organizations reported that government-affiliated human rights institutions did not fully investigate or follow up on claims of abuse. Furthermore, Amnesty reported that detainees faced reprisals for their or their families' attempts to engage with the Ombudsman's Office.

The Ministry of Interior reported that new prison housing facilities were under construction at year's end that would help to decrease overcrowding by providing room for an additional 1,900 inmates.

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

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

The law includes penalties for those involved in terrorism, bans demonstrations in the capital, allows for legal action against political associations accused of inciting and supporting violence and terrorism, and grants security services increased powers to protect society from terrorism, including the ability to declare a State of National Safety. Human rights groups asserted the law conflicts with protections against arbitrary arrest and detention, including for freedom of speech.

In 2017 King Hamad reinstated the arrest authority of the Bahrain National Security Agency (BNSA), after it had been removed following criticism in the 2012 Bahrain Independent Commission of Inquiry (BICI). There were no reports of the BNSA using its arrest authority during the year.

In November 2017 authorities charged Ali Salman, the secretary general of an opposition political society, al-Wifaq, with "attempting to overthrow the regime" and "giving away state and military secrets to foreign powers in exchange for money." The charges related to a recorded 2011 telephone conversation between

Salman and Qatar's former prime minister Hamad Jassim al-Thani. Activists asserted the charges were political in nature and the government was aware of the talks as part of international efforts to resolve 2011 unrest. The High Criminal Court had acquitted Salman on all charges on June 21. The public prosecutor appealed the acquittal, and on November 4, the Supreme Court of Appeals reversed the lower court's decision finding Salman guilty of treason and sentencing him to life in prison (a 25-year term). Salman appealed his sentence to the Court of Cassation, but the court made no decision as of year's end. Salman had been in detention since 2014 on charges of incitement to violence. In 2015 the UN Working Group on Arbitrary Detention determined that Salman had been arbitrarily detained by the government.

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

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

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

The SIU investigates and refers cases of security force misconduct, including complaints against the police, to the appropriate court, which includes civilian criminal courts, the ministry's Military Court, and administrative courts. As of December the SIU received 102 complaints. The ministry generally did not release the names of officers convicted, demoted, reassigned, or fired for misconduct. As of December the SIU stated it was continuing to investigate the circumstances surrounding the death of five protesters killed in May 2017 during a protest outside cleric Isa Qassim's residence in the village of Diraz.

There was also a BNSA Office for the Inspector General and a Ministry of Interior Ombudsman's Office, created as a result of the BICI. While both offices were responsible for addressing cases of mistreatment and abuse, there was little public

information available regarding the BNSA inspector general's activities. The ombudsman's fifth annual report, released in September, reported 334 complaints and 760 assistance requests between May 2017 and April from alleged victims of mistreatment by police and civilian staff, their families, or organizations representing their interests. Of these complaints, 83 were referred to the relevant disciplinary body including police administrative hearing "courts" and the PPO, 28 were still under investigation, and 169 were closed without resolution. The ombudsman reported receipt of 39 complaints against the CID and 119 against Jaw Prison from May 2016 to May. The ombudsman referred 15 of the cases against the CID and 73 against Jaw Prison for criminal or disciplinary procedures: four and 19 additional cases were still under investigation, respectively.

The Ombudsman's Office maintained a hotline for citizens to report police abuse via telephone, email, or in person, but human rights groups reported many citizens hesitated to report abuse due to fear of retribution.

The Ministry of Interior police code of conduct requires officers to abide by 10 principles, including limited use of force and zero tolerance for torture and mistreatment. According to government officials, the code forbids the use of force "except when absolutely necessary." The Royal Police Academy included the code in its curriculum and provided recruits with copies in English and Arabic. The ministry reported it took disciplinary action against officers who did not comply with the code, although it did not publish details of such steps.

The ministry strengthened the Directorate of Audit and Internal Investigations, responsible for receiving, reviewing, and examining complaints against any member of the public security forces. Between January and July, the ministry issued nine administrative decision to dismiss or terminate police officers over misconduct allegations.

The NIHR is a quasi-governmental institution founded in 2014 with a stated mission of the promotion, development, and protection of human rights. The institution also works on awareness training to promote human rights in society, and throughout the year it provided a number of human rights training sessions and workshops to government entities as well as groups of academics, practitioner, businesspersons, and youth, among others. The NIHR also published research reports on legislation and regulations related to human rights. Throughout the year the institution operated a hotline for citizens and residents to file human rights-related complaints and also offered an in-person walk-in option for filing complaints.



The PDRC, chaired by the ombudsman, monitors prisons, detention centers, or other places where persons may be detained, such as hospital and psychiatric facilities. The PDRC is empowered to conduct inspections of facilities, interview inmates or detainees, and refer cases to the Ombudsman's Office or SIU.

The ministry organized various human rights training programs for its employees, including a year-long human rights curriculum and diploma at the Royal Police Academy. Between January and July, 130 officers graduated with a diploma in human rights, and 44 received a diploma in community service. The academy regularly negotiates memoranda of understanding with the NIHR to exchange expertise. The academy continued to include a unit on human rights in international law as part of the curriculum for its master's degree in Security Administration and Criminal Forensics. In 2017 the NIHR signed a memorandum with the BNSA to organize workshops and training sessions relating to human rights and basic rights and to collaborate on future research. The NIHR reported that as of September it had trained 160 BNSA officers.

The police force began including women in 1970, and during the year two women held the rank of brigadier general and general director.

Local activists and human rights organizations reported that the demographics of police and security forces failed to represent adequately Shia communities. To address these concerns, the government established in 2005 the community police program, which recruits individuals to work in their own neighborhoods. Official statistics documented 1,374 community police officers, of whom 307 were women. The ministry did not keep official statistics on the number of Shia members of the community police force, however, and did not recruit new community police during the year. Community members reported that Shia citizens were among those integrated into the community police and the police cadet programs. Information was not available on recruitment rates of Shia citizens into other security forces.

