



**Submission to the United Nations Human Rights Committee for Bahrain's
Review under the International Covenant of Civil and Political Rights**

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i. Submitting Organization

ADHRB is a non-profit organization that fosters awareness of and support for democracy and human rights in Bahrain and the Middle East.

ADHRB's reporting is based chiefly on primary research and documentation, including our United Nations (UN) complaint program, by which we work with victims of human rights violations to record and submit evidence of abuse to the Special Procedures.

I. Introduction

Civil and political rights are heavily circumscribed in Bahrain. In recent years, the government has intensified restrictions on all fundamental freedoms, including expression, assembly, association, press, and religion. There are virtually no independent media outlets, political opposition groups, or human rights organizations operating freely in Bahrain. Since 2006, when the Bahraini government acceded to the International Covenant on Civil and Political Rights (ICCPR), and particularly since 2011, when the authorities violently suppressed mass pro-democracy protests, the kingdom has effectively abandoned all political and human rights reform programs, including the National Action Charter and the Bahrain Independent Commission of Inquiry Recommendations (BICI). It has declined to ratify any of the additional Optional Protocols of the Covenant, and its periodic report was submitted in March 2017 – a decade later than its 2007 due date.¹ Since 2006 – again, the same year Bahrain accepted the ICCPR – the government has allowed precisely zero UN Special Procedures mandate holders to enter the country, and it effectively cancelled a visit from the High Commissioner for Human Rights. Bahrain has failed to openly and meaningfully engage with any international human rights mechanisms, and it has refused to implement the vast majority of recommendations made during its Universal Periodic Review (UPR) process.

More than ten years after Bahrain ratified the Covenant, the enjoyment of civil and political rights in the kingdom has objectively declined. The Bahraini government is in serious and near total violation of the ICCPR's key tenets, and the international community must hold it accountable for such blatant contravention of its treaty obligations.

This report assesses Bahrain's adherence to several core provisions of the Covenant identified in the list of issues² – including self-determination; non-discrimination; the right to life; free expression; free assembly; and free association – highlighting some of the government's most egregious violations. Due to constraints, the report refers the Committee to ADHRB's recent submissions to other treaty bodies and UN human rights mechanisms when relevant, such as the Committee Against Torture and the UPR Working Group.

II. Self-Determination and Non-Discrimination (Articles 1, 2, 20, 26, and 27)

Bahrain became independent from British rule in 1971, but the country's indigenous population known as the Baharna, an ethno-religious subset of the Shia Muslim majority community, has been continuously denied equal say in governance by the Al Khalifa ruling family. Along with the Ajam, another ethno-religious subset of the Shia community that claims Persian descent, the Baharna face severe discrimination and are denied full self-determination under Bahrain's dynastic monarchy.

The Baharna are the longest continuous inhabitants of Bahrain.³ They are thought to be the descendants of a pre-Islamic east Arabian community and Muslim migrants fleeing persecution during the Umayyad and

¹ *CCPR/C/BHR/1 - Initial periodic report of Bahrain*, Human Rights Committee, 13 April 2017 (Submitted 2 March 2017), <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/092/12/PDF/G1709212.pdf?OpenElement>

² *CCPR/C/BHR/Q/1 - List of issues in relation to the initial report of Bahrain*, Human Rights Committee, 11 December 2017, http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fBHR%2fQ%2f1&Lang=en

³ Among others, see James Belgrave, *Welcome to Bahrain*, Augustan Press, London, 1953, eighth edition, 1973, 16.

Abbasid caliphates.⁴ In 1783,⁵ the Sunni Al Khalifa tribe invaded Bahrain and defeated the Safavid Empire, which then ruled the archipelago. The military victory had notable religious overtones: Ahmad bin Muhammad Al Khalifa, who led the attack, became known as *al-fatih*, which translates literally to “the opener.”⁶ This word is commonly interpreted as “the conqueror,” but it is also a reference to the seventh century religious wars waged by Muslim armies known as the “opening of Islam” (*fath al-islam*), “a euphemism for the conversion and, upon refusal, subjugation of non-Muslim peoples.”⁷ Justin Gengler, a researcher at Qatar University and the creator of Bahrain’s first mass political survey, explains that the use of this terminology to describe the invasion of Bahrain “implies not simply that the island was conquered militarily by Ahmad Al Khalifa and his Sunni tribal allies, but that it was ‘opened’ for Islam – that is, for true Islam – in view of its indigenous Shi’a inhabitants and its prior status as a protectorate of Safavid Persia, which since 1501 had embraced Shi’ism as a state religion.”⁸ Such terminology remains common today: Bahrain’s grand mosque is named Al-Fatih and is located by Al-Fatih highway,⁹ for example, and Shia opposition activists are routinely labeled “Safavid loyalists of Iran” in state or pro-government media, with Iran cast as a modern incarnation of the Safavid Empire¹⁰ - despite the fact that an “overwhelming majority” of Bahrainis responded to a 1970 UN survey indicating that they sought an independent state separate from Iran, a decision that was confirmed by UN Security Council Resolution 278.¹¹ This ethno-religious narrative is used to legitimate the inherently undemocratic dynastic rule of the minority Sunni royal family, and to marginalize and exclude members of the indigenous majority group.

The demand for self-determination can originate in a population ruled over by an outside power, or it can apply to a population that is marginalized in its own country. Bahrain fits the latter category, because it is a country ruled by a hereditary monarch, in which one family rules over the majority community. Since the consolidation of Al Khalifa rule, and particularly since 2011, the Baharna and Ajam have faced discrimination in most aspects of daily life, from hiring practices to social services.

While Bahrain is technically a constitutional monarchy, nearly all political power is concentrated within the Al Khalifa family and most key government posts are held by Al Khalifas or Sunni supporters.¹² The parliament, known as the National Assembly, is deeply hamstrung and lacks the practical capacity to serve as an effective check on the royal family. All members of the upper house of the National Assembly are appointed by the king, and the government has engaged in a host of abuses – including gerrymandering,¹³ voter fraud, and the outright dissolution of political opposition groups – to ensure that the lower house is not representative.

⁴ Juan Cole, *Sacred Space and Holy War: The Politics, Culture and History of Shi’ite Islam*, I.B. Taurus, 2002, 45; Frederic M. Wehrey, *Sectarian Politics in the Gulf: From the Iraq War to the Arab Uprisings* (New York: Columbia University Press, 2014), 12.

⁵ Some sources place the date of the invasion in 1782. See Geneive Abdo, *The New Sectarianism: The Arab Uprisings and the Rebirth of Shi’a-Sunni Divide*, Oxford University Press: 2017, 117-118.

⁶ Justin Gengler, *Group Conflict and Political Mobilization in Bahrain and the Arab Gulf: Rethinking the Rentier State*, Indiana University Press: 2015, 38-39.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Geneive Abdo, “The New Sectarianism: The Arab Uprisings and the Rebirth of the Shi’a-Sunni Divide,” The Saban Center for Middle East Policy at Brookings, April 2013, accessed August 13, 2015, <http://www.brookings.edu/~media/research/files/papers/2013/04/sunni%20shia%20abdo/sunni%20shia%20abdo>; and *Apart in Their Own Land: Government Discrimination Against Shia in Bahrain*, Vol. II, ADHRB, BCHR, and BIRD, September 2015, <http://www.adhrb.org/2015/09/adhrb-releases-part-2-of-shia-discrimination-report/>

¹¹ S/RES/278 (1970) – “The Question of Bahrain,” UN Security Council, 11 May 1970, [http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/278\(1970\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/278(1970))

¹² Ibid.

¹³ There have been reports of gerrymandering’s negative effects in [2002](#), [2010](#), and [2014](#) elections. 2002:

http://news.bbc.co.uk/2/hi/middle_east/6172482.stm; 2010: <http://www.reuters.com/article/us-bahrain-elections-fb-idUSTRE69M0TO20101023>; 2014: <https://www.washingtonpost.com/blogs/monkey-cage/wp/2014/12/01/electoral-rules-and-threats-cure-bahrain-s-sectarian-parliament/>; see also “Apart in Their own Land, Volume I: government discrimination against Shia in Bahrain,” ADHRB, February 2015, http://adhrb.org/wp-content/uploads/2015/03/ADHRB_Apart-in-Their-Own-Land_web.pdf, pg 16.

As repeatedly documented by academics,¹⁴ UN Special Procedures,¹⁵ foreign governments,¹⁶ and independent human rights organizations,¹⁷ Bahraini authorities have specifically intensified restrictions on Shia religious and cultural rights since 2011, when nearly half the kingdom's population protested for democratic and human rights reforms.¹⁸ Despite a substantial Sunni presence within the uprising and no evidence of external involvement in the protests,¹⁹ the government characterized the movement as Shia-led and instigated by Iran,²⁰ driving increased attacks on Shia political participation and religious traditions. Security forces routinely employ violence to suppress the Shia community's rights to free assembly, free association, free speech, and free cultural or religious expression. Conversely, the Bahraini authorities have also virtually barred Shia from employment in the security services, preventing the majority community from participating in national policing and defense.²¹

Combined with the kingdom's broader restrictions on free expression, assembly, and association (see Sections VI, VII, and VIII, below), Bahrain's political system precludes real self-determination for the Shia and Ajam populations. The royal family and its supporters claim ultimate authority over decisions shaping Bahrain's political status and economic, cultural, and social development, they have marginalized the rest of Bahrain's population. Simultaneously, ethno-religious discrimination and the imposition of wide-ranging restrictions on those who disagree with the royal family have prevented vast swathes of Bahrain's population from participating in these same key decisions. It is not simply that the majority of Bahrainis are denied a say in the direction of their country: it is that if they try to claim a voice in the discussion, they face violence, torture, legal penalties, and even death.²² The actions of Bahrainis who peacefully demonstrate, vote, or otherwise beseech their government for reform are sanctioned and encouraged under the Covenant. The government's consistently discriminatory, violent, and repressive response is in clear violation.

For more information, please refer to ADHRB's July 2017 submission to the Committee on the Elimination of Racial Discrimination.²³

III. States of Emergency: Destroying, Limiting, or Derogating from Rights Provided in the Covenant (Articles 4 and 5)

As noted in Bahrain's periodic report to the Committee,²⁴ the constitution allows the king to declare states of emergency that permit the authorities to abrogate constitutional protections and international obligations.

¹⁴ Marc Owen Jones, "Saudi Intervention, Sectarianism, and De-Democratization in Bahrain's Uprising," in *Protest, Social Movements and Global Democracy Since 2011: New Perspectives*, 9 June 2016, <http://www.emeraldinsight.com/doi/abs/10.1108/S0163-786X20160000039011>

¹⁵ BHR 6/2015 Mandates of the Special Rapporteur in the field of cultural rights; the Special Rapporteur on extreme poverty and human rights; and the Special Rapporteur on freedom of religion or belief, OHCHR, 30 October 2015, [https://spdb.ohchr.org/hrdb/31st/public_-_AL_Bahrain_30.10.15_\(6.2015\).pdf](https://spdb.ohchr.org/hrdb/31st/public_-_AL_Bahrain_30.10.15_(6.2015).pdf)

¹⁶ *2015 Annual Report: Bahrain*, US Commission on International Religious Freedom (USCIRF), 2015, <http://www.uscifr.gov/sites/default/files/Bahrain%202015.pdf>; and *2016 Annual Report: Bahrain*, US Commission on International Religious Freedom (USCIRF), 2016, http://www.uscifr.gov/sites/default/files/USCIRF_Monitored_Bahrain.pdf; and *Country Reports on Human Rights Practices for 2015: Bahrain*, US Department of State, 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dlid=252919EXECUTIVE#wrapper>

¹⁷ *Freedom in World 2016: Bahrain*, Freedom House, 2016, <https://freedomhouse.org/report/freedom-world/2016/bahrain>

¹⁸ *Ibid.*

¹⁹ Kristian Coates Ulrichsen, "Bahrain's uncertain future," *Foreign Policy*, 23 November 2011, <http://foreignpolicy.com/2011/11/23/bahrain-uncertain-future/>

²⁰ Reza Aslan, "Bahrain's Fake Sectarian War," *Foreign Affairs*, 30 June 2013, <https://www.foreignaffairs.com/articles/bahrain/2013-06-30/bahrain-fake-sectarian-war>

²¹ *Sectarian Discrimination and Extremism in Bahrain's Security Forces*, ADHRB, 30 November 2017,

<http://www.adhrb.org/2017/11/sectarian-discrimination-and-extremism-in-bahrain-security-forces-questions-for-us-policy/>

²² "Bahrain protests prompt global concerns," BBC, 15 February 2011, <http://www.bbc.com/news/world-middle-east-12471243>.

