BAHRAIN... THE MAP OF PERSECUTION:

UNDERMINING CIVIL SOCIETY



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A report on the human rights situation in Bahrain in 2016

Bahrain Forum for Human Rights (BFHR)

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BAHRAIN...THE MAP OF PERSECUTION:

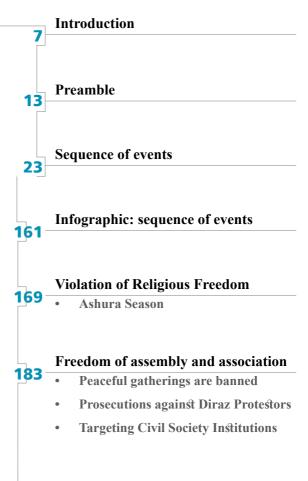
UNDERMINING CIVIL SOCIETY

Cover photo:

A protester holding a photo of the Shiite community leader in Bahrain, Ayatollah Sheikh Isa Ahmed Qassim, in front of the riot control vehicle on Sitra Island south of the Bahraini capital, Manama.

20 March 2017

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INTRODUCTION

The human rights situation in Bahrain is seriously deteriorating. The Bahrain Independent Commission of Inquiry (BICI) report documented more than 50 patterns of violations, and in 2012, 176 recommendations were issued in the Universal Periodic Review (UPR), but Bahrain did not accept the basic recommendations of them. In fact, the Bahraini authorities implemented the opposite of those recommendations. 21 patterns of torture methods were recorded and more than 4,000 Bahraini citizens were subjected to torture and ill-treatment since 2011, while the UN Special Rapporteur on torture was prevented from visiting Bahrain. The Bahraini authorities implemented what the Bassiouni Report warned about, like undermining civil society through dissolving a number of institutions such as Al-Wefaq National Islamic Society, Islamic Scholars Council, Islamic Enlightenment Society (Al-Tawiya), Al-Risala Society, and Islamic Action Society (Amal). Since 2011, more than 11,000 citizens were arbitrarily arrested due to practicing their rights to peaceful assembly and freedom of expression, including 330 Bahraini women and 968 children. This clearly indicates that the Bahraini authorities are evading the implementation of the 13 Geneva recommendations which are related to freedom of assembly and association, and the most notable of which were recommended by: Ireland, France, Australia, and Switzerland. The right to citizenship became one of the political revenge tools, as more than 380 Bahraini citizens

were stripped of their nationalities including journalists, academics, former Members of Parliament, and religious scholars such as the leader of the Shiite community in Bahrain, Ayatollah Sheikh Issa Qassem, according to a royal decree. In addition, a number of Bahraini children were deprived of the Bahraini citizenship because of the malicious judgments against their parents. There is an obvious promotion of the policy of impunity, which established the principle of protecting the culprits and prosecuting the victims through unfair trials, and adapting the Penal Code, the terrorism law and the nationality law. A number of legislations related to these laws were introduced in order to prosecute citizens and political and human rights activists, and 6 articles of the Bahraini Penal Code were exploited to criminalize freedom of expression. In addition, human rights defenders were transformed to "the most vulnerable targets among targets of repression", as they have been subjected to travel bans, violation of freedom of movement, and repeated arrests and summonses, especially with the arrest of president of the Bahrain Center for Human Rights, Nabeel Rajab, and as Bahrain's Ministry of Interior uses its legal authority to open primary investigations in order to intimidate, silence or prevent defenders from doing their legitimate activities to promote human rights.

By analyzing facts and events since 2011, we reach the following results:

The Bahraini authorities carried out many arbitrary arrests that fall at least within the second or third category or both, according to the procedural definition adopted by the UN Working Group on Arbitrary Detention. The security authorities continued the systematic practices of torture and ill-treatment for the purpose of forcing victims to give information or confess, or for the purpose of punishment, and in some cases due to sectarian discrimination. In addition, those in charge of interrogating detainees use very painful but non-lethal torture methods, which do not leave marks on the body of the victim, in order to hide any evidence that may lead to accountability. Moreover, prisoners of Jaw Central Prison were subjected to excessive use of force and torture after the turmoil that occurred in the prison. The Ombudsman, the National Institution for Human Rights, and the Special Investigation Unit of the Public Prosecution fail miserably in playing their role in the violation cases. In addition, sectarian persecution against the indigenous Shia Muslims in Bahrain is uncontrollable. 559 violations of Ashura season were registered since 2013, and the practices of intolerance and discrimination are widespread in state institutions. The official media continues to broadcast hate speeches. In one year, more than 3,000 hate speeches were recorded by the official media, which does not allow those who express anti-government views to participate in its programs. In addition, the broadcasting space is occupied by the state media, with the exception of the only independent newspaper, Al-Wasat, which is facing serious pressure.

With impunity, extra-judicial killings continued in Bahrain, especially with the beginning of 2017, after carrying out the executions and violating the right to life of three citizens based on unfair trials. The security forces were also involved in extra-judicial killings of other civilians afterwards. We are concerned about carrying out the other death sentences of prisoners of conscience Mohammad Ramadan and Hussein Moussa, and we call on the international organizations to make serious efforts.

Among the new methods of security repression is violating the freedom of movement and imposing a stifling security blockade on Diraz area, which is inhabited by more than 20 thousand Bahraini citizens. In Diraz, citizens are exercising the right to peaceful assembly beside Ayatollah Qassim's house. The Bahraini authorities prevent trucks of fresh water and food supplies from entering the area in successive periods, the Internet is deliberately disrupted daily, and citizens who do not live in Diraz are prevented from entering at checkpoints. A number of citizens, activists and religious scholars were arrested, prosecuted, and sentenced to prison over exercising their right to peaceful assembly in Diraz. We are concerned about keeping the security measures in Diraz since they will leave a very bad impact on the humanitarian situation there.

The Bahraini authorities also imposed a complete ban on peaceful assembly since 2014, and used excessive force to disperse demonstrators since 2011, which caused 4997 injuries. In addition, the Law on Public Gatherings imposes unnecessary restrictions to criminalize freedom of assembly, and arbitrary restrictions are imposed on the establishment of non-governmental organizations, especially those of political nature, and these organizations face unjustified intervention in their affairs.

We urge the international human rights bodies, particularly the UN High Commissioner, to support freedom of religion or belief as they support freedom of expression and peaceful assembly. We also urge the UN Human Rights Council to make efforts to appoint a UN Special Rapporteur in Bahrain. In addition, we support the High Commissioner in its quest to open a regional office with full powers in Bahrain.

We hope that the Member States of the Human Rights Council adopt the recommendations of the civil society in the upcoming UPR session on Bahrain's human rights status in May 2017.

PRFAMBLE

The Bahrain Forum for Human Rights (BFHR) issues this 2016 report with the beginning of 2017, the year in which Bahrain's human rights situation will be discussed within the UN Universal Periodic Review (UPR) at the UN Human Rights Council in Geneva.

Bahrain's human rights record has become more burdensome than before, with the security crackdown on the Bahraini opposition and the prosecutions of political and rights activists, journalists and photographers for practicing their activities, which are directly related to their work and to the right to express their opinions. In addition, protesters are being prosecuted and the law is being used to punish them within unfair procedures and trials, and violations are continuing and escalating.

This report observes the most important 2016 human rights events, which indicate the continuation of human rights violations in Bahrain. It also reviews the violations represented in the following:

- Violation of religious freedoms
- Arbitrary detention
- **Torture**
- Enforced disappearance
- Deprivation of nationality
- Banning gatherings
- Targeting civil society organizations
- Unfair prosecutions

All of the abovementioned is based on events, facts and statistics that were recorded and verified, noting that some cases and events were excluded due to doubts about their validity, and others were not recorded for reasons related to the BFHR's potentials or because some victims refused to file complaints for fear of security pursuits.

CONTINUATION OF VIOLATIONS

Four years ago, 67 countries recommended 176 recommendations on the human rights situation in Bahrain within the Universal Periodic Review of the Human Rights Council in 2012.

By observing the human rights situation in Bahrain, we notice that the vast majority of these recommendations have not been implemented. On the contrary, government procedures and measures indicate that the Bahraini government has escalated the violations and persisted in failing to meet international human rights obligations.

With reference to some of the recommendations recommended by the Human Rights Council – to name but a few – Bahrain did not commit to implementing them, for example:

1. Releasing the prisoners; many countries, including the Czech Republic, Slovakia, Switzerland, Germany and others, recommended the immediate and unconditional release of all those who were sentenced for exercising their fundamental rights to freedom of expression and assembly.

Although Bahrain claims that it has reviewed the rulings of the National Safety Courts and therefore released some detainees, the evidence and the large number of trials, some of which will be referred to in this report, confirm that dozens are still prosecuted through unfair trials.

2. Amending the laws and regulations that restrict rights and freedoms; Ireland recommended that it is necessary to "amend any article of the Penal Code that could be used to prosecute individuals for exercising the right to freedom of assembly, peaceful expression or association and bring domestic laws into line with the international standards of the International Covenant on Civil and Political Rights. Similar recommendations were recommended by: Slovakia, Costa Rica, Switzerland, Hungary, Maldives, Canada and others.

Instead of implementing those recommendations, the Bahraini government has taken many measures that restrict political and human rights action and has issued legislations and amendments to some laws, including the Bahraini Penal Code and the law on protecting society from terrorist acts, which it has used to punish activists and paralyze political and human rights work. This will be shown in some parts of the report.

3. Ensuring the exercise of freedom of peaceful assembly and association, which was recommended by Australia, Canada, Costa Rica, Ireland, Switzerland and others; these countries stressed the need to develop appropriate measures and procedures that will help create the right environment for the exercise of the right to freedom of peaceful assembly and association. However, the Bahraini government, according to

many data, has undermined the exercise of this right. The gatherings were completely banned in the capital of Manama after the amendment of the gatherings law, and have been banned in all of Bahrain since March 2015. In addition, many political, professional and social associations are targeted, especially after closing Al-Wefaq National Islamic Society, one of the largest political societies in Bahrain. The government refuses to give any new licenses for human rights, political, professional or social societies which include opposition activists.

4. Belgium recommended the implementation of the recommendations stated in the report of the Bahrain Independent Commission of Inquiry (BICI), particularly those related to establishing a national reconciliation program, meeting the aspirations of the groups that are victims of discrimination, ensuring fair trials for detainees before ordinary criminal courts and in accordance with international standards, and removing all restrictions imposed on the movement of foreign journalists and international human rights organizations.