Unidentified individuals conducted numerous attacks aimed at security personnel during the year, which perpetrators often filmed and posted to social media. These videos showed attackers using Molotov cocktails and other improvised weapons against police patrols and stations, including in close proximity to bystanders. Police usually avoided responding with deadly force. During the year the Ministry of Interior reported 22 injuries of police officers while on duty.

## Arrest Procedures and Treatment of Detainees

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

By law the arresting authority must interrogate an arrested individual immediately and may not detain the person for more than 48 hours, after which authorities must either release the detainee or transfer the person to the PPO for further questioning. The PPO is required to question the detainee within 24 hours, and the detainee has the right to legal counsel during questioning. To hold the detainee longer, the PPO must issue a formal detention order based on the charges against the detainee. Authorities may extend detention up to seven days for further questioning. If authorities require any further extension, the detainee must appear before a judge, who may authorize a further extension not exceeding 45 days. The High Criminal Court must authorize any extensions beyond that period and any renewals at 45-day intervals. In the case of alleged acts of terror, law enforcement officers may detain individuals for questioning for an initial five days, which the PPO may extend up to 60 days. A functioning system of bail provides maximum and minimum bail amounts based on the charges; however, judges often denied bail requests without explanation, even in nonviolent cases. The bail law allows the presiding judge to determine the amount within these parameters on a case-by-case basis.

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

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

Arbitrary Arrest: Human rights groups reported the Ministry of Interior sometimes arrested individuals for activities such as calling for and attending protests and demonstrations, expressing their opinion either in public or on social media, and associating with persons of interest to law enforcement. Some of these detained individuals reported arresting forces did not show them warrants.

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

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

Although the constitution provides for an independent judiciary, political opposition figures reported the judiciary remained vulnerable to political pressures, especially in high-profile cases. The judiciary has two branches: the civil law courts deal with all commercial, civil, and criminal cases, including family issues of non-Muslims, and the family law courts handle personal status cases of Muslims. The government subdivided the family courts into Sunni and Shia sharia-based courts. Many of the country's approximately 160 judges were foreign judges serving on limited-term contracts (which are subject to government approval for renewal and residence in the country). The Supreme Judicial Council reported working with the Judicial Legal Studies Institute to prepare on average 10 new Bahraini judges per year, in an effort to increase their number. The Supreme Judicial Council is responsible for supervising the work of the courts, including judges, and the PPO.

#### **Trial Procedures**

The constitution presumes defendants are innocent until proven guilty. By law authorities should inform detainees of the charges against them upon arrest. Civil and criminal trial procedures provide for a public trial. A panel of three judges makes the rulings. Defendants have the right to consultation with an attorney of their choice within 48 hours (unless the government charges them pursuant to counterterrorism legislation); however, there were reports that defendants and their

lawyers had difficulty getting police, public prosecutor, and courts to recognize or register representation by an attorney. The government provides counsel at public expense to indigent defendants. On July 24, the Supreme Judicial Council released a memorandum directing plaintiffs to provide their own interpreters, except in labor dispute cases when the Ministry of Justice may provide assistance.

Defendants have the right to present witnesses and evidence on their behalf. While defendants have the right to question witnesses against them, the judges may declare the questions to be irrelevant and prohibit a line of questioning without providing reasoning. Prosecutors rarely present evidence orally in court but provide it in written and digital formats to judges in their chambers. In criminal trials prosecutors and judges walk into the courtroom together. Defendants are not compelled to testify or to confess guilt and have the right to appeal. The government frequently tries defendants in their absence.

Family status law varied according to Shia or Sunni interpretations of Islamic law, especially for women (see section 6). In July 2017 King Hamad ratified a new Unified Family Law, which for the first time included a civil code for Shia family law. According to supporters of the law, the new civil code provides for the protection of Shia, in particular Shia women, from the imposition of arbitrary decisions by unregulated clerics. Between August 2017 and July, the new family courts heard 4,814 cases including courts of first instance and appeals. Women's rights groups reported the family courts granted divorces more quickly and judicial decisions had adhered to the new civil code.

In April 2017 King Hamad ratified a constitutional amendment that grants military courts the right to try civilians accused of threatening the security of the state. Government media reported the government approved the amendment to better fight terrorist cells, while activists claimed the change would jeopardize fair trial standards. In May 2017 the PPO referred the case of Fadhel Sayed Abbas Hasan, charged with terrorist attacks and the attempted killing of the Bahraini Defense Force commander in chief, to military courts. In December 2017 the High Military Court convicted Hasan and several codefendants, and sentenced four of them to death. Seven other convicted codefendants were sentenced to seven years' imprisonment; others were acquitted. On February 21, the Military Court of Appeal upheld the four death sentences, and on April 25, the Military Court of Cassation rejected their appeal. The king commuted the death sentences to life in prison the following day.

## **Political Prisoners and Detainees**

According to human rights organizations, the government continued to imprison members of the opposition, along with scores of others detained for what these organizations assert is peaceful political activity. The government denied holding any political prisoners, although it acknowledged holding several dozen high-profile individuals, including leaders or prominent members of formerly legal, now banned political societies and organizations and others who were publicly critical of government institutions or government actions prior to their arrests. Authorities held some high-profile prisoners separately from the general prison population.

A number of jailed political activists, among them 70-year-old Hassan Mushaima, complained of poor treatment while in detention. Mushaima's family claimed prison officials did not allow him access to medicines needed for a number of chronic diseases and to keep his cancer in remission. Mushaima also complained that prison officials had refused to take him to medical appointments since 2016 for these conditions because he refused to wear handcuffs. On August 1, in protest of his father's treatment, his son Ali, convicted *in absentia* in the same trial as his father, began a hunger strike in the United Kingdom outside the Bahraini embassy. On September 5, the ombudsman interviewed Hassan Mushaima, who confirmed his refusal to comply with the policy of being handcuffed for appointments. The ombudsman recommended a waiver for Mushaima due to his age and health status, and officials complied.