²³ *CERD/C/BHR/QPR/8-14 - Submission for Bahrain's List of Issues Prior to Reporting (LOIPR) under the Convention on the Elimination of All Forms of Racial Discrimination*, July 2017, ADHRB, http://www.adhrb.org/wp-content/uploads/2018/03/ADHRB-CERD-LOIPR_July-2017.pdf

²⁴ *CCPR/C/BHR/1 - Initial periodic report of Bahrain*, Human Rights Committee, 13 April 2017 (Submitted 2 March 2017), <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/092/12/PDF/G1709212.pdf?OpenElement>

During such time, the king is also empowered to establish military tribunals with jurisdiction over the general public. The king utilized this authority in 2011, when he declared a State of National Safety, created National Safety Courts (NSC) run by the military, and directed the security forces to violently disperse mass pro-democracy demonstrations. The NSC tried hundreds of individuals arrested on politically motivated charges in proceedings that were marred by extensive due process violations including torture, forced confessions, and a general lack of transparency.²⁵

The government specifically asserted in its periodic report that, in response to the abuses perpetrated during the State of National Safety, it committed to the BICI reform package and, by 2016, “confirmed implementation of the recommendations.”²⁶ This is false. The government has not only failed to implement the majority of the BICI recommendations – in recent years, it has actively reversed the few recommendations it had fully instituted. Furthermore, it took direct action to destroy, limit, or otherwise expand its authority to derogate from rights provided in the Covenant by amending the constitution to allow military trials of civilians without the need for an emergency declaration from the king, further contravening its obligation to limit such powers under both the ICCPR and the BICI, as well as its UPR commitments.

1. BICI Implementation

When Bahraini officials made the announcement claiming full implementation, state media quoted Professor Cherif Bassiouni, chairman of the BICI, as evidence of the government’s progress.²⁷ However, Professor Bassiouni stated that he was wrongfully cited,²⁸ maintaining that the government made progress on just ten of the 26 recommendations, and had failed to address “priority” reforms on issues like accountability and prisoners of conscience.²⁹

The chairman’s poor assessment is nevertheless among the most generous.³⁰ In 2015, ADHRB and its partners assessed that the government had fully implemented only two of the 26 recommendations: recommendation 1718, which proposed that the National Security Agency (NSA) be stripped of its law enforcement powers; and recommendation 1722(i), which called on courts to commute death sentences arising out of the unrest.³¹ Yet, in 2017, the Bahraini government actually reversed both of these recommendations and took further action to contravene an additional recommendation concerning abuses perpetrated by Bahraini military courts.

a. NSA

On 5 January 2017, the king restored power to the NSA, Bahrain’s primary intelligence service.³² The decision reversed Royal Decree No. 115 of 2011, which stripped the NSA of its domestic law enforcement authority in

²⁵ Mahmoud Cherif Bassiouni, Nigel Rodley, Badria al-Awadhi, Phillippe Kirsch, and Mahnoush Arsanjani, *Report of the Bahrain Independent Commission of Inquiry*, Bahrain Independent Commission of Inquiry, <http://www.bici.org.bh/BICIREportEN.pdf>

²⁶ *CCPR/C/BHR/1 - Initial periodic report of Bahrain*, Human Rights Committee, 13 April 2017 (Submitted 2 March 2017), <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/092/12/PDF/G1709212.pdf?OpenElement>

²⁷ “BICI recommendation objectives achieved,” Bahrain News Agency, 9 May 2016, <https://www.bna.bh/portal/en/news/726424>

²⁸ Rori Donaghy, “Bahrain human rights reviewer says quotes praising reforms ‘wrong,’” Middle East Eye, 11 May 2016, <http://www.middleeasteye.net/news/bahrain-fabricates-quotes-bici-chair-praising-human-rights-reform-1160948930>

²⁹ “Bahrain: The Right Thing to Do,” M. Cherif Bassiouni Blog, 5 June 2016, <http://mcherifbassiouni.com/bahrain-right-thing/>

³⁰ See *One Year Later: Assessing Bahrain’s Implementation of the BICI Report*, Project on Middle East Democracy, November 2012, <http://pomed.org/pomed-publications/one-year-later-assessing-bahrains-implementation-of-the-bici-report/>; “Bahrain 2010-2016,” Human Rights First, 11 February 2016, <http://www.humanrightsfirst.org/resource/bahrain-2010-2016; Implementation by the Government of Bahrain of the Recommendations by the Bahrain Independent Commission of Inquiry>, US Department of State, 2013, <http://adhrb.org/wp-content/uploads/2015/06/State-Report-on-Implementation-of-BICI-3-2.pdf>; and *Steps taken by the Government of Bahrain to Implement the Recommendations in the 2011 Report of the Bahrain Independent Commission of Inquiry*, US Department of State, 21 June 2016, <http://pomed.org/wp-content/uploads/2016/06/State-BICI-Report.pdf>

³¹ *Shattering the Façade: A Report on Bahrain’s Implementation of the BICI Recommendations Four Years On*, ADHRB, BCHR, and BIRD, November 2015, <http://www.adhrb.org/2015/11/shattering-the-facade-a-report-on-bahrains-implementation-of-the-bahrain-independent-commission-of-inquiry-bici-four-years-on/>

³² “Bahrain Restores Law Enforcement Powers to NSA, Reversing BICI Recommendation,” ADHRB, BIRD, ECDHR, 5 January 2017, <https://www.adhrb.org/2017/01/11571/>

accordance with BICI Recommendation 1718. The BICI found that the NSA was responsible for widespread arbitrary detention and torture, as well as extrajudicial killing, and there is no evidence that agents were held accountable or that the institution implemented substantive reforms prior to the king's January 2017 decision. Almost immediately following the decree, the NSA resumed its abusive practices, launching a reprisal campaign against political activists and human rights defenders. Among other violations, the NSA was implicated in multiple deadly incidents in 2017, including the January raid on a peaceful sit-in in Diraz that left a teenager fatally wounded (See Section IV on the Right to Life), and it detained and tortured prominent woman human rights defender Ebtisam al-Saegh in retaliation for her work with the UN.

For more information on the NSA's human rights violations, see ADHRB's 2017 Written Statement submitted to the 36th Session of the UN Human Rights Council.³³

b. Capital Punishment

On 15 January 2017, the government ended Bahrain's *de facto* moratorium on the death penalty and executed three torture survivors convicted in an unfair trial, while the courts have more than doubled the amount of death sentences. The escalation in capital punishment violates the spirit of BICI Recommendation 1722(i) to commute death sentences emerging out of the unrest.³⁴ See Section IV on the Right to Life, below.

c. Military Courts

Directly contradicting the assertions made in its periodic report – which was submitted only a month earlier in March 2017 – on 3 April 2017 the Bahraini government approved an amendment to the constitution removing the prohibition on military trials for civilians outside of declared states of emergency.³⁵ The new amendment includes no language limiting the duration of military jurisdiction; providing for civilian oversight or review; restricting the military court's jurisdiction to particular crimes; or elaborating on any appellate measures or other rights of due process and fair trials. After amending the constitution, the government also amended the Military Judiciary Law to delineate the circumstances under which civilians could be tried in Bahrain Defense Force (BDF) court system.³⁶ This amendment empowers the Public Prosecution to refer political cases to the military and includes charges designed to silence criticism of the government, allowing them to be adjudicated by a military court without the same guarantees for due process provided in the Bahraini constitution. Among the offenses subject to military review are nonviolent acts protected by the right to free expression, including: inciting hostility against the government, operating an organization without a license, and possessing pictures that will "cause offence to the country's reputation."

The first civilian trial by military courts under the new amendments took place in late 2017,³⁷ with six men sentenced to death and seven others sentenced to seven years in prison. All were stripped of their Bahraini nationality. In April 2018, the highest military court confirmed the convictions and upheld the death penalties. Though the king commuted the death sentences for four of the men – two of the six were sentenced *in absentia* – he ultimately ratified the outcome of the trial,³⁸ despite evidence of severe due process and human rights violations. Several defendants report that officials tortured them to extract confessions, and some were

³³ *A/HRC/36/NGO/103 - The National Security Agency and Systematic Counter-terror Abuses in Bahrain*, ADHRB, 4 September 2017, http://www.adhrb.org/wp-content/uploads/2017/10/HRC-36-ADHRB-Written-Statement_Bahrain-NSA.pdf

³⁴ "Urgent appeal to the Government of Bahrain to stop new executions – UN rights experts," OHCHR, 25 January 2017, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21118&LangID=E>

³⁵ "Bahrain's king approves military trials for civilians," BBC, 3 April 2017, <http://www.bbc.com/news/world-middle-east-39478101>

³⁶ "King ratifies, issues Law 12/2017 amending law 34/2002," Bahrain News Agency, 18 April 2017, <https://www.bna.bh/portal/en/news/781468>

³⁷ "Bahrain Begins First Military Trial of Civilians since 2011, Victims of Incommunicado Detention Unfairly Prosecuted," ADHRB, 24 October 2017, <https://www.adhrb.org/2017/10/bahrain-begins-first-military-trial-of-civilians-since-2011-victims-of-incommunicado-detention-unfairly-prosecuted/>

³⁸ "Bahrain Military Court Death Sentences Ratified but Reduced to Life Imprisonment," ADHRB, BIRD, and ECDHR, 26 April 2018, <https://www.adhrb.org/2018/04/bahrain-military-court-death-sentences-ratified-but-reduced-to-life-imprisonment-2018/>

subjected to enforced disappearance and *incommunicado* detention.³⁹ Though Article 14 of the Covenant enshrines the right of the defendant to be informed in a prompt manner of the charges against him;⁴⁰ the right to prepare his defense with the legal counsel of his choice;⁴¹ the right to be tried in his own presence;⁴² and the right to examine witnesses against him;⁴³ the military trial violated each of these provisions, as multiple defendants were held for months without knowledge of the charges against them, many defendants reported lack of access to their attorneys, and multiple hearings were conducted *in absentia*. Eight defendants were convicted *in absentia*,⁴⁴ and at least two were minors at the time of the alleged offense or arrest. The court additionally “issued a decision banning the publication of any information, data or news by any audio-visual, electronic or written media.”⁴⁵ Moreover, some of the defendants are members of Bahraini religious and activist networks, including an individual reported to have worked to document abuses with the BICI in 2011,⁴⁶ raising further concerns about reprisal. The defendants in custody are now being held in BDF facilities, though the military continues to refuse to acknowledge their exact whereabouts to family members.

The removal of constitutional protections against use of military courts to try civilians, and the related expansion of military court jurisdiction, arbitrarily destroys and limits rights in the absence of any legitimate grounds for derogation from obligations under the Covenant, violating the UDHR⁴⁷ and ICCPR.⁴⁸ The Human Rights Committee has expressly stated that the trial of civilians by military courts should be “exceptional . . . necessary and justified by objective and serious reasons”⁴⁹ – Bahrain has shown no such necessity, and the military’s authority to try civilians is permanent, barring further constitutional amendments. Moreover, this practice contravenes the government’s own commitment to rectify abuses concerning arbitrary or unlawful derogation under Article 4 via the implementation of the BICI recommendations.⁵⁰ The amendments also explicitly violate recommendations that Bahrain accepted as part of its UPR process, which called on the authorities to ensure that civilians are never again tried in military courts. Lastly, Bahrain’s use of military courts is in direct violation of the fair trial rights enshrined in the ICCPR (Article 14).

For more information on BICI implementation, see ADHRB’s 2015 assessment⁵¹ and ADHRB’s 2017 joint submission with the Project on Middle East Democracy (POMED) and Human Rights First (HRF) to the UPR Working Group.⁵²

IV. Right to Life (Article 6 and 14)

³⁹ “ADHRB observes the International Day of Victims of Enforced Disappearances,” ADHRB, 30 August 2017, <http://www.adhrb.org/2017/08/adhrb-observes-the-international-day-of-victims-of-enforced-disappearances/>

⁴⁰ International Covenant on Civil and Political Rights, *supra* n. 28, Art. 14(a).

⁴¹ *Id.*, Art. 14(b).

⁴² *Id.*, Art. 14(d).

⁴³ *Id.*, Art. 14(e).

⁴⁴ “Military High Court rules in terrorist cell case,” Bahrain News Agency, 25 December 2017, <https://bna.bh/portal/en/news/818014>

⁴⁵ “Court bans publishing about terror cell case,” 2 November 2017, Bahrain News Agency, <http://www.bna.bh/portal/en/news/809283>

⁴⁶ “NGOs strongly condemn an ‘unprecedented wave of death sentences’ in Bahrain,” IFEX (Reprint of Bahrain Center for Human Rights and FIDH), 2 February 2018,

<https://www.ifex.org/bahrain/2018/02/02/death-sentences/>

⁴⁷ Universal Declaration on Human Rights, 10 December 1948, U.N.G.A. 217 A (III), Art. 10.

⁴⁸ International Covenant on Civil and Political Rights, G.A. Res. 2200A (XXI), U.N. Doc. A/6316 (16 Dec. 1966), Art. 14 (1).

⁴⁹ Human Rights Committee, *General Comment No. 32: Article 14: Right to equality before courts and tribunals and to a fair trial*, U.N. Doc. CCPR/C/GC/32 (23 Aug. 2007), para. 22 at 6.

