


Bahrain: A Deepening Spiral of Repression



Designed by : 



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Who we are:

SALAM for Democracy and Human Rights (SALAM DHR) is an NGO that endeavours to preserve universal principles of dignity and respect by shielding democracy and human rights.

In the pursuit of this vision, SALAM DHR aims to influence British, European and UN representatives to improve the situation in the Middle East, and foster awareness of human rights and democracy.

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Executive Summary

This annual report sets out the main human rights related developments in Bahrain throughout 2018.

During the period under review, the Bahraini authorities committed widespread human rights violations and utilised a wide range of repressive tactics against citizens in Bahrain and those residents abroad. These include, but are not limited to:

- The arbitrary arrest, prosecution and imprisonment of those exercising their right to freedom of expression, association and assembly
- Forms of harassment and restrictions placed upon those exercising these rights, including travel bans
- Citizenship revocations, rendering hundreds of individuals stateless
- The imposition of the death penalty for acts which are not characterised as the most serious, such as those which have lethal consequences
- Torture and ill-treatment in prisons and detention centres

Sharp overall spike in human rights violations in 2018:

- 298 Bahrainis were stripped of their nationality in 2018. This is almost double the number throughout 2017, when 156 citizenships were revoked, and marks the largest number in one year since the practise became heavily used in 2012
- 26 death sentences were issued or upheld in 2018 (five later changed to life), some of which were handed down for terrorism-related offenses. This is over double the number in 2017, when 12 were issued, and from when the Bahraini authorities resumed the practise of executions. There are currently 24 on death row, all at risk of execution

Other violations were marked by their wider significance:

- In November the Bahrain Appeal Court unfairly sentenced prominent political leader, Sheikh Ali Salman, to life imprisonment, rejecting his earlier acquittal.

-On 31 December, the Court of Cassation, the highest court in Bahrain, upheld the earlier, unlawful five-year sentence against Bahrain's leading human rights defender Nabeel Rajab.

-Bahraini officials continued to carry out torture and ill treatment against the many members of Bahraini civil society now unjustly behind bars, including Bahraini civil society now unjustly behind bars, including human rights activists, political opposition figures, journalists and religious clerics. Political prisoners are subjected to physical and psychological assaults, as well as the denial of urgent medical care in Jau Prison, Dry Dock Detention Centre, and Isa Town Women's Detention Centre, among others.

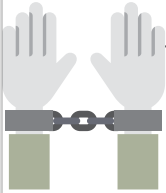
The parliamentary elections which took place in November shone a light on the increasingly restricted space for civil society in Bahrain and the exclusion of the political opposition:

-Following the forced closure of Bahrain's two main political parties over the past two years, an amendment ratified in June banned anyone belonging to these parties from running for political office, as well as individuals who had been convicted to a jail sentence of over six months. These arbitrary and unfair conditions restricted almost all opposition figures from standing for election.

-Furthermore, the run up to the election witnessed various forms of intimidation, including summons, arrests and hate speech, and the election itself was marked by severe irregularities, including an unfair electoral infrastructure

Infographics: Executive Summary

Repressive tactics against citizens in Bahrain and those residents abroad:



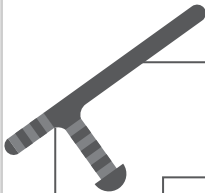
Arbitrary Arrest

Citizenship Revocations



Travel Bans

Death Penalty



Torture and ill-treatment

Other violations were marked by their wider significance:

Life imprisonment to Sheikh Ali Salman



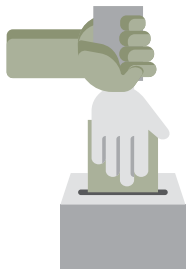
Unlawful five-year sentence against Nabeel Rajab

Bahraini civil society members unjustly behind bars



Parliamentary elections shone a light on the restricted space for civil society and the exclusion of the political opposition:

Forced Election



Political Isolation



Background

In sum, Bahrain witnessed a deteriorating human rights situation in 2018: a continuation of repression that has been ongoing since 2011, and which has been particularly severe since June 2016.

Despite this repression, the regime shamelessly promotes itself as a country on the path towards reform and improved human rights compliance. It points to the various oversight bodies that were established following widespread unrest in 2011, including a police Ombudsman's office, a Special Investigations Unit and a Prisoners and Detainees' Rights Commission. Yet, the decisions and actions taken in almost every case brought to these state-lead bodies have underscored their lack of independence. The authorities cite its question-free, three-year membership of the Human Rights Council, from October 2018; and the holding of the grossly unfair 2018 parliamentary elections as indicative of its commitment to democracy and human rights.

As this report, and indeed countless others have shown, this perception is far from the reality. Despite the persistent and increasing concerns of international human rights NGOs and intergovernmental human rights bodies, as well as the strength of transnational advocacy networks (TANs) working on Bahrain in bringing these issues to light, the government has overseen a marked deterioration in the human rights situation in Bahrain year upon year.

This deterioration stems from the coercive state apparatus and the continuation of authoritarian governance, the use of sectarian and security-based policies, and - crucially - the external support that the regime enjoys in the form of regional and international allies. Internationally, the Bahraini regime has a particularly close relationship with the US, hosting the US Navy's Fifth Fleet, as well as the UK, being a former British protectorate and hosting their recently established naval base HMS Juffair, which opened in April 2018. Such relationships, which include other countries as well, are built largely on lucrative arms deals and perceived shared security interests.

There is therefore an ability for western governments leverage this relationship to promote human rights in Bahrain. Unfortunately, rather than apply pressure on the regime to reform, such governments have largely provided support, and persist in feeding the narrative that the regime is on the right path. This is highlighted by the UK providing around £5 million of 'technical assistance' to Bahrain's oversight bodies since 2011.

Whether this is based on a genuine yet misconstrued belief in the true intentions of the government, or is merely a convenient cover to help maintain the status quo in Bahrain, the question is: in the face of flagrant and gross human rights abuses, to what point will Bahrain's allies such as the UK continue to provide such support to the regime? Will there be a tipping point, when such support becomes untenable with the reality on the ground? As this report shows, this point cannot come soon enough.

Methodology

The data in this report was largely derived from:

- First hand research, including that carried out by anonymous activists in Bahrain.
- Analysis of domestic and international law, legislation and practices well as government statements.
- Extensive, published research conducted by a number of independent, international bodies – including the United Nations Human Rights Committee and the Committee Against Torture (CAT) – and human rights NGOs such as Amnesty International, Human Rights Watch, and Bahrain Centre for Human Rights, among others and
- A variety of local and international media coverage.

Arbitrary Revocation of Citizenship in Bahrain

Over the last few years, Bahrain has intensified the use of stripping citizenship as a form of punishment. The use of this practice increased in 2018. The number of victims of the government's use of arbitrary citizenship revocation has been rapidly increasing: 90 in 2016, 156 in 2017, and 298 in 2018. At the time of writing, the government has arbitrarily revoked the citizenship of a total of 804 Bahrainis since 2012. Made stateless and deprived of even a legal entity in their homeland, many were forced into in exile.

Domestic and International Law on Citizenship

Arbitrarily rendering a person stateless is prohibited under international human rights law. Article 15 of the Universal Declaration of Human Rights (UDHR) declares that 'everyone has the right to a nationality' and that 'no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality'. Article 7 of the 1961 Convention on the Reduction of Statelessness(to which Bahrain is not a state party)also prohibits any loss of nationality which results in statelessness except in a few specific circumstances. In addition to such international treaties, the Bahraini Constitution also stipulates under Article 17 that a 'person inherently enjoying his Bahraini nationality cannot be stripped of his nationality except in case of treason', but adds the vaguely worded 'and such other cases as prescribed by law', which has paved the way to the suffering of hundreds of families.

Contrary to the most basic tenets of international law and practice in relation to nationality, Bahrain's laws are expressly designed to unfairly and arbitrarily deprive dissidents, activists, and clerics, of their national rights, by unfairly convicting them of terrorism-related offences, often for acts that are not internationally recognisable as criminal acts.

In 2014, Bahrain made amendments to the Citizenship Law of 1963. Article 10 permits the Interior Ministry, with cabinet approval, to strip the citizenship of a person who - in vaguely framed legislation – ‘aids or is involved in the service of a hostile state’ or who ‘causes harm to the interests of the Kingdom or acts in a way that contravenes his duty of loyalty to it’. In the same vein, in 2013, the Bahraini government made amendments to the Anti-Terrorism Law of 2006, empowering courts to hand down nationality revocation to the accused when convicted with ‘terrorism’ offenses.

Numerous human rights organisations have expressed deep concerns over the misuse of domestic law for the unprecedented practice of citizenship revocation in Bahrain. In November 2018, the UN Human Rights Committee expressed serious concerns in its Concluding Observations that the domestic legislation of Bahrain allows and facilitates revocation of citizenship, by using vague terms and definitions. It especially highlighted that ‘the Act on the Protection of Society from Acts of Terrorism (Act No. 58 of 2006) includes an overly broad definition of terrorism that provides too much room for interpretation’, which has been used as a legal basis for terror-related accusations.