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

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

A decree that establishes alternative penalties and measures to reduce the number of inmates in detention centers and prisons went into effect in July 2017. The alternative measures are available when a person has no previous criminal history, is a minor, or is charged with minor legal infractions. The government reported using the alternative penalty mechanism for 50 convicts during the year, although legal professionals estimated the number to be higher. The law on minors prohibits the imposition of prison terms on children, defined as younger than 15.

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

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

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

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

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

### **a. Freedom of Expression, Including for the Press**

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

Freedom of Expression: The law forbids any speech that infringes on public order or morals. While individuals openly expressed critical opinions regarding domestic political and social issues in private settings, those who expressed such opinions publicly often faced repercussions. During the year the government took steps against what it considered acts of civil disobedience, which included critical speech, under charges of unlawful assembly or "insulting the king." The penal code allows penalties of no less than one year and no more than seven years' imprisonment, plus a fine, for anyone who "offends the monarch of the Kingdom of Bahrain, the flag, or the national emblem." In November media and human rights organizations reported that security forces detained former parliamentarian Ali Rashed al-Asheeri tweeting his intention to boycott the 2018 parliamentary

elections. He was released from detention on November 27, although charges were still pending. In a significant decrease from 2017, there were five cases of “inciting hatred against a religious sect” and 510 cases of misuse of a telecommunications device.

On December 31, the Court of Cassation upheld a five-year prison sentence against Bahrain Center for Human Rights (BCHR) president Nabeel Rajab for tweets in 2015 criticizing the Saudi-led coalition’s military operations in Yemen and treatment of prisoners in Jaw Prison. Police initially arrested Rajab for these actions in 2016 and charged him with “spreading false news and statements and malicious rumors,” “insulting a neighboring country,” “insulting a statutory body,” and “spreading rumors during wartime.” At the time of his conviction, Rajab was already serving a two-year sentence for “spreading false information and malicious rumors” as a result of interviews with the foreign press. On April 19, the UN Working Group on Arbitrary Detention determined that the government arbitrarily detained Nabeel Rajab.

Press and Media Freedom: The government did not own any print media, but the Ministry of Information Affairs and other government entities exercised considerable control over privately owned domestic print media.

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

In June 2017 the Ministry of Information Affairs ordered the indefinite suspension of the only independent newspaper operating in the country, *al-Wasat*. Later that month the newspaper’s board of directors terminated the paper’s 160 employees, claiming they were unable to keep *al-Wasat* open due to the suspension. The government accused *al-Wasat* of publishing content “offensive to a sisterly Arab state” when it covered protests in Morocco. Since the closure of the newspaper, opposition perspectives were only available via online media sources based outside the country, some of which the government blocked.

Violence and Harassment: According to local journalists and human rights groups, authorities sometimes harassed, arrested, or threatened journalists, photographers, and “citizen journalists” active on social media due to their reporting. Authorities claimed, however, that some individuals who identified themselves as journalists

and photographers were associated with violent opposition groups and produced propaganda and recruiting videos for these groups. International media representatives reported difficulty in obtaining visas to work as journalists. The government brought criminal complaints against journalists who worked without accreditation. The government arrested or deported individuals engaged in journalism who were in the country on other types of visas.

Censorship or Content Restrictions: Government censorship occurred. Ministry of Information Affairs personnel actively monitored and blocked stories on matters deemed sensitive, especially those related to sectarianism, national security, or criticism of the royal family, the Saudi royal family, or the judiciary. Journalists widely practiced self-censorship. Some members of media reported government officials contacted editors directly and told them to stop publishing articles, press releases, or stories on certain subjects.

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

Libel/Slander Laws: The government enforced libel and national security-related laws restricting freedom of the press. The penal code prohibits libel, slander, and “divulging secrets,” and it stipulates a punishment of imprisonment for no more than two years or a fine of no more than 200 dinars (\$530). Application of the slander law was selective. The Ministry of Interior reported the government fined or imprisoned 19 individuals for “slander,” “libel,” or “divulging secrets” between January and September.

National Security: National security-related law provides for fines up to 10,000 dinars (\$26,500) and prison sentences of at least six months for criticizing the king or inciting actions that undermine state security, as well as fines of up to 2,000 dinars (\$5,300) for 14 related offenses. Punishable activities include publicizing statements issued by a foreign state or organization before obtaining ministry approval, publishing any reports that may adversely affect the dinar’s value, reporting any offense against a head of a state that maintains diplomatic relations with the country, and publishing offensive remarks concerning an accredited representative of a foreign country due to acts connected with the person’s position.



## **Internet Freedom**

The government blocked access to some websites from inside the country, including some opposition-linked websites. The government continued blocking Qatari news websites such as *al-Jazeera*, *al-Sharq*, and *Raya*, an action it began after cutting relations with Qatar in June 2017. The government restricted internet freedom and monitored individuals' online activities, including via social media, leading to degradation of internet and mobile phone services for some neighborhoods and to legal action against some internet users.

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

According to the International Telecommunication Union, approximately 96 percent of citizens used the internet in 2017.

## **Academic Freedom and Cultural Events**

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

Human rights advocates claimed government officials unfairly distributed university scholarships and were biased against Shia students, for both political and religious reasons, when admitting students into certain programs. The government continued using interviews in the university selection process, partially to correct for grade inflation, as there is no national standardized test to account for different grading practices across secondary schools; however, students reported authorities questioned them on their political beliefs and those of their families during interviews. The government maintained it distributed all scholarships and made all placements based on merit.