These recommendations have not been implemented to a certain extent, in fact, all the situations related to the above mentioned became harsher than before. Discrimination is increasing, trials in Bahrain lack the most basic standards for fair trials, and foreign journalists, international human rights organizations, and United Nations special rapporteurs are all banned from entering Bahrain

^{1.} Review the Missing Justice report issued by the Bahrain Forum for Human Rights.

5. Torture; Switzerland, Korea, Slovakia, Norway, Maldives, Slovenia, Italy, Germany and others recommended prohibiting and criminalizing torture, providing the appropriate mechanism to prevent it, and holding those involved in torture and ill-treatment, including security officials, accountable. However, torture is still ongoing in all detention centers and prisons, while the policy of impunity continues to exist, with the involvement of the Public Prosecution and the judiciary.

The judiciary continues to acquit security personnel involved in the violations while at the same time issues judicial sentences against detainees who are already serving sentences for assaulting the police, as will be shown later on in the report.

6. Spain and Norway recommended stopping all acts of intimidation or repression against human rights defenders, journalists and non-governmental organizations, and protecting human rights defenders and allowing them to do their work without intimidation, hindrance or harassment.

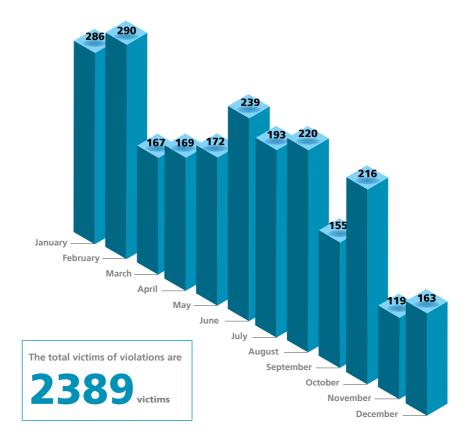
However, many media professionals, journalists and human rights defenders were prosecuted and prevented from travel, including travel to attend the session of the Human Rights Council in Geneva.

Moreover, since late September 2016, the authorities have refused to renew the licenses of Bahraini journalists working for foreign news agencies, and thus they were prevented from doing their jobs. Those journalists include Mohammed Al-Sheikh, a photographer working for AFP, Hasan Jamali, a photographer working for the Associated Press, and Nazeeha Said, a correspondent for Radio Monte Carlo and France 24.

It is worth mentioning that according to Article 88 of Law 47/2002, which regulates the work of the press in Bahrain, journalists working for foreign media agencies residing in Bahrain are prohibited from working and covering the news freely without obtaining a license from the Information Affairs Authority that must be renewed annually.

The number of human rights violations in Bahrain has increased more than ever and in a more systematic manner, with the number of victims of violations during 2016 reaching 2389 victims. It should be noted that the figures in the following table represent cases that have been recorded, but it is possible that there are other cases which could not be recorded or the victims refused to document their case for fear of security harassment.

The figure below shows the number of violations by month in 2016



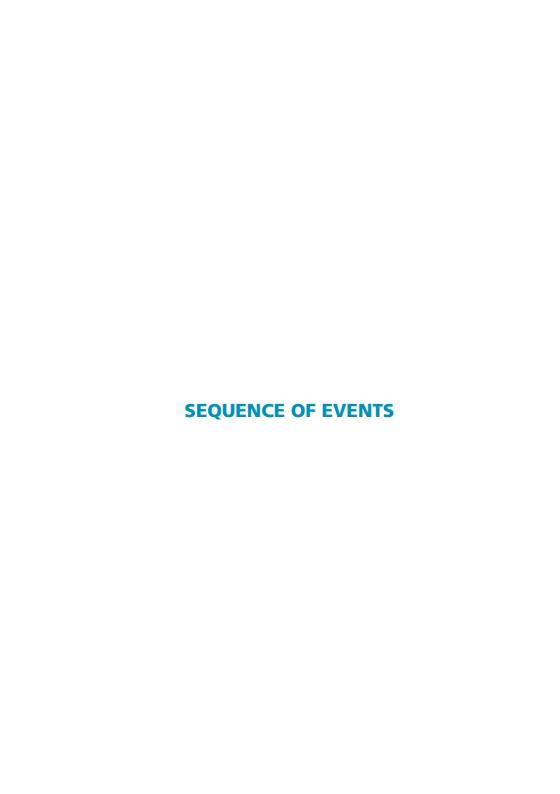
Many of the people targeted by the government and the security authorities have legal or special statuses and many of them are well-known individuals in the Bahraini society, including journalists, lawyers, rights activists, chanters, prominent clerics, athletes, public activists, and others.

The following table shows the number of victims who have a legal or special status:

number	status
7	Special needs
17	Journalist
56	Rights activist
35	Chanter
131	Cleric
15	Athlete
28	Politician
25	Patient
18	Administrator
55	Activist
1	Businessman
388	Total
1385	Other

It is clear from the previous table that the clerics are ranked first in the targeting, noting that all of them are Shiite clerics who engage in social and political activities, and some of them practice religious preaching. Human rights activists come second, and the numbers of activists in public affairs and political activists are close.

It should be noted that the figure 388 does not represent the total number of the targeted people, as the number of targeted people, who were recorded by the BFHR, amounted to 1385 people.



SEQUENCE OF EVENTS

The following part tackles the sequence of the most important incidents that monitor the human rights situation in Bahrain during 2016 with comments on some of them. These incidents are not considered a full documentation, as some were not verified and some were not considered due to potentials. Some of the incidents are fully discussed in other chapters of the report. However, most of the incidents related to unfair trials can be found in the prosecution chapter.



JANUARY

- 1. On Friday, January 1, 2016, Bahrain witnessed wide protests as hundreds of citizens staged protests in Sitra. Despite the excessive security deployment, protestors could reach the main street before the government's forces used power to disperse them. The forces used tear gas and shotguns against the protestors, leaving a number of injuries.
- 2. Protests escalated on Saturday, January 2, after Saudi Arabia executed 47 persons including Sheikh Nimr Bager Al-Nimr. Bahrain's Ministry of Interior issued a statement in which it stressed "the right of Saudi Arabia to take whatever security measures and procedures it sees right and suitable to maintain the security and stability of the country."

The statement added that Article 215 of the Bahraini Penal Code stipulates that "A punishment of imprisonment for a period of no more than two years or a fine of no more than BD 200 shall be inflicted upon any person who offends in public a foreign country or an international organization based in the State of Bahrain or its president or representative. The same penalty shall apply to a person who offends such organization's flag or official emblem."

The Interior Ministry strictly stressed that it will not in any way accept or approve any form of intervention or comment on the legal system of Saudi Arabia or any brotherly or friendly state, asserting that such issues concern the sovereignty of a country and the ministry will not hesitate in taking whatever measures or procedures necessary against those who interfere

in the sovereignty and security of any GCC state, and that violators in this regard will be subjected to legal punishments within the framework of the security and legal agreements between GCC states.

The ministry called for "abiding by the law that requires taking the correct information from its formal and official sources and not to use social media to spread sick rumors that shake the peace and security of citizens," indicating that article 168 of the Bahraini Penal Code stipulates that "Imprisonment for a period of no more than two years and a fine not exceeding BD 200 or either penalty shall be the punishment for any person who deliberately disseminates false reports, statements or malicious rumors, or produces any publicity seeking to damage public security, terrorize the population or cause damage to the public interest."2

This is one of the legal articles that was criticized by the Bahrain Independent Commission of Inquiry (BICI) in punishing the dissidents and restricting freedoms of opinion and expression.

Article 1282 of BICI report says, "Paragraph 1 of article 168 places broad restrictions on the exercise of freedoms of opinion and expression by criminalizing "any false or malicious news reports, statements or rumors or spreads adverse publicity". The absence of clear thresholds governing the application of this provision, and the ambiguity of notions such as

"malicious news reports", "rumors" and "adverse publicity", raise concerns about the overly broad restrictions imposed by this article. These concerns are heightened by the manner in which the provision was applied."

In addition to articles 1283, 1284, 1284, 1286, 1287 and 1288.

3. On January 3, the Bahraini Ministry of Interior said in a statement issued on Sunday (January 3, 2016) that it arrested a number of participants in the protests that Bahrain witnessed condemning the Saudi government's execution of Sheikh Nimr Al-Nimr. It stated that it seized those who misused social media outlets, took legal actions against them, and summoned the parents of juveniles. The Interior Ministry warned their parents of subjecting them to the legal punishment of "imprisonment for not less than a year, and a fine not exceeding 2,000 dinars, or one of these two penalties" if the violations are to be repeated.

The Ministry of Interior's statements and its previous one means that everyone who has an opposing view to Saudi Arabia, criticizes execution of Sheikh Nimr Al-Nimr and speaks out loud against it is considered lawless. This means that he/she will be subjected to legal accountability. Thus, the Bahraini government arrested some of the activists and protestors who opposed the execution; this is considered a clear violation of freedom of expression.

- 4. In the same context, the security authorities in Bahrain arrested on the evening of Sunday, January 3, Shiite cleric Sheikh Ali bin Ahmad Al-Jidhafsi after summoning him for interrogations over a speech he delivered, in which he condemned the execution of cleric Sheikh Nimr Al-Nimr. The authorities decided to detain him until presenting him to the prosecution that released him later.
- 5. The authorities arrested at the dawn of January 4 the ophthalmologist Dr. Saeed Al-Samahiji after raiding his house, over tweets he published on his own Twitter account, in which he condemned the execution of Sheikh Al-Nimr and 3 other prisoners of conscience carried out by Saudi Arabia. The prosecution referred him to court on January 28 after charging him with insulting Saudi Arabia and inciting to protest. On April 7, the court sentenced Al-Samahiji to one year in prison after accusing him of "insulting a brotherly state and publicly inciting disobedience of the law and regulations of the Kingdom of Bahrain and publicly calling for participation in unlicensed rallies and assemblies."
- 6. On January 4, the security authorities in Bahrain charged journalist Mahmoud Al-Jaziri (27 years old), who was arrested unexpectedly on (December 28, 2015), with the charges of affiliation to "Al-Wafa Islamic Party", which is an unregistered political society, and writing the political statements of the February 14 Youth Coalition. The Bahraini authorities also accused Al-Jaziri of funding terrorism, inciting hatred against the regime, contacting a foreign country and giving it information, and calling for the overthrow of the regime. Al-Jaziri was referred to the Terror Crime Prosecution where he

was interrogated about the charges against him. He, however, denied all the charges.