Revocation of citizenship in Bahrain

In this context, the stripping of nationality has been an instrument for the Bahraini government to silence dissidents and activists who speak out against injustice and human rights abuses, widespread in the country. In 2015, the Interior Ministry revoked the citizenship of Sayed Ahmed Alwadaei, a prominent human rights defender, with 71 others, including activists and journalists. Most of them were accused of ‘defaming’ the image of the regime, ‘inciting’ against the regime and ‘spreading false news to hinder the rules of the constitution’. In 2016, the authorities stripped Sheikh Isa Qassim, a leading cleric, of his citizenship, having been accused of using his position to serve foreign interests’ and promoting ‘sectarianism and violence’. The Forth High Criminal Court handed down one-year imprisonment to him in May 2017.

Revocation of citizenship continued and increased in 2018. On 31 January, the Fourth High Criminal Court arbitrarily deprived 47 people of their Bahraini nationality on terrorism-related charges. On 1 February, 25 people were added to the list. On 18 April, the High Criminal Court issued prison sentences to 24 Bahraini citizens and stripped them of their nationality over terrorism-related charges. According to findings disclosed by the lawyers, six of the defendants appear to be family members of Ali Ahmed Abdulla Moumen, who was shot to death by Bahrain's security forces on 17 February 2011. On 15 May, a Bahraini court stripped other 115 defendants of their nationality during a mass trial, accusing them of 'forming a terrorist group'. This was the highest number against which the Bahraini government took such an action at one time. Seven additional defendants in October, and 34 more in November, lost their nationality. On 21 May, a court revoked the nationality of nine more people and sentenced them to between 3 and 15 years in jail. On 25 June, the Fourth High Criminal Court revoked the citizenship of other three who were found guilty of membership of the February 14 Youth Coalition.

The use of citizenship revocation as a political tool continued in the second half of the year. On 15 October, the Fourth High Criminal Court handed prison sentences to seven Bahraini nationals and revoked the citizenship of six over terrorism charges related to the bombing of an oil pipeline in the area of Buri on 10 November 2017. Two weeks later, on 30 October, the Fourth High Criminal Court sentenced 13 to life imprisonment and revoked the citizenship of 11. The number increase in November as 34 more individuals had their nationality revoked.

Consequently, from 2012 until 31 December 2018, 804 Bahrainis have been revoked of their citizenship.

The Human Cost of Citizenship Revocation

The International Covenant on Civil and Political Rights (ICCPR) states in Article 9 that ‘everyone has the right to liberty and security of person. [...] No one shall be deprived of his liberty except on such grounds and in accordance with such procedures as are established by law’. This fundamental right to liberty and security of person is no longer protected when stripped of one’s citizenship. Citizenship revocation renders individuals stateless in their own country. They can no longer enjoy their rights as citizens, including access to basic public services such as healthcare and education. It also limits their ability to be employed, to travel, drive, or own property.

One of the most brutal outcomes of this punishment, however, is the forced deportation from their country. Numerous victims of Bahrain’s arbitrary revocation of citizenship have been forcibly expelled from their home country. Between 29 January and 1 February 2018, eight people whose citizenship was revoked in 2012 – the Darwish brothers (Ismail and Ibrahim), Adnan Kamal, Habib Darwish, Muhammad Ali, Abdul Amir and Abdulnabi Almosawi and his wife Maryam Redha – were all deported to Iraq. It was not the first time the government deported those who had become stateless after its arbitrary revocation of citizenship. In March 2016, the authorities unilaterally decided the imminent expulsion of Masaud Jahromi, the former chair of the department of engineering at Ahlia University. Dr. Jahromi was among the 72 Bahrainis who were stripped of their nationality in January 2015. The exact reason for the government’s decision against him is unknown. Jawad Fairouz, former Bahraini MP and head of Salam for Democracy and Human Rights, was one of the first batch of Bahrainis stripped of their nationality in 2012. He became stateless without being informed of reasonable details about the government decision. He now lives in exile in the UK.

Death Penalty as Political Punishment

Domestic and International Law on Death Penalty

Article 6 of the ICCPR states that no one shall be arbitrarily deprived of his life, emphasising that the death penalty would be imposed only for the 'most serious crimes' involving intentional killing. It also states that the death sentence cannot be imposed without a guaranteed fair trial.

Bahraini domestic law, however, allows the authorities to impose the death penalty for crimes such as drug trafficking, deliberately obstructing funerals or memorial services, offences against property under aggravating circumstances as well as any crimes defined as having been perpetrated for the purposes of 'terrorism'.

Legal provisions have been arbitrarily interpreted to punish its citizens. For instance, Article 122 of the Criminal Code, which states that 'capital punishment shall be handed down to any person who spies for a foreign country or communicates therewith or with any person acting on its behalf to carry out hostile actions against the State of Bahrain', contains broad and vague definitions. These endanger activists and dissidents. In addition, while a defendant sentenced to death may be entitled to an appeal to a higher court within 30 days, those who are convicted of offenses against internal security do not have the right to appeal.

Increasing number of Death Sentences

On 12 January, the Military Court sentenced six people to death. The six men include Sayed Alawi Hussain al-Alawi, Fadhel Sayed Abbas Hasan Radhi, Mohammed Abdulhassan Ahmed al-Mighawi, and a soldier Mubarak Adel Mubarak Mhanna, as well as two other people who were tried in their absence. It was followed by the confirmation of the conviction against a death row detainee, Maher Abbas al-Khabbaz, on 29 January.

In addition, on 31 January, the Fourth High Criminal Court sentenced Ali Mohamed Hakeem al-Arab and Ahmad al-Malali to death, convicting them on charges including 'forming and joining a 'terrorist' group'. There are credible reports that Ali Mohamed Hakeem al-Arab was tortured at the Criminal Investigation Directorate and forced to 'confess', and that he was tortured again when he was transferred to Dry Dock detention centre and to Jau Prison following his sentence.

On 1 February, the Fourth High Criminal Court issued a death sentence against Moosa Abdallah Moosa, who was accused of killing a police officer in Abu-Saiba in 2015.

On 25 April, the Military Court of Cassation rejected the final appeal of seven defendants – one soldier and six civilians. Four of the defendants, civilians Fadhel Al Sayed Abbas Hassan Radhi, Sayed Alawi Husain Alawi Husain, and Mohamed Abdulhasan Ahmed Kadhem al-Mutaghawi, and soldier Mubarak Adel Mubarak Mahanna, were sentenced to death on the charges of 'having intentions to target the general commander of the Bahrain Defense Force'.

Furthermore, on 12 November 2018, the Fourth High Criminal Court handed down the death sentence to four nationals – Hussain Abdullah Marhoon Rashid, Sayed Mohammed Qassim Mohammed Hassan Fadhel, Hussain Ali Ahmed Dawood, and Ahmed Mohammed Ali Mahdi Ibrahim Zain Al Deen, for terrorism-related offenses, in relation to the death of a police officer due to a blast of a police car in the village of al-Duraz on 18 June 2017. On 29 November, the Court issued the same sentence against another two defendants – Zuhair Ibrahim Jassem and Muhammad Mahdi – also for alleged terrorism-related charges.

Bahrain resumed the use of executions in 2017 after a seven-year absence. On 9 January 2017, the Bahraini authorities upheld the death sentence against three activists – Sami Mushaima, Abbas Al-Samea, and Ali Abdulshaheed Al-Singace – who had been arrested in 2014 and were later convicted of killing three policemen in a bombing inci-

dent. After exhausting all legal procedures, on 15 January, the three individuals were immediately executed. It was the first executions of Bahraini nationals since 1996, although the victims were technically stateless after being stripped of their citizenship. In 2017 alone, Bahrain handed down 15 death sentences, out of 32 since 2011. It was 'the highest number in a single year since the modern courts were established in Bahrain in 1923'.

The number of those sentenced to death increased again in 2018, as 21 sentences were reported. Cases in 2018 underline the fact that the sentences are often highly politicised.

The vast majority of 21 death sentences issued in 2018 involved political issues (public right), with only a small minority (four) involving criminal cases (private right). A total of 24 Bahrainis are currently facing the death penalty.

Coerced Confessions and Unfair Trials

In November 2018, the UN Human Rights Committee expressed deep concern that most death sentences in Bahrain have been imposed on the basis of confessions obtained under duress or torture or in the context of trials that did not meet the standards of Article 14 of the ICCPR. Article 14 of the ICCPR protects rights to a fair trial without any external pressure and any form of political interference. As the UN Human Rights Committee (UNHRC) has been concerned, however, the judiciary in Bahrain is 'neither fully independent nor impartial'. Judges are appointed by royal order and some of them are subject to renewable employment contract which hinders the independence of the judiciary. A series of recent verdicts against activists and political leaders indicates a political bias of courts and judges.

Hussain Abdullah Marhoon Rashid, one of the defendants handed down the death penalty in November 2018, claimed that the authorities secured his 'confession' under torture. None of relevant authorities investigated the case, including the Ombudsman's office.

All others sentenced to death, including those three who were executed in January 2017, reported that they were subject to similar mistreatment and acts of torture – such as blindfolding, long periods of forced standing, electrocution, and sleep deprivation – during interrogation.

On 25 December 2017, the Supreme Military Court issued a death sentence to 6 civilians, charging them of forming a terrorist cell. The defendants were given the verdicts after a mass unfair trial, while 2 were tried in absentia. The King commuted the sentence of four of them on 26 April 2018, as mentioned earlier, but unfair trials that lead to arbitrary death sentence remain in question.

Use of Torture and Ill-Treatment in Detention

Article 5 of the UDHR and Article 7 of the ICCPR clearly mention that ‘no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment’. Despite Bahrain’s ratification of the international treaties and expressing its commitment to fight against torture during the government-led Bahrain Independent Commission of Inquiry (BICI) investigation in 2011, ‘there continue to be numerous and consistent allegations of widespread torture and ill-treatment’ as the UN Committee against Torture pointed out in May 2017.