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

### **Freedom of Peaceful Assembly**

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

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

The law states every public gathering shall have a committee consisting of a head and at least two members. The committee is responsible for supervising and preventing any illegal acts during the function. According to the law, the Ministry of Interior is not obligated to justify why it approves or denies requests to allow protests. The penal code penalizes any gathering “of five or more individuals” that is held for the “purpose of committing crimes or inciting others to commit crimes.” Lawyers asserted authorities should not prevent demonstrations in advance based on assumptions crimes would be committed. Authorities prohibited the use of vehicles in any demonstration, protest, or gathering unless organizers obtained special written permission from the head of public security.

Organizers of an unauthorized gathering faced prison sentences of three to six months. The minimum sentence for participating in an illegal gathering is one month, and the maximum is two years’ imprisonment. Authorities gave longer sentences for cases where demonstrators used violence in an illegal gathering. The maximum fine is 200 dinars (\$530). The law regulates election campaigning and prohibits political activities at worship centers, universities, schools, government buildings, and public institutions. The government did not allow individuals to use

mosques, *maatams* (Shia religious community centers), or other religious sites for political gatherings.

The government did not prevent small opposition demonstrations that occurred in traditional Shia villages that often protested government policies or were intended to show solidarity with prisoners. Police reportedly broke up some of these protests with tear gas, however. While groups participating in these protests often posted photographs on social media of these events, participants were careful to hide their faces for fear of retribution.

### **Freedom of Association**

The constitution provides for freedom of association, but the government limited this right. The government required all groups to register: civil society groups and labor unions with the Ministry of Labor and Social Development and political societies with the Ministry of Justice and Islamic Affairs. The government decided whether a group was social or political in nature, based on its proposed bylaws. The law prohibits any activity by an unlicensed society, as well as any political activity by a licensed civil society group. A number of unlicensed societies were active in the country (see section 3).

A civil society group applying for registration must submit its bylaws signed by all founding members, together with minutes of the founding committee's meetings containing the names, professions, places of residence, and signatures of all founding members. The law grants the Ministry of Labor and Social Development the right to reject the registration of any civil society group if it finds the society's services unnecessary, already provided by another society, contrary to state security, or aimed at reviving a previously dissolved society. Associations whose applications authorities rejected or ignored may appeal to the High Civil Court, which may annul the ministry's decision or refuse the appeal.

NGOs and civil society activists asserted the ministry routinely exploited its oversight role to stymie the activities of NGOs and other civil society organizations. Local NGOs asserted officials actively sought to undermine some groups' activities and imposed burdensome bureaucratic procedures on NGO board members and volunteers. The Ministries of Justice and Interior must vet funding from international sources, and authorities sometimes did not authorize it.

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

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

#### **d. Freedom of Movement**

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

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

Foreign Travel: The law provides the government may reject for “reasonable cause” applications to obtain or renew passports, but the applicant has the right to appeal such decisions before the High Civil Court. Individuals, including citizens of other countries, reported authorities banned them from travel out of the country due to unpaid debt obligations or other fiduciary responsibilities with private individuals or with lending institutions, as well as for open court cases. The government maintained an online website during the year that allowed individuals to check their status before they traveled, although some persons reported the website was not a reliable source of information. Authorities relied on determinations of “national security” when adjudicating passport applications. During the year authorities prevented a number of activists from leaving the country without providing options for legal recourse.

The government reported that as of September it had lifted all but three of the 102 bans from international travel it issued in 2017. The government most often justified the application of “travel bans” as legitimate by noting they were to prevent the travel of those with pending criminal charges. Many of those previously banned from travel confirmed that their travel bans had been lifted. In previous instances individuals with travel bans believed the bans were imposed to prevent them from attending international human rights-related meetings.

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

On November 27, soccer player Hakim al-Arabi was detained in Bangkok when travelling from Australia, where he had resident status as a refugee, to Thailand on vacation. Hakim fled Bahrain in 2014 after being convicted of burning and looting a police station, although human rights organizations claimed he was participating in an international soccer match at the time of the alleged crime. Although Interpol cancelled the “red notice” Bahrain requested for al-Arabi, as of December the decision over his possible extradition to Bahrain remained pending in the Thai legal system.

Citizenship: As a punitive measure, the government continued to revoke citizenship in both criminal and political cases, including for natural-born citizens. Authorities maintained the revocation of citizenship of some opposition political and religious figures. The government had not implemented a comprehensive legal review process concerning citizenship revocation, as recommended by the NIHR in 2015, to assure the government protected the rights of individuals and their family members. The government did not consider whether individuals may become stateless by these actions. At times it threatened to halt payments of pensions or remove families from government-assisted housing if a head-of-household loses his citizenship. Some family members, especially women and minor children, reported difficulties renewing their passports and residence cards and obtaining birth certificates for children. During the year the government issued limited-validity passports to a number of individuals whose citizenship it had revoked and deported them, most frequently to Iraq. According to press reports, the Iraqi government complained about the practice to Bahrain officials. There is no procedure for accused persons to mount a defense prior to citizenship revocation, although in 2014 the government instituted an additional requirement that the Ministry of Interior seek cabinet approval before revoking any person’s citizenship. The government did not report how many persons had their citizenship revoked during the year, although most international human rights NGOs placed the number at more than 250 as of August, and more than 700 since 2012.

On May 15, the High Criminal Court revoked the citizenship of 115 citizens in a mass trial of 138 persons on terrorism-related charges. It sentenced 53 of them to life in prison. Activists asserted the trial was unfair, given the accused were all tried *en masse*, including 52 in absentia. While revocation of citizenship is legal in the country when a person “harms state security,” allegations that confessions were extracted under torture raised questions about the proceedings.