⁵⁰ “Seven Years After the 2011 Uprising, Bahrain’s Military Courts Confirm Death Sentences for Civilians,” ADHRB, 21 February 2018, <https://www.adhrb.org/2018/02/seven-years-after-the-2011-uprising-bahrains-military-courts-confirm-death-sentences-for-civilians/>

⁵¹ *Shattering the Façade: A Report on Bahrain’s Implementation of the BICI Recommendations Four Years On*, ADHRB, BCHR, and BIRD, November 2015, <http://www.adhrb.org/2015/11/shattering-the-facade-a-report-on-bahrains-implementation-of-the-bahrain-independent-commission-of-inquiry-bici-four-years-on/>

⁵² JS14 UPR27 BHR E - Integration of Police Forces, Bahrain Independent Commission of Inquiry (BICI) Implementation, and National Dialogue, ADHRB, POMED, and HRF, 2017, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRBHStakeholdersInfoS27.aspx>

Bahrain has recently seen a significant increase in government violence, with authorities ending a *de facto* moratorium on the death penalty and executing three individuals convicted in a trial marred by torture and other due process violations in January 2017. Since then, the number of death sentences has more than doubled. Meanwhile, security forces have continued to jeopardize the right to life by using excessive force to attack peaceful protests or apprehend suspects, resulting in dozens of extrajudicial killings since the authorities violently suppressed the mass pro-democracy demonstrations of 2011.⁵³

1. Resumption of Capital Punishment

On 15 January 2017, Bahrain ended a seven-year *de facto* moratorium on the death penalty with the firing squad execution of Sami Mushaima, Ali al-Singace, and Abbas al-Samea. They are the first people executed in Bahrain since 2010, and the first Bahraini citizens executed since 1996. Bahraini authorities tortured the men into providing coerced confessions – subjecting them to beatings, electrocution, and sexual assault, among other abuses – and prevented them from accessing legal counsel. They were first convicted in 2015 based on their tortured confessions, and they were also stripped of their Bahraini citizenship. They died stateless. The proceedings were so deeply flawed that the UN Special Rapporteur on summary executions described the killings as “extrajudicial.”⁵⁴

2. Increase in Death Sentences

Bahraini courts have progressively issued more death sentences in recent years, with a dramatic escalation following the resumption of capital punishment in 2017. Previously, approximately ten people⁵⁵ were on death row, including torture survivors Maher al-Khabbaz, Mohammad Ramadan, and Husain Moosa. Bahraini authorities arrested al-Khabbaz despite his alibi and without a warrant for allegedly killing a police officer in 2013. Al-Khabbaz was denied legal counsel and he was repeatedly beaten, whipped, and electrocuted until he signed a confession. Ramadan and Moosa were convicted for their alleged involvement in a 2014 bombing that killed a security officer. Upon arrest, officers blindfolded and beat Ramadan to extract a coerced confession. The officers subjected Moosa to similar treatment in order to obtain a false confession. Notably, after years of international pressure on the government to properly investigate the abuses perpetrated against Ramadan and Moosa, Bahrain’s SIU finally recommended⁵⁶ that the Court of Cassation reconsider the ruling on 28 March 2018 after obtaining “medical reports” by the MOI that “were not available during the initial investigation of the defendants and throughout the stages of the trial.”⁵⁷ The MOJ has since backed the proposal, but it remains unclear if the court will throw out testimony extracted under duress or overturn the verdict.⁵⁸

The number of death sentences has rapidly increased since early 2017. Over the course of the year, Bahrain sentenced 14 men to death. In June 2017, a court sentenced Sayed Ahmed al-Abbar and Husain Ali Mohamed to death in an unfair trial amid reports of torture, including electrocution and sexual assault. In April 2017, Bahrain amended its constitution to allow military courts to try civilians, and the first trial under the change resulted in six death sentences. Though the king commuted four of the sentences, he ultimately still ratified the

⁵³ “Individuals Killed By Government's Excessive Use of Force Since 14 February 2011,” Bahrain Center for Human Rights (BCHR), 15 January 2017, <http://www.bahrainrights.org/en/node/3864>

⁵⁴ “Three executed in Bahrain – Reprieve comment,” Reprieve, 15 January 2017, <https://reprieve.org.uk/press/three-executed-bahrain-reprieve-comment/>

⁵⁵ “The Death Penalty and The ‘most serious crimes’: A Country-by-Country Overview of the Death Penalty,” International Commission Against the Death Penalty, 2013, http://www.icomdp.org/cms/wpcontent/uploads/2013/02/Most-serious-crimes_final_6Feb2013.pdf

⁵⁶ “Retrial request referred to Minister of Justice,” Bahrain News Agency, 28 March 2018, <http://www.bna.bh/portal/en/news/833346>

⁵⁷ Habib Toumi, “Retrial ordered in Bahrain murder case,” Gulf News, 7 May 2018, <https://gulfnews.com/news/gulf/bahrain/retrial-ordered-in-bahrain-murder-case-1.2217737>

⁵⁸ Ibid.

outcome of the trial despite evidence of severe due process violations (See Section III above for more information on military trials).⁵⁹

This trend has continued in 2018, with courts sentencing three more men to death amid evidence of torture. In January, Bahrain's Fourth High Criminal Court sentenced Ali al-Arab and Ahmad al-Malali to death for terror allegations,⁶⁰ and in February it sentenced Moosa Abdulla Jaafar on terror charges in an unfair mass trial.⁶¹ Officials tortured al-Arab, including by removing his toenails, and forced him to sign a confession while blindfolded. Likewise, authorities beat Jaafar and threatened to inject him with an unknown substance if he did not confess and name other individuals as his co-conspirators.

At least 18 people are currently on death row in Bahrain.

3. Excessive Force and Extrajudicial Killing

Bahraini security forces routinely employ excessive force, including the lethal weaponization of ostensibly non-lethal crowd control equipment.⁶² Since the government violently suppressed the mass pro-democracy protests of 2011, approximately 100 individuals have died in connection with the authorities' use of force,⁶³ with thousands more injured. In addition to the unlawful executions of January 2011, Bahrain has recently seen a spike in state violence, with four fatal incidents yielding at least six and as many as ten other extrajudicial killings in 2017 alone, up from at least two in 2016.⁶⁴

a. January 2017 Diraz Raid

In response to the government's June 2016 decision to arbitrarily revoke citizenship from Sheikh Isa Qassim, the most prominent religious leader of Bahrain's Shia community, supporters launched a peaceful sit-in around his home in Diraz. Security forces responded by surrounding the area, restricting freedom of movement, and cutting off access to services, such as the Internet. On the night of 26 January 2017, masked men armed with military-grade weapons entered the security cordon and fired live ammunition into the sit-in encampment, where demonstrators were sleeping. A teenager, Mustafa Hamdan, was shot in the back of the head and later died after security restrictions prevented him obtaining timely medical care. Witnesses and local activists report that the masked men appeared to be members of the NSA, the intelligence body re-empowered by the king several weeks earlier. The NSA officially arrested a paramedic who provided treatment to Hamdan at the

⁵⁹ "Bahrain Military Court Death Sentences Ratified but Reduced to Life Imprisonment," ADHRB, 26 April 2018, <http://www.adhrb.org/2018/04/bahrain-military-court-death-sentences-ratified-but-reduced-to-life-imprisonment-2018/>

⁶⁰ Amnesty International, "URGENT ACTION TWO MEN GIVEN THE DEATH PENALTY IN BAHRAIN," Amnesty International, last modified 15 March 2018, <https://www.amnesty.org/download/Documents/MDE1180412018ENGLISH.pdf>

⁶¹ "Profiles in Persecution: Moosa Abdulla Jaafar," ADHRB, 9 February 2018, <https://www.adhrb.org/2018/02/profiles-in-persecution-moosa-abdulla-jaafar/>

⁶² Samirah Majumdar and Hadley Griffin, "Bahrain's Continued Weaponizing of Tear Gas," Physicians for Human Rights, 25 October 2013, <http://physiciansforhumanrights.org/blog/bahrains-continued-weaponizing-of-tear-gas.html>

⁶³ "Individuals Killed By Government's Excessive Use of Force Since 14 February 2011," Bahrain Center for Human Rights (BCHR), 15 January 2017, <http://www.bahrainrights.org/en/node/3864>

⁶⁴ Hasan al-Hayki died in Dry Dock Detention Center after reporting he was subjected to severe torture, and Ali Abdulghani, a minor, was killed after appearing to be run over by a police vehicle during an attempted arrest. The government declared there was no evidence of wrongdoing after a cursory 9-day investigation into al-Hayki's death, and the authorities later charged al-Hayki's lawyer for suggesting that "criminal suspicion" remained. The investigation in Abdulghani's death reportedly remains open. "Independent and Impartial Investigation Needed into the Death and Alleged Torture of Detainee," ADHRB, BCHR, BIRD, ECDHR, and Justice Human Rights Organization (JHRO), 1 August 2016, <https://www.adhrb.org/2016/08/10556/>; "Immediate and Impartial Investigation Needed After Death of Teenager," ADHRB, BCHR, BIRD, ECDHR, and JHRO, 4 April 2016, <https://www.adhrb.org/2016/04/immediate-impartial-investigation-needed-death-teenager/>; "Bahrain: Fourth Annual Report of Police Ombudsman Reveals Failure to Fulfill Mandate," ADHRB, 15 September 2017, <http://www.adhrb.org/2017/09/bahrain-fourth-annual-report-of-police-ombudsman-reveals-failure-to-fulfil-mandate/>

scene following a raid. Because the MOI expressly controlled who could enter and leave Diraz at any given time, it is unlikely any such individuals could penetrate the security cordon without authorization.⁶⁵

b. May 2017 Diraz Raid

Two days after Sheikh Isa Qassim received a one-year suspended sentence on money-laundering allegations stemming from the Shia religious practice of *khums* on 21 May 2017, security forces launched a major operation to permanently disperse the peaceful sit-in around his home, using excessive force to clear out the participants. Five demonstrators were killed, including an environmental activist and Mustafa Hamdan's older brother, and hundreds more were injured. In response to the violence, the High Commissioner for Human Rights called on the "Government to investigate the events of 23 May, in particular the loss of lives, to ensure that the findings are made public and that those responsible are held accountable."⁶⁶ Five Special Procedures mandate holders later condemned the raid as "excessive" and "unlawful," concluding that "the reported use of tear gas, shotguns equipped with birdshot and lethal antipersonnel weapons by security forces to disperse a peaceful demonstration was neither necessary or proportionate and therefore excessive, qualifying the five deaths as unlawful killings. It is tragic that while security forces are meant to protect life, their actions have shown otherwise."⁶⁷

c. February 2017 Sea Raid

In between the two most violent Diraz raids, the MOI announced⁶⁸ that on 9 February 2017 it launched a joint operation involving the Coast Guard, the NSA,⁶⁹ and other units in which it intercepted a boat containing ten "escapees from Jau prison [attempting] to flee to Iranian waters." According to the MOI, security personnel killed three suspects in an exchange of gunfire, but independent academic observers have reported significant inconsistencies in the government's account.⁷⁰ Though the MOI did not release photos of the deceased or allow for independent autopsies, leaked photos reportedly indicated that at least one body lacked a bullet wound and appeared to show signs of torture.⁷¹ The burial was restricted and the MOI reportedly prevented families of the deceased from attending.⁷² Additionally, in the days after the shooting, an Instagram account that allegedly belonged to an MOI officer posted messages claiming that the deceased had been physically abused and threatening to retaliate against activists for reporting on possible human rights violations.⁷³

d. February 2017 Death During Arrest

On 20 February 2017, 22-year-old Abdullah al-Ajooz died under suspicious circumstances as security forces attempted to arrest him from a home in Nuwaidrat village. Al-Ajooz was wanted by authorities after escaping from Dry Dock Detention Center in June 2016, where he was held after receiving a life sentence on terror

⁶⁵ "18-year-old Mustafa Hamdan dies after security forces shooting," ADHRB, 24 March 2017, <https://www.adhrb.org/2017/03/18-year-old-mustafa-hamdan-dies-security-forces-shooting/>

⁶⁶ "U.N. rights chief calls for Bahrain probe into protester deaths," Reuters, 2 June 2017, <https://www.reuters.com/article/us-bahrain-security-rights/u-n-rights-chief-calls-for-bahrain-probe-into-protester-deaths-idUSKBN18T22U>

⁶⁷ "Bahrain must end worsening human rights clampdown, UN experts say," OHCHR, 16 June 2017, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21762&LangID=E>

⁶⁸ "MOI issues statement on Feb. 9 operations," Ministry of Interior, Government of Bahrain, 9 February 2017, <http://www.policemc.gov.bh/en/news/ministry/60161>

⁶⁹ "Bahrain Restores Law Enforcement Powers to NSA, Reversing BICI Recommendation," ADHRB, 5 January 2017, <http://www.adhrb.org/2017/01/11571/>

