



REPORT

The Impact of COVID-19 on Political Prisoners in the GCC Countries

The Impact of COVID-19 on Political Prisoners in The GCC countries

Americans For Democracy And Human Rights In Bahrain

Introduction

The COVID-19 pandemic ravaged almost every country, infecting hundreds of millions and killing more than 6 million people as of February 2021. The threat posed by this health crisis led governments of most countries, including governments in the Gulf Cooperation Council (GCC), to take immediate measures to curb the spread of the virus. They took special and strict nationwide measures that impacted the lives of all people. These measures include strict lockdowns, imposing precautionary measures such as social distancing and mask mandates, and vaccination campaigns in order to minimize the impact of the pandemic. However, amidst this state of ambiguity, many governments took advantage of this crisis to restrict fundamental freedoms of their citizens, such as the freedom of information, expression, assembly, and association, all under the pretext of combatting COVID-19. For instance, surveillance technology which was used to track the spread of the virus was also used as a tracking tool that encroached on the privacy of citizens and monitored specific individuals.

GCC governments continued their systematic policy of targeting opposition leaders and activists, which intensified during the COVID-19 pandemic. Prisoners, who are among the most vulnerable populations during a pandemic, suffered severely from these violations. In particular, political prisoners in the Gulf region endured continuing abuse under the pretext of COVID-19 pandemic. Violating international standards and conventions, governments in the Gulf deliberately used pandemic conditions to crack down on prisoners, especially prisoners of conscience. Authorities denied political prisoners medical care and their visitation and calling rights. Moreover, GCC governments took advantage of the pandemic to continue their retaliatory measures against political prisoners as a form of reprisal for their activism. Prisoners were exposed to unhealthy and unsanitary conditions, and appeared to be placed in deliberate risk of catching the novel coronavirus. As a result, the situation in GCC prisons was extremely dire, and many prisoners were infected and reached advanced stages of the disease, with some losing their lives.

Methodology

ADHRB had documented the cases of at least 30 political prisoners who were infected with COVID-19 and suffered from various violations, including severe medical negligence. Documentation was accomplished through interviews with victims themselves or, when that was not possible due to continued incarceration, with their families. Based on this documentation and information from other sources, this report will highlight the impact of the measures taken by the Gulf governments during the COVID-19 pandemic on behalf of or against prisoners, particularly political prisoners - paying special attention to Bahrain due to the better availability of information. It will also highlight how these measures were directed to harm political prisoners, violating international standards.

Bahrain

Ever since the outbreak of the pro-democracy revolution in 2011, activists have been arbitrarily arrested, tortured and sentenced to prison in unfair trials, and serious human rights violations have been recorded in Bahrain's prisons. Cases of extreme medical negligence in which prisoners would be denied their basic right to receive medical care were reported, with some even losing their lives, such as Hassan Jassim Al-Hayki and Sayed Kadhem Abbas, among others. Moreover, constant harassment by authorities, which include beatings and denying visitation and calling rights, has been a consistent punishment against political prisoners. In so doing, Bahrain has violated the United Nations Standard Minimum Rules for the Treatment of Prisoners, known as the Nelson Mandela Rules.

The COVID-19 pandemic provided the Bahraini government with a new excuse to increase the suffering of political prisoners. The government did not take adequate measures to protect the health and well-being of political prisoners during the pandemic, indicating a lack of concern for their welfare. However, it was an opportunity to further restrict and violate more of their rights.

During the pandemic, the government did not take any measures to prevent prisoners from getting infected. It did not implement social distancing measures nor provide key healthcare provisions. This is in spite of the fact that the Bahraini authorities tried to spread false information to the international community by stating that Bahraini prisons have introduced specific measures to keep COVID-19 from entering the facilities. In reality, police officers, cooks, and other prison staff did not wear masks or gloves and did not pursue any other prevention strategy. Moreover, the prison administration did not provide masks, medical gloves, or hygienic products for prisoners. Instead, prisoners had to buy these products for high prices. Moreover, sick prisoners were routinely denied access to medical care. Authorities did not take prisoners to the doctor when they were sick, did not provide them with adequate medications, and were not tested during the pandemic even when prisoners had symptoms. They would only start to provide them with care when prisoners reached advanced stages of the infection.¹