## Protection of Refugees

Access to Asylum: The law does not provide for the granting of asylum or refugee status, and the government has not established a system for providing protection to refugees. The government at times provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion; however, protection was mostly limited to those who had been able to obtain and maintain employment in the country. Such individuals generally had access to health care and education services while employed but were at risk of deportation if they became unemployed or if their country of origin revoked their passports. UNHCR reported that as of December, there were 394 refugees and asylum seekers registered with the agency.

## Stateless Persons

Individuals generally derive citizenship from the father, but the king may confer or revoke it. Since the government considers only the father's citizenship when determining citizenship, it does not generally grant children born to a non-Bahraini father citizenship, even if they were born in the country to a citizen mother (see section 6, Children). Likewise, the government does not provide a path to citizenship for foreign men married to Bahraini women, unlike the process by which foreign women married to Bahraini men may become citizens. Human rights organizations reported these laws resulted in stateless children, particularly when the foreign father was unable or unwilling to pursue citizenship from his country of origin for his children, or when the father himself was stateless, deceased, or unknown. It was unknown how many stateless persons resided in the country. Stateless persons had limited access to social services, education, and employment. There were reports authorities refused applications for birth certificates and passports for children whose Bahraini fathers were in prison because the fathers were not able to submit the applications in person (see section 6, Children).

In 2017 the BCHR issued a report documenting 13 cases of children who had not received citizenship because their fathers were dissidents. As of December the government had granted citizenship to all of the children named in the report, with the exception of Sarah Ali Salman, daughter of prominent Shia cleric and politician Ali Salman (see section 1.d.).

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

### **Section 3. Freedom to Participate in the Political Process**

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

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

Recent Elections: Approximately 67 percent of eligible voters participated in parliamentary elections held in November, according to government estimates.

The government did not permit international election monitors. Domestic monitors generally concluded that authorities administered the elections without significant irregularities. There were, however, broader concerns regarding limitations on freedom of expression and association as well as continued concerns over voting district boundaries. The dissolution of the country's principal opposition societies and laws restricting their former members from running for office, the absence of an independent press, and the criminalization of online criticism created a political environment that was not conducive to free elections, according to Human Rights Watch.

Political Parties and Political Participation: The government did not allow the formation of political parties, but some "political societies" developed political platforms, held internal elections, and hosted political gatherings. In 2017 the government dissolved the two most prominent opposition political societies, al-Wifaq and Wa'ad, through legal actions. To apply for registration, a political society must submit its bylaws signed by all founding members, a list of all members and copies of their residency cards, and a financial statement identifying the society's sources of funding and bank information. The society's principles, goals, and programs must not run counter to sharia or national interest, as interpreted by the judiciary, nor may the society base itself on sectarian, geographic, or class identity. A number of societies operated outside these rules, and some functioned on a sectarian basis.

The government authorized registered political societies to nominate candidates for office and to participate in other political activities. In 2016 parliament passed an amendment to the political societies law that bans practicing clerics from membership in political societies (including in leadership positions) and involvement in political activities, even on a voluntary basis. On June 12, the government passed an amendment to the Exercising Political Rights Law that prohibits “active” members of political societies that had been dissolved by court order to run as candidates in elections. Although the law allows for former members of these societies to ask a court to determine their status, none of them were permitted to run.

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

Participation of Women and Minorities: No laws limit participation of women or members of minorities in the political process, and they did participate. The November elections selected six women, doubling the number of women in the Council of Representatives. The royal court appointed nine women during the year to the Shura Council, the appointed 40-member upper house, and the prime minister appointed a woman to the 26-seat cabinet.

Shia and Sunni citizens have equal rights before the law, but Sunnis dominated political life, while the majority of citizens are Shia. In November, 11 Shia candidates were elected to the Council of Representatives. The appointed Shura Council included 19 Shia members, one Jewish member, and one Christian member. Five of the 24 appointed cabinet ministers were Shia citizens, including one of five deputy prime ministers.

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

The law provides criminal penalties for conviction of official corruption, but the government did not implement the law adequately, and some officials reportedly engaged in corrupt practices. The law subjects government employees at all levels to prosecution if they use their positions to engage in embezzlement or bribery, either directly or indirectly. Penalties may be up to 10 years’ imprisonment.



Corruption: The Bahrain National Audit Office is responsible for combating government corruption. In December the government released the office's annual report; however, the full report was not published or made available online. For the first time, the government reported that 10 officials were charged with embezzlement or bribery-related charges during the year. Four of those cases were eventually referred to the court and were ongoing at year's end.

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

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

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

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

Domestic human rights groups operated with government restrictions, with some human rights activists imprisoned, exiled, or coerced into silence, according to reporting by international human rights organizations. Domestic human rights groups included the Bahrain Human Rights Society and Bahrain Human Rights Watch Society, the primary independent and licensed human rights organizations in the country; the BCHR, which although dissolved by the government in 2004 continued to operate and maintain an online presence; and the unlicensed Bahrain Youth Society for Human Rights. The unlicensed umbrella human rights organization Bahrain Human Rights Observatory also issued numerous reports and had strong ties to international human rights NGOs.

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

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

Government Human Rights Bodies: A 2016 amendment to a royal decree re-established the country's National Human Rights Organization, now called the NIHR. The decree strengthened the NIHR by giving it the right to conduct unannounced visits to police facilities and increasing its financial independence. Throughout the year the NIHR conducted numerous human rights workshops, seminars, and training sessions, as well as prison visits, and referred numerous complaints to the PPO. It issued its latest annual report in March and contributed to PDRC, ombudsman, and SIU investigations.

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

International human rights organizations questioned the independence and effectiveness of government-affiliated oversight institutions. Local and international observers and human rights organizations also continued to express concern the government had not fully implemented BICI recommendations, including dropping charges against individuals engaged in nonviolent political expression, criminally charging security officers accused of abuse or torture, integrating Shia citizens into security forces, and creating an environment conducive to national reconciliation.