The Bahraini security authorities have continued to use torture to extract false ‘confessions’. This is a grave violation of the Convention against Torture (CAT) which Bahrain has ratified and which prohibits the use of torture ‘for such purposes as obtaining from him or a third person, information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed’. In November 2018, the UN Human Rights Committee expressed deep concern about ongoing acts of torture and ill-treatment committed by Bahraini law enforcement officials, especially in Jau Prison, as well as the lack of investigation carried out on the alleged cases of torture and ill-treatment.

Enforced Disappearance

Bahrain’s security authorities continue to use the crime of enforced disappearance as a method to spread terror among members of society, to suppress activities and to intimidate people from claiming their rights and to exert political pressure on opposition forces, activists, and citizens.

The forcibly disappeared person loses the most basic civil rights: the absence of a lawyer, the violation of the Standard Minimum Rules for the Treatment of Prisoners and the violation of fair trial guarantees. Victims are subjected to torture and ill-treatment and the ‘Community

Protection Act against Terrorist Acts', which gives power to the criminal security officer at the National Security Agency. The disappeared victim is held in detention by a security official of the Ministry of the Interior or the National Security Agency.

The victims cannot contact their families and their families do not know where the victims are or whether they are alive or dead. In most cases the police stations and the headquarters of the Bahraini intelligence in Adliya and the National Security Agency deny the presence of the victims and they refuse to disclose their whereabouts. This is an illegal practice, banned under international customary law. That is, a state need not even be a state party to human rights conventions as the international community deems its practice unacceptable in all instances. It violates Article 61 of Bahraini Law No. 46 for the year 2002. It states that imprisonment shall be only be by order of the competent authorities and that implementation will only be in a manner that preserves human dignity, and that the person may not be harmed physically or morally.

Zakeya Albarboori and Fatema Dawood Juma are female activists who are examples of this practice. The authorities arrested them on 17 May 2018 for 'terrorist activities', then subjecting them to enforced disappearance for two weeks.

Sayed Alawi Hussein, Fadhil Abbas, Mohamed Almutaghwi and Mubarak Mehanna were subjected to enforced disappearance for nearly a year. The family of Alawi submitted complaints to the Ombudsman of the Ministry of the Interior and the Special Investigation Unit of the Office of the Prosecutor. On 11 September 2017, Ombudsman submitted a response to the progress of the investigation, stating that Alawi 'transferred responsibility to another authority outside the jurisdiction of the Ombudsman'. On 22 October 2017, Alawi and three others were held under military detention and they faced charges relating to terrorism. Military courts tried them under the Terrorism Act and interrogators extracted their 'confessions' under brutal torture. They were sentenced to death, and the Military Court

of Cassation upheld these sentences for the defendants named until the King of Bahrain, Hamad bin Isa al-Khalifa commuted the death sentence to life imprisonment.

Children in Bahrain are also subjected to enforced disappearance. For example, Sadiq Jaafar al-Sammak, a child from A'ali village was 'disappeared' for 42 days from the date of his detention on 5 October 2017. On 8 November 2017, the authorities arrested Muhsin Abdullah Al-Aali from Buri village and subjecting him to enforced disappearance for 8 days. This practice is also a violation of the Convention on the Rights of the Child.

Systematic Torture and Ill-treatment in Prison and Detention Centres

Numerous detainees and prisoners have been physically assaulted by police officers and prison guards. The Criminal Investigations Directorate (CID) and Jau Prison have been at the centre of coercive interrogations and human rights abuses. In March 2017, Muhammad Sahwan, a victim of severe torture, died of heart failure in Jau Prison. The authorities had denied him proper medical support, and he died of sudden cardiac arrest.

There is also a strong allegation that the authorities forced three executed Bahrainis in January 2017, Sami Mushaima, Abbas Al-Samea, and Ali Abdulshaheed Al-Singace, to make false confessions by the use of torture. According to Reprieve and Bahrain Institute for Rights and Democracy (BIRD) in their joint report, officials arrested Abbas al-Samea, a school teacher, after a bombing in al-Daih occurred on 3 March 2014. Officials brought him to the Criminal Investigations Directorate (CID) headquarters. There, officials blindfolded and beat him and subjected him to electric shocks – until he signed a false 'confession'. Sami Mushaima, another accused in the al-Daih bombing case, was also subject to severe torture in CID and the Riffa police station. He was kept in solitary confinement for at least 25 days and tortured to the extent that he lost the ability to walk normally. He never received proper medical treatment. Their co-defendant, Ali

al-Singace was only 19 years old when he was arrested, one year after the bombing in al-Daih. He had already been sentenced to death in absentia, but was also severely tortured by CID officers and guards at Jau Prison.

Throughout March 2018, Salam for Democracy and Human Rights received 49 separate accounts about violations and torture committed by the security services, including the cases of Mohammed Al Mutghawi and Ahmad Mohsen Zainal-Deen, both of whom were sentenced to death. Fadhil Mohammed Jaafar, Anwar Abdul Aziz Mushaima, Muhammad Abdullah Mahroos, Adel Ahmed Saleh and Hassan Muhammad Taqi were also subjected to torture and severe beatings to the head. They were blindfolded for six days and kept in incommunicado detention. Officials tortured many of these detainees to extract confessions.

At least 31 other detainees, including those sentenced to death, were subjected to ill-treatment like solitary confinement and restriction of movement, direct exposure to sunlight for 12 hours, and confiscation of their personal items from the prison cells. A number of them were denied contact with their families and held in solitary confinement. Khalil Al Saffar from Bilad Al Qadeem was also deprived from participating in the funeral of his grandmother. Violations by the security services responsible for prison administration in Bahrain continued to deprive nine detainees, including Fawziya Mashallah, of treatment and health care. Security services responsible for prison administration in Bahrain continued to deprive adequate medical care to nine people including Fawziya Mashallah, the oldest female political prisoner, each of whom was unfairly detained or convicted in previous years.

On 11 March, Fawzeya Mashaalla Haji, a 56-year-old detainee, who was arrested in December 2017 on charge of harbouring a fugitive, fainted while in custody due to a pre-existing medical condition. Officials transferred her to the clinic at the Ministry of Interior facility known as al-Qalaa. They provided basic treatment then transferred

her back to jail after only a few hours. On 22 May she lost consciousness again, reportedly due to a drop in her blood sugar level. Medications she had been taking prior to incarceration were denied to her in detention.

On 4 April, Nabeel Rajab was briefly transferred to military hospital because of severe dizziness and loss of consciousness. On 19 April, his family reported that he had not been allowed to drink for more than 24 hours in Jau Prison. He was finally given water after another inmate collapsed because of dehydration. In May, it was reported that the health of political prisoner Abduljalil Al-Singace had further deteriorated. The authorities, however, have denied him access to the medical attention he urgently requires.

In the same month, more than 50 political prisoners faced human rights violations. Four detainees were subjected to torture: officials fractured bones of Ahmed Ali Radhi from the village of Nuwaidrat in northwest Bahrain, just south of the capital, Manama, whom they also bruised over different parts of his body. In addition, 32 detainees were reportedly ill-treated in the course of April, notably by way of solitary confinement, restriction of movement and access to natural light as well as denial of access to drinking water. At the same time, others were denied access to contact with family members including for family funerals.

Between June and July, Salam DHR documented 108 cases of torture, ill-treatment and denial of medical treatment by the security officials in Bahrain. These included:

- Mohammed Issa Al A'adhab, from Al-Duraz in north-western Bahrain, imprisoned in a juvenile facility. Prison officials beat severely harassed him.
- Through repeated beating and torture, security officials fractured leg and hand bones of Ahmed Ismael from Nuwaidrat village.

-Officials severely beat Mohammed Yousef Ne'ama of Al-Duraz and Ahmed Mulla Yusuf of Abu Quwa villages.

-The authorities deprived more than 20 political prisoners of access to adequate health care, including leading public figures Sheikh Ali Salman, Sheikh Abdul Jalil al-Miqdad, Sheikh Mohammed Habib al-Miqdad, Muhammad Hassan Jawad Parweez, Hassan Mushaima, Abdul Wahab Hussein, Dr. Abdul Jalil al-Singace, Abdulhadi Al-Khawaja and other political detainees and imprisoned human rights activists.

On 1 August, Bahraini activist Ali Mushaima began a hunger strike outside the Bahrain embassy in central London, in protest against the ill-treatment of his father, Hassan Mushaima, in Jau Prison while serving his life sentence. On 11 August, an unidentified member of the Bahrain Embassy in London threw a foamy liquid from the Ambassador's balcony down onto Ali Mushaima who was peacefully protesting on the pavement below. He ended his protest on 2 October. For the first 44 days of his protest Ali was on a full hunger strike, then he resumed a full diet while continuing his sit-in outside the Bahraini embassy. His father, unfairly imprisoned Hassan Mushaima, prominent Bahraini political leader, has suffered from a series of chronic medical issues, including gout, diabetes and erratic blood pressure. He required more than 15 different medical treatments to improve his health condition, but officials denied him access to specialist medical care available only at facilities outside the prison. Only after mounting international pressure and widespread media coverage, did the Ombudsman's Office initiate an investigation into his case.