For his part, Mansoor Al-Jamri, editor-in-chief of Al-Wasat newspaper said that "Al-Jaziri denied all these charges and that he told prosecutions that his relationship with Al-Wafaa had never extended past proofreading the group's public statements, and that he had stopped even that activity after he became a professional journalist in 2012," indicating that Al-Jaziri used to cover parliamentary news for Al-Wasat. The Committee to Protect Journalists and other organizations called to release journalist Mahmoud Al-Jaziri immediately and drop all charges against him.3

In the framework of tightening the grip on political activism, the Public Prosecution summoned on Tuesday, January 5, the Secretary-General of Wa'ad Society, Radhi Al-Moussawi, head of Al-Wefag's Shura, Sayed Jameel Kadhem, and the Chairman of the Religious Freedom Committee in Bahrain Observatory, Sheikh Maytham Al-Salman for interrogations. The Criminal Investigation Office had summoned all the participants in the seminar held in Al-Wefaq Society's headquarters on December 27, 2015 to voice solidarity with its Secretary-General Sheikh Ali Salman after one year of his arrest. Then, the Criminal Investigation Office referred the Assistant Secretary-General of Al-Wefag, Khalil Al Marzoog, and the society's member, Sayed Mohammad Al-Ghuraifi, to the Public Prosecution.

^{3.} Statement of Committee to Protect Journalists https://cpj.org/201601//bahrain-accuses-journalist-of-supporting-terrorism.php

- 8. In a continuation to the series of excessive force used against protestors, Sitra witnessed on January 8 clashes between protestors and policemen. A large number of men and women had taken to the streets in Sitra before the security forces intervened and fired tear gas and shotguns to disperse the protestors, leaving a number of injuries.4
- 9. Before holding the fifth appeals session of opposition political leader and Secretary-General of Al-Wefag, Sheikh Ali Salman, that was scheduled on January 14, the King of Bahrain appointed one of his family members, Judge Mohammed bin Ali Al Khalifa, as a judge to the appeals court. Judge Al Khalifa harshened Sheikh Ali Salman's sentence from 4 to 9 years in prison. (Review Sheikh Ali Salman's study)

Judge Mohammad bin Ali Al Khalifa is known for issuing harsh sentences against political dissidents, activists and people participating in protests when he used to head the First High Criminal Court. He issued several sentences, including life-term verdicts against about 45 persons in cases related to the political movement in 2015. He also issued sentences stripping 73 dissidents of their citizenships, over political issues, including 56 persons in a single verdict.

However, he had acquitted 5 members of the security forces of charges of torture practiced on detainees to extract coerced confessions. He also issued a verdict acquitting the murderer of martyr Salah Abass who was killed from a short distance by shotgun pellets, in addition to acquitting Nora Al Khalifa of torture charges against journalist Naziha Saeed, as well as other cases.

^{4.} The Bahraini Al-Wasat newspaper, http://www.alwasatnews.com/news/1066076.html

10. As international human rights organizations continue to document and condemn the massive violations practiced by the Bahraini authorities against citizens since the 2011 pro-democracy protests, the human rights committee in the Bahraini Parliament decided to form 5 separate units within the committee itself to divide and distribute human rights files that are full of violations documented by international human rights organizations in periodic reports. Member of Parliament and head of the human rights committee, Nasser Al-Qaseer, said on January 19: "The committee discussed in its meeting a proposal to prepare an inclusive and national strategy that includes the needed mechanisms, measures and plans to deal with human rights reports issued about the Kingdom. The committee decided to divide the files and distribute them among 5 separate units inside the committee itself, each has its own specialty in order to guarantee more accurate and specialized work and find fruitful, productive and more effective recommendations to be raised to the council soon."5

This measure reflects the negative role played by the Parliament, which includes majority of government's supporters, when it comes to human rights violations in Bahrain. Instead of playing the role of supervising and protecting human rights and freedoms and investigating the violations, the parliament defends the government in the international forums to justify the violations exercised by the authorities against citizens. 11. In the framework of keeping a firm grip on the freedom of press and media, Al-Wasat local newspaper said that it was informed by Bahrain's Ministry of Information Affairs over a phone call on January 25, of the decision to ban it from using the social media outlet, YouTube, and was also informed earlier this month that it was banned from publishing and streaming videos. The newspaper added on its official website that this ban followed another decision issued on Thursday (January 7, 2016) which stated banning the newspaper from publishing videos since the newspaper works under the Decree-law No.47 of 2002 and "its license doesn't include publishing and streaming news videos."

Al-Wasat newspaper further said in its response to the ban issued by Bahrain's Ministry of Information Affairs that the decree-law No.47 of 2002 allows it to publish audios and audio-visuals and that publishing video footages is an international approach in the modern media. It added that it hopes that the government would enact law 47/2002, especially that it is linked to the necessity of activating what the press and publishing profession requires. However, the newspaper did not receive any response from the authorities that insist on the banning decision.6

12. The Bahraini Foreign Affairs, Defense and National Security Parliamentary Committee recommended the amendment of article 11 of law 58/2006 concerning protecting the society from terrorist acts, aiming at harshening the penalty from 5 to 7 years in prison against anyone who, holds or possesses

personally or through another person publications, which include promoting, praising, justifying or encouraging any acts committed for a terrorist purpose while being aware, where it is intended to be distributed, offered for sale, published, or transmitted; publications mean what is included in the definition of publications in the Law regarding organizing the press, printing and publishing.

13. Bahrain's criminal court sentenced on Monday, January 25, 57 suspects to 15 years in prison and bound them to pay BD 508187.970. The court accused the suspects of committing riots and chaos in Jaw Central prison. The authorities claimed that the suspects did not obey the orders and instructions, kicked out the police from the wards and buildings, and closed the gates using furniture.

However, the prisoners' narrative is totally different. They say that the security forces attacked the family of one of the prisoners and beat the prisoner himself, which led to protests inside the prison. The security forces used excessive force to put an end to the protests inside the prison. This was followed by series of human rights violations and abuses against detainees that lasted for months. Despite what happened, the authorities did not convict any of the security forces accused of exercising serious violations against detainees.

14. The Third Minor Criminal Court decided on Sunday, January 31, to release detainee Jalila Al-Sayed Amin following nearly one year of imprisonment. The court adjourned considering her case until February 21, 2016. The authorities had arrested Amin on February 10, 2014, after a large number of security forces surrounded her house and confiscated some of her

electronic devices. The authorities accused Amin of managing a Twitter account named "Resistant Media".

FEBRUARY

- 15. On February 11, Amnesty International said, "Five years after a wave of protests demanding widespread reform rocked Bahrain, hopes for progress on human rights and accountability for past and present abuses have faded. The mass protests which began on 14 February 2011 were met with violence by the security forces, who shot dead and injured protesters. Others died in custody after being tortured." It added, "Despite pledges from the authorities to prosecute security forces responsible for human rights violations in 2011, the Bahraini people are still waiting for justice. Institutions set up to protect human rights have not only failed to independently investigate or hold perpetrators to account, but now increasingly appear to be used to whitewash continuing abuses."⁷
- 16. As the fifth anniversary of February 14 uprising approached, a number of peaceful demonstrations were staged on February 4, in Sitra, Maqaba, Bilad Al-Qadeem, Karzakan, Buri, A'ali, Al-Musalla, Al-Daih, Al-Dair, Bani Jamra, Sadad and other villages. Several protests were dispersed by the security forces that used excessive force and fired shotguns against protestors and tear gas in the residential neighborhoods.
- 17. In the same context, the security authorities in Bahrain imposed strict security measures based on calls launched by activists to stage protests. Intensified presence of security forces was noticed on Thursday (February 11, 2016) and the days that followed in many areas and main streets in Bahrain.

^{7.} Amnesty International's statement, https://www.amnesty.org/en/latest/news/201602//bahrain-hopes-for-justiceand-reform-fading-five-years-since-2011-uprising/

In addition, a number of check points were deployed within this period, which led to traffic in many streets.

18. Due to the mass protests staged in February 2016, Assistant Undersecretary for Legal Affairs at the Interior Ministry, Major-General Mohammed Buhamood, announced on Saturday the arrest of a number of minors participated in riots and acts of vandalism in various villages. He said that legal action was taken against them and their parents were summoned to sign pledges to ensure their children would not take part in criminal activities and acts of delinquency. The parents were also ordered to bring their children to their local police directorates to appear before the Juvenile Prosecution as per the instructions of the Public Prosecution.

Buhamood pointed out that Article 19 of Decree Law 23 of 2013 on amendment of Law 17 of 1976 specifies that "imprisonment and/ or fine for anyone who is raising a juvenile and has been warned in accordance with paragraph (a) of Article 4 of this law if he neglected the supervision of the juvenile in a way that makes him repeat the crime." He added that Article 20 specifies "imprisonment of not less than one year and/ or a fine of up to BD 2,000 for anyone who has been given responsibility of a juvenile but neglects him in a way that the juvenile commits a crime."8

19. Despite the heavy security in different Bahraini villages, protestors staged 89 protests on Saturday and Sunday 13 and 14 February in about 28 villages. 22 of the protests were

^{8.} The Ministry of Interior's statement http://www.policemc.gov.bh/en/news/ministry/48964

oppressed by the security forces that left a number of injuries in the protestors' ranks.

- 20. On Sunday, February 14, activists published video footage showing policemen while attempting to run over protestors in Sitra. The video displays policemen vehicles chasing dozens of protestors while fleeing.9
- 21. Within this context, the security authorities arrested on Sunday, February 14, the American journalist Anna Day and three members of her camera crew while covering protests in Sitra that witnessed clashes between security men and demonstrators.Bahrain's Interior Ministry said in a statement



Arresting the four journalists and bringing charges against them comes in the framework of imposing restrictions on the movements of media people and journalists. It also proves Bahrain's continuous sensibility regarding media outlets, especially 5 years following the eruption of protests.

that it apprehended "four foreigners" and that the four were suspected of offences including entering Bahrain illegally, having submitted false information to border staff, and participating in an unlawful gathering. It added that the four were released two days later. Lawyer Mohammad Al-Jishi said that the four journalists left the police station after they were presented to the public prosecution and they are no on their way to the airport to reach the airplane leaving Bahrain at night.