The deteriorating health environment and the absence of the most basic hygiene conditions caused the spread of diseases among Bahrain's prisoners, even before the official onset of pandemic. Eventually, the government created an early release program for a selection of roughly 1,500 prisoners due to the COVID-19 health crisis. However, the government only released 300 political prisoners, with the majority of the remainder having been incarcerated for petty crime. In September 2022, it was estimated that the government incarcerated a total of 4,500 persons just for political offenses alone.² As a result, many prisoners, including those who suffer from chronic

¹ Based on information recorded during interviews with persons who were incarcerated at the time of the pandemic.

² <https://www.middleeastmonitor.com/20220913-rights-group-bahrain-has-highest-number-of-political-prisoners-among-arab-states/>

diseases, lived in constant fear as authorities were depriving them of routine health care, whether by presenting them to a specialized doctor, providing appropriate treatment, or lifting preventive precautions because they were not infected with COVID-19.

This report shows below that the Ministry of Interior has failed to manage and prevent the spread of COVID-19 among prisoners, through the absence of basic health measures. Even when measures would be taken during an outbreak, authorities took advantage of the situation to impose stricter rules on prisoners and disguise their violations. Often during the pandemic, calls and visits would be cut under the pretext of the health situation, and in some cases such calls and visits were prohibited even far after the situation had improved. Authorities still used COVID-19 as an excuse to cancel visits until late 2022. The quarantine and isolation measures used to limit the spread of COVID-19 were also used to silence political prisoners and intensify harassment. These isolation measures often resembled solitary confinement conditions. As will be demonstrated in the proceeding section, authorities tried to conceal information so as to not disclose the true severity of the situation that would show their failure.

May 2021 Outbreak

On 18 May, prisoners in Building 13 in Jau prison reported that they had symptoms of COVID-19 but had not been tested. The administration transferred only one of them to isolation after his condition deteriorated, and three prisoners were transferred later.

On 24 May, ADHRB received information on the spread of coronavirus in Buildings 12 and 13, with about 20 positive cases confirmed in Building 12 alone. This comes after an earlier outbreak in March which infected at least 140 inmates. During this outbreak, Bahraini authorities violated the prisoners' rights and used COVID-19 measures to increase the harassment of prisoners in the following manner.

Contact with prisoners in Building 12 was cut off and prisoners lost all contact with the outside world. Concurrently, the families complained that they were unable to access the results of the COVID tests of their detained children because the Ministry of Health website did not accept expired documents, and many prisoners who had been detained for years had not been able to renew their identity cards or passports. For this reason, parents could not verify whether or not their children are infected or not.

On 26 May 2021, the Ministry of Health issued a statement in which it claimed that the precautionary measures applied in the Correction and Rehabilitation Center conform to medical standards and their implementation is supervised by the Ministry of Health. It adds that these measures have proven effective in dealing with any new cases according to a pre-prepared scenario, which made the rate of existing cases to its lowest levels. However, this was not the case,

as at the time of the statement, 143 prisoners from building 12 in Jau prison had been infected with COVID-19, and Bahrain had been ranked second in terms of death rate relative to the population.

Among the hundreds of infected prisoners with whom communication was cut off was Sayed Ahmed Ali Mohamed Ali, whose family had repeatedly tried to contact Jau Prison to ask about him and his COVID-19 status, to no avail. The family filed a complaint to the Ombudsman and the National Institution for Human Rights inquiring about the lack of communication, but they did not receive any response.

Another political prisoner, Hasan AbdulNabi Hasan, faced similar circumstances. His family felt increasingly anxious when news of him was cut off, and they were unable to obtain any information confirming whether or not their son was infected with COVID-19. On the 26th of May, they tried to contact the prison administration repeatedly to obtain information, but to no avail.

Sayed Ahmed Alwadaei, Director of Bahrain Institute for Rights and Democracy (BIRD), has also reported that his brother-in-law, Sayed Nizar Alwadaei, faced similar violations during the first outbreak in April 2021 when he tested positive for COVID-19. Sayed Nizar was kept for five days in solitary confinement, and was denied his rights to call and receive visits, as well denied the right to go outside.