Hasan Mushaima was arbitrarily and unfairly arrested on 17 March 2011. He faced a grossly unfair trial as a result of which he was sentenced to life imprisonment in connection with his role as peaceful political opposition figure.

NajiFateel, Bahraini human rights defender and co-founder of Bahrain Youth Society for Human Rights (BYSHR), is another victim of excessive torture in Jau Prison. He was arrested on 2 May 2013, on

charges of 'planning and executing an illegal assembly' and 'rioting' in Bani Jamra on 24 January 2012. According to his recent testimony, NajiFateel has been subject to severe physical and psychological torture. He has repeatedly filed complaints of torture and ill-treatment with the Special Investigation Unit, the Public Prosecutor's Office, the Ombudsman's Office, the Prisoners' Commission, and the Attorney-General, but there has been no effective investigation. On 12 November, Fateel and fellow detained human rights defender Ali Hajji were placed in solitary confinement, and have since then been left there incommunicado at the time of writing.

On 26 March, Bahrain's Fourth High Criminal Court sentenced nine defendants, including Sayed Nizar Alwadaei, the brother in law of prominent Bahraini activist Sayed Ahmed Alwadaei, to a seven-year imprisonment for allegedly setting fire to a car owned by the Ministry of Interior with Molotov Cocktails in addition to the previous six-year sentence. This is widely perceived as a political reprisal to the Alwadaei family.

Vulnerable Female Detainees in Bahraini Prisons

Women are also face torture and harassment in prisons, increasing their vulnerability to further physical and psychological violence. On 22 March, Hajer Mansoor Hassan, detained in the Isa Town Prison, and the mother-in-law of prominent UK-based Bahraini activist Sayed Ahmed Alwadaei, the Director of Advocacy at the Bahrain Institute for Rights and Democracy (BIRD), was urgently hospitalised three days after she began a hunger strike to protest the harsh discrimination imposed upon her, possibly in connection with the activity of her son-in-law and her own peaceful, political activity. On 5 July, a Major Maryam Albardoli, the head of Isa Town Prison Centre threatened Hajer Mansoor Hassan, apparently in retaliation to the then engagement that Sayed Ahmed Alwadaei, had with the United Nations and the UK Parliament.

On 16 September, guards including the commanding officer at Isa Town women's prison physically assaulted Najah Ahmed Yusuf, Hajer

Mansoor Hassan, and Medina Ali Ahmed when they attempted to join other prisoners who gathered for Ashura, a religious ceremony. On 17 October 2018, they started a hunger strike in protest against the assault at the facility.

Najah Ahmed Yusuf was arrested in 2017 for her social media activities, criticising that the Bahrain Grand Prix (F1) had become a platform for the Bahraini government to whitewash its human rights violation. During her detention, she was beaten, groped and sexually abused. On 25 June 2018, the Fourth Criminal Court handed down three-year sentence to her. On 14 November 2018, Sacha Woodward Hill, general counsel for F1, expressed deep concerns about the Bahraini government's human rights abuse against Najah Ahmed Yusuf and the jail sentence.

On 21 February, the Bahraini High Criminal Court sentenced sisters Fatema, Eman, and Amal Ali, as well as Medina Ali in a separate trial, to three years' imprisonment for hiding fugitives. They were physically abused and threatened that they would be raped and their families would be arrested.

In September 2018, Amnesty International expressed its concern over the continued failure of the Bahraini authorities to provide adequate medical treatment to detainees.

Restrictions on the Right to Freedom of Expression

Freedom of expression is one of the most basic rights protected by a number of international laws and treaties. The UDHR stipulates in Article 19 that ‘everyone has the right to freedom of opinion and expression’, including ‘freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers’.

Bahrain, however, has deepened its criminalisation of the peaceful exercise of freedom of expression in the past decade. Vaguely framed law and regulatory limitations on acts that are not internationally recognisable as criminal have been implemented to silence activists, journalists, politicians, and religious leaders for the exercise of their right to peaceful expression. For example, an amendment to Article 364 of the Penal Code made in 2015 increased the penalty for ‘insulting parliament, security forces, judges or public interests to two years’ imprisonment, and for publicly encouraging others to defame to three years’ imprisonment’.

The Case of Nabeel Rajab

Nabeel Rajab, head of the Bahrain Centre for Human Rights, is one of the most prominent victims of the enhanced crackdown. On 15 January 2018, the Court of Cassation upheld the unfairly imposed two-year prison sentence handed down to Nabeel Rajab. Lower courts had convicted him of undermining ‘state prestige’ by spreading ‘false news’ and rumours, citing comments he made in television interviews criticising the government. In a separate case, on 21 February, the Criminal Court sentenced him to five years in prison for tweets criticising the practice of torture at Jau Prison and the Saudi-led Yemen war. On 5 June 2018, the Appeal Court; then on 31 December, the Cassation Court - the country’s highest court - upheld this unfair five-year sentence against him.

His case represents an appalling violation of the right to freedom of expression in Bahrain and a concerted attack on human rights defenders. On 29 August 2018, the UN Working Group on Arbitrary Detention (WGAD) issued its second opinion since 2013 regarding the legality of the detention of Bahraini human rights activist Nabeel Rajab. It strongly condemned the Bahraini government in the following statement:

‘The Working Group cannot help but notice that Mr. Rajab’s political views and convictions are clearly at the centre of the present case and that the authorities have displayed an attitude towards him that can only be characterised as discriminatory; indeed, he has been the target of persecution, including deprivation of liberty, for many years and there is no other explanations for this except that he is exercising his right to express such views and convictions.’

Nabeel Rajab was arrested on 13 June 2016 for his tweets, but the authorities did not initiate investigation until December 2016. On 17 July 2017, he was sentenced in absentia on charges of ‘publishing and broadcasting fake news that undermines the prestige of the state’ under article 134 of Bahrain’s Penal Code.

The international community has continued to condemn Bahrain’s persecution of Nabeel Rajab. Between 17 and 26 April 2018, the United Nations (UN) Working Group on Arbitrary Detention (WGAD) concluded that Nabeel Rajab’s ‘deprivation of liberty constitutes a violation of articles 2 and 7 of the Universal Declaration of Human Rights and articles 2 (1) and 26 of the Covenant – on the grounds of discrimination based on political or other opinion, as well as on his status as a human rights defender’.

On 13 August 2018, the WGAD issued another Opinion regarding the legality of the detention of Mr. Nabeel Rajab under international human rights law. In its second opinion, the WGAD held that the detention was not only arbitrary but also discriminatory. This statement was endorsed by 127 organisations, including Salam DHR.

Furthermore, on 14 June, the European Parliament (EP) adopted a Resolution (RC8-0281) on the human rights situation in Bahrain, notably the case of Nabeel Rajab.

On 8 October, Nabeel Rajab received a diploma for reaching the final shortlist of candidates for the Council of Europe's Václav Havel Human Rights Prize in Strasbourg, in recognition of his human rights work.

The case of Sheikh Ali Salman

On 21 June 2018, a Bahraini lower court acquitted Sheikh Ali Salman, the Secretary General of the leading political association, al-Wefaq(-forcibly closed by the government on 17 July 2016), of all charges in his trial for alleged spying for regional rival Qatar. However, on 4 November 2018, two weeks before the parliamentary elections, an appeal court handed down a life sentence. He was convicted of 'exchanging intelligence information' with Qatar and thereby 'harm(ing) military, political and economic standing' of Bahrain and 'undermine(ing) its national interests'. Sheikh Ali Salman was supposed to have been released at the end of December 2018 after serving his unfairly imposed four-year prison sentence.

Ali Salman was first summoned on 28 December 2014 by the General Directorate of Criminal Investigation. His lawyers, Abdullah al-Shamlawi and Abduljalil al-Aradi were not allowed to attend his questioning sessions for most of the time. The first trial of Ali Salman took place on 28 January 2015. The Prosecution called a series of his speeches into question, through an arbitrary interpretation with no concrete evidence that he incited racial, ethnic or sectarian hatred, or violence, other than peacefully expressed his opinion.

On 16 June 2015, the Higher Criminal Court sentenced Sheikh Ali Salman to four years in Jau Prison, for three vaguely worded charges: 'publicly inciting hatred, inciting civil disobedience of the law, and insulting public institutions'. The charge of 'insulting the Interior Ministry' was based on Article 216 of the Penal Code of Bahrain. It

states that a person will be liable for a fine or imprisonment for 'offending' a constitutional institution, such as the army or army, law courts, authorities or government agencies'. Another charge, 'public incitement of civil disobedience of the law', was based on Article 173 of the Penal Code, for his encouragement to the public to exercise their right to free assembly. He was also convicted for 'inciting hatred', in violation of Article 172 of the Penal Code. The framing and implementation of these laws are contrary to International Covenant on Civil and Political Rights (ICCPR), to which Bahrain is a state party. Ali Salman was acquitted on the charge of the attempt to overthrow the regime, as there was 'no certain proof of the advocacy of the use of force, threat, or unlawful means to change the political system'. The prosecution, however, appealed his acquittal. On 30 May 2016, the First High Court of Appeal changed its decision and increased the previously-imposed four-year sentence to the total of nine years in prison. Sheikh Ali Salman fully denied the charges, but on 12 December 2016, the Court of Appeal upheld the nine-year sentence against him.

On 1 November 2017, amid the increasing diplomatic tension with Qatar, the authorities made a new charge against him of communicating with the country to 'commit subversive acts against Bahrain and undermine its political, economic position and national interests with the purpose of overthrowing the regime', for which the government handed down the life sentence noted above.

