

# **BAHRAIN 2022 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

Bahrain is a hereditary monarchy. King Hamad Bin Isa Al Khalifa is the head of state and holds ultimate authority over most government decisions. The king appoints the prime minister, the head of government, who is not required to be a member of parliament. Since 2020, the position has been held by Crown Prince Salman bin Hamad Al Khalifa. The cabinet, or Council of Ministers, consists of 24 ministers. The parliament comprises an upper house appointed by the king, the Shura (Consultative) Council, and an elected Council of Representatives, each with 40 seats. Parliament can propose laws but does not draft legislation. The country held parliamentary and municipal elections on November 12 and runoff elections on November 19. The government did not permit international election monitors, and the elections were not considered fair due to several restrictions on the process and the inability of political parties earlier dissolved by the government to participate. Domestic monitors, including from independent civil society organizations, generally concluded authorities administered the elections without significant procedural irregularities.

The Ministry of Interior is responsible for internal security and oversees police and specialized security units responsible for maintaining internal order; the Coast Guard is also under its jurisdiction. The National Guard is responsible for protecting industrial installations and is a back-up to the police. The chief of the National Intelligence Agency, appointed by royal decree, reports to the prime minister. While the agency has arrest authority, it reportedly did not conduct arrests during the year. Civilian authorities maintained effective control over the security forces. There were reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: inhuman or degrading treatment or punishment by the government; political prisoners; arbitrary or unlawful interference with privacy; serious restrictions on freedom of expression and media, including censorship and enforcement or threat to enforce criminal libel laws; serious restrictions on internet freedom; interference with the freedom of

peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations; restrictions on freedom of movement, residence, and the right to leave the country; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; and significant restrictions on workers' freedom of association.

The government prosecuted and sentenced security force members responsible for physically assaulting prisoners, following investigations by government institutions. The government took steps to investigate allegations of corruption and prosecute government officials. Nongovernmental human rights organizations claimed investigations lacked transparency.

## **Section 1. Respect for the Integrity of the Person**

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

There were no reports that government security forces committed arbitrary or unlawful killings.

### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

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

The constitution prohibits "harm[ing] an accused person physically or mentally." Domestic and international human rights organizations, as well as detainees and former detainees, maintained that abuse and other cruel, inhuman, or degrading treatment or punishment by government security officials continued during the year.

Human rights groups alleged security officials abused detainees by beating them, placing them in stress positions, humiliating them in front of other prisoners, and insulting their religious beliefs. Detainees reported that security forces committed

abuses during searches, arrests at private residences, and transportation to and from detention and investigation facilities. Families of detainees reported they feared for their relatives' safety during investigations.

In October Human Rights Watch and the Bahrain Institute for Rights and Democracy released a report examining the prosecution of eight death-row prisoners convicted since 2011. The report alleged that the men were sentenced and convicted after "manifestly unfair trials" based primarily, if not entirely, on confessions obtained through torture and abuse.

The Special Investigations Unit (SIU) in the public prosecutor's office reports to the attorney general, who is appointed by the king. The SIU is responsible for investigating security force misconduct, including complaints against police.

Impunity was not a significant problem in the security forces. The Ministry of Interior reported it took disciplinary action against officers; however, it did not publish details of which regulations the officers violated or what disciplinary steps it took, and generally did not release the names of officers convicted, demoted, reassigned, or fired for misconduct.

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

Human rights activists reported conditions in prisons and detention centers were harsh due to physical abuse, unjust application of solitary confinement as a disciplinary measure, and inadequate sanitary conditions and medical care. Former prisoners also complained of substandard hygiene in prison facilities and limited access to personal effects in predetention facilities.

**Abusive Physical Conditions:** Human rights organizations and families of inmates reported authorities denied medical treatment to injured or ill detainees and prisoners of conscience (see section 1.e., Political Prisoners and Detainees). Prisoners needing specialized medical attention reported delays in scheduling offsite treatment or very short stays in the hospital, especially those needing follow-up care for complex or chronic conditions. Access to filtered water was limited, according to former prisoners.

The family of political prisoner Abdulhadi al-Khawaja reported he was denied

medical treatment on April 1. The family claimed the denial was punishment after he chanted anti-Israel slogans while in prison during the Israeli prime minister's visit to the country in February.

On June 4, families of prisoners demanded their relatives be released from Jaw Prison following a reported tuberculosis (TB) outbreak. Former prisoner Ahmed Jabur, released in May on medical grounds, shared a video alleging he contracted TB in Jaw Prison due to substandard care and insufficient containment measures. On June 11, the Ministry of Health denied other prisoners' claims that there was a TB outbreak among Jaw inmates and, in a separate statement, reported that prisoners received round-the-clock medical care. Bahrain TV aired an interview on June 12 with several Jaw inmates who said they were receiving adequate medical care. During marches in September in the village of Sanabis, Jaw prisoners' families protested their relatives' alleged lack of medical access.

**Administration:** The SIU investigated and referred cases of misconduct to the appropriate court, including civilian criminal courts, the Ministry of Interior's military court, and administrative courts. Authorities allowed prisoners to file complaints to judicial authorities without censorship, and officials from the ombudsperson's office were available to respond to complaints or meet with prisoners in private at the prison. Human rights groups reported that it was sometimes necessary to file multiple complaints to receive assistance.

According to the SIU's February 27 quarterly report, the unit investigated four Ministry of Interior officers and three other security personnel and filed criminal charges against some of them for physically mistreating prisoners. The three other security personnel received disciplinary actions. The September 6 report stated that 46 members of the security forces had been questioned for mistreating prisoners. One officer was tried in the military court and received a disciplinary action. A Ministry of Interior corporal was initially sentenced to one year in prison for mistreating a prisoner, but his sentence was subsequently reduced to three months on appeal. Four other members of the police force received disciplinary sanctions including a reprimand and delayed promotion. On December 20, a low criminal court heard the case of a policewoman who mistreated a woman prisoner. On December 27, a high criminal court heard and postponed the case of four security personnel who mistreated three prisoners. The two cases were pending at

year's end.

An ombudsperson investigates allegations of misconduct by police and other Ministry of Interior personnel. Data on the number of investigations and prosecutions carried out during the year were not available by year's end.

Prisoner families reported that a COVID-era moratorium on in-person family visits was still in effect, despite the government's lifting of all COVID-related restrictions outside of prisons. Authorities did not provide a reason for continuing this practice. Authorities generally permitted prisoners 30 minutes of phone calls each week free of charge but at times restricted this access. Prison officials restricted prisoners from contacting nongovernmental organization (NGO) representatives, journalists, or family members who resided or were exiled overseas.

**Independent Monitoring:** Authorities permitted prison access for the NIHR, the Prisoners and Detainees Rights Commission (PDRC), the ombudsman's office, and the SIU (see section 5), all of which are parastatal national human rights monitoring organizations. The government permitted the PDRC to conduct unannounced visits to detention centers. International human rights organizations questioned the independence and effectiveness of these organizations. Authorities granted access to the International Committee of the Red Cross/Red Crescent.

The ombudsperson also serves as the chair of the PDRC, which maintained an office at Jaw Prison to conduct regular investigations and privately meet with inmates and their families.