⁷⁰ Marc Owen Jones, "MOI'S KILLING OF THREE BAHRAINIS LEAVES LOTS OF UNANSWERED QUESTIONS," 9 February 2017, <https://marcownjones.wordpress.com/2017/02/09/mois-killing-of-three-bahrainis-leaves-lots-of-unanswered-questions/>

⁷¹ Marc Owen Jones, "BURIAL OF THOSE ALLEGEDLY KILLED AT SEA ADDS TO SUSPICIONS OF MOI'S VERSION OF EVENTS," 13 February 2017, <https://marcownjones.wordpress.com/2017/02/13/burial-of-those-allegedly-killed-at-sea-adds-to-suspicious-of-mois-version-of-events/>

⁷² *Ibid.*

⁷³ Twitter feed of human rights activist S. Yousif Almuhafdah, @SAIDYOUSIF, 15 February 2017, <https://twitter.com/SAIDYOUSIF/status/831968298241777664>

allegations linked to the February 14 Youth Coalition⁷⁴ following a June 2013 arrest.⁷⁵ In response to the escape, the MOI established an ad hoc committee tasked with hunting down the detainees, and authorities at Dry Dock collectively punished the remaining inmates in reprisal for the prison break.⁷⁶ A statement on the Nuwaidrat operation issued by the MOI claimed that al-Ajooz sustained a fatal injury after falling off a building while attempting to flee. However, al-Ajooz's family said that the building was surrounded and that he was killed by security forces during the arrest.⁷⁷ Though the MOI provided no other information, ultimately stating that their autopsy was "inconclusive" concerning cause of death,⁷⁸ pictures circulated on social media indicating that al-Ajooz suffered head trauma and fell from a height of less than ten meters.⁷⁹ The authorities forced the family to bury al-Ajooz the day after his death and they charged Ebrahim Sharif, a leader of the now-dissolved Wa'ad opposition group, with "inciting hatred against the regime" and against "factions of society" after he posted tweets questioning the official narrative surrounding the incident.⁸⁰ The government has launched no independent investigation into al-Ajooz' death.

V. Criminal Justice – Protections against torture, excessive force, arbitrary detention, and other due process violations (Articles 7, 9, 10, 14, and 15)

The Government of Bahrain has not reformed its criminal justice system to adhere to the standards laid out in the ICCPR, and in many cases judicial and law enforcement authorities have taken steps to further violate Bahrain's international obligations. Arbitrary detention and torture remain systematic and widespread in Bahrain, and security forces use violence as a means to extract confessions and punish detainees. Law enforcement authorities consistently use excessive force against peaceful protestors, and extrajudicial killings are on the rise (See Section IV on Right to Life). The government's oversight bodies lack the necessary independence to effectively investigate these abuses and hold perpetrators accountable. Moreover, the judiciary continues to collaborate closely with the prosecution and the security forces, regularly permitting coerced testimony and other due process abuses while broadly interpreting the country's criminal codes to convict peaceful activists. In direct violation of the ICCPR, the authorities have increasingly imposed even greater restrictions on the freedoms of expression, association, and assembly, leading to the incarceration of an estimated 4,000 political prisoners in squalid detention conditions. The judiciary has additionally utilized a variety of other new tools to suppress dissent in recent years, including the arbitrary dissolution political societies like Al-Wefaq and Wa'ad; the imposition of travel bans on activists and human rights defenders; and un-appealable denaturalization orders followed by deportation.

For more information on the failures of Bahrain's criminal justice system to meet international standards, including due process violations and political prisoners, see ADHRB and the Bahrain Center for Human Rights (BCHR)'s 2017 joint submission to the UPR Working Group.⁸¹

⁷⁴ Toby C. Jones and Ala'a Shehabi, "Bahrain's Revolutionaries," *Foreign Policy*, 2 January 2012,

<http://foreignpolicy.com/2012/01/02/bahrains-revolutionaries/>

⁷⁵ "بالنويدرات الهرب محاولته بعد سقوطه جراء إصابته متأثراً العجز عبدالله بالمؤيد المحكوم وفاة: "الداخلية" عاجل...," *Al-Wasat*, 20 February 2017,

<http://www.alwasatnews.com/news/1212899.html>; see also "February 14 Terrorist Organization Exposed," Bahrain News Agency, 13 June 2013, <http://www.bna.bh/portal/en/news/565326>

⁷⁶ "Bahrain's Dry Dock Detention Center: Mass and Indiscriminate Punishment," ADHRB, BCHR, BIRD, and ECDHR, 10 June 2016, <https://www.adhrb.org/2016/06/9905/>

⁷⁷ Twitter feed of human rights activist Ala'a Shehabi, @alaashehabi, 20 February 2017,

<https://twitter.com/alaashehabi/status/833660778649628672?lang=en>; See also Marc Owen Jones, "How a spate of killings in Bahrain has raised suspicions of state brutality," *The Conversation*, 23 March 2017, <https://theconversation.com/how-a-spate-of-killings-in-bahrain-has-raised-suspicions-of-state-brutality-73644>

⁷⁸ *BAHRAIN 2017 HUMAN RIGHTS REPORT*, United States Department of State, 2018,

<https://www.state.gov/documents/organization/277481.pdf>

⁷⁹ Marc Owen Jones, "ANOTHER DEATH IN BAHRAIN RAISES ACCUSATIONS OF FOUL PLAY," 21 February 2017,

<https://marcowenjones.wordpress.com/2017/02/21/another-death-in-bahrain-raises-accusations-of-police-homicide/>

⁸⁰ "Bahrain: Political Opposition Leader Ebrahim Sharif Charged With 'Inciting Hatred,'" ADHRB, BCHR, BIRD, and ECDHR, 20 March 2017, <http://www.adhrb.org/2017/03/12050/>

⁸¹ *JS15/UPR27/BHR/E - Judicial Reform, Due Process Protections, and Political Prisoners*, ADHRB and BCHR, 2017,

<http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRBHStakeholdersInfoS27.aspx>

For more information on torture and detention conditions, see:

- ADHRB’s 2017 solo submission to the UPR Working Group,⁸²
- ADHRB’s March 2017 shadow report ahead of the Committee against Torture’s review of Bahrain and its Second and Third Periodic Reports,⁸³
- And ADHRB’s May 2018 follow-up report to the Concluding Observations of the Committee Against Torture on the Second and Third Periodic Reports of Bahrain.⁸⁴

VI. Privacy, Free Expression, and Free Press (Articles 17, 18, and 19)

Although the Bahraini constitution technically guarantees freedom of speech and press, in practice, the government has worked to suppress virtually all independent media, activism, or dissent. A network of legislation – primarily the penal code, the press law, the anti-terror law, and the cybercrime law – empower the authorities to prosecute individuals on a range of offenses related solely to acts of journalism or expression. Bahraini security forces regularly detain and abuse critics of the government on charges related to social media posts or comments made in interviews. Journalists and activists face police brutality, lengthy prison terms, and arbitrary denaturalization, simply for documenting political demonstrations or investigating corruption. Religious leaders are monitored and risk criminal prosecution for even speaking about political issues. By 2017, the government arbitrarily closed the only independent newspaper, *Al-Wasat*, over the content of its articles, effectively eliminating free press in Bahrain.⁸⁵

1. Legislation

a. Penal Code

Article 169 of the Bahraini penal code, for example, assigns a prison term of up to two years for the publication by any method of “untrue reports” or information that undermines “the public peace” or the “state’s creditworthiness.”⁸⁶ Nabeel Rajab, one of the kingdom’s most prominent human rights defenders, was sentenced in February 2018 to five years in prison on charges of “spreading false rumors in time of war” (Article 133), “insulting public authorities” (Article 216), and “insulting a foreign country” (Article 215) for Twitter posts highlighting torture Bahrain’s prisons and criticizing Bahrain’s role in the Saudi Arabia-led military operation in Yemen. Earlier, in July 2017, Rajab received a two-year prison term on similar charges of “publishing and disseminating rumors and false news” (Article 134) in relation to interviews he gave to the media in which he discussed restrictions on free press in Bahrain.⁸⁷

In 2013 and 2014, the government moved to amend the penal code to increase the punishment for “insulting the King” and to mandate a prison term for “any person who offends the emir of the country, the national flag

⁸² ADHRB/UPR27/BHR/E - *Torture and Other Cruel, Inhuman, and Degrading Treatment*, ADHRB, 2017,

⁸³ INT/CAT/CSS/BHR/26919/E - *Shadow Report ahead of the Committee against Torture’s Review of Bahrain in its 60th Session*, ADHRB, March 2017, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRBHStakeholdersInfoS27.aspx>
http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCAT%2fCSS%2fBHR%2f26919&Lang=en

⁸⁴ *Follow-up Report to the Concluding Observations of the Committee Against Torture on the Second and Third Periodic Reports of Bahrain*, ADHRB, May 2018, http://www.adhrb.org/wp-content/uploads/2018/05/2018.05.03_CAT-Follow-up-to-Concluding-Observations.pdf

⁸⁵ Much of the information included in this section is drawn from ADHRB’s 2017 joint submission with the European Center for Democracy and Human Rights (ECDHR), English PEN, PEN International, and Reporters sans Frontieres (RSF) to the UPR Working Group for Bahrain’s third cycle review (*JS13 UPR27 BHR E - Freedom of Expression and Media*, ADHRB, ECDHR, English PEN, PEN International, and RSF, 2017, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRBHStakeholdersInfoS27.aspx>)

⁸⁶ Bahrain Penal Code, Kingdom of Bahrain, 1979,

https://www.unodc.org/res/cld/document/bhr/1976/bahrain_penal_code_html/Bahrain_Penal_Code_1976.pdf

⁸⁷ “Bahrain Sentences Nabeel Rajab to Additional 5-Year Prison Term in Blatant Violation of Free Expression,” ADHRB, 21 February 2018, <http://www.adhrb.org/2018/02/bahrain-sentences-nabeel-rajab-to-additional-5-year-prison-term-in-blatant-violation-of-free-expression/>

or emblem.”⁸⁸ The changes allow for penalties of up to seven years in prison and a fine of BHD 10,000 for exercising the right to free expression if it is deemed critical of the government. One activist targeted for “insulting the King” is Zainab al-Khawaja, daughter of imprisoned human rights defender Abdulhadi al-Khawaja, who received several multi-year prison terms after she tore a photo of King Hamad. She has been repeatedly detained and was ultimately forced to flee the country in 2016 amid threats to her safety.

b. Anti-Terror Law

In 2006, the government promulgated the Law on the Protection of Society from Terrorist Acts, commonly known as the anti-terror law, which prohibits any action determined to be “infringing public security or endangering the safety and security of the kingdom or of damaging national unity.”⁸⁹ This excessively broad definition of terrorism – which does not require intent to commit violence – criminalizes basic freedoms of expression, assembly, and association. In 2013⁹⁰ and 2014,⁹¹ amendments to the law explicitly banned peaceful assembly in Bahrain’s capital city of Manama, increased the penalties for terror offenses, and extended pre-charge and pre-trial detention periods for terror suspects, among other problematic provisions.⁹²

c. Press Law

The 2002 Press and Publication Law similarly empowers the Bahraini government to prosecute journalists and activists based on 17 categories of crime with associated sentences of up to five years in prison. Like those outlined in the penal code, many of these offences directly infringe on free expression and invite extremely broad interpretation, including publishing criticism of Islam or the king, inciting actions that undermine state security, or advocating a change in government. While in 2008 the Shura Council, Bahrain’s royally appointed upper chamber of parliament, proposed several amendments to improve the law, the amendments stalled and the authorities continue to prosecute on these grounds. For example, in July 2016, the Public Prosecution charged Nazeeha Saeed, a correspondent for France 24 and Radio Monte Carlo Doualiya, with unlawfully working with foreign media. Under article 88 of the law, Bahraini journalists are required to obtain and annually renew a license from the Information Affairs Authority (IAA) in order to work with foreign media outlets. Saeed applied for renewal at the end of March 2016 but the IAA refused her request; it was the first time her license had been rejected in the last twelve years. The authorities have frequently targeted Saeed in reprisal for her journalism, including subjecting her to arbitrary detention and torture in 2011.⁹³

A 2016 update to the 2002 law further restricted freedom of the press, stating “licensed newspapers may disseminate electronic media only after receiving a temporary license from Bahrain’s mass media directorate.”⁹⁴ The change now requires licensed newspapers to obtain another one-year renewable license in

⁸⁸ “Bahrain: new penalty for ‘insulting’ King muzzles activists ahead of Grand Prix,” Amnesty International, 16 April 2013, <https://www.amnesty.org.uk/press-releases/bahrain-new-penalty-insulting-king-muzzles-activists-ahead-grand-prix>; and “Bahrain toughens penalties for insulting king,” Reuters, 5 February 2014, <https://www.reuters.com/article/us-bahrain-law/bahrain-toughens-penalties-for-insulting-king-idUSBREA140KX20140205>