Responding to the latest verdict against Ali Salman, Amnesty International strongly condemned the court decision, describing the verdict as 'a travesty of justice that demonstrates the Bahraini authorities' relentless and unlawful efforts to silence any form of dissident'.

The international community has strongly criticised Bahrain's discriminatory sentences against Ali Salman. In June 2016, the UN Special Rapporteur on freedom of opinion and expression, David Kaye, condemned the court verdict of nine years imprisonment against him 'seems to confirm a worrying trend of political repression further shrinking the space for any form of dissent in Bahrain today'.

In the meantime, in May the Ministry of Interior and the Central Information Agency refused to issue a passport and an identity card for Sara Ali Salman, aged three, the daughter of Sheikh Ali Salman, as a reprisal against her father. This is considered a violation of the Convention on the Rights of the Child, ratified by Bahrain in 1989 by Decree Law No. 16 of 1991.

This was not the first case of the policy of reprisal. Many of families of political prisoners and activists are constantly subjected to various types of harassment and deprivation of the most basic civil rights.

Unfinished Oppression

In addition to the case of Nabeel Rajab and Sheikh Ali Salman, the UN Human Rights Committee has expressed concerns about 'the serious restrictions imposed on freedom of expression and the large number of arrests and prosecutions of individuals criticising state authorities or political figures'.

On 21 March, a Criminal Court convicted and sentenced Duaa Al-wadaei to two months' imprisonment for allegedly 'insulting' a public institution. Duaa was sentenced in absentia after exposing her ill-treatment committed by Bahraini security forces at the Bahrain International Airport in October 2016.

As briefly mentioned earlier, on 25 June, Bahrain's Fourth High Criminal Court unfairly convicted Najah Ahmed Yusuf to three-years' imprisonment for 'possessing and acquiring a means of recording used or prepared to be used for broadcasting ... support and praise for the overthrow or change of the political system through illegitimate means'. She was arrested in 2017, due to her criticism of the Bahrain Grand Prix (F1) on Facebook.

On 17 July 2016, Nazeeha Saeed, Bahraini journalist working for the French news outlet France 24 and Radio Monte Carlo Doualiya, was summoned by the Bahraini Prosecution on charges of practicing

journalism without prior permission from the Ministry of Information Affairs. On 18 July 2017, the appeal court upheld the fine imposed on her. In May 2011, she was summoned by the police due to her coverage on the peaceful protests earlier that year, and was severely tortured and humiliated by police officers.

In June 2017, the Ministry of Information Affairs ordered Al-Wasat, the only independent media in Bahrain, to 'cease publishing in print and online indefinitely'. It was accused of aggravating social division and defaming a 'sisterly Arab country', referring to an co-ed about protests in Morocco. Bahrain ranks 166th out of 180 countries on the 2018 World Press Freedom index, down from the 164th of 2017.

Crackdown on Religious Leaders

Clerics in Bahrain have routinely been targeted by the government over their sermons and public speeches. For instance, on 23 January, the authorities arrested Shia cleric Sayed Udnan Hashem. He was released on 17 February after three weeks in detention. On 4 February 2018, an Appeal Court upheld a three-month prison sentence against Sheikh Isa al-Mu'min, on charges of 'inciting hatred' in a sermon delivered on 29 July 2017. On 5 June, religious figure Abd al-Ameer al-Kerani was arbitrarily arrested: they gave no reason for the arrest.

Similarly in September, during the lead-up to Ashura, the most significant day on the Shi'a religious calendar (falling on 20-21 September in 2018), over 15 Shia clerics and lay assistants were summoned and interrogated about the content of sermons in their mosques. On 16 September, authorities arrested Sheikh Yassin al-Jamri, against the backdrop of a speech in Ashura ceremony, in which he addressed the plight of those pursued and arrested by the government in Bahrain. Many of those detained were reportedly under investigation for 'incite[ment], by any public means, to antipathy or contempt against the ruling system' under the vaguely worded Article 165 of Bahrain's Penal Code.

A number of religious clerics have been arrested and sentenced for simply voicing their support of Sheikh Isa Qassim. On 2 January, Sheikh Mahmoud al-Ali, vice-president of the Islamic Scholars' Council, was sentenced to six-months' imprisonment, over expressing support for Ayatollah Sheikh Isa Qassim; he was released on 1 July. On 10 January, an Appeal Court upheld a one-year prison sentence against prominent cleric and former al-Wefaq MP Sheikh Hamza al-Dairy, over the same charge.

Meanwhile, on 9 July, Sheikh Isa Qassim, arrived in London to receive medical treatment. Sheikh Isa Qassim had been suffering from a serious illness and had recently fallen and hurt himself. Earlier in December 2017, UN representatives sent a letter to the government of Bahrain, requesting an explanation for his deteriorating health condition.

International Condemnation

The international community has condemned Bahrain's continued violation of rights to freedom of speech and arbitrary arrests of its critics. For instance, on 4 July, Olivier de Frouville, member of United Nations Human Rights Committee expressed concerns at the meeting of the UN Human Rights Council about alleged reprisals against Bahraini activists attending Human Rights Council sessions, including Sayed Ahmed Alwadaei.

On 12 September, the UN Office of the High Commissioner for Human Rights (OHCHR) published its 9th annual report, a document issued in the name of the UN Secretary-General António Guterres, to the UN's General Assembly. It details the intimidation and reprisals human rights defenders and activists face worldwide for engaging with the UN, including in Bahrain.

In November 2018, the UN Human Rights Committee called attention to a number of other domestic laws that provide the authorities

with discretionary legal grounds to restrict the rights to freedom of expression:

- (a) Broad provisions in the Criminal Code criminalising and making punishable by imprisonment acts such as criticism of public officials, insulting the King, publishing and disseminating rumours and false news and publication of untrue reports;
- (b) Broad and vague provisions contained in Decree Law No. 47 of 2002, concerning the regulation of the press, printing and publishing, under which journalists and activists can be prosecuted and given sentences of up to five years in prison;
- (c) Article 88 of Decree Law No. 47, under which journalists are required to obtain a licence from the Information Affairs Authority, to be renewed annually, [in order to] work with foreign media outlets.

Not Free, Not Fair Elections

Prior to parliamentary elections on 24 November 2018, Bahraini authorities restricted the fundamental freedoms of opposition figure and groups, preventing their effective participation in the election process.

Absence of Opposition

In recent years, the Bahraini authorities have increasingly prevented opposition groups from participating in the political process.

In 2016, al-Wefaq, the largest opposition group in Bahrain, was forcibly closed for 'fostering violence and terrorism', and its assets liquidated. More recently in 2017 the National Democratic Action Society (Wa'ad), the largest secular party, also faced forced dissolution following claims that its members 'incit[ed] terrorism'. On 25 December 2018, the Cassation Court adjourned the 'Wa'ad dissolution' case to 21 January 2019, when it confirmed the party's forced closure.

Numerous individuals have been targeted as well. High-profile opposition figures have been arrested, arbitrarily tried, and put in jail. As mentioned earlier, the Secretary-General of al-Wefaq, Sheikh Ali Salman, has been in jail since December 2014, being accused of provoking hatred against the regime. He faced another series of trials for additional charges on spying for Qatar since November 2017, as a result of which the Court unfairly handed him a life sentence.

Legal Amendments ahead of the 2018 Elections

The Bahraini authorities prepared for the 2018 Elections by enhancing barriers against opposition groups. In June 2018, the King ratified

an amendment to Law No. 14 of 2002 that permanently prevents individuals from running for parliamentary elections, including those previously convicted to a jail sentence of six months or more; leaders and members of dissolved political organisations that were dissolved; and whoever 'destroys' or 'disrupts' the conduct of constitutional or parliamentary life by terminating or leaving the parliamentary work of the Council.

These conditions applied to almost all political activists and political societies (de facto political parties), as many political leaders have been arbitrarily punished to jail sentences while political groups have been forcibly dissolved in the past seven years. Government pressure in the years following the withdrawal of al-Wefaq from the parliament in 2011, immediately after the authorities' killing of two protesters also weighs against political societies to participate in the November 2018 elections. This pressure violates the rights of Bahraini people, notably in respect to equal opportunity to vote and to stand for election, which is clearly stipulated in Constitution of Bahrain and the ICCPR.

Threat to Free and Fair Elections

Furthermore, Bahraini voters are prohibited from making genuinely free political choices under the threat of intimidation, undue influence and fear of punishment. In October 2018, the Bahraini authorities announced its plan in taking extensive security measures during the election period and warned NGOs not 'to use their programs and activities to support candidates for legislative and local council as per the law'.

As the only independent media, Al-Wasat, was forced to shut down in 2017, voters necessarily rely on government-controlled media that

provides partial and biased information in favour of the ruling family and authorities. According to a joint report published by Salam DHR with two other NGOs, among a total of 2070 media items from the four state newspapers between 20 October, 2017 and 21 November 2018, the percentage of opinions that could be characterised as 'opposing' the electoral process was found to be zero percent.

The authorities rejected the involvement of independent, neutral, international observers in monitoring the electoral process in the run up to the November 2018 parliamentary election. The government limited observers' nationality to Bahrainis, and prohibited their statements and comments on decisions of electoral authorities. Consequently, there was no guarantee of sound and impartial administration nor non-partisan observers in the election process of Bahrain.