- 22. The Bahraini authorities released on February 14, Layla Abdulnabi, who was arrested on March 10, 2015, over the unrest that broke out in Jaw Central Prison. A number of inmates were prosecuted as a result of the incidents that took place and were sentenced to 15 additional years behind bars.
 - Layla Abdulnabi, the sister of Ahmed Abudlnabi who is a victim of extrajudicial killing, was visiting a relative in Jaw Prison. During the visit, the policemen insulted the women in the visiting area and Layla's relative was assaulted. Clashes erupted as a result inside the prison between the political prisoners and the police forces that used excessive force against inmates. The Bahraini Ministry of Interior addressed this protest as a prison rebellion.
- 23. On February 15, the prosecution summoned Sayed Majeed Al-Mashaal, the head of the Islamic Scholars Council, over taking part in a peaceful march in Al-Musalla on February 12, 2016. The Capital Advocate General, Nawaf Al-Awadhi, said that an individual had been questioned on suspicion of inciting others to commit crimes during a speech at an unlawful rally. The Capital Advocate General stated that the Public Prosecution

had carried out investigations following notification of the incident in the Musalla area on February 12. The individual was questioned in the presence of his lawyer and was released pending further investigations by the Public Prosecution.¹⁰

- 24. On February 20, prisoners of conscience in Dry Dock Prison who are imprisoned over political cases started a hunger strike that lasted for about a month. The hunger strikers' health deteriorated and officers threatened to stop the strike by force.
- 25. In relation to the subject of hunger strike mentioned before, prisoners in Dry Dock Prison issued a statement on April 3 saying:

"We, prisoners of conscience in Dry Dock Prison, after we found no other way and used all administrative ways to communicate with the prison's administration to reach our human and legitimate demands represented for example in meeting our fathers, sons and wives face to face instead of meeting them from behind the barrier, receiving adequate medical care and fair trials as well as other things.

We had to start a collective hunger strike that lasted for about a month, noting that this strike did not stir the officials' consciences, neither on the level of the prison's administration nor on the level of government, even though some of the strikers suffered from severe deterioration in their health, reaching fainting, let alone the number of strikers who were affected on the psychological level and tried to commit suicide.

Officials in the prison chose to circumvent the strikers' demands through giving promises to implement all of their demands in case they stop their strike, which did not happen even though there had been almost a month since making these promises.

We, prisoners of conscience in Dry Dock Prison, appeal all free people, civil institutions and human rights organization in the world, whom our statement have reached, to pressure the prison's administration in all ways possible to fulfill its promises immediately. We bear the prison's administration full responsibility for all the physical and psychological damages that would affect the prisoners of conscience and their families, particularly the negative psychological effects on our children, noting that some of them suffered from cases that required consulting psychologists. We addressed the National Institution for Human Rights and the public prosecution several times and we only received empty promises without serious actions.

Finally, we can't but thank everyone who supported us for their great efforts to serve the humane and human rights issues. We hope that they continue to exert pressure on the prison's administration until meeting all of our legitimate demands."

26. In the framework of placing limitations on the freedom of opinion and expression and besieging the political activism, the Public Prosecution summoned on Monday, February 22,

head of the Arbitral Tribunal of Al-Wefaq National Islamic Society, Sheikh Jassim Al-Khayat and charged him with publicly promoting animosity against the government, over a sermon he had delivered on Friday, February 12. Sheikh Al-Khayat denied the charge that is brought against many people who express their views and opinions regarding the public affairs. This move comes within a continuous series of targeting national figures; it is considered a blatant violation of freedom of expression.

- 27. Proceeding in the series of imposing restrictions on religious freedoms and chasing mosques preachers over their sermons that criticize the government's policies, the Bahraini authorities questioned on Wednesday, February 24, the Imam of Imam Al-Sadeq Mosque in Diraz – which holds the largest Friday prayer in Bharain – and prominent Shiite cleric, Sheikh Mohammad Sangour, over a Friday sermon he delivered in which he demanded the authorities to take steps to end the political crisis in the country.
- 28. Bahrain's Fourth High Criminal Court presided over by Judge Ali Al-Dhahrani and memberships of judges Jamal Awad and Ousama Al-Shathili sentenced on Wednesday, February 24, prominent political dissenter and former Secretary-General of Wa'ad Society, Ibrahim Sharif, to one year in prison. Sharif was convicted of "insulting the constitutional system in the country and mocking it" but cleared of calling for regime change in violation of the constitution and the law using illegit-

imate means. The charges brought against Sharif were linked to a speech he delivered in the funeral of Hussam Al-Haddad, one of the extrajudicial killing victims, in Al-Muharraq, in which he criticized the government's policies.

(Review Ibrahim Sharif's case study).



- 29. Expressing their solidarity with Friday Imam of Imam Al-Sadeq mosque, Sheikh Mohammad Sangour, who was summoned by the authorities for interrogation, Shiite clerics in Bahrain called for performing Friday prayers on February 26 in Imam Al-Sadeq mosque in Diraz.
- 30. On February 26, the security forces closed all the streets leading to Imam Al-Sadeq mosque in Diraz. In justification for closing the streets by the Ministry of Interior, Chief of Public Security, Major-General Tariq Al-Hassan, said that no one has the right to call for closing the mosques in order to pray in a certain mosque. In his statement, Al-Hassan said that "there had been anonymous calls to close one mosque and for the worshippers there to go to a different mosque. He

claimed that "this was done to exploit both places of worship and threaten security," stressing that "this was unacceptable," and that no one has the right to call for closing the mosques in order to pray in a certain mosque. He also said that an investigation had been launched to identify those responsible. 11

31. Although the authorities blocked entrances to prevent worshipers form reaching the mosque to perform Friday prayers on Friday, February 26, thousands of worshipers in the Imam Al-Sadeq Mosque took part in a march following the prayers, during which they chanted different slogans demanding the government to put an end to the sectarian discrimination practiced against them. Protestors chanted anti-government slogans, and called for democratic transition and the immediate release of prisoners, especially political figures.

This demonstration was held after the authorities summoned three prominent Shiite clerics, including the Imam of Imam Al-Sadeq Mosque in Diraz, Sheikh Mohammad Sanqour. The authorities also deported last week the prominent Shiite cleric Sheikh Mohammad Khojasteh, who was stripped of his citizenship, in addition to another Shiite citizen who was stripped of his nationality as well, Hussein Khayrallah.

32. On Saturday, February 27, the Bahraini Foreign Affairs, Defense and National Security Parliamentary Committee approved harshening the penalty issued against anyone who promotes, praises, justifies or encourages any acts committed for a terrorist purpose, sentencing him to not more than 7 years in prison and fining him of not less than BD 2000



and not more than BD 5000. Before the proposed amendment, the article stipulates that the prison term should not exceed five years in addition to the aforementioned fines.

The Defense and National Security Parliamentary Committee approved a bill regarding amending Article 11 of Law No.

- (58) of 2006 on the protection of society from terrorist acts. The new amendment stipulates that "A penalty of imprisonment for a period of no more than 7 years and a fine of no less than BD2,000 and no more than BD5,000 shall be inflicted upon anyone who promotes, praises, justifies or encourages personally or through another person a terrorist act or any activities that constitute a crime for implementing a terrorist objective while being aware". The parliament passed the amendment after presenting it at a session on Tuesday, March 1st.
- 33. It is noteworthy that the terrorism law, specifically Article 11, was previously amended in order to tighten penalties on protesters, or those who defend protesters' right to protest. The security authorities link between peaceful protests and some of the violence committed by demonstrators by describing them all as terrorist acts, and prosecutes many protesters under law No. (58) of 2006 on the protection of society from terrorist acts.

Despite the human rights and political claims, which call for an impartial investigation in some of the events that the Bahraini government described as terrorist incidents, the Bahraini judiciary ignores those claims and tries the accused in a lot of cases under the terrorism law, even though their charges, such as arson and use of violence in protests, cannot be linked to terrorism.

In many lawsuits, the law is adapted so that the accused are tried under the terrorism law, and not under the Bahraini Penal Code. For example, Articles 178 and 179 of the Bahraini Penal Code criminalize arson and the use of violence during protests,12 however, the Bahraini courts ignore those articles despite their direct connection to many cases related to illegal assembly and protests. It is worth mentioning that articles which restrict the exercise of rights and freedoms such as the aforementioned articles receive a lot of human rights criticism. The Bahraini courts employ the Terrorism Law in many cases – even though the charges do not correspond to the law - through adapting and interpreting the law loosely and using terms as: "intention, purpose, or terrorist pretext". Thus, the protest is transformed into a terrorist act in order to issue harsh sentences against protesters and supporters or advocates of protests.

^{12.} The Bahraini Penal Code promulgated by Legislative Decree No. (15) of 1976, Article 178: "Every person who takes part in a demonstration in a public place where at least five persons are assembled with the aim of committing crimes or acts intended to prepare or facilitate the commission of such crimes or aimed at undermining public security, even though for the realization of a legitimate objective, shall be liable for imprisonment for a period of no more than two years and a fine not exceeding BD 200, or either penalty." Article 179 of the same law states: "If one demonstrator or several demonstrators attempt to use violence for the realization of the purpose for which they have assembled, their action shall be deemed as a riot. The penalty for each person who knowingly takes part in such riot shall be a prison sentence and a fine not exceeding BD 500, or either penalty."

MARCH

34. On March 6, the Ministry of Education published an announcement in which it threatened to take legal action against anyone who "publishes what offends or harms the country, the ministry and the schools", on the "WhatsApp" groups that are activated in the majority of schools. The ministry further stressed that "it is necessary to get the correct information from its source, and not to exchange and publish what offends or harms the country, the ministry and the schools."

In light of this announcement, the ministry subjected some of its staff to interrogation over forwarding and exchanging messages containing criticism of the policy of the Ministry of Education over WhatsApp groups.