Second Building 12 Outbreak

It has been reported that, at the beginning of the spread, prison officers forced two prisoners suffering from symptoms of the virus to enter a cell in Building 12, where many of Bahrain's political prisoners are housed. The two prisoners concerned were in deplorable condition, so the other prisoners demanded that they be transferred and given the necessary treatment. The authorities decided to move them back to another building. It appears from this information as if the prison administration deliberately wanted to infect other prisoners, knowing that Building 12 was free of infections before that incident.

The re-infection of Building 12 threatened the health of many political prisoners, many of whom suffer from chronic diseases. Hasan Mushaima, the prominent 74-year-old Bahraini opposition figure and political prisoner, who suffers from many chronic diseases, including advanced symptoms of diabetes that render him immunocompromised. Authorities disregarded his situation and did not take the necessary measures to ensure his safety. Another prisoner, Ahmed Isa Ali, who suffers from chronic diseases such as yeast deficiency and blood thalassemia, tested positive for COVID-19 due to the lack of adequate measures. Moreover, the infection of Building 12 endangered the life of 61-year-old prisoner Mohamed Hasan Abdullah, whose family sounded the alarm in May 2021 about his deteriorating health condition after he was transferred from the hospital to Dry Dock Prison without treatment.

On 2 June 2021, ADHRB received news that a number of prisoners in Building 12 were isolated for 13 days in their cells without being allowed to go outside, and that they were not provided with appropriate health care despite their high temperature, loss of sense of taste and smell, and severe body aches. They were also denied any contact or communication with the outside world in order to hide the fact that they tested positive.

In addition, the lack of reliable data that shows the true number of infected prisoners is a deliberate method used by the government to hide its failures. Many prisoners were tested using rapid tests or what is called a home examination by the prison administration, and when confirming their infection, they are isolated with their names not listed on the official page of the Ministry of Health. Here the full responsibility rests with the Ministry of Interior, as it appears that they are deliberately conducting rapid screening of prisoners in order to obscure the real number of infections inside the prison, as these tests are less accurate.

By June 2021, almost 60% of prisoners in Building 12 were infected with the virus.

2022 Outbreak

Another outbreak took place in early 2022, in which the same violations by the authorities were committed. The prison administration at Jau Prison conducted rapid tests without disclosing the results, denied contact with families, and placed prisoners in isolation without justification. Moreover, the Prison Administration and Ministry of Interior remained silent on the spread of the disease, and did not disclose the measures they are taking to mitigate the spread of the virus. Some prisoners lost contact with their families, heightening concern for their safety. The families were very concerned about the fate of their children amidst the continuing negligence by the authorities.

Husain Barakat

Among the individuals who were infected was Husain Barakat, a political prisoner in Jau prison, who passed away on 9 June, 2021, after contracting COVID-19. He was convicted in a mass trial on 15 May 2018 for allegedly belonging to a terror cell known as the ‘Zulfikar Brigades.’ Husain was stripped of his citizenship and imprisoned in Jau prison. Husain’s citizenship was later reinstated by Royal Decree. The Working Group on Arbitrary Detention had previously found that his detention was arbitrary, since international standards of a fair trial were not met and he faced severe fair trial violations resulting in his conviction.

Husain had received two doses of the Sinopharm vaccine; however, following the outbreak in late May, he tested positive for coronavirus. His health situation deteriorated, and he was transferred from Jau Prison to Salmaniya hospital, where he was placed on a ventilator in an Intensive Care Unit. Unfortunately, a few days later, on 9 June 2021, Husain passed away. Had authorities taken proper and adequate measures to prevent the outbreak, his death may have been avoided.