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

### **Women**

Rape and Domestic Violence: Rape is illegal, although the criminal code allows an alleged rapist to marry his victim to avoid punishment. The law does not address spousal rape. Penalties for rape include life imprisonment and execution in cases where the victim is a minor younger than 16 or when the rape leads to the victim's death.

The law states violence against women is a crime, and during the year government leaders and members of parliament participated in awareness-raising activities to include debates on additional legislation. According to reports from the BCHR, 30

percent of women experienced some form of domestic abuse. Authorities devoted little public attention to the problem. The government maintained the Dar al-Aman Shelter for women and children who were victims of domestic violence. Victims of domestic violence, however, reported difficulty knowing whom to contact or how to proceed when filing a complaint.

The government increased its documentation and prosecution of physical or sexual abuse of women. The Ministry of Justice reported documenting 3,500 cases of physical or sexual abuse as of September, four times the number of cases in the previous year, of which 257 were cases of sexual abuse. Of these cases, 99 involved children. Of the 3,500 cases, 706 resulted in conviction, 15 times the conviction rate in 2017. Ten cases of rape were reported, one of which was referred to court; proceedings for the case were underway as of September.

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

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

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

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

The basis for family law is sharia as interpreted by Sunni and Shia religious experts. In July 2017 King Hamad ratified the Shia portion of the Unified Family Law codifying the rights of Shia citizens, in particular women, according to the civil code on issues such as marriage, divorce, child custody, and inheritance. Shia

and Sunni family law had been enforced by separate judicial bodies composed of religious authorities charged with interpreting sharia. The new civil law provides access to family courts for all women, ensuring the standardized application of the law and further legal recourse as decisions made by family court judges are subject to review by the Supreme Judicial Council. It was not always clear which courts have jurisdiction in mixed Sunni-Shia marriages.

Women may own and inherit property and represent themselves in all public and legal matters. In the absence of a direct male heir, Shia women may inherit all of their husband's property, while Sunni women inherit only a portion, with the brothers or other male relatives of the deceased also receiving a share. The government respected wills directing the division of assets according to the deceased.

Labor laws prohibit discrimination against women, but discrimination against women was systemic, especially in the workplace, although the law prohibits wage discrimination based on gender (see section 7.d.).

Women experienced gains in government and business. The number of women elected to parliament increased from three to six representatives, and for the first time in the history of the country, the Council of Representatives elected a woman as speaker. In the business sector, women-led entrepreneurial ventures constituted more than half of filings for new businesses.

## **Children**

Birth Registration: Individuals derive citizenship from their father or by decree from the king. Women do not transmit their nationality to their children, rendering stateless some children of citizen mothers and noncitizen fathers (see section 2.d.).

Authorities do not register births immediately. From birth to age three months, the mother's primary health-care provider holds registration for the children. Upon reaching three months, authorities register the birth with the Ministry of Health's Birth Registration Unit, which then issues the official birth certificate. Children not registered before reaching their first birthday must obtain a registration by court order. The government does not provide public services to a child without a birth certificate.

Education: Schooling is compulsory for children until age 15 and is provided free of charge to citizens and legal residents through grade 12. Authorities segregated

government-run schools by gender, although girls and boys used the same curricula and textbooks. Islamic studies based on Sunni doctrine are mandatory for all Muslim public school students and are optional for non-Muslim students.

Child Abuse: The Family Courts established in 2017 have jurisdiction over issues including child abuse. NGOs expressed concern over the lack of consistently written guidelines for prosecuting and punishing offenders and the leniency of penalties in child-abuse-conviction cases in the sharia courts.

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

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

Sexual Exploitation of Children: The law prohibits exploitation of a child for various crimes, including prostitution. Penalties include imprisonment of no less than three months if the accused used exploitation and force to commit the crime and up to six years if the accused exploited more than one child, as well as penalties of at least 2,000 dinars (\$5,300) for individuals and at least 10,000 dinars (\$26,500) for organizations. The law also prohibits child pornography. The Ministry of Justice reported prosecuting 22 cases of sexual exploitation of children as of September, a significant increase over the prior year.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>.

## **Anti-Semitism**

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

## **Trafficking in Persons**

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

### **Persons with Disabilities**

The law stipulates equal treatment for persons with disabilities with regard to employment, and violations of the law are punishable with fines. The government administered a committee to ensure the provision of care for persons with disabilities that included representatives from all relevant ministries, NGOs, and the private sector. The committee is responsible for monitoring violations against persons with disabilities. During the year the government prosecuted two cases for violations against persons with disabilities.

Authorities mandated a variety of governmental, quasi-governmental, and religious institutions to support and protect persons with disabilities. New public buildings in the central municipality must include facilities for persons with disabilities. The law does not mandate access to other nonresidential buildings for persons with disabilities.

No information was available on the responsibilities of government agencies to protect the rights of persons with disabilities, although building codes required all new government building to be accessible. According to anecdotal evidence, persons with disabilities routinely lacked access to education and employment. The sole government school for children with hearing disabilities did not operate past the 10th grade. Some public schools had specialized education programs for children with learning disabilities, physical disabilities, speech disabilities, and intellectual disabilities, including Down syndrome.

Eligible voters may vote either in their regular precincts or in a general polling station. The local precincts, which are mostly in schools, sometimes posed problems to those with mobility disabilities. General polling stations in public spaces such as malls allowed for assistive devices. There was no absentee ballot system.

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

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

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

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

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

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

The law does not criminalize same-sex sexual conduct between consenting adults at least 21 years old, but it does not extend antidiscrimination protections to lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals on the basis of their sexual orientation or gender identity.

Discrimination based on sexual orientation or gender identity occurred, including in employment and obtaining legal identity documents. In some cases, however, courts permitted transgender individuals to update identity documents if they had undergone sex reassignment surgery.