- 35. On Monday, March 7, the Bahraini authorities deported the academic Masoud Jahromi - who was stripped of his nationality – to Beirut after the Second High Criminal Court, presided by Judge Ibrahim Al-Zayed with the membership of judges Wajih Al-Shaer and Ayman Mahran, ordered to deport him. Dr. Masoud Jahromi was fined BD100 and permanently deported after revoking his nationality. He was one of 72 people whose nationalities were revoked on the pretext of harming the interests of Bahrain, without reference to the acts that harmed the interests of Bahrain.
- 36. On Monday, March 7, the security authorities called upon the rights activist Fatima Al-Halwaji for investigation after summoning her to Al Hidd Police Station. Fatima Al-Halwaji is the daughter of the activist Khalil Al-Halwaji, who is

- detained in Dry Dock Detention Center and who's being trialed for accusations of political grounds.
- 37. On March 10, the prisoners at the Central Prison of Jaw, convicted on political grounds sent a letter embedding a group of letters, one of which was for the local delegation participating in the Universal Periodic Review (UPR) sessions of the Human Rights Council in Geneva. They demanded the delegation to exert pressure on the Special Rapporteur on torture to visit Bahrain and observe the situation closely to record all sorts of crimes, especially in prisons as detainees are subjected to the worst types of violations.
- 38. On Thursday, March 10, 2016, during the 31st meeting of the Human Rights Council in Geneva, the High Commissioner for Human Rights, Zeid Ra'ad Al Hussien, stressed in his speech on the need for deep reforms in Bahrain, where the government targets journalists and opposition politicians. He also pointed out to the "hushing" of journalists, human rights defenders and political dissidents in Bahrain through arrests and citizenship revocation. He communicated the High Commission's concern towards the troubling acts of citizenship revocation by the Bahraini government. Al Hussien denoted the continuous violations of human rights in Bahrain and the continuous series of hushing political dissidents and human rights defenders through revoking their nationalities along with deporting them abroad, confirming that they are being targeted.

Ra'ad also urged states to stand up against this revocation, stressing that he'll follow up cases of freedom of speech and press closely. He said that the states' responsibility is to

support the biding principals of human rights, considering the abatement of any individual's right a threat to the state's legitimacy.

39. In response to the speech of the United Nations High Commissioner for Human Rights, the Bahraini Ministry of Exterior issued a statement, which reads as follows:

"Some of what the High Commissioner mentioned in his statement is refused altogether for interfering in the state's internal affairs. In addition, it totally contradicts reality and conflicts the facts which assure that Bahrain has set an example regarding enhancing and respecting all human rights through innovated mechanisms and ways which guarantee securing these rights to all citizens. The Bahraini government always seeks to cooperate and communicate with international organizations and bodies, to accomplish initiations and to execute various programs leading to the protection and consolidation of human rights."

The statement also assured that "Freedom of speech is guaranteed and is considered a main pillar for the state's boom. It is based on laws, legislations and improved systems, which take it to an advanced level and wide horizons within professional regulations and ethical standards according to the media charters abided by internationally."

The Ministry of Exterior's statement also ensured that: "The judicial authority is known to have the highest standards of integrity, independency and transparency. It also offers all necessary guarantees for justice and imposes equality leading to equal opportunities and conservation of human rights, stipulated in the constitution and guaranteed by the laws to

protect the society from violence and terrorism acts." The statement also called for "the necessity of maintaining subjectivity and neutralism with verifying facts precisely and extensively away from objectivity and politicizing issues for tackling the truth and guaranteeing credibility¹³."

As the Bahraini government accuses the international organizations and Human Rights Council of being subjective, Bahrain refuses to allow the international organizations and UN's special reporters to visit Bahrain, not to mention the unjustified restrictions it confines the international media with.

40. On March 14, within a statement issued by the Parliament after its weekly session, the Bahraini government described the statements of the High Commissioner for Human Rights as "biased and subjective", considering them an "unacceptable interference in the state's internal affairs." The Parliament apologized for ignoring the High Commissioner's statement simply for the many human rights accomplishments that have been established in Bahrain, and for the contradiction between what was described in his unacceptable statement and the practical reality in Bahrain. The respect, protection, and enhancement of human rights through various mechanisms, alongside the active participation of citizens in decision

^{13.} The Bahraini Ministry of Exterior's Statement: http://www.mofa.gov.bh/Defaultaspx?tabid=826 6&language=ar-BH&ItemId=6074

making through constitutional institutions by fair democratic elections according to international standards, and a constitutionally and legally guaranteed freedom of speech within a law of high standards in independency, integrity, and transparency display this reality. The Parliament also focused on the necessity to separate between the measures taken by all states around the world, without any exception, through following their regulations to protect the society from violence and acts of terrorism, as is the case in Bahrain, and between the constitutionally guaranteed freedom of speech¹⁴.

41. On March 10, Mohamed Jameel Al-Sameea was arrested after being ambushed by police officers in Sanabis. AL-Sameea has been chased for 5 years for participating in rallies and political activities. Later, his family communicated their concerns about his safety demanding an answer "Regarding his fate". According to the family, certified information shows that their son is at a military hospital after being tortured in the criminal investigation building, and clarified saying "Our son is arbitrarily missing." The family also added "Our house has been subjected to tens of raids, so our son was constantly followed and chased, until 10 days ago when he was followed by a vehicle for the Ministry of Interior. They blocked his way, ran over him with their car, and chased him, yet he was able to flee. Despite that, he was accused of running over them!" In a statement, the family also called upon "All the rights activists and politicians to interfere and help them unveil his fate and find out about his health state."

- 42. On March 12, the former member of the municipal council, Sadeq Rabih was arrested on King Fahed Causeway which links Saudi Arabia to Bahrain. He was referred to the criminal investigation, then later to the public prosecution due to illegal assembly charges related to his participation in a peaceful march. He was discharged later on.
- 43. Security forces arrested the activist Zainab Al-Khawaja after breaking into her house on March 14 in execution of a verdict against her related to freedom of speech.
- 44. On Thursday, March 17, the Committee of Legislative and Legal Affairs of the appointed Shura Council, which has vast legislative jurisdictions and can inactivate legislations issued by the elected parliament, issued an amendment to the decree law on exercising political rights. The amendment reads as the following: "a punishment of imprisonment for a period of no more than two years or a fine of no more than 200 Bahraini Dinar or any of the above shall be inflicted upon any person who makes false statements about the topic of the referendum or election or about the conduct or morals of one of the candidates intending to influence the results of the referendum or elections"

The amended article 30 states that: "Without superseding any other severe punishment stipulated by the penal law or any other law, imprisonment for a period not more than 2 years and a fine of not more than 2000 Bahraini Dinar or any of the above shall be inflicted upon any person if found guilty of committing any of the following acts: Intentionally giving a false statement in any of the documents presented for matters related to the voters' schedules or intended to by any means

add a name to the list or delete it in breach of this law, falsifying, disfiguring, hiding, destroying or stealing a voters' schedule, a nomination form, a ballot card or any document related to the process of the referendum and elections with the intention to change the results, voting in the referendum or election knowing that he is not allowed because he did not meet the conditions, after schedules were finalized, disrupting the freedom to vote in a referendum or election or the process by using force or threat or disturbance or take part in demonstrations or gatherings, using his right to vote more than once on the day of election or impersonate someone else, degrading any of the committees mentioned in this law or any of its members while they were doing their duty, or publishing or broadcasting false statements about the topic of the referendum or the conduct of a candidate or his morals intending to influence the outcome of the referendum or election. Whereas article 31 states that: "Without superseding any other severe punishment stipulated by the Penal Law or any other law, imprisonment for a period not more than 1 year and a fine of not more than 3000 Bahraini Dinar or any of the above shall be inflicted upon any public officer concerned with the referendum and election process found guilty of the offences mentioned in article 30." The Shura Council adopted these amendments in its regular session on Sunday, March 20.

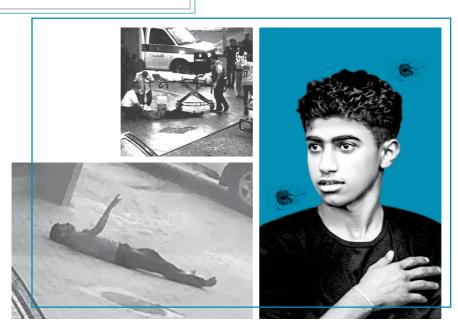
It is clear that the first amendment was intended in the first place to restrict the political opposition in Bahrain, after it addressed the citizens, asking them to abstain from the parliamentary elections in 2014. The political opposition also declared that it would abstain from the 2018 elections as well, if a solution for the political crisis and true democratic reforms have not been set.

- 45. On Sunday, March 20, the security authorities interrogated rights activist and head of the Religious Freedoms Department in Bahrain Observatory, Sheikh Maytham Al Salman, at Asma Police Station for delivering a religious speech in November 2015. He was later discharged with referring the notice to the public prosecution.
- 46. On March 22, in an unprecedented act, the parliament passed a law suggestion on withdrawing the jurisdiction of assigning an Assistant Secretary General for the Parliament from its president and leaving the decision to the King, which is a relinquishment of the Parliament's original right. However, the recommendation of the Legal and Executive Councils came to refuse this suggestion.
- 47. On Monday, March 28, the security authorities called upon the Bahraini poet, Ahmad Al Ajami, for investigation at Nabih Saleh Police Station after reciting a poem in the National Democratic Action Society (Wa'ad) during a solidarity pause with the opposition leader Ibrahim Sharif on February 24, 2016.

- 48. Within the same context, Wa'ad association issued a statement saying that the summoning of Al-Ajami "Comes as a part of a crackdown launched against the freedom of speech, as well as an attempt to suppress literary and artistic innovations, not to mention the crackdown on public peaceful political activism adopted by Wa'ad association along with other democratic opposition groups." Wa'ad also asked for "Ending this approach which serves no one in Bahrain, but rather increases the political, security and social tensions the state has been suffering from over the past five years." The association also added that generalizing public freedom and allowing peaceful freedom of speech and political dialogue is the only thing leading to social stability and local peace with paving the way for security and political ease.
- 49. On March 16, in the frame of violations of freedom of religion, the head of the Islamic Scholars Council, Seyyed Majid-Al Mashaal and a Council member, Sheikh Ali Humaidan, were summoned for interrogation based on their political and religious activities.
- 50. After 43 days of Dr. Saeed Al-Samahiji's food strike, his family issued a statement about the situation he is passing through along with the abuse he's subjected to in Dry Dock Detention Center. They called for international organizations to interfere and help stop the violations against him due to his activism. Samahiji was arrested on Monday, January 4, based on tweets he published on his private account on the social network "Twitter", denouncing Saudi Arabia's execution of Sheikh Al-Nemer and three other opinion detainees.