**Improvements:** The Ministry of Interior's 2021 expansion of its alternative sentencing program substantially reduced the number of individuals in custody. Detention center occupancy rates were well below capacity. A September 2021 royal decree removed the requirement to serve half of one's sentence before being eligible for alternative sentencing. Now, criminal defendants who meet certain criteria may receive a noncustodial sentence at trial without having to serve any time in prison. According to the public prosecutor, 823 individuals received alternative noncustodial sentences during the year. Among them was Sayed Redha Sayed Baqer, age 17, who was released on February 21 after serving two years of a

15-year sentence on terrorism charges, according to human rights activists.

During the February 14 cabinet session, the prime minister ordered the provision of government-subsidized housing units to families of prisoners receiving alternative sentences; these families were previously ineligible for this housing because of their family member's criminal record. The families applied for and received the housing units on February 21. On April 30, the minister of justice, Islamic affairs, and endowments announced the addition of an addiction recovery initiative called "Ta'afi" to the package of available rehabilitation programs.

The Ministry of Interior formally transferred oversight of medical services and care for detainees to the Ministry of Health. The government reported detention center medical care facilities were staffed with experienced medical specialists and outfitted with modern equipment. On September 18, Jaw Prison inaugurated an onsite medical clinic open 24 hours a day.

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

The constitution prohibits arbitrary arrest and detention, and the law provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. It was difficult to determine whether the government generally observed these requirements. There were no reports of courts finding individuals to have been unlawfully detained and recommending compensation.

#### **Arrest Procedures and Treatment of Detainees**

The law stipulates law enforcement officers may arrest individuals without a warrant only if they are caught in the act of committing certain crimes and there is sufficient evidence to press charges. Additionally, before the public prosecutor can summon an individual, an arrest warrant must be executed. Human rights activists reported that police sometimes made arrests without presenting a warrant, and that the public prosecutor summoned political and human rights activists for questioning without a warrant or court order.

By law the arresting authority must interrogate arrested individuals within seven days following their arrest. A lower criminal court judge may extend detention of a suspect for no more than 30 days or the suspect must be released. The public

prosecutor may extend the suspect's detention for 30 days if the investigation is still pending, in coordination with the higher criminal court. Suspects may be held in pretrial detention for up to three months, after which the case is referred to the attorney general. Pretrial detention should not exceed six months, according to the law. The High Criminal Court must authorize any extensions beyond that period and any renewals at 30-day intervals. Detained suspects have the right to legal counsel during questioning. A functioning system of bail provides maximum and minimum bail amounts based on the charges; the law allows the presiding judge to determine the bail amount within these parameters on a case-by-case basis. Judges often denied bail requests without explanation, however, even in nonviolent cases.

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

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

On February 27, the Judicial Committee for Childhood, established under the 2021 juvenile justice law, reviewed the case of six children (aged 16 and 17) who were potentially facing up to 15 years' imprisonment if tried as adults on charges of illegally gathering, throwing Molotov cocktails at a police patrol, and damaging a civilian's vehicle. Five of the defendants were released on June 9 to their families, while one defendant remained as a ward of the government, unrelated to criminal charges.

As part of its implementation of the Restorative Justice Law for Children and Protection from Mistreatment, which came into effect in 2021, the government built a new Child Protection Center and reviewed cases to apply the law retroactively to prisoners convicted as juveniles. In lieu of adult criminal courts, juvenile courts under the Ministry of Justice and Islamic Affairs began reviewing cases involving defendants age 15 to 18 and adopted a rehabilitative approach, such as alternative sentences, in lieu of punitive measures. The government reviewed over 150 cases to determine individuals' eligibility for release. The Ministry of Social Development assumed responsibility for juvenile offenders under age 15.

**Arbitrary Arrest:** Human rights groups reported that the Ministry of Interior summoned and questioned individuals for calling for and attending protests and demonstrations, expressing their opinion in public or on social media (see sections 2.a. and 2.b.), calling for the end of the monarchy (which authorities considered a terrorist act), authorities.

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

Although the constitution provides for an independent judiciary, political opposition figures asserted the judiciary was vulnerable to political pressure, especially in high-profile cases. The judiciary is divided into civil law courts (for commercial, civil, and criminal cases, and family matters of non-Muslims) and family law courts (for personal status cases for Muslims, with separate courts for Sunni and Shia sharia-based family law proceedings). Family status law varied according to Shia or Sunni interpretations of Islamic law, especially for women (see section 6).

Some judges were foreign citizens, serving on limited-term contracts and, according to some observers, subject to government approval for renewal and residence permits, creating a situation where they were or were perceived to be subject to government pressure to render certain verdicts. The Supreme Judicial Council is responsible for supervising the work of the courts, including judges, and the public prosecutor's office.



## **Trial Procedures**

The constitution provides for the right to a fair and public trial, though it could not be verified whether the judiciary enforced this right in all cases.

Civil and criminal trial procedures provide for a public trial. The law requires that inmates be physically present at their criminal trial, and the Ministry of Interior provided transportation for prison inmates to and from the courts for hearings. During the year some defendants with terrorism-related charges were convicted and sentenced in absentia, however.

Defendants have the right to consult an attorney of their choice within 48 hours (unless the government charges them pursuant to counterterrorism legislation); however, there were reports that defendants and their lawyers had difficulty getting police, public prosecutors, and courts to recognize or register legal counsel. The Ministry of Justice, Islamic Affairs, and Endowments provides interpreters in criminal cases as needed.

While defendants have the right to question witnesses against them, judges may declare questions to be irrelevant and prohibit a line of questioning without providing reasoning. Prosecutors rarely present evidence orally in court but provide it in written and digital formats to judges in their chambers.

## **Political Prisoners and Detainees**

There were reports of political prisoners or detainees.

According to NGOs, the government held an unverified number of political prisoners. The government released several prisoners under the alternative sentencing law during the year, although many others remained in prison. The government did not permit access to such persons by independent humanitarian organizations. Charges against individuals identified by NGOs as political prisoners included terrorism, treason, espionage, and attempting to overthrow the monarchy. Prisoner advocates asserted that the requirement that prisoners not pose a threat to public security was used to limit eligibility for alternative noncustodial sentences of prisoners of conscience or political prisoners.

Social media accounts associated with exiled political opposition figures reported that several detainees convicted for organizing illegal protests were released between April 3 and 4, including Qassim al-Mulla, Ali Abdul Imam, Ali al-Taweel, Yunus Mohamed Ayub, Ahmed Yusuf Zuhair, Ahmed al-Qayyim, Sayed Ameen Hashim, Hussein Abdul Zahraa, Hasan Hani, Hussein Mohammed Eid, and Ali al-Shaikh.

Former University of Bahrain professor Abduljaleel al-Singace, whom many human rights NGOs called a political prisoner, remained incarcerated in a private medical facility as of year's end. Al-Singace was sentenced to life imprisonment in 2011 on charges of attempting to overthrow the monarchy, based on his role in protests calling for democracy and the reform of the Sunni-dominated power structure, sometimes using language advocating violence against the royal family and Sunnis. Prison officials have been providing him with nutritional and medical care to support his health since he began refusing solid food in April 2021 to protest the seizure of a manuscript on Arabic language and dialects he had attempted to smuggle out of prison and which authorities alleged would incite "hatred and sectarianism." According to Human Rights Watch and other international NGOs, the ombudsperson visited al-Singace in March and asked him to edit and resubmit the book for authorities to review, but he allegedly declined to do so.