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

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

government deported migrant workers found to be HIV/AIDS positive, but the status of deportations during the year was unclear.

## **Section 7. Worker Rights**

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

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

The law prohibits trade unions in the public sector. Public-sector workers may join private-sector trade unions and professional associations, although these entities may not bargain on their behalf. The law also prohibits members of the military services and domestic workers from joining unions. Foreign workers, composing nearly 80 percent of the civilian workforce, may join unions if they work in a sector that allows unions, although the law reserves union leadership roles for citizens. The law prohibits unions from engaging in political activities.

The law specifies only an official trade union may organize or declare a strike, and it imposes excessive requirements for legal strikes. The law prohibits strikes in 10 “vital” sectors--the scope of which exceeds international standards--including the oil, gas, education, telecommunications, transportation, and health sectors, as well as pharmacies and bakeries. The law makes no distinction between “vital” and “nonvital” employees within these sectors. Workers must approve a strike with a simple majority by secret ballot and provide 15 days’ notification to the employer before conducting a strike.

The law allows multiple trade union federations but prohibits multisector labor federations and bars individuals convicted of violating criminal laws that lead to trade union or executive council dissolution from holding union leadership posts. The law gives the labor minister, rather than the unions, the right to select the federation to represent workers in national-level bargaining and international forums. The law prohibits antiunion discrimination; however, in practice independent unions face government repression and harassment. The law does not require reinstatement of workers fired for union activity.

Relations between the main federations and the Ministry of Labor and Social Development were publicly contentious at times. The government sometimes interfered in GFBTU activities, such as preventing public May Day observances,



although the ministry supported GFBTU partnership with international NGOs for training workshops.

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

In 2014, after signing a second tripartite agreement, the ILO dismissed the complaint filed in 2011 regarding the dismissal of workers. During the year the government reported it considered efforts at reinstatement, as reflected in the tripartite agreement, to be completed. The government reported that 154 of the 165 cases had been resolved through either reinstatement or by financial compensation. Human rights organizations and activists questioned the government's claims and reported continuing, systemic labor discrimination.

Throughout the year hundreds of foreign construction workers went on strike because of unpaid salaries. An estimated 150 workers of the GP Zachariades (GPZ) construction group protested over unpaid wages. On August 3, news reports stated that former GPZ employees--90 Bahrainis and more than 400 expatriates--received pending salaries after the Ministry of Works, Municipality Affairs, and Urban Planning paid an outstanding one million dinars (\$2.65 million) to GPZ. On December 11, local press reported that 150 GPZ employees protested over unpaid wages. The Ministry of Labor and Social Development reported that general talks with the GPZ officials were ongoing, and that as many as 1,500 employees had been affected. In a separate protest on June 15, hundreds of Indian, Bangladeshi, and Pakistani employees from the Orlando Construction Company claimed they had not been paid for six months. Through mediation between the Ministry of Labor, labor-sending countries' labor attaches, and company leaders, the workers received their wages by year's end.

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

The law prohibits all forms of forced or compulsory labor except in national emergencies, but the government did not always enforce the law effectively. There were reports of forced labor in the construction and service sectors. The labor law covers foreign workers, except domestic workers, but enforcement was lax, and cases of debt bondage were common. There were also reports of forced labor practices that occurred among domestic workers and others working in the

informal sector; labor laws did not protect most of these workers. Domestic workers have the right to see their terms of employment, a right provided since 2012.

In many cases employers withheld passports, a practice prohibited by law, restricted movement, substituted contracts, or did not pay wages; some employers also threatened workers and subjected them to physical and sexual abuse. The Ministry of Labor and Social Development reported 2,990 labor complaints from domestic workers and constructions workers, mostly of unpaid wages or denied vacation time.

Estimates of the proportion of irregular migrant workers in the country under “free visa” arrangements--a practice where workers pay individuals or companies sponsor visas for persons who are then “free” to work wherever they want informally--ranged from 10 to 25 percent of the foreign workers in the country. The practice contributed to the problem of debt bondage, especially among low-wage workers. In numerous cases employers withheld salaries from foreign workers for months or years and refused to grant them permission to leave the country. Fear of deportation or employer retaliation prevented many foreign workers from complaining to authorities.

In July 2017 the Labor Market Regulatory Authority (LMRA) launched a flexible work-permit pilot program, which permits an individual to self-sponsor a work permit. It is available only to workers who are out of status and costs approximately 450 dinars (\$1,200), in addition to a monthly fee of 30 dinars (\$79). Some NGOs expressed concerns regarding the cost of the visa and the fact that it shifts responsibilities, such as health insurance, from the employer to the worker. According to government reports from October, more than 10,000 persons had received the flexi permit since its launch. Governments of origin countries stated that it was an important first step in regularizing undocumented workers but also criticized the program for being too expensive. The Philippines government provided some funding to cover application costs for its citizens who were eligible for the program. The LMRA reported that as of October there were approximately 70,000 undocumented workers in the country.

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

down recruitment agencies and revoked licenses of others for infringing on workers' rights. Recruitment agencies complicit in illegal practices may be subject to license revocation, legal action, shutdown of business operations, and/or a forfeit of license deposits.

The LMRA employed 72 inspectors who were sworn officers of the court, with the authority to conduct official investigations. LMRA inspector reports may result in fines, court cases, loss of work permits, and termination of businesses. These inspectors focus on the legal and administrative provisions under which individuals fall, including work permits, employer records, and licenses. The Ministry of Labor employed 23 general inspectors and occupational safety inspectors. Their roles are to inspect workplaces, occupational health and safety conditions, and the employer/employee work relationship.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

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

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

The law requires that before the ministry makes a final decision on allowing a minor to work, the prospective employer must present documentation from the minor's guardian giving the minor permission to work; proof the minor underwent a physical fitness examination to determine suitability; and assurance from the employer the minor would not work in an environment the ministry deemed hazardous. Generally, the government effectively enforced the law.

