

BAHRAIN

Human rights conditions in Bahrain deteriorated sharply in the latter half of 2010. Starting in mid-August authorities detained an estimated 250 persons, including nonviolent critics of the government, and shut down websites and publications of legal opposition political societies.

Authorities detained 25 of the most prominent opposition activists and accused many of them of “spreading false information” and “meeting with outside organizations.” Some rights activists were among those held and allegedly tortured. Authorities prevented detainees from meeting with their lawyers prior to the first session of their trial, and allowed only extremely brief meetings with some family members.

This crackdown came after months of street protests, which often involved burning tires and throwing stones and Molotov cocktails. Among the first people arrested were activists who had just participated in a public meeting in London where they criticized Bahrain’s human rights record.

The main exception to these dismal human rights developments involved improved protections for migrant workers.

Torture and Ill-Treatment

Almost all of the 25 prominent activists—whose trial began on October 28—told the court, some in considerable detail, that they had been subjected to torture. Lawyers able to attend the public prosecutor’s pretrial interrogations of clients said that in some cases they observed marks and wounds that appeared consistent with the allegations.

A Human Rights Watch report released in February 2010 concluded that in the 2007-2009 period, the authorities regularly resorted to torture and ill-treatment when interrogating security suspects. Officials denied these findings, but apparently conducted no criminal investigations and ordered no disciplinary measures against alleged perpetrators.

On March 28 an appellate court convicted 19 men of the murder of a security officer, overturning their acquittal by a lower court in October 2009. The lower court judge determined that there was no evidence linking them to the crimes other than confessions that appeared to have been coerced.

Counterterrorism Measures

The government charged at least 23 of those detained in August and September under Law 58/2006, Protecting Society from Terrorist Acts, which allows for extended periods of detention without charge or judicial review. The United Nations special rapporteur on human rights and counterterrorism has criticized the law's broad definitions of terrorism.

Freedom of Expression

In September the Information Affairs Authority blocked websites and blogs associated with the opposition. On state-run Bahrain TV on September 20 Abdullah Yateem, the general director of press and publications at the authority, said that websites and bloggers had committed 12 crimes, and he specifically mentioned: offending the person of King Hamad bin Isa Al Khalifa, incitement to overthrow the government, publishing information about bomb-making, and slander and defamation. Yateem also banned publication of the newsletters of several opposition political societies, which are political groups the government allows, unlike other opposition groups that have no legal status.

On September 4 Ali Abdelemam, whose popular Bahrain online blog carried information about human rights developments, responded to a summons to appear at the headquarters of the National Security Agency, a body that operates outside the criminal justice system and reports directly to King Hamad. Authorities refused his request to contact a lawyer, even at his formal interrogation. At the opening session of the October 28 trial of 25 prominent activists, Abdulemam said he was subjected to torture and degrading treatment.

Municipal officials ordered one Waad Party candidate in the National Assembly election scheduled for October 23 to remove billboards with the slogan "Enough to Corruption," saying it was "a breach of the law" but not indicating which law. A

court ruled on October 4 that the banners did not violate the law, but the government appealed.

The Ministry of Information suspended the satellite station Al Jazeera on May 18, the day after the channel broadcast a feature about poverty in Bahrain. On July 2, police summoned for questioning two volunteers with the Bahrain Women's Association who had spoken with Al Jazeera about challenges they face being married to non-Bahrainis.

On August 16, 2010, *Al-Wasat*, Bahrain's one independent newspaper, reported that the minister of information suspended its online audio reports. The suspension came after several of the reports featured persons alleging mistreatment of inmates in Jaw prison.

Freedom of Association

In April the minister of social development denied the request of the Bahrain Human Rights Society to hold a monitoring workshop for human rights defenders in the Gulf region, saying it would violate the association law, which prohibits organizations from involvement in political activities. The ministry subsequently allowed the workshop to take place in late May.

In August the ministry wrote to the Migrant Workers' Protection Society saying that the society's shelter was not legally registered and would have to close. This followed an incident in which a migrant domestic worker fled to the shelter from the home of a high ministry official, claiming she had been abused. The society responded by providing a copy of the government's 2005 authorization of the shelter, noting that in previous years the ministry had donated funds to support the shelter.