On July 20, the High Criminal Court charged prodemocracy former member of parliament Osama al-Tamimi with arson (for burning the Israeli flag in parliament prior to the establishment of diplomatic relations with Israel) and fraud for using his brother's identity papers to try to escape from the police. He received an eight-year prison sentence. On September 15, al-Tamimi's defense lawyer said he had appealed the sentence. On October 17, al-Tamimi's family called on the government to allow him to travel abroad for medical treatment for kidney failure. Al-Tamimi had previously accused authorities of trying to poison him for his political views. As of year's end, he remained in a Ministry of Interior medical facility.

Prominent human rights defender and political opposition figure Abdulhadi al-Khawaja, a dual Danish-Bahraini citizen, remained imprisoned on a life sentence. A military court tried and convicted al-Khawaja, the former president and

cofounder of the Bahrain Centre for Human Rights, in 2011 on charges related to terrorism and attempting to overthrow the government. In November, his family reported that al-Khawaja was tried and sentenced for insulting prison officials, for which he was fined and remained in prison at year's end. He was also charged with insulting a foreign state (Israel), but those charges were eventually dropped.

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

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

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

Although the constitution prohibits such actions, the government reportedly violated prohibitions against interference with privacy, family, home, or correspondence. Human rights organizations reported security forces sometimes entered homes without authorization and destroyed or confiscated personal property. Many citizens and human rights organizations believed police used informant networks, including ones that targeted or used children younger than age 18.

The law requires the government to obtain a court order before monitoring telephone calls, email, and personal correspondence. International human rights organizations and media outlets reported that the government used the NSO Group's Pegasus spyware to unlawfully intercept and read communications of activists, bloggers, journalists, members of dissolved political societies, and human rights activists. Others who have been critical of the government also reported that their mobile phone manufacturer informed them that their phones were potentially targeted.

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

Human rights groups reported that authorities held the family of Yusuf al-Hoori, whose citizenship was revoked in 2015 for planning terrorist attacks, at the airport on July 2 upon their return from abroad. Al-Hoori's wife and five children said authorities interrogated and detained them for several days before allowing them to depart the country on August 29.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution provides for freedom of speech, including for members of the press and other media, only “provided that the fundamental beliefs of Islamic doctrine are not infringed, the unity of the people is not prejudiced, and discord and sectarianism are not aroused.” This constitutional restriction, however, does not extend freedom of speech protection to social media. The government limited freedom of expression and press freedom through prosecutions of individuals under libel, slander, and national security laws that targeted both professional and citizen journalists.

**Freedom of Expression:** The law forbids any speech that authorities consider a challenge public order or morals. While individuals openly expressed critical opinions regarding domestic political and social issues in private settings, those who shared such opinions publicly, including in traditional or social media, often faced repercussions. During the year, the government took steps against what it considered acts of civil disobedience, which included critical speech. The penal code allows penalties of no less than one year and no more than seven years of imprisonment, plus a fine, for anyone who “offends the monarch of the Kingdom of Bahrain, the flag, or the national emblem.”

Shia scholar Mohammed al-Madi was arrested on March 17 after a court confirmed the year-long prison sentence he received in 2019 for delivering a sermon in which he allegedly spoke ill of a companion of the Prophet Muhammad. Opposition sources stated that al-Madi was released on April 2, reportedly following an order from the royal court.

On September 11, the Ministry of Interior summoned a lawyer for a tweet the lawyer posted on September 5 urging unemployed university graduates to protest. He was released the same day.

**Violence and Harassment:** According to opposition social media accounts, authorities sometimes summoned citizen journalists active on social media to account for their reporting. Authorities claimed, however, that some individuals who identified themselves as journalists and photographers were associated with violent opposition groups and produced propaganda and recruiting videos for these groups. International media representatives reported difficulty in obtaining visas to work as journalists.

**Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media:** Government censorship regularly occurred. Ministry of Information Affairs personnel monitored media reports on matters deemed sensitive, especially those related to religious sects, national security, criticism of the ruling family or the judiciary, and the Saudi royal family. Media reported government officials contacted editors directly and told them to stop publishing articles on certain subjects.

The government did not own any print media, but the ministry and other government entities exercised considerable control over privately owned domestic print media. The private owners of the country's main newspapers have close ties to the government or held positions in the government.

The government owned and operated all domestic radio and television stations. Audiences could also access some radio and television broadcasts in Arabic and English from stations based outside the country, including by satellite. The government blocked foreign television stations it considered critical of the country.

The Ministry of Information Affairs reviewed all books and publications prior to issuing printing licenses. The Ministry of Justice, Islamic Affairs, and Endowments also reviewed books that discussed religion.

The law prohibits anti-Islamic content in media and mandates imprisonment for "exposing the state's official religion to offense and criticism." The law states, "Any publication that prejudices the ruling system of the country and its official

religion may be banned from publication by a ministerial order.” In June the Ministry of Information Affairs banned screenings of *Lightyear*, *Thor: Love and Thunder*, *Doctor Strange 2*, and *Eternals* for their portrayals of lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) characters and same-sex relationships.

**Libel/Slander Laws:** The government enforced libel and national security-related laws restricting freedom of the press. The penal code prohibits libel, slander, and “divulging secrets,” and it stipulates a punishment of imprisonment of no more than two years or a fine.

**National Security:** National security laws provide for substantial fines and prison sentences of at least six months for criticizing the king or inciting actions that undermine state security, as well as fines for 14 related offenses. Punishable activities include publicizing statements issued by a foreign state or organization without prior government approval, publishing reports that adversely affect the value of the dinar (the local currency), saying anything offensive against a head of state that maintains diplomatic relations with the country, and publishing offensive remarks concerning accredited representatives of foreign countries.

### **Internet Freedom**

The government restricted access to the internet and censored online content, and there were credible reports that the government monitored private online communications without appropriate legal authority. The government blocked access to some websites from inside and outside the country, including political opposition-linked websites. The government continued to block web-based outlets it believed were supported by Qatar, with which it broke diplomatic relations in 2017, as well as websites based in Lebanon, Iran, the United Kingdom, and elsewhere that published content critical of the government. It also blocked access to international human rights groups’ reporting on human rights and political prisoners, as well as opposition-leaning news sites critical of the ruling family and the government.

Several media reports alleged the government worked with other foreign governments and private companies to monitor political opposition leaders and

human rights activists' social media accounts, mobile telephones, and other forms of local and international electronic communications (see section 1.f.).

Activists reported that security forces interrogated them, sometimes repeatedly, about their social media posts and threatened their physical safety, livelihood, families, and access to social services such as housing. Some individuals were summoned to police stations and required to sign pledges to cease posting political content. Several activists said they shut down social media accounts or stopped posting to their accounts after being threatened.

The Ministry of Information's Anti-Cybercrime Directorate continued to monitor social media for indecency, blasphemy, incitement to sectarianism, and offenses to the sanctity of religion. In July, the directorate announced on Twitter that it arrested a woman for posting "inappropriate words and gestures" on social media. The public prosecutor charged the woman with "misuse of a telecommunication device." In August, the directorate arrested two citizens, one of them age 17, for posts on TikTok that insulted religious figures. The courts sentenced the 17-year-old to a one-month suspended prison sentence and the adult to a two-month suspended sentence.