There were some cases of noncitizen children employed as domestic workers who had used fraudulent identity documents misrepresenting their age as 18 or older in order to secure employment. Observers believed some citizen children worked in

family-run businesses, but the practice did not appear to be widespread. The law does not allow expatriate workers younger than 18 to work in the country.

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

#### **d. Discrimination with Respect for Employment and Occupation**

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

Women continued to face discrimination and barriers to advancement, especially in fields traditionally dominated by men, including leadership positions. They often faced hiring discrimination because of a perception they would become pregnant or their family lives would interfere with their work.

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

Many workers in the country were foreign workers. There are no provisions to provide for equality in the hiring process. It was common for employers to advertise positions for specific nationalities or languages without justifying why only persons from that specific nationality or language group would be acceptable.

After a Bangladeshi mosque caretaker killed a Bahraini imam on August 4, the government increased scrutiny of foreigners entering the country. In August the Ministry of Interior announced an indefinite ban on issuing new visas to Bangladeshi workers. NGOs active in migrant worker issues estimated that Bangladeshi workers constituted the majority of undocumented residents.

Lack of transparency in hiring processes, especially for government positions, led to many complaints of discrimination based on sect or ethnicity. Human rights organizations reported that Shia citizens faced widespread employment discrimination in both the public and private sectors. Sunni citizens often received preference for employment in sensitive government positions, notably in the managerial ranks of the civil service, as well as positions in the security services and the military.

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

There is no national private-sector minimum wage. A standardized government pay scale covers public-sector workers, with a set minimum of 300 dinars (\$795) per month. There is no minimum wage for foreign workers in the public sector, although the government issued “guidelines” advising employers in the public and private sectors to pay a minimum of 150 dinars (\$398) per month. There was no official poverty level.

In April the local press reported that half of the workers in the country earned less than 200 dinars (\$530) per month. According to the article, 380,084 workers (mostly men), including 3,307 citizens, earned a monthly wage of less than 200 dinars. Although the average salary for foreign workers was not mentioned, it stated that the average monthly wage for the country’s 158,415 citizen workers was 522 dinars (\$1,380).

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

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

The Ministry of Labor is responsible for enforcing the labor law and mandating acceptable conditions of work. The labor law stipulates that companies that violate occupational safety standards be subject to a fine between 500 dinars (\$1,325) and 1,000 dinars (\$2,650). In 2017 the ministry issued 561 prosecution notices to companies in violation of occupational safety standards.

The Ministry of Labor enforced occupational safety and health standards; it also used a team of engineers from multiple specialties primarily to investigate risks and standards at construction sites, which were the vast majority of worksites.

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

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

A ministerial decree prohibits outdoor work between noon and 4 p.m. during July and August because of heat conditions. Authorities enforced the ban among large firms but, according to local sources, violations were common among smaller businesses. Employers who violated the ban are subject to up to three months' imprisonment, a fine ranging between 500 dinars (\$1,325) and 1,000 dinars (\$2,650), or both. The ministry documented 152 companies in noncompliance with the summer heat ban during the year.

The government and courts generally worked to rectify abuses brought to their attention. Workers could file complaints with the ministry. The vast majority of cases involving abused domestic workers did not reach the ministry or the public prosecutor. Police referred 40 cases to the National Referral Mechanism in the first half of the year. Individuals with referred cases received a range of services, including shelter provided by the National Committee for Combating Trafficking in Persons (NCCTIP).

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

The government continued to conduct workers' rights awareness campaigns. It published pamphlets on foreign resident workers' rights in several languages, provided manuals on these rights to local diplomatic missions, and operated a telephone hotline for victims.

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

The labor law does not fully protect domestic workers, and this group was particularly vulnerable to exploitation. Domestic employees must have a contract, but the law does not provide for same rights accorded to other workers, including rest days. In December 2017 the LMRA announced that all newly arrived domestic workers would be required to use new tripartite work contracts. The recruitment agency, the employer, and the employee must agree upon the contents of the new contracts. According to local press reports, the new contracts include daily working hours, weekly day off, and mandatory wage receipts, among other conditions. Activists reported that usage of the forms among employers and recruitment agencies remained low throughout the year.

There were credible reports employers forced many of the country's 91,000 domestic workers, most of them women, to work 12- to 16-hour days and surrender their identity documents to employers. Employers permitted very little time off, left them malnourished, and subjected them to verbal and physical abuse, including sexual molestation and rape. Reports of employers and recruitment agents beating or sexually abusing foreign women working in domestic positions were common, but the majority of cases involving domestic workers did not reach the Ministry of Labor. The press, embassies, and police received numerous reports of abuse. During the year the MWPS provided female domestic workers with temporary housing and assistance with their cases. Additionally, the NCCTIP provided 87 workers with shelter. The majority of women in these cases sought assistance with unpaid wages and complaints of physical abuse.

According to NGO sources, the construction sector employed more Indians, Bangladeshis, and Pakistanis than other nationalities. Worker deaths generally were due to a combination of inadequate enforcement of standards, violations of standards, inadequate safety procedures, worker ignorance of those procedures, and inadequate safety standards for equipment. While some workers may remove themselves from situations that endanger health or safety without jeopardizing their employment, the level of freedom workers enjoyed directly related to the types of work they performed.

A Ministry of Labor order requires employers to register any labor accommodations provided to employees. The order also mandates minimum housing standards for employer-provided accommodations. Many workers lived in unregistered accommodations that ranged in quality from makeshift accommodations in parking garages, to apartments rented by employers from private owners, to family houses modified to accommodate many persons. Conditions in the many unregistered or irregular worker camps were often poor. Inspectors do not have the right to enter houses or apartment buildings not registered as work camps to inspect conditions.