51. On March 31, 2016, the security authorities summoned Radhi Al-Musawi, the Secretary General of the National Democratic Action Society (Wa'ad), and Ibrahim Al-Dirazi, member of Wa'ad's political bureau, for interrogation at Nabih Saleh Police Station. Wa'ad wrote in a tweet on its private Twitter account that Musawi was interrogated about a speech he had delivered earlier in a solidarity event with the opposition leader Ibrahim Al-Sharif that the association organized the night he was convicted.

APRIL



52. On April 4, the Bahraini citizen, Ali Abdul Ghani Ashour (18 years) died due to wounds inflicted on him during his arrest in an incident, which raised doubts about the involvement of security forces in it. This led Bahraini rights organizations to demand a neutral investigation in the incident. It is noteworthy that the security personnel broke into the house of the victim's aunt in Shahrakan at 11 am illegally and without any previous warrant from the public prosecution. The incident occurred after the security forces chased the victim.

On March 31, 2016, The Ministry of Exterior issued a statement in this regard saying that Abdul Ghani fell off a building while trying to escape. Other uncertified information

- stated that one of the vehicles participating in the arrest ran over him. Abdul Ghani was taken to a military hospital since his arrest, before he was announced dead on April 4.
- 53. On Wednesday, April 6, the security authorities investigated with Ibrahim Al-Dirazi, a Political Bureau Member of the National Democratic Action Society (Wa'ad), and decided to discharge him. Wa'ad clarified on its Instagram account on social media that the investigation was held at Nabih Saleh Police Station based on Al-Dirazi's participation as a "host" in a solidarity event with the detained former Secretary General, Ibrahim Al-Sharif at the association's headquarters.
- 54. On April 6, social media activists published a video for a number of police men as they were arresting a citizen from inside his residence in Shahrakan, after the farewell ceremony of Ali Abdul Ghani. Screaming and yelling sounds of women and children were heard from inside the house. After arresting the young man, one of the police officers stepped forward to the door and threw in a bomb, despite the presence of women and children inside. He also closed the door firmly¹⁵.
- 55. In the same context, the Ombudsman said on April 7 that it had opened an investigation about "What was spread on social media regarding one of the security officers who threw a sound bomb inside one of the houses." It also claims that it "aims to identify the facts of this incident, particularly the person who is responsible for this act. The law will take its course based on the obtained information according to the principal of accountability."

The Assistant Undersecretary of Legal Affairs of the Ministry of Interior said: "Investigation in the details and facts of the incident related to the performance of the public order brigade (police) in one of the villages (Shahrakan) has still been ongoing since the video was spotted on social media." However, the result of this investigation is still vague until the issuance of this report.

56. On Friday April 15, the Bahraini Ministry of Interior banned a commemorative event for the memory of Abdul Karim Fakhrawi, who died after being tortured by the National Security Agency in 2011. The leading Shiite cleric, Abdullah Al-Guraifi, was supposed to attend the event; however, the party organizing the event assured its cancellation without mentioning the reasons. They simply said it 'happened' for causes out of hand.



57. On Friday, April 15, 2016, the authorities arrested the Shiite cleric Sheikh Mohamed Al-Mensi who is known for his continuous follow-up in the case of the authorities' demolitions of 40 Shiite mosques. After interrogating him, the authorities decided to arrest him for 48 hours then to refer his case to the public prosecution. The interrogation was about a speech he had made during Friday prayer, described by the authorities as "unlicensed". On April 17, the authorities decided to lock Al-Mensi up for one week after accusing him of incitement of the hatred against the government and insulting the Ministry of Interior.

The Chief Prosecution for the Northern Governorate, Mohammed Salah, said that the public prosecution was notified by the Northern Governorate Police Directorate that a speech was given by a preacher who was banned from preaching during Friday prayer, contrary to the ban. Salah added that the speech included certain violations such as verbal abuse to a statutory body which is the Ministry of Interior, and the constitutional system of Bahrain. He was imprisoned by an order of the public prosecution until his hearing on May 2, 2016, and was referred to the Third Minor Criminal Court. Al-Mensi was sentenced to a whole year in prison after the Court's verdict was issued on May 24.

58. Regarding targeting and prosecuting clerics, the leading Shiite clerics in Bahrain: Sheikh Isa Ahmed Qassim, Sheikh Abdul Hussien Al-Sitri, Sheikh Abdullah Al-Guraifi, and Sheikh Mohamed Saleh Al-Rubaiyi issued a statement saying: "The continuous summoning of Islamic Scholars and Friday Imams has become an issue of concern to us. We are not trying to aggravate, incite or build up tensions, or to create any sort of disturbance or disagreement or to call for violence and extremism. However, we insist on saying true Islamic words in a state which, as we believe, isn't affected by it."

The statement added: "If the word was not allowed to fulfill its legitimate duty, then the other option is to stop prayers and shut down mosques. We don't think that the authority would root for the latter, for it leads to harsh consequences that we

seek to distance our country from. The authority was asked to reconsider these summoning for Scholars and Imams that have been known to be moderate and wise in speech, without worrying that anything they say might harm the security and safety of this country."

59. In the context of tightening the grip on political activism and not accepting the opposition's criticism, the Ministry of Interior said in a statement it issued on Monday, April 18 that it summoned the political assistant of the Al-Wefaq Secretary-General, Khalil Al-Marzoog, and secretariat member Abduljalil Khalil over Al-Wefaq statements that "questioned the procedures adopted by the Interior Ministry" as well as "called for the interference of foreign organizations."

The Ministry explained in its statement that "such statements caused friction between various sections of society, promoted unrest and sectarian tensions, spread false news, incited hatred and harmed the internal and foreign affairs of Bahrain."

It further stated that "the two were asked to stop issuing such statements, especially in view of the current regional situation. Bahrain allowed freedom of expression within the Constitution and the law and that those who broke the law would be held legally accountable."16

60. After the demise of policeman Mohammad Tanwir in clashes between policemen and protestors, the General Command of the Bahrain Defense Force (BDF) issued a statement on April 18 saying: "Such acts of terrorism and criminal schemes

against the stability and security of the Kingdom of Bahrain, led by the heads of sedition and evil who plot and incite with support from abroad, and carried out by criminal hands conspiring against the nation and citizens. They will all be brought to justice and the laws will be fully applied."

The statement confirmed that the BDF stands ready to respond to the terrorist groups who target security patrols and police officers carrying out their duty to maintain security. The BDF is equally ready to deal firmly and with determination with these sedition groups and their heads."

After the aforementioned statement was issued, human rights and political organizations expressed their fear that similar security measure of the National Safety Law that was declared in 2011 would be implemented. It is to mention that the Bahraini army (BDF) was involved in killing and torturing protestors in the detention centers and at checkpoints, noting that illegal raids and human rights violations were carried on during this period and the perpetrators were not held accountable.

61. The Bahraini authorities questioned on Sunday, April 24, poet Abdulhussein Salman over taking part in an oratorical festival held in Sheikh Ahmad Mosque in the village of Nuwaidrat, where the participants strongly criticized the Bahraini army for issuing a statement, in which it stressed that it stands ready to back the police in confronting protestors. The Public

Prosecution detained poet Abdulhussein for 7 days pending investigation, but released the mosque trustee after interrogating him for hours.

62. In the context of tightening the grip on the freedom of opinion and expression, First General Attorney Ahmed Al-Dosari said on Sunday, April 24 that the Public Prosecution received from the speaker of Parliament 61 complaints, from July 2015 until April 24, against accounts owners on social media. The court issued its verdict in some of the notices, sentencing a defendant to 3 months in prison and setting BD 50 as a bail to stop the implementation of the sentence. The case is now at the appeals court. The court also issued a verdict against another defendant, fining him to BD 500.

Al-Dosari explained that the Speaker of Parliament, Ahmed Al-Mulla, demanded to initiate the criminal cases against them for their accounts included expressions that do not match with the principles of the guaranteed freedom of expression and opinion in an insulting way against the legislative authority represented in Parliament.

63. In the same context, General Directorate of Anti-Corruption and Economic and Electronic Security referred all the complaints submitted by the Parliament to the prosecution. Al-Dosari pointed out that the prosecution launched its investigations in all the complaints in the legal way and could identify users of 8 accounts. Moreover, the prosecution referred two complaints against two defendants to criminal courts over the charge of insulting the Council of Representatives.

In the context of violating freedom of opinion and expression, many citizens were targeted and others were prosecuted over criticizing the elected Council of Representatives. Security measures carried out by the authorities reveal that any person who criticizes the Council of Representatives, that includes pro-government majority, is to be prosecuted.

- 64. In the framework of targeting the social and professional events and civil society institutions, Mai bint Mohammed Al Khalifa, the President of the Bahrain Authority for Culture and Antiquities, issued a decree, on April 25, dissolving the Bahrain Society for Photography, claiming the "involvement of members of the society in activities that violate the law and public order". The decision bans the members, administrators and employees of the society from proceeding its activities and disposing its funds. The decree also ordered the administrators to submit all the society's documents and records.
- 65. The National Institution for Human Rights (NIHR) said in a statement on April 30 that it "rejects publishing the photographs of detained suspects before a final verdict is issued against them from the highest court in the Bahraini judicial system." NIHR called upon "all official authorities to consider the commitments of the Kingdom to international pacts and agreements." "We wish that the local press would also consider those commitments and refrain from publishing names and pictures of suspects who didn't receive a final verdict against

them." It continued that it "detected that the Police Media Centre and a number of local dailies published the photos of the citizens accused of committing the condemned crime that occurred in Karbabad and resulted in the martyrdom of a public security officer and the injury of two others while they were performing their duties."

"The institution values the delicate circumstances that Interior Ministry's policemen endure to maintain security, stability and public peace and protecting citizens and residents. NIHR condemns the hideous act which killed the martyr of duty Mohammed Tanweer," the institution said in its statement. However, NIHR expressed its regret that Paragraph C of Article 20 of Bahrain's Constitution which stipulates that "an accused person shall be presumed innocent until proved guilty in a legal trial, in which the necessary guarantees for the exercise of his right of defense in all the stages of investigation and trial are ensured in accordance with the law" was ignored.