### **Restrictions on Academic Freedom and Cultural Events**

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

In July, the Ministry of Interior summoned University of Bahrain sociology professor Nader Kadhim for questioning. According to political opposition sources, he was held at the Dry Dock detention center for a week, then released on July 28. The government never gave a public reason for his detention. Kadhim also received a letter of termination from the university, citing the shutdown of its sociology bachelor's degree program as the reason for his dismissal.

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

The government restricted freedoms of peaceful assembly and association.

## **Freedom of Peaceful Assembly**

The constitution provides for the right of peaceful assembly, but several laws and actions by authorities restrict the exercise of this right in practice. The antiterrorism law prohibits unlicensed gatherings of more than five persons, and the Ministry of Interior maintained a prohibition on public demonstrations to “maintain public order.” According to the government, no applications were submitted to hold a demonstration or protest during the year.

In general, the Ministry of Interior allowed small-scale political demonstrations to take place throughout the country without obtaining permits. Groups participating in these protests normally posted photographs on social media, but photographers and participants were careful to obscure or hide faces.

The law outlines locations where public gatherings are prohibited, including areas close to hospitals, airports, commercial locations, security-related facilities, and downtown Manama. The General Directorate of the police may prevent any public meeting it deems to threaten security or public order, or for any other “serious” reason. According to the law, the Ministry of Interior is not obligated to justify its approval or denial of permits for demonstrations.

The law prohibits mourners from turning funeral processions into political rallies and allows security officials to be present at any public gathering, including funerals.

The penal code forbids any gathering of five or more individuals for the “purpose of committing crimes or inciting others to commit crimes.” Authorities prohibited the use of vehicles in any demonstration, protest, or gathering unless organizers obtained special written permission from the head of public security.

The law states every public gathering shall have a committee consisting of a head and at least two other members who are responsible for its supervision and for preventing any illegal acts during the function. Organizers of unauthorized gatherings can face prison sentences of three to six months. Participants in an illegal gathering may face sentences ranging from one month to two years in prison.

The law regulates election campaigning and prohibits political activities at worship



centers, universities, schools, government buildings, and public institutions. The government did not allow individuals to use mosques, *maatams* (Shia religious halls), or other religious sites for political gatherings.

The ministry summoned several individuals who participated in “illegal” gatherings and released them after interrogation.

Small-scale marches took place in Samaheej and Musalla on March 29 against normalization with Israel and the foreign minister’s participation in the Negev Summit that took place on March 28. Some individuals reported being summoned, detained, and eventually released without charge for participating in antinormalization protests. The banned al-Wefaq political society said that the public prosecutor charged a resident from Damistan village in criminal court on July 18 for participating in anti-Israel protests. The summons listed “gathering with the aim of committing crimes or harming security” as the main charge. Further information on the case was not available.

Social media reported on September 9 that the public prosecutor questioned four children from Sitra about their participation in weekly protests in Budaiya and Sanabis in support of political prisoners.

## **Freedom of Association**

The constitution provides for freedom of association, but the government limited this right. The government required all civil society groups and labor unions to register with the Ministry of Social Development, and political societies to register with the Ministry of Justice, Islamic Affairs, and Endowments. The law allows the government to dissolve and ban political societies. The government decides whether a group is social or political in nature, based on the group’s proposed bylaws. The law prohibits any activity by an unlicensed society or group, as well as any political activity by a licensed civil society group. Despite this, some unlicensed civil society associations were active in the country (see section 3).

A civil society group applying for registration must submit its bylaws and the minutes of the founding committee’s meetings containing the names, professions, places of residence, and signatures of all founding members. The law grants the Ministry of Social Development the right to reject the registration of any civil

society group if it finds the group's services unnecessary, already provided by another entity, contrary to state security, or aimed at reviving a previously dissolved civil society association. Associations whose applications are rejected or not acted upon may appeal to the High Civil Court.

NGOs and civil society activists asserted the ministry routinely exploited its oversight role to restrict the activities of such organizations. Local NGOs reported that officials actively sought to undermine some groups' activities, including interference in board elections or imposition of burdensome bureaucratic procedures on NGO board members and volunteers. Similar restrictions existed regarding political societies (see section 3).

On August 22, the Ministry of Social Development issued a circular to civil society organizations (CSOs) warning them to abide by a law prohibiting them from engaging in political activities or fundraising. The government also required CSOs to submit board of director candidates for approval before holding elections. The government repeatedly disqualified members of banned political societies from running for office in CSOs, sports clubs, and other nonpolitical organizations, without explanation or an appeals process.

The Ministries of Justice and Interior must vet funding from international sources and often did not authorize it.

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

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement and the Right to Leave the Country**

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation. The government did not always respect these rights. Some individuals released from prison on alternative sentences were subject to travel bans or limits on their ability to attend religious or cultural events.

**Foreign Travel:** The law allows the government to reject for "reasonable cause" applications to obtain or renew passports, but the applicant has the right to appeal

such decisions before the High Civil Court. On February 15, the Ministry of Justice, Islamic Affairs and Endowments removed the travel ban for insolvent debtors, if they fulfill specific requirements.

The government maintained a website enabling individuals to check their status before travel, although some individuals claimed the website's information was unreliable. Authorities cited "defense of national security" when denying passport applications and had authority to prevent citizens perceived as openly critical of the government from leaving the country.

There were conflicting reports of whether citizens needed government permission to travel to Iraq for al-Arbaeen ceremonies, a major religious ritual in which Shia Muslims commemorate the martyrdom of the Prophet Muhammad's grandson, Husayn bin Ali. On September 9, Safa al-Khawaja, a member of the dissolved Bahrain Center for Human Rights, affirmed she was able to travel to Iraq. On September 9 and 10, however, the leaders of the dissolved Shia Scholars' Council reported on their social media accounts that authorities prevented them from traveling to Iraq. On September 14, videos of al-Arbaeen processions organized by hundreds of Bahrainis in Karbala appeared on social media.

**Exile:** There were no reports the government prohibited the return of individuals it considered citizens. The government, however, did prohibit the return of those whose citizenship it had formally revoked and their family members.

**Citizenship:** The government may revoke citizenship in both criminal and political cases, including for natural-born citizens, regardless of whether individuals may become stateless by these actions. On December 13, the Court of Cassation affirmed a defendant's 2015 terrorism conviction, with a sentence that included revocation of his citizenship and a 10-year prison sentence.

Citizenship revocation remained a punitive practice in criminal sentencing, which also had a trickle-down effect by rendering the accused's family members stateless (see section 2.g.). Some family members of men whose citizenship was revoked, especially women and adult and minor children, were unable to renew or obtain their own passports, residence cards, and birth certificates, limiting their access to social services including housing and education. The government may halt payments of pensions or remove families from government-assisted housing if the

head of household has had his citizenship revoked.

#### **e. Protection of Refugees**

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

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

#### **f. Status and Treatment of Internally Displaced Persons**

Not applicable.

#### **g. Stateless Persons**

The country contributes to statelessness, including through discrimination in nationality laws or their administration in practice. Individuals derive citizenship only from the father, but the king may also confer or revoke citizenship. The law does not grant citizenship to children born to citizen mothers and foreign fathers, even if the birth takes place within the country (see section 6, Children). Similarly, the law does not provide a path to citizenship for foreign men married to citizen women; it allows foreign women married to citizen men to become citizens.