⁸⁹ Unofficial English translation of the *Law of Protecting Society from Terrorist Acts, Decree No. 58 of 2006*. Available upon request. A United Nations Office on Drugs and Crime (UNODC) translation of the Draft Law can be found here: [http://www.track.unodc.org/LegalLibrary/LegalResources/Bahrain/Laws/Bahrain%20Draft%20Law%20on%20Combating%20Terrorism%20\(Draft\).pdf](http://www.track.unodc.org/LegalLibrary/LegalResources/Bahrain/Laws/Bahrain%20Draft%20Law%20on%20Combating%20Terrorism%20(Draft).pdf)

⁹⁰ *Decree of Law No. 20 of 2013 Amending Some Provisions of Law No. 58 of 2006 on the Protection of Society from Terrorist Acts*, Kingdom of Bahrain - Legislation and Legal Opinion Commission, 2013, <http://www.legalaffairs.gov.bh/LegislationSearchDetails.aspx?id=30465#.WbLlqsiGNPZ>

⁹¹ *Decree of Law No. 68 of 2014 Amending Some Provisions of Law No. 58 of 2006 on the Protection of Society from Terrorist Acts*, Kingdom of Bahrain – Legislation and Legal Opinion Commission, 2014, <http://www.legalaffairs.gov.bh/Media/LegalPDF/L6814.pdf>

⁹² “UN human rights office concerned about Bahrain’s toughened anti-terrorism law,” UN News, 6 August 2013, <https://news.un.org/en/story/2013/08/446212-un-human-rights-office-concerned-about-bahrains-toughened-anti-terrorism-law>

⁹³ For more information, see “44 NGOs to Government of Bahrain: Rights of Nazeeha Saeed and all journalists must be respected,” ADHRB, PEN International, English PEN, Committee to Protect Journalists, et al., 28 July 2016, <http://www.adhrb.org/2016/07/42-ngos-government-bahrain-rights-nazeeha-saeed-journalists-must-respected/>

⁹⁴ “NGOs: Bahrain’s New Expansive Press Regulations a Threat to Journalists,” ADHRB, last modified July 27, 2016, <http://www.adhrb.org/2016/07/ngos-bahrains-new-expansive-press-regulations-threat-journalists/>.

order to publish information through electronic media, and it limits the length of publishable videos. Live-streaming is banned. To apply, newspapers must submit a list of all associated electronic media, including websites and social media accounts, as well as specific individuals responsible for them. The decree does not specify clear criteria by which the authorities will review applications.

In February 2016, the government announced that it had finalized a first draft of a new law on media, but it did not provide a timeline for its promulgation. Moreover, the language of the current draft appears to grant authorities additional power to limit free expression, as the law would require journalists to “respect the kingdom’s sovereignty, system of governance, icons, institutions and statutory bodies,” providing even wider grounds for the authorities to criminalize criticism of the government.⁹⁵

d. Internet Regulations and Cybercrime Law

The government has specifically imposed greater restrictions on digital rights with a series of new decrees and the promulgation of the cybercrime law. Based on ministerial decree 1/2009, the IAA is empowered to filter websites that violate Articles 19 and 20 of the 2002 Press Law. This allows the IAA to block websites that criticize the royal family or the government, or that publish material that can be judged as “encroaching on religions and jeopardizing public peace.”⁹⁶ It is estimated that Bahraini authorities block more than a 1,000 websites, including websites for human rights organizations, political societies, personal blogs, online forums, newspapers, and pages that broadcast Shia religious events. Many chat services are also blocked, such as PalTalk. In 2013, the Bahraini government promulgated a law “criminalizing anyone who establishes a website, published information online or uses any information technology tool to assist or aid communications with terror cells, as well as promoting disruption of public order or morale.” That same year, the authorities blocked 70 websites allegedly associated with “internationally recognized” terror organizations, including sites and forums connected with Bahraini opposition groups, religious organizations, and the protest movement. In 2016, Bahrain’s major internet service providers (ISPs) began blocking the messaging application Telegram, which is popular with activists due to its purported encryption capabilities. After the government dissolved the Al-Wefaq opposition group in 2016, the authorities blocked its website as well (See Section VIII below). BCHR found that, in just one week, the government blocked four alternative website addresses for the independent LuaLua TV channel and BCHR’s alternative address.⁹⁷

In December 2014, the government enacted a new cybercrime law, which prescribes punishments for wiretapping internet or computer systems, criminalizes pornographic material online, and forbids data encryption if done with “criminal intentions.” The vague language grants the authorities substantial discretion to define “criminal intentions,” while the criminalization of data encryption particularly targets activists as such technology is used to record human rights violations or exchange political opinions. Hussain Hubail, a freelance photojournalist detained by the authorities in 2013, received a sentence of five years in prison in 2014 on cybercrime charges that included the use of social media networks to “incite hatred of the regime.” During his detention, members of the MOI’s dedicated cybercrime unit tortured Hubail and subjected him to other forms of ill treatment.⁹⁸ In 2015, the cybercrime unit also interrogated Mohammad Al-Ghasra, a CNN Arabic correspondent, after he published a news update on social media related to political corruption, and he later received a warning from the IAA.⁹⁹

⁹⁵ “HRH Premier chairs cabinet session,” Bahrain News Agency, 21 September 2015, <http://www.bna.bh/portal/en/news/687868>

⁹⁶ “Press Law”. Bahraini Journalists Association http://www.bahrainijournalists.org/References_and_documents/Law

⁹⁷ “Bahrain’s Third Cycle UPR: A Record of Repression,” ADHRB, BCHR, and BIRD, 7 March 2017, <https://www.adhrb.org/2017/03/11848/>

⁹⁸ For more information on this case, see: “Hussain Hubail: June’s Champion for Justice,” ADHRB, 2 June 2014, <http://www.adhrb.org/2014/06/hussain-hubail-junes-champion-for-justice/>

⁹⁹ “December 2015: Arrest of the “Al-Wasat” journalist, Mahmoud Al-Jaziri, from his home and warning the “CNN” correspondent, Mohammad Al-Ghasra. Tweeter “Bou Khamees” prosecuted over new charges,” Bahrain Press Association (BPA), 13 February 2016, <http://www.bahrainpa.org/wp/?p=305>

In August 2016, the authorities issued new online safety regulations that require ISPs to use a centralized filtering system run by the government's Telecommunications Regulatory Authority, allowing it to more extensively monitor and censor content. This filtering system may be linked to the government's purchase of a "National Website Filtering Solution" from Canadian technology company Netsweeper. In 2016, Internet research group Citizen Lab found that Netsweeper "helped the Bahraini government block opposition party websites, various news websites and content critical of Islam" and is "being rolled out across the country of Bahrain."¹⁰⁰

Authorities have also launched a new campaign against online dissent more broadly. On 25 March 2018, Bahrain's Interior Minister announced that the kingdom's security forces would be taking new measures to "track down" activists for criticizing the government on social media.¹⁰¹ That same day, the MOI made at least five new arrests¹⁰² over such charges as "misusing social media."¹⁰³ Bahraini state media reports indicate that the number of new digital rights arrests has grown to at least 12¹⁰⁴ since the MOI announcement, while activists report that dozens more social media users may have been summoned. According to the authorities, many of the arrests are specifically "in line with the directives of the Minister of the Interior to take strict measures to address the electronic anarchy and chaos caused by some social media accounts non-compliant with the law."¹⁰⁵ While the interior minister's statement did not outline specific new policies, it appeared to signal a further expansion of the MOI's dragnet to target any form of critical expression or activism online. According to the announcement, the MOI will pursue all individuals and accounts that "spread malicious rumours that went against social harmony and civil peace [sic]" and "any cyber activity against the norms and traditions of Bahrain whereas those accounts are destructive and not constructive." The statement revealed that accounts involved in such activity are already "monitored," including accounts that "were against the interests of the internal front." Notably, the interior minister indicated that the authorities will pursue social media activists "even if we need to draft new legislation" – suggesting that the MOI is not only expecting draconian new laws that further criminalize online free expression, but that it may also target users for activity that is not currently illegal. Notably, the new arrests in this campaign have included members of Bahrain's Sunni Muslim minority community as well as individuals affiliated with the monarchy and its security institutions, marking a departure from the government's primary crackdown on political opposition and members of the marginalized Shia Muslim majority, as well as demonstrating the government's commitment to suppress all criticism.¹⁰⁶

2. Attacks on Free Press and Free Expression

a. Arbitrary Detention of Journalists and Activists

¹⁰⁰ For more information, see: Jakub Dalek, Ron Diebert, Bill Marczak, Sarah McKune, Helmi Noman, Irene Poetranto, and Adam Senft, *Tender Confirmed, Rights At Risk: Verifying Netsweeper in Bahrain*, Citizen Lab, University of Toronto, 21 September 2016, <https://citizenlab.org/2016/09/tender-confirmed-rights-risk-verifying-netsweeper-bahrain/>; and Laura Wright, "Canadian tech company Netsweeper helped Bahrain censor websites, says report," CBC News, 21 September 2016,

<http://www.cbc.ca/news/technology/netsweeper-bahrain-government-internet-censorship-1.3769803>

¹⁰¹ "HE Interior Minister affirms tough steps against malicious social media accounts," Ministry of Interior, Government of Bahrain, 25 March 2018, <http://www.policemc.gov.bh/en/news/ministry/80623>

¹⁰² "Bahrain Vows Greater Crackdown on Online Criticism Amid New Arrests," ADHRB, 30 March 2018,

<https://www.adhrb.org/2018/03/bahrain-vows-greater-crackdown-on-online-criticism-amid-new-arrests/>

¹⁰³ "Suspect remanded in custody for misusing social media," Bahrain News Agency, 25 March 2018,

<http://www.bna.bh/portal/en/news/832799>

¹⁰⁴ See the following Bahrain News Agency (BNA) reports: "Suspect remanded in custody for misusing social media," BNA, 25 March 2018, <http://www.bna.bh/portal/en/news/832799>; "Three social media misusers remanded," BNA, 27 March

2018, <http://www.bna.bh/portal/en/news/833260>; "Suspect remanded in custody for posting defamatory tweets," BNA, 28 March

2018, <http://www.bna.bh/portal/en/news/833446>; "Suspect remanded in custody for defamatory tweets," BNA, 30 March

2018, <http://www.bna.bh/portal/en/news/833832>; "Five suspects arrested for posting defamatory tweets," BNA, 31 March

2018, <http://www.bna.bh/portal/en/news/833835>; "Abusive tweeter investigated," BNA, 1 April

2018, <http://www.bna.bh/portal/en/news/834036>

¹⁰⁵ "Five suspects arrested for posting defamatory tweets," Bahrain News Agency, 31 March 2018,

<http://www.bna.bh/portal/en/news/833835>

¹⁰⁶ "Bahrain Vows Greater Crackdown on Online Criticism Amid New Arrests," ADHRB, 30 March 2018,

<https://www.adhrb.org/2018/03/bahrain-vows-greater-crackdown-on-online-criticism-amid-new-arrests/>

The Government of Bahrain has regularly utilized this legal framework to prosecute journalists and activists or interfere in their work, with dozens of restricted from travel, intimidated, or detained in the immediate years after the 2011 protests.¹⁰⁷ The authorities have continued to arrest and imprison journalists at similar rates in recent years. In February 2015, a court sentenced cameraman Jaffar Marhoon to life in prison after he was detained for 14 months on charges of terrorism.¹⁰⁸ That same month, a court of appeal upheld a three-year sentence for Qasim Zainal Deen, a freelance photographer who filmed opposition protests, on charges including illegal assembly and vandalism issued dating back to 2013.¹⁰⁹ Following his June 2014 arrest, sports photographer Hassan Ghareeb was sentenced to five years in prison in September 2015. In November 2015, after enduring torture and more than a year without trial, another photographer, Sayed Ahmed al-Mousawi, was sentenced to 10 years in prison and denaturalization on unfounded charges of belonging to a “terror cell.” His sentence was upheld in 2018.¹¹⁰

Likewise, in February 2016, a Bahraini court upheld award-winning photographer Ahmed al-Fardan’s three-month prison sentence on charges of “attempting” to protest and arrested him in the courtroom. During his previous arrest, security forces subjected al-Fardan to torture, repeatedly beating him on his face and genitals.¹¹¹ In October 2016, video blogger Faisal Hayyat released a post on Facebook detailing his torture by security forces when he was detained in 2011. Hayyat was arrested a week later,¹¹² and in November he was sentenced to three months in prison.¹¹³

After an unfair mass trial on 30 October 2017, a court sentenced blogger Ali Al-Mearaj and former *Al-Wasat* journalist Mahmood Al-Jazeera to life and 15 years in prison respectively.¹¹⁴ Al-Mearaj was previously targeted and abused for his work in 2014,¹¹⁵ and Al-Jazeera is well known for his political coverage. The sentences were upheld in March 2018.