Intimidating Measures against Candidates and Voters

Ahead of the elections, the Bahraini authorities intimidated citizens exercising their right to freedom of expression, by criticising the lack of neutrality with regard to the electoral process, or boycotting the elections for such a reason.

A number of citizens, who had applied for subsidised public housing, were summoned to the Criminal Investigation Department (CID) and were forced to choose 'either to participate in the elections or to withdraw their applications. Furthermore, a number of problematic rumours and false information against the boycotters were spread on social media, and by text messages, but the government did not take any adequate steps to prevent it. Instead, the Royal Court involved different government bodies in sending threatening messages to their employees to make them participate in the elections.

On 13 November 2018, just two few weeks before the parliamentary elections, former member of parliament Ali Rashed al-Asheeri was summoned for interrogation by the Office of the Public Prosecution. They detained him for two weeks for tweeting about his intention to boycott the elections. On 16 January 2019, the authorities sentenced him to one-month imprisonment and a fine.

In response to the series of measures to oppress political groups in Bahrain, the UN Human Rights Committee expressed serious concerns about 'restrictions on human rights organisations and opposition groups', by using restrictive legislation, including 'the Law on Associations, the Law on Political Societies, the Criminal Code and the Act on the Protection of Society from Acts of Terrorism, to make it difficult for NGOs to register and pursue their activities'. On 16 November, 38 Members of the European Parliament (MEP) expressed their serious concern over the legitimacy of the upcoming elections for the Council of Representatives of Bahrain's National Assembly in a letter addressed to Bahrain's King Hamad bin Isa Al Khalifa.

On 24 November, the first round of Bahrain's parliamentary elections were held. Several intimidating practices by the National Security Agency (NSA) were reported. A candidate was forced to withdraw from the elections after revealing unfair electoral practices conducted by the authorities, such as the removal of voters from certain constituencies. Several others were interrogated and threatened to bring criminal charges against them if they did not withdraw from the elections.

Restrictions on the Right to Freedom of Assembly

The Universal Declaration of Human Rights states in Article 20 that everyone has the right to freedom of peaceful assembly. Article 21 of the ICCPR also protects such a right, stating that ‘no restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others’.

The government of Bahrain, however, has systematically criminalised the exercise of right to freedom of assembly, by prohibiting peaceful protests by Bahraini citizens and by restricting other gatherings which may have a political dimension, such as religiously-based ones.

On 14 February, the seven-year anniversary of the 2011 uprising, 194 peaceful protests took place across Bahrain, including in Diraz, Sitra, and Huwaidrat. The authorities responded with a severe crackdown, dispersing those who had gathered. Security forces deployed an unwarranted and excessive use of force by firing tear gas and directing live ammunition towards the protesters.

On 14 September, security forces attacked religiously-based Ashura gatherings in more than seven regions in just 24 hours. On 19 September, Abdul Majeed Abdulla Mohsen was arrested for participating in a religious ceremony. In October, the authorities sentenced him six-months’ imprisonment for participating in an illegal gathering in 2015 in Ali Bilad, while acquitting him of another charge of attending an unauthorised funeral. On 4 November, security forces entered around 10 private homes in the Shi’a-majority town of Karbabad and

detained 16 individuals, seven of them minors (ages 15–17), on accusations including participation in an ‘unlawful assembly’. Two days later, security forces detained five or more men from their homes in the majority-Shi’a town of al-Daih; they were accused of ‘unlawful assembly’ and ‘riotous behaviour’.

A series of peaceful protests ahead of the parliamentary elections were also targeted by the authorities such as one on 12 October, when a dozen people were arrested prior to a march in protest to the conduct of the of the Parliamentary elections in November. They were arrested on the charge of illegal assembly, though some maintained they did not intend to participate. Abdulhadi Saleh Mushaima, the father of Ali Mushaima, who was shot and killed by riot police in 2011, was one of the detainees. On 19 December, the authorities tried him, among others, on accusations of attending an authorised protest, with no decisions made. At the time of writing, the verdict is expected at the next hearing on a date unknown.

Freedom of Movement

The government of Bahrain does not comply with Article 12 of the ICCPR: that everyone shall have the right to liberty of movement and shall be free to leave any country, including his own.

Forced Removal of Critics from Bahrain

In 2018, the Bahraini authorities targeted activists and critics outside the country, who had fled Bahrain in previous years, in fear of government persecution and human rights violations.

On 27 November, Thailand's Immigration Police detained a former member of Bahrain's national football team, Hakeem al-Araibi, a registered refugee in Australia, at Bangkok International Airport. The arrest was facilitated by the erroneous issuance of an INTERPOL Red Notice. On 11 December, a Thai court extended Hakeem al-Araibi's detention by 60 days in order to process an extradition made by Bahrain. If he were to be forcibly removed, he would be at risk of wrongful imprisonment and torture.

Hakeem al-Araibi, was arrested in 2012, accused of vandalising a police station. He denied the charges, as he was reportedly playing in a televised football match at the stated time. Nevertheless, the court handed down a 10-year prison sentence to al-Araibi in absentia. He fled Bahrain and sought asylum in Australia, where he currently plays for a team in Melbourne. At the time of writing, a worldwide campaign, including Amnesty International, Human Rights Watch and scores of current and former footballers in and from Australia and from around the world, had emerged to call for his release and return to Australia. Australia's Prime Minister, FIFA and its regional body in Asia had all intervened in relation to his detention.

In a similar vein, Salam DHR has expressed deep concern about Germany's deportation order of Bahraini political activist Sheikh Ahmed Nawar on 6 November. Nawar participated in peaceful political activities relating to Bahrain during his stay in Germany, including by taking part in different media programs; he expressed his views on social media, and delivered speeches opposing the Bahraini government's policy. A number of human rights organisations as well as the international community campaigned for him not to be deported and he was able to leave Germany for a safe, third country, of his own free will. After a final decision of Germany to refuse asylum, he left the country and arrived in Tehran on 24 December.

Access Denial

In the meantime, the government of Bahrain has taken extraordinary measures to deny access to the country by foreign journalists and activists, by way of denial of visa, refusal at a port of entry, deportation and blacklists.

On 4 April 2018, Lars Aslan Rasmussen, a Danish Member of Parliament, and Brian Dooley, a human rights activist and member of the Gulf Centre for Human Rights (GCHR), were denied entry into Bahrain and deported, in an attempt to visit jailed human rights defender Abdulhadi Al-Khawaja.

Travel Ban

Article 12 of the ICCPR states that everyone has the right to liberty of movement and shall be free to leave any country, including his own. Nonetheless, travel bans have often been imposed by the Bahraini authorities as a punishment tool against anyone who has openly criticised the government.

The UN Human Rights Committee expressed concerns about ‘the large number of reports that journalists, opposition politicians, human rights defenders and lawyers who are subjected to travel bans in retaliation for engaging in their professional activities’.

Between June 2016 and October 2017, approximately 40 individuals reported that they were stopped from leaving the country. Many of them had not been informed of the reasons for the ban, and not allowed to present an appeal against the arbitrary, administrative decision. Human rights organisations believe that travel bans are imposed to prevent activists from participating international events including UN Human Rights Council sessions.

Migrant Rights

Migrant workers in Bahrain, as in other Gulf countries, are bound to a sponsorship system, called Kafala. Under this system, migrant workers must be sponsored by a local firm or individual (kafeel) to enter the country, and remains bound to in-country sponsors. Under this system, and due to the lack of adequate legal protection, migrant workers in Bahrain may be vulnerable to different forms of abuse and exploitation. Workers in a range of sectors are subjected to excessive working hours, as well as non-payment or delayed payment of wages for months or even years, with no access to effective legal remedies.

In June 2018, 120 workers at two contracting companies held separate protests over unpaid salaries. Similarly, in June 2017, around hundred of workers held a protest demanding the government to take proper measures to prohibit employers from delays in the payment of salaries

Female domestic workers, in particular, face unsafe work environments and may be subjected to physical, psychological, and sexual abuse. According to the observations of the International Trade Union Confederation (ITUC) in 2017, there are more than 105,000 domestic workers, many of whom live in their employers' home and work up to 19-hours a day with no days off. As there is no legal provision for a guaranteed minimum wage, domestic workers may be paid as low as BHD35 (\$92) per month. No law obliges the employer to transfer the salary of the domestic worker to a bank account, that would provide proof of payment. In most cases, the domestic worker cannot prove non-payment of wages, as they typically sign for the receipt of wages on arrival in Bahrain, in a language they do not know. Often the domestic worker does not know her rights and is afraid of making a complaint, especially if the employer is an influential person in the state or in the military, which can lead to violations of workers' rights and their occurrence in cases of trafficking victims and impunity. They are also subjected to another common practice of abuse, the confiscation of passports by their employers.

In 2017, the Labour Market Regulatory Authority introduced a new contract system in which domestic workers are offered all the terms and conditions, including those on working hours and day off, ahead of their arrival in Bahrain. Nonetheless, employers remain to be able to determine these working conditions, without being regulated by law.