Human rights organizations reported these laws resulted in stateless children, particularly when the foreign father was unable or unwilling to secure citizenship for the child from the father's country of nationality, or when the father was

stateless, deceased, or unknown. The number of stateless persons residing in the country was unknown. Stateless persons had limited access to social services, education, and employment.

In July, political opposition and social media accounts and websites criticized the government for denying citizenship and nationality to a child named Sayed Ali Qassim, rendering him and his siblings stateless. The government revoked the citizenship of the boy's father in 2015 following his terrorism conviction.

NGOs confirmed multiple cases of authorities refusing applications for birth certificates and passports for children whose fathers were in prison because the fathers were not able to submit the applications in person (see section 6, Children).

The government charged individuals whose citizenship it revoked with violating immigration law if they remained in the country.

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

Citizens do not have the ability to choose their political system or their government. The constitution provides for an elected 40-member Council of Representatives, the lower house of parliament. The constitution permits the king to dissolve the Council of Representatives after consulting the chairpersons of both houses of parliament and the head of the Constitutional Court. The king may not dissolve the Council of Representatives for the same reasons more than once in a term. The king has the power to amend the constitution and to propose, ratify, and promulgate laws.

On August 21, the Ministry of Social Development issued a circular warning CSOs, as well as social and cultural clubs, against organizing political events prior to the November legislative and municipal elections.

### **Elections and Political Participation**

**Recent Elections:** The government did not permit international election monitors for the November 12 parliamentary elections or for the runoffs the following week. Domestic monitors generally concluded that authorities administered the elections without significant irregularities. Free participation in the political process was

restricted by several measures, including the banning of the country's principal opposition political groups in 2017 and 2018; laws restricting former members of banned political groups from running for office; gerrymandered voting district boundaries; the absence of an independent press; and the criminalization of online criticism.

On August 17, the Ministry of Justice, Islamic Affairs and Endowments issued a circular to registered political societies reiterating the legal requirement for political societies to notify the government three days before meeting with a foreign entity, including embassies, and that a Ministry of Foreign Affairs official should be present at any such meeting. The government strictly enforced this requirement and denied requests for foreign embassies to meet with political societies prior to the November elections.

**Political Parties and Political Participation:** The government did not allow the formation of political parties, but some existing political societies developed political platforms, held internal elections, and hosted political gatherings. Bans on the two most prominent opposition political societies, Wa'ad and al-Wifaq, dating to 2017 and 2018, remained in effect.

To apply for registration, a political society must submit its bylaws signed by all founding members, a list of all members, copies of members' residency cards, and a financial statement identifying the society's sources of funding and bank information. The society's principles, goals, and programs must not run counter to sharia (religious law) or the national interest, as interpreted by the judiciary, nor may the society base itself on sectarian, geographic, or class identity.

The government authorized registered political societies to nominate candidates for office and to participate in other political activities. The law bans practicing clerics from membership in political societies (including in leadership positions) and involvement in political activities, even on a voluntary basis.

**Participation of Women and Members of Minority Groups:** No law limits participation of women or members of minority groups in the political process, and they did participate.

Shia and Sunni citizens have equal rights before the law but Sunnis, despite being

in the minority demographically, dominated political life through manipulation of electoral districting, voter registration, restrictions on freedom of expression and drafting of laws. In the November elections, 11 Shia candidates were elected to the Council of Representatives. The appointed Shura Council included 19 Shia members, one Jewish member, and one Christian member. Nine of the 24 appointed cabinet ministers were Shia citizens.

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

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were isolated reports of government corruption during the year.

**Corruption:** The law subjects government employees at all levels to prosecution if they use their positions to engage in embezzlement or bribery, either directly or indirectly. Penalties range up to 10 years' imprisonment.

The National Audit Office, an arm of the prime minister's office, is responsible for combating government corruption. The Government Executive Committee, chaired by the prime minister, reviews any offenses cited in the office's annual report, released in October but not made public.

The Interior Ministry's General Directorate of Anticorruption and Economic and Electronic Security held workshops for various ministries throughout the year.

According to the Ministry of Interior, the General Directorate of Anti-Corruption and Economic and Electronic Security investigated 96 cases of embezzlement, bribery, and abuse of power, in addition to three offenses stemming from the National Audit Office report to the cabinet.

On February 24, a criminal court sentenced two employees at the Jaafari Endowments, a part of the Ministry of Justice and Islamic Affairs, to seven years in prison and a significant fine for embezzlement related to renovating mosques. On May 31, the supreme criminal court of appeals reduced their prison sentence to three years.

On July 19, the Ministry of Interior arrested an assistant undersecretary at the ministry under charges related to administrative violations and misappropriation of public funds and referred him to the public prosecutor; no trial date had been set as of year's end.

Significant areas of government activity, including the security forces and the Bahrain Defense Force, and their off-budget government expenditures, lacked transparency. The privatization of public land for profit remained a concern among political opposition groups. Human rights advocates said that opaque and discriminatory employment practices, including nepotism, continued in the security forces, which rarely hired Shia citizens (see section 7.d.).

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

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

The government restricted domestic human rights groups, and some human rights activists remain imprisoned, exiled, or coerced into silence, according to international human rights organizations. Local leaders, civil society organizations, and activists reported harassment, including police surveillance and delayed processing of civil documents. The government disqualified candidates for board elections based on their prior membership in a political opposition society. Activists reported forgoing international travel, particularly to human rights-related events, fearing attendance would result in travel bans.

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

**Government Human Rights Bodies:** In July, the government issued a *National*



*Human Rights Plan for 2022-2026.* The action plan, developed in consultation with the Office of the UN High Commissioner for Human Rights, established four focal points: civil and political rights; economic, social, and cultural rights; the rights of groups with priority care needs; and solidarity rights. The plan incorporates 17 main objectives covering matters such as religious freedom, freedom of expression, capacity building for journalists, strengthening democracy, capacity building for civil society organizations, combating trafficking in persons, and encouraging the implementation of alternative sentencing.

In June, the Ministry of Foreign Affairs released an annual report of the government's activities to support and protect what it considers to be human rights in the areas of economic development, social programs for low-income Bahrainis, health care, access to education, religious freedom, women's rights, rights of children and youth empowerment, disability rights, environmental sustainability, combatting trafficking in persons, and judicial and prison reforms. The foreign minister chairs the national human rights committee, which coordinates human rights policy with 18 ministries and public entities. The ombudsman's office, the SIU, the NIHR, and the PDRC worked with one another throughout the year. The ombudsman's office maintained a hotline for citizens to report police abuse via telephone, email, WhatsApp, or in person. The National Intelligence Agency's inspector general also worked with the ombudsman's office.

The PDRC monitored prisons, detention centers, and other places where persons may be detained, such as hospital and psychiatric facilities. It was empowered to, and did, conduct inspections of facilities, interview inmates or detainees, and refer cases to the ombudsman's office or the SIU. The NIHR conducted human rights workshops, seminars, and training sessions, as well as prison visits, and can refer complaints to the public prosecutor. It also operated a hotline for citizens and residents to file human rights-related complaints, as well as a walk-in option.

Many human rights groups asserted that investigations into police abuse were slow and ineffective, and they questioned the independence and credibility of investigations by government-sponsored organizations.