At least 15 journalists are currently detained in Bahrain.¹¹⁶

b. Closure of Newspapers: Al-Wasat

The Bahraini government has relentlessly targeted *Al-Wasat*, the country’s only semi-independent newspaper, ultimately forcing it to close in 2017. In 2010, the authorities banned *Al-Wasat* from broadcasting audio reports and interviews on its website. During the mass pro-democracy movement in 2011, the government suspended *Al-Wasat* for a day and allowed it to reopen only after senior staff members resigned; that same year, Bahrain’s NSA detained and killed one of the newspapers founders and editor-in-chief, Karim Fakhrawi. In 2015, Bahraini authorities issued warnings about the contents of the newspaper’s columns and suspended it for two days over its alleged failure to use the term “martyrs” while describing Bahraini military casualties in Yemen. Then, in January 2017, the government again temporarily banned *Al-Wasat* from publishing online

¹⁰⁷ *Less Freedom, Broader Impunity: 2013 Annual Report*, Bahrain Press Association, 2013, <http://www.bahrainpa.org/wp/?p=176>

¹⁰⁸ *Ibid*

¹⁰⁹ *Ibid*

¹¹⁰ “Bahrain Upholds 10-Year Sentence for Photojournalist Sayed Ahmed al-Mousawi in Further Attack on Press Freedom,” ADHRB, 30 March 2018, <http://www.adhrb.org/2018/03/bahrain-upholds-10-year-sentence-for-photojournalist-sayed-ahmed-al-mousawi-in-further-attack-on-press-freedom/>

¹¹¹ “Photographer Ahmed al-Fardan Imprisoned for Illegal Assembly,” ADHRB, 5 February 2016, <https://www.adhrb.org/2016/02/photographer-ahmed-al-fardan-imprisoned-for-illegal-assembly/>

¹¹² “Case Update: Faisal Hayyat sentenced to three months in prison,” ADHRB, last modified December 6, 2016, <https://www.adhrb.org/2016/12/faisal-hayyat-charged-three-months-prison/>.

¹¹³ Graham Pough, “Case Update: Faisal Hayyat sentenced to three months in prison,” ADHRB, 6 December 2016, <https://www.adhrb.org/2016/12/faisal-hayyat-charged-three-months-prison/>

¹¹⁴ “Long jail terms for two journalists convicted on no evidence,” Reporters without Borders, last modified November 8, 2017, <https://rsf.org/en/news/long-jail-terms-two-journalists-convicted-no-evidence>.

¹¹⁵ “Bahrain: Prosecution and Suppression of Journalist and Internet Activists,” BIRD, 2 November 2015, <http://birdbh.org/2015/11/bahrain-prosecution-and-suppression-of-journalist-and-internet-activists/>

¹¹⁶ “Media freedom ‘stamped out’ as Bahrain jails more journalists,” *The New Arab*, 9 November 2017, <https://www.alaraby.co.uk/english/news/2017/11/9/media-freedom-stamped-out-as-bahrain-jails-more-journalists>

after the paper's 16 January edition included headlines and pictures of three torture victims that were executed by Bahraini authorities the day before. Finally, on 4 June 2017, the government indefinitely suspended both the print and online publication of *Al-Wasat*, reportedly in response to an article in *Al-Wasat*'s 4 June issue in which an author discussed events related to unrest in Morocco.¹¹⁷ By the end of June 2017, the newspaper was forced to lay off its staff and close operations.¹¹⁸ Notably, these extrajudicial suspensions seem to contravene Bahrain's own Press Law, which provides that "newspapers shall never be confiscated, suspended or cancelled unless a court verdict is obtained."

c. Impunity for Crimes against Free Expression

The Government of Bahrain has entirely failed to hold officials accountable for systematic human rights violations like the torture and arbitrary detention, including against journalists, even though the Press Law provides that "anyone who offends a journalist or attacks him because of his job shall be punished as per articles (219) to (222) of the Penal Code." Despite repeated communications and complaints from independent human rights organizations and the UN Special Procedures, Bahrain's oversight bodies have not fulfilled their mandates, and have at times worked to obscure the rights violations they are meant to investigate. Only a small number of low-level officials have been prosecuted and convicted, with most sentences failing to reflect the gravity of the crimes. In the case of Nazeeha Saeed, for example, despite a preponderance of clear evidence, the officer responsible for her torture in 2011 was ultimately acquitted.¹¹⁹

Even in cases of extrajudicial killing, the government has refused to properly investigate and prosecute perpetrators. Zakariya Rashid Hassan al-Ashari died under suspicious circumstances after he was arrested and charged with disseminating false news and inciting hatred in 2011. Authorities claimed al-Ashari died from complications of sickle-cell anemia, but the journalist's family told reporters that he did not suffer from that illness or any other ailment.¹²⁰ Only a few days after al-Ashari's death, Karim Fakhrawi, *Al-Wasat*'s co-founder, was killed by Bahrain's NSA.¹²¹ The government investigated the case amid public pressure, but the responsible officials were never formally charged with torture leading to death, which could yield up to life in prison. Instead, the officials were ultimately sentenced to just three years in prison on a lesser charge after appeal. Then in 2012, freelance journalist Ahmed Ismael Hassan was shot and killed while covering a protest raided by police in Salmabad. Following Hassan's death, the UN called for an investigation into his killing, but the status of the inquiry into the case is still considered unresolved six years out.¹²²

VII. Free Assembly (Article 21)

Peaceful free assembly is largely prohibited in Bahrain. The Public Gatherings Law of 1973 provides the MOI with the power to ban rallies near "security-sensitive areas" like airports, hospitals, and shopping malls, and a series of amendments promulgated in 2006 further expands this authority. Article 11 of Law 32/2006, the collective title for the amendments, imposes blanket restrictions on both the times and locations available for public assembly, with demonstrations may only allowed in specific public areas preapproved by authorities. Whereas the original law required organizers give notice of impending rallies in unrestricted areas, the amendments make it such that applicants are limited to a set number of public assembly zones. Moreover, the application must be submitted at least three days prior to the intended date, exceeding the maximum 48-hour

¹¹⁷ "Bahrain suspends Al-Wasat, further restricting press freedom," ADHRB, 6 June 2017, <http://www.adhrb.org/2017/06/bahrain-suspends-al-wasat-restricts-press-freedom/>

¹¹⁸ "Bahrain newspaper, shut down by government, lays off staff," Business Insider, 24 June 2017, <http://www.businessinsider.com/ap-bahrain-newspaper-shut-down-by-government-lays-off-staff-2017-6>

¹¹⁹ "My Story: Nazeeha Saeed," MLDI, 13 November 2013, <https://www.mediadefence.org/case-study/my-story-nazeeha-saeed>

¹²⁰ "Zakariya Rashid Hassan al-Ashiri," CPJ, <https://cpj.org/data/people/zakariya-rashid-hassan-al-ashiri/>.

¹²¹ "Karim Fakhrawi," CPJ, <https://cpj.org/data/people/karim-fakhrawi/>.

¹²² Alice Purkiss, "Bahrain: Journalist Ahmed Ismael Hassan al-Samadi dies as violence continues," Index, last modified April 3, 2012, <https://www.indexonensorship.org/2012/04/bahrain-journalist-ahmed-ismael-hassan-al-samadi-dies-as-violence-continues/>.

period recommended by the Special Rapporteur on Freedom of Assembly.¹²³ The MOI may also revoke approval of at will, and it retains the full authority to change the time, place, and route of demonstrations without justification.

If a public gathering should go forward without government authorization, or if the relevant application is at any point invalidated by the authorities, all persons participating are classified as criminals and subject to a fine and/or imprisonment under Article 13. Enforced in conjunction with anti-terror and cybercrime legislation, even the expression of support for an unauthorized gathering can be grounds for imprisonment. Prior to his most recent imprisonment, Nabeel Rajab, a leading human rights defender, was sentenced to three years imprisonment on charges of “participating in an illegal assembly,” “calling others to join [in an illegal assembly],” and “involvement in illegal practices and incitement to gatherings and calling for unauthorized marches through social networking sites.” The charges related to multiple unapproved peaceful pro-democracy gatherings that took place in Manama throughout January, February, and March of 2012. In the case relating to the January rallies, Rajab was charged merely for sending Tweets that encouraged citizens to attend.

In 2012, the MOI issued a ban on all demonstrations “until peace and social order is restored.” In early August 2013, the Bahraini government enacted 22 recommendations proposed by the National Assembly that widely restricted free association, assembly, and expression by banning protests in the capital of Manama as well as a number of vaguely worded activities on purported national security grounds.¹²⁴ The authorities regularly use the “illegal assembly” offense as grounds to violently disperse peaceful protests and arrest members of the opposition.¹²⁵

In December 2015, the National Assembly approved several additional amendments to Bahrain’s 2006 anti-terror legislation, allowing security forces to “search individuals, stop and search vehicles, restrict the right of movement of vehicles, public transport or pedestrians, cut communications and messages sent from the scene of the crime and sites where anti-terror operations are taking place, for a period of up to 12 hours.”¹²⁶ This effectively legalizes the collective punishment of peaceful gatherings and protests, which the government can interpret as terror offenses.

1. Attacks on Free Assembly

Under these extensive legal restrictions, the Bahraini authorities have launched hundreds – if not thousands – of violent raids on peaceful assemblies like political demonstrations, marches, sit-ins, religious gatherings, and funeral processions since 2011. Most recently, the government has been in severe and continuous violation of the right to free assembly through its operation to surround and collectively punish a non-violent sit-in around the home of Shia spiritual leader Sheikh Isa Qassim, which began in June 2016.

Following the government’s decision to denaturalize Sheikh Qassim and render him stateless, hundreds of demonstrators gathered at his home in Diraz to protest his potential deportation.¹²⁷ Security forces almost immediately surrounded the area and blocked all but two entrances into the village.¹²⁸ Personnel have

¹²³ A/HRC/35/28/Add.1 - Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association on his follow-up mission to the United Kingdom of Great Britain and Northern Ireland, Human Rights Council, 8 June 2017, http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session35/Documents/A_HRC_35_28_Add.1_AEV.docx

¹²⁴ Sami Aboudi, “Bahrain will ‘forcefully confront’ planned Aug. 14 protests – PM,” Reuters, 12 August 2013, <http://www.trust.org/item/20130812190323-3jnl>; “ADHRB Urges Reconsideration of Recommendations Made by Bahrain’s National Assembly,” *Americans for Democracy and Human Rights in Bahrain*, 29 July 2013. <http://adhrb.org/2013/07/adhrb-urges-reconsideration-of-recommendations-made-by-bahrains-national-assembly/>.

¹²⁵ Lawyers Rights Watch Canada to King Hamad bin Isa al-Khalifa, 13 June 2013., <http://www.bahrainrights.org/sites/default/files/LRWC.CJFE%26BCHR.Bahrain.Assembly%20Rights.June.13.pdf>

¹²⁶ “Bahraini Authorities Introduce Additional Oppressive Laws,” ADHRB, BCHR, and BIRD, 22 December 2015, <http://www.adhrb.org/2015/12/bahraini-authorities-introduce-additional-oppressive-laws/>

¹²⁷ “Diraz: A Community Under Siege,” ADHRB, BCHR, BIRD, ECDHR, and JHRO, 13 July 2016,

<http://www.adhrb.org/2016/07/10390/>

¹²⁸ *Ibid.*

prevented residents without Diraz identification documents from entering the village, and all major Internet Service Providers (ISPs) enforced a daily internet shutdown in the area between for months,¹²⁹ a form of Internet interference¹³⁰ condemned by the UN.¹³¹ Pro-government social media accounts have simultaneously circulated photographs of public sector employees seen participating in the Diraz sit-in, equating them with terrorists and calling for their arrest.¹³² In July 2016, this campaign resulted in the arrest of Ali Abdulraheem, an official at the Labour Market Regulatory Authority (LMRA), after social media users, including a member of Bahrain's National Assembly, posted a picture of him participating in the demonstrations online.¹³³ The BICI documented a similar "electronic witch hunt"¹³⁴ practice in 2011, concluding that pro-government social media accounts targeted protesters, disclosed their whereabouts and personal details, and subjected them to harassment, threats, and defamation.¹³⁵ Security forces later arrested and in some cases tortured many of the targeted individuals.¹³⁶

The authorities conducted mass arrests of individuals attending Friday prayers in Diraz and/or participating in the demonstrations, with dozens of clerics, poets, singers, and activists ultimately charged with "illegal gathering."¹³⁷ For example, in August 2016, the authorities charged Sheikh Maytham al-Salman, a renowned interfaith leader, and Dr. Taha al-Derazi, an activist and former prisoner of conscience, with "illegal gathering" for participating in the sit-in; Sheikh Maytham was released on bail but Dr. Al-Derazi was sentenced to several months in prison.¹³⁸

In 2017, Bahraini authorities began launching violent raids on the sit-in, culminating in a large security operation on 23 May that largely dispersed the sit-in. Security forces killed five protesters, injured hundreds, and arrested 286,¹³⁹ some of which were later abused custody.¹⁴⁰ For more information on police brutality at the Diraz sit-in, as well as other incidents, see Section IV.5 on the Right to Life.