Recommendations to Bahraini Authorities

On 12 October 2018, Bahrain obtained a seat on the UN Human Rights Council, running from 2019 until 2022. In this capacity, Bahrain's conduct in relation to human rights must be exemplary and transparent. It must recognize the duties it has in respect to the human rights protection of its own people and anywhere where its state officials, either alone or acting with other states, may have effective control over others. Therefore, Salam DHR urges the Bahraini authorities to take the following steps in a number of key areas:

Cooperation with UN human rights bodies

- Immediately issue a standing, open invitation for UN Special Procedures to undertake missions to the country;
- Accede to more human rights treaties and their optional protocols where these exist, such as the Second Optional Protocol of the International Convention of Civil and Political Rights (ICCPR), which abolishes the death penalty;
- Take concrete steps to implement, without delay, the recommendations made by successive UN treaty bodies;

Arbitrary Revocation of Citizenship in Bahrain

- Immediately end the practice of arbitrary citizenship revocation;
- Reinstate full citizenship and concomitant rights to the hundreds of nationals whose citizenship has been revoked through executive orders or unfair court decisions since 2012, especially those targeted for the exercise of their fundamental human rights;
- Repeal Article 10 of the Citizenship Law of 1963 which allows the Ministry of Interior to strip the citizenship of a person who 'aids or is involved in the service of a hostile state' or who 'causes harm to the

interests of the Kingdom or acts in a way that contravenes his duty of loyalty to it'

Death Penalty as Political Punishment

- Immediately halt the implementation the death penalty, quash all death sentences, and declare a moratorium on its practice, in line with successive UN resolutions on the death penalty;
- Adopt the Basic Principles on the Independence of the Judiciary adopted by the UN in 1985; and
- Repeal the constitutional amendment Article 105 to ensure civilians are not tried in military courts.

Restriction on the right to freedom of expression, association and assembly

- Immediately and unconditionally release all prisoners who have been sentenced for exercising their right to freedom of expression, association or assembly;
- Repeal provisions in the Criminal Code which criminalise and make punishable by imprisonment acts such as criticism of public officials, insulting the King, publishing and disseminating rumours and 'false' news and the publication of untrue reports;
- Repeal provisions contained in Decree Law No. 47 of 2002, concerning the regulation of the press, printing and publishing, under which journalists and activists can be prosecuted and given sentences of up to five years in prison;
- Repeal Article 88 of Decree Law No. 47, under which journalists are required to obtain a licence from the Information Affairs Authority, to be renewed annually, [in order to] work with foreign media outlets;
- Rescind the decisions to dissolve al-Wefaq and Wa'ad; and

- Remove restrictions on freedom of association, including those in the Law on Political Associations (Law 26 of 2005 and its amendments) and on peaceful assembly, including those in the Law on Public Gatherings (Law 18 of 1973 and its amendments)

Use of Torture and Ill-Treatment in Detention

- Immediately abide by Article 7 of the ICCPR and Article 8 of the Arab Charter on Human Rights, which prohibit torture and cruel, inhuman or degrading punishment;
- Open independent investigations into all complaints of torture and ill-treatment, prosecute the perpetrators of torture and compensate the victims fairly;
- Abide by the Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), including providing adequate medical care; and
- As noted above, invite the UN Special Rapporteur on Torture immediate, unrestricted and continued access to the country.

Migrant rights

- Develop domestic legislation and laws that criminalise human trafficking to include domestic servants;
- Implement such laws fully, equally and fairly, including in respect to influential state figures and members of the ruling family; and
- Establish independently-run shelters for victims of human trafficking for the duration of their settlement.

Recommendations to the international Community

Salam DHR calls on the international community to:

- Publicly and privately condemn the violations outlined in this report;
- Urge the Bahraini authorities to act decisively to end the human rights crisis in the country;
- Urge the Bahraini authorities to adhere to promises made in previous years to adhere to international human rights commitments and
- Pressurise the Bahraini authorities to implement the recommendations in this report

Annex: Timeline of Events in 2018

On 2 January, Sheikh Mahmoud al-Ali, vice-president of the Islamic Scholars' Council, was, sentenced to six-months' imprisonment, over expressing support for Sheikh Isa Qassim. He was released on 1 July.

On 10 January, an Appeal Court upheld a one-year prison sentence against prominent cleric and former al-Wefaq MP Sheikh Hamza al-Dairy, over taking part in a protest held in support with Sheikh Isa Qassim.

On 12 January, the Military Court sentenced six people to death. The six men include Sayed Alawi Hussain al-Alawi, Fadhel Sayed Abbas Hasan Radhi, Mohammed Abdulhassan Ahmed al-Mighawi, and a soldier Mubarak Adel Mubarak Mhanna, as well as two other people who were tried in absentia.

On 15 January, the Court of Cassation upheld the unfairly imposed two-year prison sentence handed down to Nabeel Rajab, convicting him of undermining 'state prestige' by spreading false news and rumours, citing comments he made in television interviews criticising the government.

On 23 January, the authorities arrested Shia cleric Sayed Udnan Hashem. He was released on 17 February after three weeks in detention.

On 29 January, the Court of Cassation confirmed the conviction of death row detainee Maher Abbas al-Khabbaz.

On 31 January, the Fourth High Criminal Court sentenced Ali Mohamed Hakeem al-Arab and Ahmad al-Malali to death, convicting them on charges including 'forming and joining a 'terrorist' group'. There are credible reports that Ali Mohamed Hakeem al-Arab was tortured at the Criminal Investigation Directorate and forced to 'con-

fess', and that he was tortured again when he was transferred to Dry Dock detention centre and to Jau Prison following his sentence.

Between 28 January and 1 February, 8 people whose citizenship was revoked in 2012, – the Darwish brothers (Ismail and Ibrahim), Adnan Kamal, Habib Darwish, Muhammad Ali, Abdul Amir and Abdunabi Almosawi and his wife Maryam Redha – were all deported to Iraq. On 31 January, the Fourth High Criminal Court deprived arbitrarily 47 people of their Bahraini nationality on terrorism-related charges. Two were also sentenced to death.

On 1 February, the Fourth High Criminal Court concluded the trial of 32 defendants. The court issued a death sentence against Moosa Abdallah Moosa, who was accused of killing a police officer in Abu-Saiba in 2015, and revoked the citizenship of 25.

On 4 February, an Appeal Court upheld a three-month prison sentence against Sheikh Isa al-Mu'min, on charges of 'inciting hatred' in a sermon delivered on 29 July 2017.

On 14 February, the seven-year anniversary of the 2011 uprising, 194 peaceful protests took place in Bahrain. The authorities responded with a severe crackdown.

On 21 February, a Criminal Court sentenced human rights activist Nabeel Rajab to five years in prison for tweeting about torture at Jau Prison and Saudi Arabia's war on Yemen.

On 21 February, the Bahraini High Criminal Court sentenced sisters Fatema, Eman, and Amal Ali, as well as Medina Ali in a separate trial, to three years' imprisonment for hiding fugitives.

On 23 February, Salam DHR, with the support of a number of other human rights organisations, media outlets, and research centres, launched 'Ana Bahraini', an Arabic and English network that sheds a light on the issue of citizenship revocation in Bahrain.

On 11 March, Fawzeyya Mashaalla Haji, a 56-year-old detainee, who was arrested in December 2017 on charge of harbouring a fugitive, fainted while in custody due to a pre-existing medical condition. Officials transferred her to the clinic at the Ministry of Interior facility known as al-Qalaa. They provided basic treatment then transferred her back to jail after only a few hours.

On 21 March, a Criminal Court convicted and sentenced Duaa Alwadaei to two months in prison for allegedly insulting a public institution. Duaa was sentenced in absentia after exposing her ill-treatment committed by Bahraini security forces at the Bahrain International Airport in October 2016.

On 22 March, female prisoner Hajer Mansoor Hassan, the mother-in-law of prominent UK-based Bahraini activist Sayed Ahmed Alwadaei, was urgently hospitalised three days after she began a hunger strike to protest the harsh discrimination she has suffered for being considered a 'political prisoner' in Isa Town Prison.

On 26 March, Bahrain's Fourth High Criminal Court sentenced nine defendants, including Sayed Nizar Alwadaei (19), the brother in law of prominent Bahraini activist Sayed Ahmed Alwadaei, to seven years' imprisonment for allegedly setting fire to a car owned by the Ministry of Interior with Molotov Cocktails.

Throughout March, Salam DHR documented 49 complaints of ill-treatment.

On 4 April, Nabeel Rajab was briefly transferred to military hospital because of severe dizziness and loss of conscience. On 19 April, his family reported that he had not been allowed to drink for more than 24 hours in Jau Prison. He was finally given water after another inmate collapsed because of dehydration.

On 4 April, Lars Aslan Rasmussen, a Danish Member of Parliament, and Brian Dooley, a human rights activist and member of the Gulf Centre for Human Rights (GCHR), were denied entry into Bahrain

and deported, in an attempt to visit jailed human rights defender Abdulhadi Al-Khawaja.

On 5 April, the United Kingdom Naval Support Facility in Mina Salman, Bahrain, was opened.

Between April 17 and 26, the Working Group on Arbitrary Detention concluded that Nabeel Rajab's 'deprivation of liberty constitutes a violation of Articles 2 and 7 of the Universal Declaration of Human Rights and Articles 2 (1) and 26 of the Covenant – on the grounds of discrimination based on political or other opinion, as well as on his status as a human rights defender'.

On 18 April, the High Criminal Court issued prison sentences to 24 Bahraini citizens and stripped them of their nationality over terrorism-related charges. According to findings disclosed by the lawyers, six of the defendants appear to be family members of Ali Ahmed Abdulla Moumen, who was shot to death by Bahrain's security forces on 17 February 2011.