Abbas Mallalah

According to Mahmoud Issa, a fellow prisoner, Abbas Mallalah, woke up around midnight thinking that he was suffering from heartburn. He entered the bathroom for three to four minutes, but fainted upon leaving. His cellmates began calling for the police forces and banging on the doors in order to get their attention. At first, the officers did not respond to the cries for help, but finally two police officers arrived. However, these officers stated that they needed the permission from a superior officer before removing him from the cell. This prompted Abbas' colleagues to continue knocking on their doors for 10 minutes requesting for an ambulance to be called, until an officer opened the door to tell them that he did not know what to do. Abbas was not taken to the hospital until 1:30 A.M., which means that the guards took 45 minutes to call an ambulance. The officers told prisoners that Abbas's condition was stable and he was at the Salmaniya Hospital. However, he passed away from apparent cardiac arrest on 6 April 2011. His death amidst the pandemic, however, caused protests by prisoners and their families who feared for their loved ones amidst the COVID-19 pandemic.

Hasan AbdulNabi Mansoor

Another prisoner, Hasan AbdulNabi Mansoor, who was summoned to al-Hooraa Police Station on 7 July 2021, was arrested and was not given a reason for the arrest. He was convicted in absentia and sentenced to three months in prison on drug-related charges. At the time of his arrest, he was unfit to begin his sentence and was instead taken to the hospital. He was transferred from the Salmaniya Medical Complex on 14 July 2021 to Dry Dock Prison. Despite being eligible for an alternative sentence and suffering from serious health conditions, Hasan was not given an alternative sentence. He suffered from severe sickle cell disease, leaving him vulnerable to a COVID-19 infection, and was not given his prescribed medications during his imprisonment for five days from 14 July 2021 until he was transferred to hospital on 19 July 2021. The prison authorities also failed to order his admission to the prison clinic in a timely manner, despite Hasan's repeated requests, which may have exacerbated his deteriorating health. He was sent to the Dry Dock Prison Clinic on 19 July, the day of Eid Al-Adha, before being returned to Salmaniya Medical Complex on the same day, where he later died on 25 July 2021.

Vaccination ambiguity

Misinformation spread by Bahraini authorities was not only limited to COVID-19 infections, but also to the administration of vaccines to prisoners. On 25 March 2021, the Ministry of Interior claimed that all prisoners who registered for vaccination received their indicated choice. However, the Ministry did not support these claims by posting any information regarding the number of prisoners who received the vaccine. Further, one prisoner that attempted to choose the AstraZeneca vaccine was instead offered Sinopharm, which he refused. Moreover, they did not publish updates related to the vaccination of prison officers who come into contact with prisoners, which are

believed to have been one of the main factors contributing to the transmission of infection among prisoners.

Continuing religious discrimination

Ashura is a time of mourning and remembrance for the Shia Muslims. In Bahrain, its observance serves as both a symbol of their religion and a marker of their religious freedom. However, in the first year of the pandemic in 2020, Bahraini authorities have continued the systematic discrimination against the Shia citizens by curtailing their freedom of religious observation, citing COVID-19 as an excuse. This follows similar anti-Shia discrimination that occurred in the past. On 8 August 2020, in a voice recording broadcasted from prison, the human rights activist Naji Fateel stated that he, along with around 500 other political prisoners in Buildings 13 and 14 of Jau Prison, would be going on a hunger strike starting 9 August to protest the administration's ban on religious rituals under the pretext of COVID-19, in particular because Ashura was drawing closer. The next day, on 10 August, Fateel and five other prisoners were transferred to Building 15 as a form of punishment for mobilizing the other inmates. Isolated in Building 15, the six men were unable to perform religious rituals, a deprivation which constitutes a direct violation of their human rights. On 27 August, the ninth day of Muharram and one day before Ashura, an altercation occurred between a prisoner named Al-Wazir and a Yemeni officer, on account of the latter's provocation and insults. As a result of the incident, Al-Wazir and Sheikh Abbas were both transferred to solitary confinement, the former for the altercation, and the latter for allegedly inciting Al-Wazir after prison administration confiscated the Sheikh's prayer books. This rendered both men completely unable to perform Ashura rites.

In some prison buildings, inmates were completely prohibited from collective worship and had their religious books confiscated. They were also prohibited from making phone calls in retaliation for practicing their religious rituals on Ashura, in addition to being barred from watching Ashura ceremonies on television. Despite this, the National Institute for Human Rights, the national institution that looks into the violations in detention centers and prisons, insisted that inmates freely practiced religious rituals during Muharram, as guaranteed by international standards, and officials claimed that they had visited prisons to examine the situation. ADHRB had raised a complaint to the Special Rapporteur on Freedom of Religion or Belief in order to express its concern regarding the religious repression practiced by Bahraini authorities under the guise of COVID-19 measures.