66. In a strange contradiction, the President of the National Institution for Human Rights (NIHR) Abdulaziz Abul said that publishing photos of suspects is legal, if allowed by the Public Prosecution, according to the Bahraini Penal Code. Abul's words came only few days after NIHR issued its statement. Abul further stated in an interview with the Al-Bilad newspaper that the NIHR seeks to amend the Penal Code by communicating with the Shura Council, Parliament and Public Prosecution to prevent publishing photos of the suspects unless a final verdict is issued against them. He thanked the Minister of Interior Rashib bin Abdullah Al Khalifa who assigned a

"communication officer" between the ministry and the NIHR, indicating that communication with the Interior Ministry is still ongoing and that any issue taking place in Jaw prison is solved over the phone.17

MAY

- 67. In the framework of the ongoing ban imposed by the Bahraini authorities on right to stage protests and assemblies since about two years, the security authorities refused for the second consecutive year to grant a permit for the General Federation of Bahrain Trade Unions (GFBTU) to stage a Labor Day demonstration on May 1. The GFBTU had requested a permit for the demonstration that marches toward the Ministry of Labor in Isa Town., however, the southern province authorities refused to grant them a permit.
- 68. On the World Press Freedom Day, the King of Bahrain Hamad bin Isa Al Khalifa stressed he is proud of the availability of a legislative framework guaranteeing freedom of publishing newspapers and publications and their circulation, pointing out security and safety of journalists. He added: "We are proud that our country did not witness the imprisonment of any journalist or the shutting down of any press institution because of exercising the constitutional right of freedom of expression, because they are one of the pillars to build Bahrain." King Hamad called on regional and international mass media to adhere to the ethics of the profession by committing to credibility, probity and objectivity as well as promoting values of peace, tolerance and moderation. He also urged them to reject fanaticism, extremism and hostility and not to spread rumors or incite on discord, religious hatred, sectarianism or racism. He also called for concerted international efforts to stop abusive channels or those that incite sedition, violence and terrorism.

The aforementioned message contradicts with the fact, as several media people, journalists and photographers were prosecuted. Besides, many of them were prevented from travelling. It is worth mentioning that a number of media activities were targeted, such as satellite channels or press associations like the Bahrain Society for Photography that was shut down by the Bahraini government.

The authorities also refuse to renew the licenses of Bahraini journalists who work for foreign news agencies. Thus, it is punishing journalists and media people for publishing news and incidents related to the security situation and violation. However, it turns a blind eye to pro-government journalists involved in broadcasting hatred speeches and inciting against the opposition, noting that state media are also involved in such acts.

69. Bahrain News Agency (BNA) published on May 9 a false statement for Professor Mahmoud Cherif Bassiouni, who chaired the Bahrain Independent Commission of Inquiry (BICI) that investigated the Bahraini government's violations in 2011. However, Bassiouni said that the report is not accurate and asked the government to correct it.

According to BNA, the statement read: "The formation of the BICI was a landmark in the history of commissions, and that the commissioners were among the foremost international authorities on human rights and humanitarian law who were highly recognized for their competence and independence. They were able to achieve their work and to draw on the full and unconditional cooperation of the government and all competent authorities, resulting in a report that was well received locally and internationally, which is a testimony to the bold and wise decision by King Hamad to set up the commission."

"During this visit, he was informed of the latest developments concerning the implementation of the recommendations of the Commission and appeared to him that the Government implemented the recommendations on reinstating the students to their universities and the employees to their previous employment, and that the injured and victims received financial compensation without prejudice to their right to resort to competent civil courts; moreover, a Special Investigation Unit was established in the Office of the Public Prosecution, and the establishment of an office of Inspector General in the National Security Agency, as well as an the Ombudsman Office and retrials for those who were convicted before the National Safety Courts; and the punishment of transgressors; and changes in certain laws such as the Code of Criminal Procedures and Criminal Code; the training of police officers, judges, public prosecutions; and the regularization of condition of places of worship," Bassiouni further stated according to the agency.

Professor Bassiouni added, "The Government had adopted additional measures that included the establishment of the Prisoners and Detainees Rights Commission in order to protect them and guarantee there are no abuses. All the measures taken by Bahrain indicate that serious efforts had been exerted to overcome the events of 2011."

He went on to say "The Government undertook the development of the necessary measures and programs to enhance national cohesion between all components of the Bahraini society and to improve the capabilities of the security services."

Bassiouni added that during this visit "He was briefed with respect to several security reports which were not available in 2011 when the BICI was preparing its report and which indicate the existence of interference by regional foreign parties."

He indicated that "Bahrain has emerged from a difficult period, and that the Government has dealt with the events through an integrated system of reforms and efficient actions that led to overcome the 2011 events in light of new conditions and variables in the region. Bahrain was moving forward with reforms, which prompts the statement that the objectives of the BICI recommendations have been achieved, and that the main guarantee to maintain and build upon what has been achieved is a continuation of the reforms project launched by the King."18

70. In the same context and one day after Bahrain News Agency (BNA) published the previous report, Middle East Eye website reported Mahmoud Cherif Bassiouni, who chaired the Bahrain Independent Commission of Inquiry, as saying that

the comments attributed to him by BNA were "not accurate", adding, "I have asked them to correct it."19

For its part, BNA said: "They were waiting to hear directly from Bassiouni about which quotes he would like changed," adding that a new report would be issued once he has provided his clarifications. This still hasn't happened until publishing this report.

It is to mention that this is not the first time the Bahraini government, particularly BNA, publishes inaccurate and false statements. It has published false statements for officials many times, including UN Secretary-General, Mr. Ban Ki-moon.

71. The security authorities arrested on May 12 a handicapped citizen, who suffers from a disability in his hands. The detainee is called Sadiq Al-Qamar (22 years old) from Dar Kulaib. Sadiq was arrested over taking part in burning tires and planting strange bodies that are suspected to be explosives. His family confirmed that they have medical reports proving he is of special needs and he can't mover his hands normally, however, a judge ordered holding him in pretrial detention over charges of taking part in riots.

The family expressed its deep concern over their son's condition as he requires special care, stressing that he is innocent. The family also called on the authorities to release him.

- 72. The security authorities deported, on May 14, the Bahraini citizen Hassan Abu Al-Qassim (21 years old), who was arrested in April 2013 over charges of joining an assembly although he was later declared innocent of these charges by an appeals court. Nonetheless, Hassan remained behind bars under the pretext of his illegal residence, although he was born to a Bahraini woman and he has never resided in any other country and thus, he has the legal right to enjoy a Bahraini citizenship.
- 73. This month, May, witnessed a political movement in both the Parliament and Shura Council concerning amending, on an expedited basis, law 26/2005 on political societies. The Bahraini government approved the amendment in a letter it sent to the Parliament in its session on Tuesday, May 10. The amendment stipulates that clerics or those who preach – even without charge – are banned of belonging to or being leaders of a political society. The government said that this amendment aims at organizing the religious preaching according to specific regulations required by the public interest, and it also organizes the formation of societies in general and prevents the political society of having a religious reference from outside the society that dominates it. Thus, the first and final decision shall emerge from the society's leadership, in other words, "the society is not to use the clerics as its reference."

The aforementioned amendment stipulates:

Article 1:

Article 6, paragraph (6) of law 26/2005 about political societies shall be exchanged with the following text:

Article 6, paragraph (6): The law stipulated the amending of the method and procedures to form the organs of the society and the choice of its leaders who must not be engaged in giving religious speeches, sermons or guidance, even without remuneration.

The law also stipulated how a political society may carry out its activities, organize the relationship among its members on a democratic basis, determine the political, financial and administrative prerogatives of its organs and leaders and ensure the highest levels of democratic discussions within them.

Article 2:

A new paragraph (6) is to be added to article 5 of law 26/2005 about political societies.

Article (5) paragraph (6) bans the simultaneous membership in a political society and engagement in religious preaching, guidance or speeches, even if there is no remuneration. 20

^{20.} Law 132016/ amending some of the provisions of Law 262005/ regulating political societies

http://houseofkhalifa.com/hm-king-issues-law-132016-amending-political-societies/

74. In the same context, the Legal and Legislative Committee in the Parliament, rejected in consensus of the majority of its present member a draft law (produced in the light of the bill presented by the Shura Council) that amends some provisions of political societies on an expedited basis.

Legislative and Legal Affairs Deputy Head Ali Al-Ateesh said that the committee met with the Minister of Justice, Islamic Affairs and Endowments to discuss the amendment. He added that the commission studied the bill from the legislative and legal aspects, because the commission is convinced in its importance with the necessity of taking into consideration the aim behind distancing the religious platform, in order not be exploited by some people to promote political thoughts or the political society they belong to, aiming at reaching personal benefits at the expense of the country's stability and interests.

Al-Ateesh further stated "after discussing and after considering the legal view presented by the committee's consultant and reviewing the legal study to compare the draft articles to the original text and examining the governmental message that asks to consider this bill hastily...and other cases regarding the draft, the committee decided, in consensus, to reject the draft as a principle, as the council is to decide on rejecting or accepting the commission's recommendation that was formed based on the following justifications: the term "cleric" used by the first article of the draft is ambiguous and unclear, as, on ground, there are no one called so in the kingdom.

The amendments mentioned in law 34/2014 that adjust law 26/2005 about political societies are enough to achieve the aims of the discussed draft, especially the amendment stipulated in article 2 of law 34/2014 that added item (10) to article (4) of law 26/2005 about the political societies, that stipulates that if a political society is to be established or continue, it requires not to use the religious platform as its reference or to promote its principles, aims or programs.

- 75. Although the Legal and Legislative Committee in the Parliament rejected the aforementioned amendments, the Parliament members, approved, in consensus, in their session on May 17, the amendment that prevents the simultaneous practice of religious and political activism.
- 76. However, one day later, on May 18, the Committee and Legislative and Legal Affairs in the appointed Shura Council approved the draft that stipulates amending some provision of law 26/2005 about the political societies. The appointed Shura Council approved the draft on the following week.

The Government ruled out any constitutional suspicion in the bill amendments, although the majority of them contain constitutional violations. Banning clerics from performing religious preaching and working in politics simultaneously and obtaining leadership positions in political societies contradicts with the international law that guarantees freedom of opinion and expression for all individuals without discrimination.