Local and international observers and human rights organizations continued to express concern the government had not fully implemented recommendations from

the Bahrain Independent Commission of Inquiry, a body established to report comprehensively on unrest in the country in February and March 2011 and the consequences of these events. Among the commission's unimplemented recommendations were the integration of Shia citizens into security forces and the creation of a social environment conducive to national reconciliation.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** Rape, including of men, is illegal, although the penal code allows men accused of rape to marry female survivors to avoid punishment. The law does not address spousal rape. Penalties for rape include life imprisonment or execution when the survivor is younger than age 16, the rapist is the survivor's custodian or guardian, or the rape causes death. The government enforced this law.

The law criminalizes gender-based violence. Nevertheless, domestic violence against women was common, according to several women's rights organizations. Government leaders and women's organizations participated in awareness-raising activities during the year. The government maintained a shelter for women and children who were survivors of domestic violence. The law provides that local police officials should be contacted in cases of domestic violence and that the public prosecutor may investigate if police pass information to the public prosecutor's office. Survivors of domestic violence, however, reported a lack of clarity how to file a complaint.

The government did not provide statistics on documented instances of prosecutions for physical or sexual abuse of women.

**Female Genital Mutilation/Cutting (FGM/C):** FGM/C was rarely practiced. No specific law prohibits the practice, although legal experts previously indicated the act falls under criminal code provisions that prohibit causing "permanent disability to another person."

**Other Forms of Gender-based Violence:** By law an "honor" killing is charged as a homicide and is punishable with life in prison or a death sentence. The penal

code provides a prison sentence for killing a spouse caught in an act of adultery, whether male or female. There were no cases of “honor” killings reported during the year.

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

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

There are no known legal barriers or penalties for accessing contraception. Health centers did not require women to obtain spousal consent for provision of most family planning services but did require such consent for women seeking sterilization procedures.

Contraceptives were available without prescription throughout the country regardless of nationality, gender, age, or marital status. The government provided access to sexual and reproductive health services for survivors of sexual violence, although emergency contraception was not available.

**Discrimination:** The 2002 constitution guarantees gender equality in “political, social and economic spheres, without breaching the provisions of Islamic law.” Laws are derived from sharia (Islamic jurisprudence).

Women have the right to initiate divorce proceedings in family courts, but unlike for men, both Shia and Sunni religious courts may refuse a woman’s request for divorce. In divorce cases, Shia women retain custody of daughters until age nine and sons until age seven, after which time Shia fathers typically gain custody. In contrast, Sunni women could retain custody of daughters until age 17 and sons until age 15. Regardless of custody decisions, the father retains guardianship, or the right to make all legal decisions for the child, until the child reaches age 21. A noncitizen woman automatically loses custody of her children if she divorces their citizen father “without just cause.” Citizen women can file for divorce for reasons stated in their marriage contract, as well as for physical harm, lack of financial

support, abandonment, or imprisonment. Any divorced woman who remarries loses custody of her children from a prior marriage.

The basis for family law is sharia, as interpreted and enforced by separate bodies of Sunni and Shia religious experts. In 2017, King Hamad ratified the Shia portion of the Unified Family Law codifying the rights of Shia citizens, in particular women, according to the civil code on issues such as marriage, divorce, child custody, and inheritance. The law provides access to family courts for all women, providing standardized application of the law and further legal recourse, since decisions made by family court judges are subject to review by the Supreme Judicial Council. In instances of mixed Sunni-Shia marriages, families may choose which court hears the issue.

Lawyers expressed concern regarding the long waiting periods for final judgments in Shia courts, particularly in divorce cases.

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

## **Systemic Racial or Ethnic Violence and Discrimination**

The law does not specifically provide for the protection of members of racial or ethnic minority groups against violence and discrimination. It grants citizenship to ethnic Arab applicants who have resided in the country for 15 years and non-Arab applicants who have resided in the country for 25 years. There were numerous reports that authorities did not apply the citizenship law uniformly. NGOs stated the government allowed foreign Sunni employees of the security forces who had lived in the country fewer than 15 years to apply for citizenship, while there were reports authorities had not granted citizenship to Arab Shia and non-Arab foreign applicants who met the residency requirements. Human rights organizations reported that Shia citizens faced systemic discrimination in many areas, did not have equality before the law, and faced numerous barriers to equal participation in

society and government.

## **Children**

**Birth Registration:** Individuals derive citizenship only from their father or by decree from the king. Women cannot transmit their nationality to their children, rendering stateless the children of citizen mothers and noncitizen fathers if the children cannot or will not claim citizenship through the father's nationality (see section 2.d.).

Authorities do not register births immediately. Until a child reaches the age of three months, its registration is in the hands of the mother's primary health-care provider. Authorities then register the birth with the Ministry of Health, which issues the official birth certificate. Children not registered before reaching their first birthday must obtain a registration by court order. The government does not provide public services to a child without a birth certificate. Mothers giving birth out of wedlock in public or government-run hospitals often faced challenges in obtaining birth certificates for their children.

**Education:** Schooling is compulsory for children until age 15 and is provided free of charge to citizens and legal residents through grade 12. Authorities segregated government-run schools by gender, although girls and boys used the same curricula and textbooks. Islamic studies based solely on Sunni doctrine are mandatory for all Muslim students and are optional for non-Muslim students.

**Child Abuse:** The Restorative Justice Law for Children and their Protection from Maltreatment, promulgated in 2021, expanded laws against child abuse. The Public Prosecution launched the CARE initiative in December 2021, in partnership with the Ministry of Justice, the Ministry of Social Development, the Ministry of Education, the Bahrain Bar Association, and the United Nations Office for Drugs and Crime. The initiative assisted 248 individuals in 2021-2022, 209 of them children, with medical, legal, and financial assistance as well as psychological counseling to victims of violence and survivors of child abuse.

**Child, Early, and Forced Marriage:** According to the law, the minimum age of marriage is 16 years for girls and 18 years for boys, but special circumstances allow marriages at younger ages with approval from a sharia court.

**Sexual Exploitation of Children:** The law prohibits exploitation of a child for various crimes, including in commercial sex and child pornography; authorities enforced the law. The law imposes penalties, including a mandatory minimum two-year prison sentence for child pornography, on adults who sexually exploit children or incite or coerce children to commit crimes.

The age of consent is age 21 and there is no close-in-age exemption.

## **Antisemitism**

Antisemitic acts, media statements, and protests occurred regularly but there were no acts of antisemitic violence reported. According to community members, there were between 20 and 40 Jewish citizens from six families living in the country. The region's oldest synagogue, the House of Ten Commandments, openly observed Jewish traditions and held prayers in the downtown area of the capital.

In August unfounded rumors that the government intended to establish a Jewish neighborhood in Manama caused a brief surge in antisemitic rhetoric online, including a political cartoon posted on Twitter.

On December 25, protesters staged peaceful demonstrations in the Manama souq in rejection of Hanukkah celebrations and normalization of relations with Israel. Videos circulating online showed persons chanting "Death to Israel" near Bahrain's historic synagogue, which hosted approximately 300 Hanukkah observers from Israel, Europe, and the United States, as well as visitors from other local religious communities, throughout the week.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics**

**Criminalization:** The law does not criminalize same-sex sexual conduct between

consenting adults. It provides for fines, imprisonment, deportation, or a combination thereof for persons engaging in “debauchery” or “public indecency.” The government used this provision against individuals suspected of being LGBTQI+ or of “cross-dressing.”