VIII. Right to Association and Participation in Public Life (Articles 22 and 25)

The Bahraini government's restrictions on free association heavily circumscribe civil society space, undermining the activity of civil society organizations (CSO) and independent political groups. Authorities have consistently utilized the Law of Associations and Law of Political Societies, in addition to the penal code and anti-terror legislation, as a means of restricting, monitoring, or outright dissolving human rights organizations and opposition societies.

¹²⁹ Ibid.

¹³⁰ Bill Marczak, "Time for some Internet Problems in Duraz': Bahraini ISPs Impose Internet Curfew in Protest Village," Bahrain Watch, 3 August 2016, <https://bahrainwatch.org/blog/2016/08/03/bahrain-internet-curfew/>

¹³¹ "U.N. passes landmark resolution condemning internet shutdowns," Access Now, 1 July 2016, <https://www.accessnow.org/un-passes-resolution-condemning-internet-shutdowns/>

¹³² "Return of Electronic Witch Hunt in Bahrain Leads to the Arrest of Ali Abdulraheem," ADHRB, BCHR, BIRD, ECDHR, and JHRO, 14 July 2016, <http://www.adhrb.org/2016/07/return-electronic-witch-hunt-bahrain-leads-arrest-ali-abdulraheem/>

¹³³ Ibid.

¹³⁴ Noor Mattar, "Electronic Witch-Hunts in Bahrain, Israel and the ISIS," Global Voices, 2 August 2014, <https://globalvoices.org/2014/08/02/electronic-witch-hunts-in-bahrain-israel-and-the-isis/>

¹³⁵ Mahmoud Cherif Bassiouni, Nigel Rodley, Badria al-Awadhi, Phillippe Kirsch, and Mahnoush Arsanjani, "Report of the Bahrain Independent Commission of Inquiry," Bahrain Independent Commission of Inquiry, <http://www.bici.org.bh/BICireportEN.pdf>

¹³⁶ "Return of Electronic Witch Hunt in Bahrain Leads to the Arrest of Ali Abdulraheem," ADHRB, BCHR, BIRD, ECDHR, and JHRO, 14 July 2016, <http://www.adhrb.org/2016/07/return-electronic-witch-hunt-bahrain-leads-arrest-ali-abdulraheem/>

¹³⁷ "Bahrain Escalates Arrests of Protesters at Duraz Sit-in, Continues to Criminalize and Threaten Freedom of Assembly," ADHRB, BCHR, and BIRD, ECDHR, and JHRO, 10 August 2016, <http://www.adhrb.org/2016/08/10631/>

¹³⁸ "Bahrain: Gov't Prosecutes Religious Freedoms Advocate Sheikh Maytham Al-Salman and Rights Activist Al-Derazi for 'Illegal Gathering,'" ADHRB, BCHR, BIRD, ECDHR, and JHRO, 15 August 2016, <http://www.adhrb.org/2016/08/bahrain-govt-prosecutes-religious-freedoms-advocate-sheikh-maytham-al-salman-rights-activist-al-derazi-illegal-gathering/>

¹³⁹ "Bahrain Police Raid Duraz Sit-in, Killing Five and Injuring Dozens," ADHRB, BIRD, and ECDHR, 23 May 2017, <http://www.adhrb.org/2017/05/12478/>

¹⁴⁰ For example, see: "Profiles in Persecution: Mohamed Yusuf AlAjmi," ADHRB, 2 March 2018, <https://www.adhrb.org/2018/03/profiles-in-persecution-mohamed-yusuf-alajmi/>

1. Legal Restrictions

Article 27 of Bahrain’s constitution technically guarantees the right to freedom of association by “peaceful means...provided that the fundamentals of the religion and public order are not infringed.”¹⁴¹ However, the 1989 Law of Associations places CSOs under significant restrictions enforced by the Ministry of Labor and Social Development (MLSD). All CSOs are required to register with the MLSD and they are prohibited from engaging in any activity interpreted to be political.¹⁴² If the MLSD does not respond within 60 days, the registration request is automatically denied, and the CSO must appeal the decision in court. Article 89 of the Law of Associations imposes a fine and/or imprisonment for establishing and operating an unregistered organization or disseminating information on behalf of an unlicensed organization. In addition to these constraints, the Penal Code effectively criminalizes membership in any unlicensed national or foreign organization,¹⁴³ and the authorities are permitted to dissolve CSOs if they are deemed “unable to achieve the objectives [they were] established for... or if they violate the association law, public order and norms.”¹⁴⁴

If a CSO successfully registers with the MLSD, it becomes subject to regular official inspection, including investigations into funding sources.¹⁴⁵ Articles 20 and 21 of the Law of Associations require CSOs obtain prior approval from the government before receiving foreign funding and empower the authorities to regulate all aspects of such organizations’ financial affairs.¹⁴⁶ Political societies are subject to similar regulations under the Law of Political Societies. The government limits the ability of CSOs to fundraise, accept local donations, form unions and coordinating, or join regional and international organizations.¹⁴⁷ Violations of these restrictions can lead to the imprisonment of a CSO’s membership for six months or more. In addition to imposing constraints on foreign funding, the authorities have reportedly cut public funding to CSOs in retaliation for work related to human rights and discrimination.

2. Suppression of CSOs

The Bahraini authorities have wielded this restrictive framework against dozens of CSOs. In September 2004, the MLSD ordered the closure of BCHR, one of the country’s leading human rights organizations, after its cofounder, Abdulhadi al-Khawaja, delivered a speech on economic rights that was critical of the prime minister.¹⁴⁸ The authorities arrested al-Khawaja on charges of spreading “false or malicious news” and temporarily closed the venue that had hosted the speech.¹⁴⁹ Later, in a separate case stemming from his activism during the 2011 pro-democracy protests, a military court sentenced al-Khawaja to life in prison. Al-Khawaja remains incarcerated at Bahrain’s Jau Prison where his health has deteriorated due to unhygienic living conditions and arbitrary deprivation of medical care.¹⁵⁰ BCHR’s current president, Nabeel Rajab, is serving a seven-year prison sentence stemming solely from tweets and media interviews.

¹⁴¹ Constitution of the Kingdom of Bahrain, 14 February 2002, <http://www.wipo.int/wipolex/en/details.jsp?id=7264>

¹⁴² *Interfere, Restrict, Control”: Restraints on Freedom of Association in Bahrain*, Human Rights Watch, 2013, <https://www.hrw.org/sites/default/files/reports/bahrain0613webwcover.pdf>

¹⁴³ *Ibid.*

¹⁴⁴ *Ibid.*

¹⁴⁵ *Country Reports on Human Rights Practices 2012 – Bahrain*, United States Department of State, 2013, <http://www.state.gov/documents/organization/204567.pdf>

¹⁴⁶ *Freedom of Association in the Arabian Gulf: The Case of Bahrain, Kuwait, and Yemen*, FIDH and AIHR, 31 March 2009, <https://www.fidh.org/IMG/pdf/etude.pdf>

¹⁴⁷ Abdulnabi al-Ekry, “شريكاً؟ يكون كيف...المدني المجتمع,” Al-Wasat, <http://www.alwasatnews.com/news/1108656.html>

¹⁴⁸ “The Closure of the Bahrain Centre for Human Rights is ‘Final!’” Bahrain Center for Human Rights (BCHR), 26 March 2006, <http://www.bahrainrights.org/en/node/187>; “BCHR Board of Directors,” BCHR, 2017, <http://www.bahrainrights.org/en/bchr-board-directors>

¹⁴⁹ “Bahrain: Activist Jailed After Criticizing Prime Minister,” Human Rights Watch, 29 September 2004, <http://pantheon.hrw.org/legacy/english/docs/2004/09/29/bahrain9413.htm>

¹⁵⁰ “Bahrain Imposes New Restriction and Denies Medical Care at Jau Prison,” ADHRB, BCHR, BIRD, and ECDHR, 29 March 2017, <http://www.adhrb.org/2017/03/bahrain-imposes-new-restriction-denies-medical-care-jau-prison/>

In 2005, the Bahrain Youth Society for Human Rights (BYSHR) applied for registration with the MLSD, but it was rejected.¹⁵¹ The government later fined BYSHR for operating as an unlicensed organization and, in 2012, arrested its cofounder, Mohammed al-Maskati, on charges of “illegal gathering” stemming from his alleged participation in a peaceful demonstration.¹⁵² Although Maskati was released, these charges were only dropped in February 2016.¹⁵³ Bahraini authorities have also repeatedly targeted BYSHR board member Naji Fateel, who is currently serving two separate 15-year prison sentences on charges of establishing “a group for the purpose of disabling the constitution” and allegedly participating in a 2015 riot at Jau Prison.¹⁵⁴ Fateel says that he did not participate in the unrest, but that the authorities targeted him for torture and abuse during the collective punishment of the inmate population that ensued.¹⁵⁵

In 2010, the government dismissed the board of the Bahrain Human Rights Society, replacing it with a temporary manager appointed by the authorities. That same year, it effectively dissolved the Bahrain Nursing Society and seized its headquarters after the group held a solidarity event for a member who was arrested after treating an injured protester. The authorities had previously dismissed the Society’s board.¹⁵⁶

Since 2011, the Bahraini government has intensified its efforts to impede the work of CSOs. Just that year, the authorities formally dissolved the Bahrain Teacher’s Association and imprisoned several of its members; took control of the Bahrain Medical Society; and declared the board of the Bahrain Lawyers Society null, reinstating the previous board.¹⁵⁷ The authorities additionally pressured leaders of the Authors and Writers Family Society and the Bahrain Medical Society to resign. Consequently, the MLSD imposed internal regulations on both groups to enhance the government’s control over their operations.¹⁵⁸

More recently, in April 2016, the government disbanded the Bahrain Photographic Society, alleging that its members had engaged in “activities contrary to the law and public order.”¹⁵⁹ The government had previously targeted the organization in 2011 as well, arresting its president.¹⁶⁰ In June 2016, the MLSD closed two of the only remaining Shia CSOs, the Al-Risala Islamic Society and the Islamic Enlightenment Society on accusations of “illegal fundraising” related to the religious practice of *khums*.¹⁶¹ Security forces arrested the head of Al-Risala Islamic Society on the same day.¹⁶² On 16 June, the authorities interrogated nine Shia clerics in connection with the two groups and/or the “illegal collection of money.”¹⁶³ The government has twice summoned the head of the Islamic Enlightenment Society¹⁶⁴ and reportedly banned him from traveling.

¹⁵¹ “About Us,” Bahrain Youth Society for Human Rights, 2014, http://www.byshr.org/?page_id=1677

¹⁵² “Bahraini human rights defender Mohammed Al-Maskati faces prison if his sentence is upheld in December; NGOs call for his sentence to be overturned,” FIDH, 18 December 2015, <https://www.fidh.org/en/issues/human-rights-defenders/bahraini-human-rights-defender-mohammed-al-maskati-faces-prison-if>

¹⁵³ “Bahrain: Acquittal of Mr. Mohammed Al-Maskati,” FIDH, 9 February 2016, <https://www.fidh.org/en/issues/human-rights-defenders/bahrain-acquittal-of-mr-mohammed-al-maskati>

¹⁵⁴ “On International Human Rights Day, GCHR calls for detained human rights defenders to be freed,” Gulf Center for Human Rights, 10 December 2016, <http://www.gc4hr.org/news/view/1443>

¹⁵⁵ *Inside Jau: Government Brutality in Bahrain’s Central Prison*, ADHRB, BCHR, and BIRD, May 2015, http://www.adhrb.org/wp-content/uploads/2015/06/Inside-Jau-Report_Final.pdf

¹⁵⁶ “Ministry of Human Rights Continues Attempts to Take Over Civil Society Organizations and Cancel Bahrain Bar Society Elections,” BCHR, 18 December 2011, <http://www.bahrainrights.org/en/node/4910>

¹⁵⁷ *Ibid.*; and *A Follow-Up Report on Bahrain’s UPR Second Cycle: The Deteriorating Human Rights Situation in Bahrain*, ADHRB, 2014, http://adhrb.org/wp-content/uploads/2014/04/ADHRB_February2014_web.pdf

¹⁵⁸ Abdalnabi al-Ekry, “البحرين مملكة في الإنسان حقوق وحماية دعم في المدني المجتمع منظمات دور,” Al-Wasat, 2014, <http://www.alwasatnews.com/news/891952.html>

¹⁵⁹ “Bahrain Photographic Society Dissolved as Restrictions on Civil Society Associations Continue,” BCHR, 3 May 2016, <http://www.bahrainrights.org/en/node/7814>

¹⁶⁰ “Ministry of Human Rights Continues Attempts to Take Over Civil Society Organizations and Cancel Bahrain Bar Society Elections,” BCHR, 18 December 2011, <http://www.bahrainrights.org/en/node/4910>