Other GCC countries

The authoritarian nature of the Gulf countries justifies the similar situation in all the states. Government response to the pandemic was accompanied by continuing crackdown on political prisoners.

Saudi Arabia

Saudi Arabia's efforts to restrict the flow of information out of the country are much more effective than those of Bahrain. Saudi prison officials are more capable in interdicting information that would come from the prisons, the Saudi government is faster and more efficient in stopping family visits that might leak information, and Saudi police agencies are more aggressive in attacking families that would leak information to human rights organizations. As a result, the information on how the Saudi prison system dealt with the pandemic is less complete than it is in Bahrain.

Similar to Bahrain, Saudi Arabia used the pandemic as an excuse to continue its systematic violations against political prisoners to silence them. Muhammad Bin Alawi Bin Jaafar AlShakhoori, a 34-year-old Saudi activist in the 2011 democratic movement in Qatif, was arrested in 2017 and endured various violations including forced disappearance, torture, and being prevented from calling his family or receiving visits. After he was transferred to Al-Ha'ir prison in Riyadh, there was no news about him for some time, and then he was allowed to receive visits regularly until before the spread of the Corona pandemic in the country. At that point, the Saudi government took advantage of the epidemic to prevent visits and even to prevent contact for a period ranging from three to six months, after which the visits were restricted to only three people, excluding his parents, under the pretext of their old age.

Another prisoner also faced similar restriction under the pretext of COVID-19. Husain Bin Abdulla Bin Yusuf AlSadeq, a 47-year-old Saudi social activist who is currently arbitrarily detained in Saudi Arabia, was sentenced to nine years in prison in 2018, which was reportedly increased to 13 years following an appeal in 2021. ADHRB has raised a complaint to the WGAD on his case in which the Working Group found his detention to be arbitrary under categories I, II, III, and V. In the opinion, the Working Group called for his immediate release particularly in the current context of the global COVID-19 pandemic and the threat that it poses in places of detention. The Working Group also noted they were disturbed at the allegations that Husain's family was not informed of his arrest and subsequently was allowed very limited contact with him, allegedly due to COVID-19 restrictions.

Another case in which Saudi Arabia used COVID-19 restrictions to cut off prisoners from their rights to call and contact their families was the case of Sadeq Majeed Thamer and Jaafar Mohamed Sultan, two Bahraini nationals who were recently sentenced to death in Saudi Arabia in October 2021. The two individuals were arbitrarily arrested, tortured, and placed in solitary confinement.

Both individuals reported that visits stopped at the start of the pandemic. Three experts from UN special procedure offices sent allegation letters to the Saudi government regarding the case of the two individuals. Their case was brought to the attention of the Saudi Government in an urgent appeal dated 26 January 2022. Prior to his, four experts also sent a letter to the United Nations regarding their situation.

Amnesty International also called for the release of Dr. Abdullah al-Hamid, a political prisoner who remains detained despite being in coma and in critical condition, amidst the ongoing pandemic. Despite this call, Saudi authorities ignored this call. Unfortunately, on 24 April 2020, Dr. Abdullah passed away under detention. All these cases demonstrate how Saudi Arabian authorities, like the Bahraini counterparts, continued to crackdown on political prisoners even in a health crisis.

United Arab Emirates

Similar to Saudi Arabia, UAE authorities are also far more effective in controlling the flow of information out of the country, especially as it relates to the human rights situation. Nevertheless, ADHRB was able to find information that found the UAE behaving similarly to other GCC countries in dealing with the pandemic in its prisons. The UAE also had similar experiences with political prisoners.