On November 28, local press reported that a man lost his final appeal of a two-year prison sentence for allegedly wearing makeup at a private party. He was found guilty of debauchery and public indecency and sentenced to one year imprisonment.

**Violence against LGBTQI+ Persons:** There were no reports of instances of police, other government agent, or nonstate actor violence targeting LGBTQI+ persons.

**Discrimination:** The law does not extend antidiscrimination protections because of sexual orientation, gender identity or expression, or sex characteristics. Discrimination based on sexual orientation or gender identity occurred, including in employment and obtaining legal identity documents.

On June 13, social and charitable organizations, including the Islamic Education Society and al-Hedaya Islamic charity association, campaigned against LGBTQI+ rights, including hanging anti-LGBTQI+ banners on the main streets of Manama, Budaiya, Riffa, and Muharraq.

**Availability of Legal Gender Recognition:** Courts permit individuals to change their gender identity markers on legal and identifying national documents to bring them into alignment with their gender identity (as male or female). Individuals must provide medical documentation of a “sex change operation” or medical necessity. Nonbinary, intersex, or gender nonconforming options are not available.

**Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals:** The law does not ban so-called conversion therapy or involuntary psychological treatment for suspected LGBTQI+ individuals. There were no reports of such practices being employed during the year.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:**

There are no organizations that support the LGBTQI+ community. Societal norms restrict the ability of LGBTQI+ organizations to form and to convene events supportive of the LGBTQI+ community.

## **Persons with Disabilities**

The law prohibits discrimination against persons with disabilities, including in employment, and provides for fines in cases of job-related discrimination. The government did not enforce these provisions effectively.

The constitution provides for social security, social insurance, and health care for persons with disabilities, but according to anecdotal evidence, persons with disabilities could not access education, health services, public buildings, and transportation on an equal basis with others. The government administered a committee to oversee the provision of care for persons with disabilities that included representatives from all relevant ministries, NGOs, and the private sector. The committee was responsible for monitoring abuses against persons with disabilities. During the year the government did not prosecute any cases for offenses against persons with disabilities.

Building codes require accessible facilities in all new government and public buildings in the city of Manama. The law does not mandate access to private, nonresidential buildings for persons with disabilities.

The sole government school for children with hearing disabilities did not operate past the 10th grade.

Voters with mobility problems sometimes had difficulty accessing voting stations, which often were in schools. Eligible voters, however, may vote either in their regular precincts or in a general polling station, and some of these stations in public spaces such as malls allowed for assistive devices. There was no absentee ballot system. A disability rights organization reported that most polling places during the November elections were wheelchair accessible, and the government ensured all polling stations were accessible for elderly and disabled voters.



## **Other Societal Violence or Discrimination**

There were no known cases involving societal violence or discrimination against persons based on HIV or AIDS status, but medical experts acknowledged that discrimination existed in the form of social stigmas that delay or prevent patients from seeking medical care for fear of public disclosure of their medical condition. The government screened newly arrived migrant workers for infectious diseases, including HIV and AIDS. The government provided medical care to individuals with HIV and AIDS with no reports of discriminatory practices.

## **Section 7. Worker Rights**

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

The constitution and labor code recognize the right to form and join independent trade unions, as well as the right to strike, but with significant restrictions. The law does not provide for the right to collective bargaining. The government did not effectively enforce all applicable laws, including prohibitions on antiunion discrimination. Penalties for violations of law protecting freedom of association and the right to strike were less than those under other laws involving denials of civil rights.

The law prohibits trade unions in the public sector. Public sector workers may join private sector trade unions and professional associations, although these entities may not bargain on their behalf. The law also prohibits members of the military and domestic workers from joining unions. Foreign workers, composing nearly 80 percent of the civilian workforce, may join unions if they work in a sector that allows unions, although the law reserves union leadership roles for citizens. The law prohibits unions from engaging in political activities. There are two licensed, multisectoral trade union federations, the General Federation for Bahrain Trade Unions and the Bahrain Free Labor Unions Federations.

The law specifies that only an official trade union may organize or declare a strike, and it imposes requirements for legal strikes. The law prohibits strikes in 12 “vital” sectors, the scope of which exceeds standards designated by the International Labor Organization (ILO), including the oil, gas, education,

telecommunications, transportation, and health sectors, as well as pharmacies and bakeries. The law makes no distinction between “vital” and “nonvital” employees within these sectors. Workers must approve a strike with a simple majority and provide 15 days’ notification to the employer before conducting a strike.

The law allows trade unions and federations of unions. In practice the existing union federations represent unions from different sectors, though the legal text stipulates that union federations should include only “similar,” not multisector, unions. An individual convicted of criminal acts that lead to the dissolution of a trade union is prohibited from holding any union leadership position. The law gives the labor minister, rather than the unions, the right to select the federation to represent workers in national-level bargaining and international forums. The law does not require reinstatement of workers fired for union activity.

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

The law prohibits and criminalizes all forms of forced or compulsory labor except in national emergencies; however, the government did not enforce the law effectively for migrant workers. The law covers most foreign workers but excludes those working in private homes as domestic workers. Sources report nonpayment or severe underpayment of wages and denial of vacation time were widespread, particularly for domestic workers. The antitrafficking law prescribes penalties ranging from three to 15 years’ imprisonment, a significant fine, and the cost of repatriating the victim(s).

There were reports of forced labor in the construction and service sectors. Enforcement of laws was lax, and cases of debt bondage were common. There were also reports of forced labor practices among domestic workers and others working in the informal sector; labor laws did not protect most of these workers (see section 7.e.). Domestic workers from outside the country have the right to see the terms of their employment contract before leaving their home countries or upon arrival. The law requires domestic workers hired through employment offices to have a tripartite contract, with the signature of the employer, recruitment office, and employee. In the case of direct hiring of a domestic worker, the employer must submit a pledge of the employer’s obligations to the Labor Market Regulatory Authority (LMRA).

Foreign workers may change the employer associated with their visa without permission from their former employer or without their passport under certain conditions, including abuse or unpaid wages.

The LMRA's two public reports detailed 125 forced labor cases during the year.

The law did not explicitly prohibit passport confiscation with deterrent penalties, leaving migrant workers vulnerable to threats and coercion. According to reports by third-country labor officials and human rights organizations, employers sometimes withheld passports, restricted movement and communication, substituted contracts, and did not pay wages. Some employers threatened workers and subjected them to physical, psychological, and sexual abuse. The public prosecutor's office did not prosecute any individuals for withholding their employees' passports under legal prohibitions on theft of personal property.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

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

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

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

The constitution provides for equality between men and women in political, social, cultural, and economic spheres without breaching the provisions of Islamic law. The law prohibits discrimination based on gender, national origin, language, religion or belief, and bans sexual harassment in the workplace. The government did not effectively enforce the law. Penalties for violations of employment discrimination laws were commensurate with or less than penalties related to civil rights. The law deems dismissal for sex, color, religion, ideology, marital status, family responsibilities, and pregnancy to be arbitrary and illegal but provides for no right to reinstatement. The law also prohibits wage discrimination based on sex, national origin, language, religion, or ideology. Labor laws prohibit discrimination against women at the workplace. According to the Ministry of Foreign Affairs, 56 percent of employees in the public sector and 33 percent in the

private sector are women.