On 25 April, the Military Court of Cassation rejected the final appeal of seven defendants – one soldier and six civilians. Four of the defendants, civilians Fadhel Al Sayed Abbas Hassan Radhi, Sayed Alawi Husain Alawi Husain, and Mohamed Abdulhasan Ahmed Kadhem al-Mutaghawi, and soldier Mubarak Adel Mubarak Mahanna, were sentenced to death.

On 26 April, the King commuted the sentence of four individuals sentenced to death on 25 December 2017.

On 12 May, a Bahraini delegation led by King Hamad attended the Royal Windsor Horse Show.

On 15 May, a court stripped 115 defendants of their nationality during a mass trial, accusing them of 'forming a terrorist group'. This was the highest number against which the Bahraini government took such an action at one time.

On 17 May, female activists Zakeya Albarboori and Fatema Dawood Juma were arrested in Nuwaidrat for 'terrorist activities', in a raid on the first day of Ramadan.

On 21 May, a court revoked the nationality of nine people and sentenced them to between three and 15 years in jail.

In May, it was reported that the health of political prisoner Abduljalil Al-Singace had further deteriorated. The authorities, however, have denied him access to the medical attention he urgently requires.

In May, the Ministry of Interior and the Central Information Agency refused to issue a passport and an identity card for Sara Ali Salman, aged three, the daughter of Sheikh Ali Salman.

On 5 June, the Appeal Court upheld the five-year sentence against human rights activist Nabeel Rajab, for his tweets criticising the practice of torture at Jau Prison and the Saudi-led Yemen war.

On 5 June, religious figure Abd al-Ameer al-Kerani was arbitrarily arrested: they gave no reason for the arrest.

On 11 June, the King ratified the amendment to Law No. 14 of 2002 that prevents individuals from running for parliamentary elections who have been convicted to a jail sentence of over six months or have been members of dissolved political organisations.

On 14 June, the European Parliament (EP) adopted a Resolution (RC8-0281) on the human rights situation in Bahrain, notably the case of the country's leading human rights defender, Nabeel Rajab, who is serving seven years for exercising his freedom of expression. On 21 June, a Bahraini court acquitted Sheikh Ali Salman of all charges in his trial for alleged spying for regional rival Qatar.

On 25 June, the Fourth Criminal Court unfairly handed down a three-year sentence to Najah Ahmed Yusuf, who was arrested in 2017 for her social media activities, criticising the Bahrain Grand Prix (F1).

On 25 June, the Fourth High Criminal Court revoked the citizenship of three who were found guilty of membership of the February 14 Youth Coalition.

On 4 July, Olivier de Frouville, member of United Nations Human Rights Committee expressed concerns at the meeting of the UN Human Rights Council about alleged reprisals against Bahraini activists attending Human Rights Council sessions, including Sayed Ahmed Alwadaei.

On 5 July, Bahraini female political prisoner, Hajer Mansoor, was subjected to further threats and reprisals by Major Maryam Albardoli, the head of Isa Town Prison Centre.

On 9 July, Sheikh Isa Qassim, arrived in London to receive medical treatment. Sheikh Isa Qassim had been suffering from a serious illness' and had recently fallen and hurt himself. Throughout June and July, Salam DHR recorded 108 cases of torture and ill-treatment.

On 1 August, Bahraini activist Ali Mushaima began a hunger strike outside the Bahrain embassy in central London, in protest against the ill-treatment of his father, Hassan Mushaima, in Jau Prison while serving his life sentence. He ended his protest on 2 October.

On 29 August, the UN Working Group on Arbitrary Detention (WGAD) issued its second opinion since 2013 regarding the legality of the detention of Bahraini human rights activist Nabeel Rajab. It strongly condemned the Bahraini government.

On 11 September, the Foreign Affairs Committee (FAC) published its 'Global Britain: Human Rights and the Rule of Law' report, the thirteenth of the 2017-19 session, which assesses the Foreign and Commonwealth Office (FCO)'s human rights work.

On 12 September, the UN Office of the High Commissioner for Human Rights (OHCHR) published its 9th annual report, a document

issued in the name of the UN Secretary-General António Guterres, to the UN's General Assembly.

On 14 September, security forces attacked religiously-based Ashura gatherings in more than seven regions in just 24 hours.

On 16 September, guards including the commanding officer at Isa Town women's prison physically assaulted Najah Ahmed Yusuf, Hajer Mansoor Hassan, and Medina Ali Ahmed when they attempted to join other prisoners who were gathered for Ashura religious rites. On the same day, authorities arrested Sheikh Yassin al-Jamri, against the backdrop of a speech in Ashura ceremony.

On 19 September, Abdul Majeed Abdulla Mohsen was arrested for participating in a religious ceremony.

In September, during the lead-up to Ashura, the authorities summoned over 15 Shi'a clerics and lay assistants and interrogated them about the content of their sermons.

On 8 October, Nabeel Rajab received a diploma for reaching the final shortlist of candidates for the Council of Europe's Václav Havel Human Rights Prize in Strasbourg, in recognition of his human rights work.

On 12 October, a dozen people were arrested prior to a march in protest to the conduct of the of the Parliamentary elections in November.

On 12 October, Bahrain obtained a seat on the UN Human Rights Council, running from 2019 until 2022.

On 15 October, the Fourth High Criminal Court handed prison sentences to seven Bahraini nationals and revoked the citizenship of six over terrorism charges related to the bombing of an oil pipeline in the area of Buri on 10 November 2017.

On 17 October, three female detainees – Hajer Mansoor Hassan, Najah Ahmed Yusuf, and Medina Ali, started a hunger strike in protest against the ill-treatment at Isa Town Women's Detention Centre.

On 22 October, the Cassation Court overturned the death sentence against Mohamed Ramadan Issa Ali Hussain and Hussain Ali Moosa Hussain Mohamed, both of whom were convicted of the killing of a policeman in December 2014.

On 30 October, the Fourth High Criminal Court sentenced thirteen to life imprisonment and revoked the citizenship of eleven.

On 4 November, a few weeks before the parliamentary elections, an appeal court handed down a life sentence to Sheikh Ali Salman. He was convicted of 'exchanging intelligence information' with Qatar and thereby 'harm(ing) military, political and economic standing' of Bahrain and 'undermine(ing) its national interests'. Ali Salman was supposed to be released at the end of December 2018 after serving his four-year prison sentence.

On 4 November, security forces entered around 10 private homes in the Shi'a-majority town of Karbabad and detained 16 individuals, seven of them minors (ages 15–17), on accusations including participation in an 'unlawful assembly'.

On 6 November, the German authorities ordered the deportation of Bahraini citizen Ahmed Nawar to Bahrain after examining his asylum application and protection.

On 12 November, the Fourth High Criminal Court handed down the death sentence to four nationals – Hussain Abdullah Marhoon Rashid, Sayed Mohammed Qassim Mohammed Hassan Fadhel, Hussain Ali Ahmed Dawood, and Ahmed Mohammed Ali Mahdi Ibrahim Zain Al Deen, for terrorism-related offenses, in relation to the death of a police officer due to a blast of a police car in the village of al-Duraz on 18 June 2017.

On the same day, human rights defenders Ali Hajji and Najj Fateel and fellow detained human rights defender Ali Hajji were placed in solitary confinement.

On 13 November, former member of parliament Ali Rashed al-Asheeri was summoned for interrogation by the Office of the Public Prosecution.

On 14 November, Sacha Woodward Hill, general counsel for F1, expressed deep concerns about the Bahraini government's human rights abuse against Najah Ahmed Yusuf and the jail sentence.

On 15 November, the United States Senate voted (by 77 to 21) to reject a joint resolution introduced by Senator Rand Paul to prohibit US arms sales to Bahrain.

On 16 November, 38 Members of the European Parliament (MEP) expressed their serious concern over the legitimacy of the upcoming elections for the Council of Representatives of Bahrain's National Assembly in a letter addressed to Bahrain's King Hamad bin Isa Al Khalifa.

On 24 November, the first round of Bahrain's parliamentary elections was held.

On 27 November, Thailand's Immigration Police detained a former member of Bahrain's national football team, Hakeem al-Araibi, a registered refugee in Australia, at Bangkok International Airport. The arrest was facilitated by the erroneous issuance of an INTERPOL Red Notice.

On 11 December, a Thai court extended Hakeem al-Araibi's detention by 60 days in order to process an extradition made by Bahrain.

On 29 November, Fourth High Criminal Court issued the death sentence against two defendants – Zuhair Ibrahim Jassem and Muhammad Mahdi – for alleged terrorism-related charges. They were also stripped of their citizenship, along with three other defendants, who were also handed long prison sentences.

Throughout November, 34 more individuals had their nationality revoked.

On 3 December, King Hamad issued Royal Order 57/2018, preventing members of the Shura council from being affiliated with any political party.

On 12 December, the United Nations High Commissioner for Human Rights honoured the prominent Bahraini Human Rights Defender Sheikh Maytham al-Salman.

On 25 December, the Cassation Court adjourned the 'Wa'ad dissolution' case to 21 January 2019, when it confirmed the party's forced closure.

On 27 December, the four-year prison sentence against prominent Bahraini opposition figure Sheikh Ali Salman would have expired. Yet in a second case against him, early in November Bahrain's Appeal Court overturned an earlier acquittal and sentenced him to life imprisonment.

On 31 December, the Cassation Court upheld a five-year sentence against human rights activist Nabeel Rajab. This is the country's court of last resort.




Salam for Democracy and Human Rights


You can follow the news of «Salam» for Democracy and Human Rights through the following contacts:

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