¹⁶¹ “Continued Crackdown on Clerics and Freedom of Religion and Assembly,” ADHRB, BCHR, BIRD, ECDHR, and JHRO, 27 July 2016, <http://www.adhrb.org/2016/07/continued-crackdown-clerics-freedom-religion-assembly/>

¹⁶² “Bahrain: Authorities Escalate Crackdown on Shia Clerics and Freedom of Religion,” BCHR, 17 June 2016, <http://bahrainrights.org/en/node/7914>

¹⁶³ *Ibid.*

¹⁶⁴ *Ibid.*

Bahraini authorities further escalated their reprisals against individual civil society actors in 2016, 2017, and 2018. During this time, the government has imposed intermittent travel bans on dozens of activists and human rights defenders, including Essa Al-Ghayeb; Ebtisam Al-Saegh; Ebrahim Demistani; Nazeeha Saeed;¹⁶⁵ Mohammed Al-Tajer;¹⁶⁶ Ahmed Radhi; Sheikh Maytham al-Salman; Dr. Taha al-Derazi;¹⁶⁷ Abdalnabi al-Ekry; and BCHR's Nedal al-Salman, Enas Oun, Hussain Radhi, and Ahmed Saffar.¹⁶⁸ In addition to violating their right to freedom of movement as protected by Article 12 of the Covenant, the government specifically prevented many such activists from traveling to Switzerland to engage with the UN HRC and UPR.¹⁶⁹ Activists estimate that the government has imposed travel bans on more than 100 people in relation to their civil society engagement or on the suspicion they hold dissident views.¹⁷⁰ The authorities have continuously judicially harassed many of these same civil society actors over accusations of "illegal assembly" or spreading "false news," typically related to their activism or civil society work.¹⁷¹

Legal restrictions and the risk of reprisal, coupled with the basic difficulty of successfully registering with the MLSA, have also forced many groups to either continue their work unofficially or to establish informal networks.¹⁷² These unlicensed groups are at a particularly high risk of judicial harassment and criminal sanction.

3. *Suppression of Political Opposition Groups*

The Government of Bahrain has imposed similar limitations on political association under the Law of Political Societies, forcing many groups underground and subjecting formal organizations to arbitrary suspensions, asset seizures, and dissolution. During the height of the 2011 protest movement and its aftermath, the government subjected political societies to particularly extreme reprisal, including temporarily closing Wa'ad and imprisoning its Secretary-General Ebrahim Sharif; arresting and torturing Al-Wafaq leadership; and disbanding the Islamic Action Society (Amal), detaining hundreds of its members, and incarcerating its leader Sheikh Mohammed Ali al-Mahfood.¹⁷³ Some political figures, like Wa'ad's Munira Fakhro, also faced attacks by pro-government gangs,¹⁷⁴ and Wa'ad's headquarters was twice burnt down.¹⁷⁵

¹⁶⁵ Jesse Schatz, "Travel Ban Prevents Journalist From Leaving Bahrain," ADHRB, 7 July 2016, <http://www.adhrb.org/2016/07/10317/>

¹⁶⁶ "Authorities Impose Several Travel Bans as Crackdown on HRDs Continues," CIVICUS, 23 September 2016, <https://monitor.civicus.org/newsfeed/2016/09/23/crackdown-against-human-rights-defenders-and-activists-continue-bahrain/>

¹⁶⁷ "Bahrain: Gov't Prosecutes Religious Freedoms Advocate Sheikh Maytham Al-Salman and Rights Activist Al-Derazi for 'Illegal Gathering,'" ADHRB, 15 August 2016, <http://www.adhrb.org/2016/08/bahrain-govt-prosecutes-religious-freedoms-advocate-sheikh-maytham-al-salman-rights-activist-al-derazi-illegal-gathering/>

¹⁶⁸ "Bahraini Authorities Continue Crackdown on Activists: More Human Rights Defenders and BCHR Members Face Reprisals," ADHRB, BCHR, BIRD, and ECDHR, 16 November 2016, <http://www.adhrb.org/2016/11/11328/>; "Ebtisam Al-Saegh summoned for interrogation," Frontline Defenders, 23 November 2016, <https://www.frontlinedefenders.org/en/case/ebtisam-al-saegh-summoned-interrogation>

¹⁶⁹ "Bahrain Authorities Prevent Civil Society Members and Human Rights Defenders from Participating in UN HRC 32," ADHRB, 13 June 2016, <http://www.adhrb.org/2016/06/bahrain-authorities-prevent-civil-society-members-human-rights-defenders-participating-un-hrc-32/>

¹⁷⁰ Brian Dooley, "Bahrain Travel Bans Reveal Insecurity," Huffington Post, 15 November 2016, http://www.huffingtonpost.com/brian-dooley/bahrain-travel-bans-revea_b_12987660.html

¹⁷¹ *Crushing Civil Society: Bahraini Government Reprisals for International Engagement*, ADHRB, 7 June 2017, <https://www.adhrb.org/2017/06/12576/>

¹⁷² Abdalnabi al-Ekry, "شريكاً؟ يكون كيف... المدني المجتمع," Al-Wasat, <http://www.alwasatnews.com/news/1108656.html>

¹⁷³ Ministry of Human Rights Continues Attempts to Take Over Civil Society Organizations and Cancel Bahrain Bar Society Elections," BCHR, 18 December 2011, <http://www.bahrainrights.org/en/node/4910>; and Sam Jones, "Prosecuting politics: the judicial assault on Bahrain's opposition," 18 December 2016, <https://www.opendemocracy.net/arab-awakening/sam-jones/prosecuting-politics-judicial-assault-on-bahrain-s-opposition>

¹⁷⁴ Toby Matthiesen, *Sectarian Gulf: Bahrain, Saudi Arabia, and the Arab Spring that Wasn't*, Stanford University: 2013, <http://www.sup.org/books/title/?id=23053>

¹⁷⁵ "Pro-govt Bahrain marchers graffiti Waad headquarters," Arabian Business, 11 December 2011, <http://m.arabianbusiness.com/pro-govt-bahrain-marchers-graffiti-waad-headquarters-434459.html>

Since the November 2014 elections for the lower house of Bahrain's National Assembly, the government took steps to virtually eliminate the formal opposition. During the run-up to those elections, the MOJ requested that the courts suspend Al-Wefaq and Wa'ad for three months; the order against Wa'ad was later rescinded, but both societies ultimately boycotted the elections, citing widespread government interference.¹⁷⁶ Earlier that year, in September 2014, the security forces detained and tortured Khalil al-Halwachi, a scholar and activist, over his former membership in the now-dissolved Amal society.¹⁷⁷ After more than two years of pre-trial detention, al-Halwachi was sentenced to 10 years in prison on unsubstantiated charges of illegally possessing weapons.¹⁷⁸ In December 2014, authorities arrested and later sentenced Al-Wefaq's Secretary-General Sheikh Ali Salman to four years in prison,¹⁷⁹ and in July 2016 they dissolved Al-Wefaq entirely, with the courts rejecting all its subsequent appeals in 2017 and 2018.¹⁸⁰ Fadhel Abbas, the leader of the Al-Wahdawi society, was arrested for tweets criticizing the Saudi-led intervention in Yemen in 2015, and a court ultimately sentenced him to three years in prison.¹⁸¹ The authorities have repeatedly interrogated the society's current secretary-general over social media posts "inciting protests" in 2018.¹⁸² Similarly, the government rearrested Ebrahim Sharif and sentenced him to another year in prison in 2015 on charges related to the contents of a political speech he delivered; though he completed the term in summer 2016, Bahraini authorities continued to judicially harass him for exercising his right to free expression in 2017.¹⁸³ In May 2017, the MOJ arbitrarily dissolved¹⁸⁴ Wa'ad over unfounded allegations of "incitement of acts of terrorism and promoting violent and forceful overthrow of the political regime" after the society criticized the closure of Al-Wefaq and issued a statement describing Bahrain as experiencing a "constitutional political crisis."¹⁸⁵ The High Court of Appeals confirmed the ruling in October 2017.¹⁸⁶

Despite the near total destruction of the formal opposition, Bahraini authorities have continued to arrest and harass other members of these groups, as well as unlicensed political organizations, ahead of the lower house elections set for fall 2018.¹⁸⁷ In November 2017, the authorities brought baseless new charges against Sheikh Ali Salman and two exiled Al-Wefaq leaders linked to Bahrain's ongoing diplomatic row with Qatar, and the Public Prosecution is now calling for them to receive the death penalty.¹⁸⁸ Furthermore, beginning in 2018, local media reported that the National Assembly has moved to implement a new amendment to the 2002 Law on Political Rights – which regulates voting rights, among other things – banning all members of the dissolved political societies, or any former member of parliament who resigned, from ever again running for election to

¹⁷⁶ Sam Jones, "Prosecuting politics: the judicial assault on Bahrain's opposition, 18 December 2016,

<https://www.opendemocracy.net/arab-awakening/sam-jones/prosecuting-politics-judicial-assault-on-bahrain-s-opposition>

¹⁷⁷ "Bahrain: Justice denied for two years as Khalil Al-Halwachi is imprisoned without a verdict," BCHR, 29 August 2016, <http://www.bahrainrights.org/en/node/8100>

¹⁷⁸ "Bahraini authorities sentence scholar and activist Khalil al-Halwachi to 10 years in prison," ADHRB, BCHR, BIRD, and ECDHR, 2 March 2017, <http://www.adhrb.org/2017/03/bahraini-authorities-sentence-scholar-activist-khalil-al-halwachi-10-years-prison/>

¹⁷⁹ "Bahrain: Further Information: Opposition Leader's Sentence Reduced Again: Sheikh Ali Salman," Amnesty International, 13 April 2017, <https://www.amnesty.org/en/documents/mde11/6068/2017/en/>

¹⁸⁰ "Bahrain's High Court of Appeals Upholds Dissolution of Al-Wefaq," ADHRB, BCHR, BIRD, and ECDHR, 22 September 2016, <http://www.adhrb.org/2016/09/bahrains-high-court-appeals-upholds-dissolution-al-wefaq/>

¹⁸¹ "Bahraini Opposition Activist Fadhel Abbas Sentenced to Three Years in Prison on Appeal," ADHRB, BCHR, BIRD, and ECDHR, 27 October 2016, <http://www.adhrb.org/2016/10/bahraini-opposition-activist-fadhel-abbas-sentenced-three-years-prison-appeal/>

¹⁸² "CID Releases Al-Wahdawi Secretary-General after Interrogating him for 'Inciting Protests,'" Bahrain Mirror, 14 March 2018, <http://bahrainmirror.com/en/news/45387.html>

¹⁸³ "Bahrain: Political Opposition Leader Ebrahim Sharif Charged With 'Inciting Hatred,'" ADHRB, BCHR, BIRD, and ECDHR, 20 March 2017, <http://www.adhrb.org/2017/03/12050/>; "Bahrain: Widespread Reprisals against Activists Ahead of UPR," ADHRB, BCHR, BIRD, and ECDHR, 26 April 2017, <http://www.adhrb.org/2017/04/bahrain-widespread-reprisals-activists-ahead-upr/>

¹⁸⁴ "Bahrain Dissolves Wa'ad, Last Major Opposition Society," ADHRB, 31 May 2017, <https://www.adhrb.org/2017/05/bahrain-dissolves-last-major-opposition-society/>

¹⁸⁵ "Bahraini Appeals Court Confirms Dissolution of Wa'ad, Last Major Opposition Group," ADHRB, 26 October 2017, <https://www.adhrb.org/2017/10/bahraini-appeals-court-confirms-dissolution-of-waad-last-major-opposition-group/>

¹⁸⁶ *Ibid.*

¹⁸⁷ "Bahrain's UPR National Report: A Response with Selected Assessments – Part I," ADHRB, 10 April 2017, <http://www.adhrb.org/2017/04/bahrains-upr-national-report-response-assessment/>

¹⁸⁸ "Prosecution calls for "Maximum Penalty" Against Bahraini Opposition Leader Sheikh Ali Salman," ADHRB, 8 March 2018, <https://www.adhrb.org/2018/03/prosecution-calls-for-maximum-penalty-against-bahraini-opposition-leader-sheikh-ali-salman/>

the Bahraini Council of Representatives.¹⁸⁹ If it is eventually promulgated, the amendment could permanently prevent any former member of Al-Wefaq, Wa'ad, or Amal – which translates to thousands of Bahrainis – from participating in the country's political system. Coupled with the other legal and physical attacks on Bahrain's opposition, this measure amounts to a complete closure of independent political space ahead of the 2018 elections.

¹⁸⁹ "الحكومة إلى ورفعه للنواب الترشح من المنحلة الجمعيات أعضاء حرمان إقرار" Akhbar Alkhaleej, 21 February 2018, <http://akhbar-alkhaleej.com/news/article/1111110>