The law stipulates equal treatment for persons with disabilities regarding employment, and violations of the law are punishable with fines (see section 6, Persons with Disabilities). The Ministry of Labor requires that workers with significant disabilities and their first-degree relative caregivers receive two hours of daily paid rest. A government committee, which included representatives from all relevant ministries, NGOs, and the private sector, monitored provision of care for persons with disabilities and violations against them. During the year the government did not prosecute any cases for violations against persons with disabilities.

No information was available on the responsibilities of government agencies to protect the rights of persons with disabilities. According to anecdotal evidence, persons with disabilities routinely lacked access to employment, particularly in positions of responsibility. The law requires the government to provide vocational training for persons with disabilities who wish to work. The Ministry of Labor ran a center offering employment and training services for citizens with disabilities. Some persons with disabilities were employed in the public sector. The law requires employers of more than 100 persons to hire at least 2 percent of its employees from the government's list of workers with disabilities, but the government did not monitor compliance. Many workplaces remained difficult to access for those needing assistance, due to narrow doorways, unpaved parking lots, or a lack of ramps.

Foreigners account for approximately half of the country's population. Although the government asserts the labor code for the private sector applies to all workers, the ILO and international NGOs noted foreign workers faced discrimination in the workplace. There are no laws providing for equality in the hiring process. It was common for employers to advertise positions for specific nationalities or languages without justifying why only persons from that specific nationality or language group would be acceptable.

Lack of transparency in hiring processes, especially for government positions, led to many complaints of discrimination based on sect or ethnicity. Human rights organizations reported that Shia citizens faced widespread employment

discrimination, primarily in the public sector, and that Sunni citizens often received preference for employment in sensitive government positions, notably in the managerial ranks of the civil service, the security forces, police, and the military.

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

**Wage and Hour Laws:** There is no national private sector minimum wage law. A standardized government pay scale covers public sector workers, with a set minimum monthly wage. While the minimum wage for citizens is generally considered a living wage, there is no minimum wage for foreign workers in the public sector; however, the government issued “guidelines” advising employers in the public and private sectors to pay a minimum monthly wage. There was no official poverty level.

Subject to the provisions of the private-sector law, employers may not employ a worker for more than 48 hours per week without including contract provisions for overtime pay. Employers may not employ Muslim workers during the month of Ramadan for more than six hours per day or 36 hours per week.

**Occupational Safety and Health:** The Ministry of Labor set occupational safety and health (OSH) standards which were not appropriate for the main industries in the country. The law outlined protections which apply to citizens and noncitizens alike, except for domestic workers. The law stipulates that companies in violation of occupational safety standards may be subject to fines. The Ministry of Labor employed general inspectors and occupational safety inspectors. Their roles were to inspect workplaces, occupational health and safety conditions, and the employer/employee work relationship. The ministry used a team of six engineers from multiple specialties to investigate risks and inspect standards at construction and outdoor sites, where most violations of OSH standards took place. Workers reported fear of retaliation for reporting situations that endangered their health or safety.

**Wage, Hour, and OSH Enforcement:** The government and courts generally worked to rectify labor abuses brought to their attention. Penalties for wage and hour violations were not commensurate with those for similar crimes, such as fraud.

The third and final phase of implementation of the Wage Protection System began in January, allowing the government to monitor payments from employers to private-sector workers. The Ministry of Labor and the LMRA, however, did not report penalizing employers who failed to pay monthly salaries on time and per contractual obligations.

The LMRA threatened employers who confiscated passports with administrative violations and prohibited at-fault employers from hiring new workers. During the year the government shut down recruitment agencies and revoked licenses of others for infringing on workers' rights. Recruitment agencies complicit in illegal practices may be subject to license revocation, legal action, shutdown of business operations, or a forfeit of license deposits.

The LMRA's Protective Inspection Directorate employed 70 inspectors who were responsible for enforcement of employment violations, immigration violations and worksite inspections. During the year the inspectors carried out over 25,000 inspections and referred to the public prosecutor 320 employers who were in violation of regulations. The LMRA reported it collected BD 662,000 (\$1.76 million) in fines from these violations.

The LMRA's inspectors were sworn officers of the court, with the authority to conduct official investigations. Inspector reports may result in fines, court cases, loss of work permits, and termination of businesses. These inspectors focus on the legal and administrative provisions under which individuals fall, including work permits, employer records, and licenses.

The government did not effectively enforce existing OSH standards. Violations of OSH laws were rarely reported. Workers risked jeopardizing their employment for refusal to work in hazardous conditions or if they took legal action against employers who retaliated against them for exercising their right to remove themselves from such conditions.

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

resources for enforcement of the laws were inadequate for the number of worksites and workers, that worksites would not be inspected, and that violations would continue.

A ministerial decree prohibits outdoor work between noon and 4 p.m. during July and August because of heat conditions. Authorities enforced the ban with regard to large firms, but according to local observers, violations by smaller businesses were common and without consequences. Employers who violate the ban are subject to up to three months' imprisonment, fines, or both, but enforcement was inconsistent. From July 1 to August 31, the Ministry of Labor documented 27 companies and 52 workers that violated the summer heat ban.

The government published pamphlets on foreign workers' rights in several languages and provided manuals on these rights to local diplomatic missions. Workers could file complaints with the government via email, in person, or through government hotlines. Most cases involving abused domestic workers, however, did not reach the ministry or the public prosecutor. The government provided victims with a range of services, including shelter, food, clothing, medical and psychological care, legal counsel, and grants from the Victim Assistance Fund. The National Committee for Combating Trafficking in Persons provided shelter and services to victims and potential victims on a case-by-case basis.

Local organizations reported that they visited unregistered camps and accommodations, including accommodations of irregular "free visa" workers, who they observed often lived in overcrowded apartments with poor safety standards.

**Informal Sector:** Violations of wage, overtime, and OSH standards were common in sectors employing informal foreign workers, such as construction, automotive repair, and domestic service. According to NGOs, workplace safety inspection and compliance were substandard.

Because the law does not fully protect domestic workers, this group was particularly vulnerable to exploitation due to the difficulties of oversight and access to private residences. Additionally, NGOs reported employers' and recruitment agencies' contracts did not have standard terms for employees from

different countries.

The Ministries of Labor and Interior acknowledged severe underreporting of abuse and labor exploitation. NGOs and activists provided credible reports that employers forced many of the country's domestic workers, most of them women, to work 12- to 16-hour days, and illegally seized their passports and cell phones. Some domestic workers reported that their employers permitted very little time off, left female workers malnourished, and subjected them to verbal and physical abuse, including sexual molestation and rape. The press, embassies, and police received numerous reports of abuse of domestic workers. The National Committee for Combatting Trafficking in Persons provided shelter and other services to victims of trafficking and other individuals in vulnerable situations. From April to the end of the year, 16 declared victims of trafficking benefited from accommodation in the TIP shelter.

On December 4, the LMRA launched the Labor Registration Program so that migrant workers and workers on the discontinued Flexi Permit could obtain a new permit to work without a sponsor. The government intensified joint inspection campaigns to identify jobseekers who arrived under cover of a tourist, business, or family visa. Undocumented workers in the informal sector risked immediate deportation.

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