On 16 April 2020, the first case of COVID-19 was reported in Al-Wathba prison, and, by June, over 110 inmates tested positive. In June 2020, the Human Rights Watch reported that there were COVID-19 outbreaks in at least three detention facilities in the UAE. Symptoms and positive cases were recorded amidst, while many reported that the authorities continued to practice medical negligence. Prisoners, including those with chronic diseases, were denied adequate medical care. Moreover, authorities ignored the recommended hygiene practices and social distancing conditions amidst the overcrowding and unsanitary conditions that remained persistent in prisons. Authorities also reportedly did not provide information to prisoners and their families about the apparent outbreaks or precautionary measures. Several family members said they were not able to contact their imprisoned relatives for weeks. At the start of the outbreak, many prisoners who were exhibiting symptoms were transferred to unknown locations without getting tested and without being provided with the necessary medical care. On 12 June 2020, several human rights groups in the MENA region submitted an urgent appeal to the UN Special Rapporteur on health, regarding the situation of outbreak on Emirati prisons.

One of the prominent cases of political prisoners that ADHRB has documented was human rights defender and lawyer Dr. Mohammed Al-Roken. He was arrested and sentenced to 10 years imprisonment, with additional administrative control measures, in an unfair trial and forbidden from practicing his profession as a lawyer. His enforced disappearance, torture, and ill-treatment was never investigated. On 22 November 2013, the Working Group on Arbitrary Detention issued

a statement confirming the arbitrary nature of the detention of Dr. Mohamed. On 10 December 2020, internationally celebrated as Human Rights Day, the International Center for Justice and Human Rights (ICJHR), in conjunction with a coalition of 8 NGOs, including ADHRB, called on the UAE authorities to immediately release him. The government refused to do so, and continued Dr. Mohammed's detention despite the health situation. The Emirati government also extended the imprisonment of human right defenders and activists who were supposed to be released in July 2019. Despite the COVID-19 crisis, the authorities still refused to release them. In April 2020, many organizations expressed their concern and demanded their immediate release. This again demonstrates the same pattern which had been seen in Bahrain and Saudi Arabia, in which authorities use COVID-19 measures to continue their repressive policies.

Recommendations

GCC governments used COVID-19 measures to continue their unjustifiable crackdown and constant harassment of political prisoners. Through denying them their basic rights to medical care, rights to call and receive visits, and rights to go outside, all under the pretext of COVID-19, demonstrate their intentions. As a result, ADHRB calls on the GCC governments to:

- Unconditionally release all political prisoners, especially the elderly and those with tuberculosis and incurable diseases, who suffer from health complications that could be exacerbated by further disease outbreaks;
- Provide necessary and appropriate medical care for all prisoners, in addition to ensuring that prisons meet the minimum standards of healthcare required;
- Render transparent any information from the MOH, MOI, and internal human rights institutions related to medical conditions within prisons;
- Ensure that international organizations and entities, including the ICRC and UN special procedure offices, are allowed to visit these countries and prison facilities to conduct their reports regarding the situation, as well as to meet with civil society organizations and the families of prisoners.

International community

The international community should take immediate steps to pressure the GCC governments to end these practices, which are not only related to the pandemic. Political, economic, diplomatic, and financial pressure should be unanimous, and done to such a degree in which it forces the governments to abide by these standards. This pressure can also amount into the sanctions if the governments refuse to comply. As long as countries continue to turn a blind eye to the practices committed, authoritarian governments would find little incentive to change. So, countries should demand that all political prisoners be released and end the persecution of opposition leaders and

activists. Moreover, the international community should also call on the GCC governments to provide prisoners with their basic rights and end the violations, including medical negligence.

In terms of the pandemic, it is fundamental that the international community sets clear and binding guidelines that dictate the treatment of prisoners. Here, an international convention or treaty should be institutionalized in which its provisions outline the treatment to which prisoners are entitled. The Nelson Mandela Rules provide a great basis which could be relied on. It is fundamental that this treaty respects the basic rights of prisoners during pandemics, including ensuring a maximum concentration of inmates in one room, providing access to communication resources, and guaranteeing that they are allowed to go outside at least one a day in an organized manner. In addition, it should be stipulated that it is of utmost importance and a binding obligation for prison authorities to maintain a hygienic and proper environment in prisons during pandemics through institutionalizing. These policies would help create the international pressure and consensus necessary to save lives in the eventuality that another pandemic comes to pass.