IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 2015

Mr. McGovern (for himself, Mr. Pitts, and Mr. Johnson of Georgia) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To prohibit the sale of arms to Bahrain.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “The Bahrain Inde-
pendent Commission of Inquiry (BICI) Accountability Act
of 2015”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The Kingdom of Bahrain is a party to sev-
eral international human rights instruments, includ-
ing the International Covenant on Civil and Political

(2) The citizens of Bahrain significantly intensified their calls for government reform and respect for human rights in February 2011, with hundreds of thousands participating in nonviolent demonstrations.

(3) Article 1 of the Royal Order No. 28 of July 1, 2011, established the Bahrain Independent Commission of Inquiry (BICI) and mandated the Commission “to investigate and report on the events occurring in Bahrain in February/March 2011, and any subsequent consequences arising out of the aforementioned events, and to make such recommendations as it may deem appropriate”.

(4) The BICI was composed of well-renowned international human rights experts who were authorized to investigate human rights violations and recommend measures for accountability.

(5) The BICI received approximately 9,000 written complaints from both Bahraini citizens and foreign residents who claimed to be victims of
human rights violations, and the BICI conducted over 5,000 personal interviews with those individuals.

(6) The 503-page BICI report “investigating and reporting on the events that took place in Bahrain from February 2011, and the consequences of those events” was submitted to the Government of Bahrain on November 23, 2011.

(7) The BICI report made 26 “recommendations for reconsideration of administrative and legal actions, and recommendations concerning the institutionalization of mechanisms designed to prevent the recurrence of similar events, and how to address them”.

(8) The King of Bahrain received the BICI report on November 23, 2011, and pledged to “conceive and implement reforms that satisfy all segments of our population” to achieve national reconciliation.

(9) The Department of State stated on May 11, 2012, “While the Government of Bahrain has begun to take some important steps to implement the recommendations of the Bahrain Independent Commission of Inquiry report, the country is becoming in-
creasingly polarized and much work remains to be
done.”.

(10) On August 14, 2013, the Department of
State submitted a report to Congress entitled “Im-
plementation of Recommendations by the Bahrain
Independent Commission of Inquiry”, which deter-
mined only 5 of the 26 recommendations of the
BICI report to be “fully Implemented” by the Gov-
ernment of Bahrain.

(11) The BICI report determined that the Bah-
rain Defence Force “was one of the main organs in-
volved in the implementation of Royal Decree No. 18
of 2011 pursuant to which the State of National
Safety was declared in Bahrain”.

(12) The BICI report found the Bahrain
Defence Force units “holding law enforcement pow-
ers executed arrest warrants against some individ-
uals, including doctors employed by the Salmaniya
Medical Complex (SMC) and former parliamentar-
ians”.

(13) Human Rights First has found that no of-
icials from the Bahrain Defence Force have been
held accountable for excessive use of violence against
peaceful protesters since 2011.
(14) Amnesty International determined that opposition leader Ali Salman is a prisoner of conscience who was sentenced to four years in prison, after an unfair trial, on June 15, 2015.

(15) According to the Project on Middle East Democracy, the Government of Bahrain summoned Bahraini opposition leader Khalil al-Marzooq over an investigation into insulting a government ministry and inciting hatred on June 30, 2015, and July 1, 2015.

(16) According to the Americans for Democracy and Human Rights in Bahrain, the Government of Bahrain re-arrested the recently released Bahraini opposition leader Ibrahim Sharif in connection with a speech in which he peacefully criticized the government and called for political reform on July 12, 2015.

(17) The Department of State’s 2014 Human Rights Report on Bahrain released on June 25, 2014, found, “The most serious human rights problems included . . . arrest and detention of protesters (some of whom were violent) on vague charges, occasionally leading to their torture and mistreatment in detention; and lack of due process in trials of polit-
ical and human rights activists, students, and jour-
nalists, including harsh sentences.”.

(18) The Department of State announced on
June 29, 2015, the decision to lift the holds on secu-
rity assistance to the Bahrain Defence Force and
National Guard that were implemented following
Bahrain’s crackdown on demonstrations in 2011.

SEC. 3. PROHIBITION ON SALE OF CERTAIN ARMS TO BAH-
RAIN.

(a) IN GENERAL.—Notwithstanding any other provi-
sion of law, the United States Government may not sell
or transfer to the Government of Bahrain any of the items
set forth in subsection (b) until the Secretary of State cer-
tifies that the Government of Bahrain has fully imple-
mented all 26 recommendations set forth in the 2011 Bah-
rain Independent Commission of Inquiry (BICI) report.

(b) PROHIBITED ITEMS.—The items referred to in
subsection (a) are as follows:

(1) Tear gas.

(2) Small arms.

(3) Light weapons.

(4) Ammunition for small arms and light weap-
ons.

(5) Humvees.
(6) Other items that could reasonably be used for crowd control purposes.