The government continues to deny legal status to the Bahrain Center for Human Rights (BCHR), which it ordered dissolved in 2004 after the group's then-president criticized the prime minister for corruption and human rights violations.

On April 5 Bahrain's Lower Criminal Court fined Mohammad al-Maskati, president of the Bahrain Youth Human Rights Society (BYHRS), BD500 (US\$ 1,325) for operating an unregistered NGO. The BYHRS attempted in 2005 to register with the

Ministry of Social Development, as required by law, but received no response to its application.

Human Rights Defenders

Those detained in the wave of arrests in August and September and allegedly tortured included Abd al-Ghani al-Khanjar, spokesperson for the National Committee for the Victims of Torture, and Muhammad Saeed al-Sahlawi, a BCHR board member.

On September 1 the pro-government daily *Al Watan* featured a front-page article alleging that BCHR president Nabeel Rajab and former president Abd al-Hadi al-Khawaja were linked to a “terrorist network” responsible for arson attacks and plotting sabotage. A similar article appeared on the official Bahrain News Agency website on September 4, but was removed the following day.

On September 6 Salman Kamaledin resigned as the head of the newly established official National Institution for Human Rights to protest the institution’s failure to criticize the recent arrests.

On September 8—after the Bahrain Human Rights Society (BHRS) criticized the widespread arrests and alleged torture of detainees—the Ministry of Social Development dismissed Abdullah al-Dirazi, the group’s secretary general, dissolved the group’s board of directors, and appointed a ministry official as “interim director.” The minister accused the organization of “only serving one segment of society,” communicating with illegal organizations, and conducting “secret training” of regional rights defenders, referring to the May workshops that the ministry expressly approved and that were well publicized at the time. The BHRS had been the main Bahraini organization permitted to monitor parliamentary elections scheduled for October 23; the government refused to allow international observers.

Migrant Worker Rights

Over 460,000 migrant workers, primarily from South Asia, work in Bahrain. Many experience prolonged periods of withheld wages, passport confiscation, unsafe

housing, excessive work hours and physical abuse. Government redress mechanisms remained largely ineffective.

In August 2009 Bahrain adopted Decision 79/2009 allowing workers to change jobs more freely. The reform does not apply to domestic workers and many workers remain unaware that they have the right to change employment freely.

A draft labor law circulated in May 2010 extends some rights to domestic workers, including annual vacation and end-of-term pay, but still excludes them from provisions mandating maximum work hours and days off. The law also creates a new “case management” mechanism to ensure the adjudication of labor complaints within two months, potentially making litigation a more viable option for migrant workers seeking redress for abuses.

Women’s Rights

Bahrain’s first written personal status law (Law 19/2009), adopted in 2009, applies only to Sunnis. Shia religious leaders demand a constitutional guarantee that, should a separate personal status law be passed for Shias, parliament will not be able to amend any provision of the law. Women’s groups favor a unified law for all citizens in part because Sharia court judges—generally conservative religious scholars with limited formal legal training—decide marriage, divorce, custody, and inheritance cases according to their own individual readings of Islamic jurisprudence, which consistently favor men. It remains unclear to what extent codification has alleviated these problems for Sunni women.

Key International Actors

Bahrain hosts the headquarters of the United States Navy’s Fifth Fleet and provides logistical support for military operations in Iraq and Afghanistan, and the US provides military aid to Bahrain. The US initially did not publicly criticize the government’s crackdown on civil society or other serious abuses; on October 31 Secretary of State Hillary Clinton issued a statement congratulating Bahrain for its recent parliamentary election, but also expressing concern about “efforts in the lead-up to the elections to restrict freedom of expression and association targeted at civil society.”

British officials expressed little concern publicly about the sharp deterioration of human rights conditions. One of the activists arrested in August, Jaffar al-Hasabi, is a dual national, and it reportedly took a phone call from British Foreign Secretary William Hague to Bahrain's crown prince before a British consular visit to al-Hasabi was permitted, about a month after his arrest. Bahrain publicly called on the United Kingdom to investigate and prosecute or extradite two of those indicted in the alleged terrorism case whom reside in London. The UK responded that it would investigate if Bahrain provided evidence of criminal activity. At this writing, Bahrain has provided no such evidence.