The amendments are also considered a violation to the constitutional principles stipulated in the Bahraini Constitution, including Article 4 that stipulates "Justice underlies the system of government. Cooperation and mutual understanding are firm bonds among citizens. Liberty, equality, security, tranquility, education, social solidarity and equal opportunities for citizens are the pillars of society guaranteed by the State" and Article 18 that stresses that the citizens are equal in rights and public duties, "People are equal in human dignity, and citizens shall be equal in public rights and duties before the law, without discrimination as to race, origin, language, religion or belief." Meanwhile, the explanatory memorandum of 2002 constitution highlighted that "Islam is the primary constraints on the exercise of these freedoms and rights."

It is to mention that the law on political societies was amended based on law 34/2014 that amended some provision of law 26/2005; an amendment that imposed more restrictions on the work of political societies added to those initially imposed by the law.

It is clear that the previous amendments aim at adding more limits to the political activism and opposition societies through using all the laws and legislations to punish the opposition, silence the popular protests demanding reform and democracy and calling for fighting financial and administrative corruption in the government's administrations and its bodies.

Amending a law or adopting it may take months or even years, especially if it is related to the citizens' social and political aspects. However, the previously mentioned law was amended within few days.

It is worth mentioning that for years the Parliament haven't approved any law or amendment because it doesn't enjoy enough legislative powers to legislate laws. In case any law is approved by the Parliament, the appointed Shura Council would definitely reject it if the government does not accept it. Besides, most of the laws passed or amended by the Parliament are suggested by the government or through law decrees issued by the king.

- 77. The Bahraini authorities launched in the early hours of Sunday, May 22, a campaign of house raids and arrests in Sitra, which led to the arrest of at least 10 citizens: Ali Abdulrasoul Kambar, Hussein Al-Basri, Ahmad Farhan, Mohammad Ali Al-Jaziri, Fadel Sayed Abbas, Mojtaba Sayed Abbas, Jaafar Mohammad Bager, Mozaher Mohammad Bager, Mohammad Mousa Al-Sheikh and Hussein Ibrahim Badah. The raids campaign was accompanied with a security besiege on all the entrances of Sitra.
- 78. Inmates held in Jaw Central Prison's block 10 went on a hunger strike on Sunday, May 22, in protest of the bad conditions they are witnessing inside the prison. The inmates demanded "the prison's administration to stop the maltreatment, particularly against their families during visits, and to put an end to the policy of impunity with regards to policemen."

- 79. A Bahraini court decided, on May 23, to deport lawyer Taimour Karimi, who was stripped of his citizenship, in an arbitral move and for political motives. Karimi was stripped of his nationality, along with 30 others, based on a decree issued by the Ministry of Interior on November 6, 2012. The government decided to deport Karimi to Iraq. (Review the case study of Taimour Karimi in terms of prevention form citizenship)
- 80. In the framework of the security authorities' violations of religious freedoms and restricting freedom of opinion and expression, the Criminal Investigation Administration summoned, on May 25, preacher Sheikh Hussein Yacoub Al-Maameeri for investigations.
- 81. After a visit it paid to Jaw Central Prison in November 2015, the Prisoners and Detainees Rights Commission (PDRC) said on Wednesday May 25, that the number of prisoners arrested over (politically-motivated) riot charges reached 1021, adding that the number of inmates reached 2,468, when the prison can only comprise 2,145.

"The number of Bahraini inmates reached 1,944, while number of non-Bahrainis reached 524. The number of prisoners according to the crimes they committed was distributed as follows: Homicide (48 inmates), Drugs (663 inmates), Theft (224 inmates), Terrorism and Riots (1,021) and other crimes including traffic violations, illegal residence, financial embezzlement and others (512 inmates)," the report added.²¹

Jaw Prison is allocated to only hold prisoners who have received judicial sentences. Meanwhile, Dry Dock Prison is allocated to hold detainees. There are also a number of detention places in other centers and administrations. Bahraini human rights organizations estimate the number of political prisoners at around 4,000.



82. On May 30, 2016, Bahrain's High Court of Appeals increased Sheikh Ali Salman's prison term to 9 years, despite the absence of material evidences that prove the charges brought against him. However, the evidence used by the prosecution would have served to prove his innocence if they weren't cut, fabricated and used in an unlawful way.²²

Sheikh Ali Salman, Secretary-General of Al-Wefaq National Islamic Society, the largest political society in Bahrain, has been

^{22.} See the report on Sheikh Ali Salman's Trial issued by the Bahrain Forum for Human Rights in December 2015

repeatedly summoned between 2011 and 2014 over his political activism and he was prevented from traveling more than once. On December 28, 2014, the Public Prosecution issued an arrest warrant against him. The warrant coincided with the Minister of Interior's statement regarding Sheikh Ali, in which he stated that there is a decision to prosecute him. The statement came two days after Sheikh Ali was re-elected as Al-Wefaq Secretary-General and after he called for a democratic system and accountability of government. After a short period of time, the prosecution referred him to the Fourth High Criminal Court that issued its preliminary verdict on June 16, 2015, sentencing him to 4 years in prison before being increased to 9-year jail term by the High Court of Appeals.

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83. Civilian security members in Bahrain published their photos on social media with security fugitives over political cases. The Ministry of Interior claimed that it arrested the fugitives on Saturday, June 4, 2016, while they were fleeing outside Bahrain through the sea.



Policemen also circulated the photos of the arrested on social media in different poses, aiming at defaming them. Meanwhile, the ministry of interior only published the fugitives' personal photos. The Ministry of Interior announced that "it has foiled an attempt to smuggle 8 fugitives convicted in terrorist cases via a boat heading to Iran." It added "The coast guard vessels spotted

a boat off the coast of northern Bahrain. The boat was chased and then interdicted when those onboard refused to stop."

One of the photos which show a civilian security member posing to take a photo for him and smiling to the camera with a line of handcuffed detainees standing behind him while being photographed by a police wearing the Ministry of Interior's custom.

- 84. In the same context, the Bahraini Interior Ministry said on Sunday, June 5, on its own Twitter account, that "Legal measures were taken over the circulation of photos on social media, linked to the foiled attempt by fugitives and convicts to escape to Iran", however, it didn't reveal the nature of the measures.
- 85. On June 5, Member of the Bahrain Center for Human Rights (BCHR), Hussain Radhi, announced on his Twitter account that he received statements from the families of the prisoners in cell blocks 16 and 17 saying that the prisoners have been beaten and subjected to maltreatment, as the detainees expressed during family visits. He added that the families of the prisoners in cell block 17 in the Dry Dock Prison were seriously concerned since they could no longer communicate with their sons after the Ministry of Interior announced the escape of some prisoners.

17 political prisoners had managed to escape from the Dry Dock Prison, on Friday, before the Ministry of Interior announced that 11 of them were captured.

86. On June 8, the Third Lower Criminal Court, presided by Judge Jaber Al-Jazzar and Hussein Yousif as a secretariat, sentenced former MP Khaled Abdel Aal to one year in prison, with a fine of BD1000 to withhold the implementation of the sentence. The reason behind his sentence is that former MP Abdel Aal posted on his Twitter account that the Ministry of Interior had become a den of torture.

The public prosecution accused Abdel Aal that he posted on his Twitter account, on June 22, 2014, tweets that included insulting the Ministry of Interior through untruthful and incorrect allegations, which threaten and destabilize the security of citizens. It is worth mentioning that this is the second time Khaled Abdel Aal is sentenced to one year in prison over the same charge, bringing the total sentences against him to two years in prison.

- 87. The Bahraini security authorities charged Mohammad Al-Alawiyat, a football player who plays for the Sitra Sports Club, with insulting the King of Bahrain. They arrested Al-Alawiyat on Tuesday, June 9, 2016 at his workplace in ASRY company in Al Hidd. After interrogating Al-Alawiyat for 2 days at the Criminal Investigation Department, the authorities detained him for 7 days pending investigations over the charge of insulting the king on a Twitter account, which the authorities said that it is managed by Al-Alawiyat.
- 88. Bahrain's King Hamad bin Isa Al Khalifa issued on Saturday, June 11, Law No. (13) of 2016 on amending some provisions of Law No. (26) of 2005 on political associations, which we have previously mentioned and commented on. It is the law which took less than a month from the time it was submitted

until it was approved, unlike laws which take months to be approved.

This law is seen as a clear targeting of the Shiite political movement in Bahrain, especially Al-Wefaq National Islamic Society, which its imprisoned secretary general, Sheikh Ali Salman, has two roles: secretary general of a political society and the Imam of Al-Sadeq mosque in Gufool. Sheikh Ali Salman plays both roles without pay, and there are many people in Al-Wefaq who are students or teachers in the Hawza (Shiite seminary).

- 89. On June 11, human rights activist Zainab al-Khawaja was forcibly deported to Denmark after her release. Her Bahraini passport was taken from her before she was deported from Bahrain Airport.
- 90. Among the list of travel bans against activists, the Bahraini authorities banned, on June 12, a number of human rights activists from traveling to Geneva to participate in the 32nd session of the Human Rights Council, without knowing the reasons.
- 91. On June 13, security forces arrested human rights activist Nabeel Rajab after raiding and searching his home. His arrest came after less than a year of being released due to health reasons. In July 2015, the king of Bahrain, Hamad bin Isa Al Khalifa, had issued a special pardon for Nabil Rajab due to "health reasons." Nabil Rajab was serving a prison sentence of six months over charges of insulting the ministries of defense and interior on Twitter, and he is still detained awaiting trial on charges related to freedom of opinion and expression.

92. On June 14, 2016, the high administrative court ordered the headquarters of Al-Wefaq Society to be closed, on an expedited basis, the Office of Political Societies' Affairs at the Ministry of Justice to be appointed as Al-Wefaq's judicial guard until deciding on this matter, and the ruling on this case to be postponed until the hearing of October 6, 2016. This hearing was moved forward more than once, and the ruling on the case came on July 17, 2016. The Court ordered to dissolve Al-Wefag, the biggest opposition political society in the country, and to liquidate its assets to the state treasury as well as oblige it to pay all the costs and expenses of the lawsuit.



93. On the same day (June 14), the Ministry of Labor and Social Development issued Resolution No. 59 of 2016 to dissolve the Islamic Enlightenment Society (Al-Tawiya), one of the

- most significant cultural and directional Shiite associations in Bahrain. The Ministry also announced on the same day the dissolution of Al-Risala Islamic Society.
- 94. On June 15, the security authorities informed leading Shi'ite cleric Sheikh Mohammad Sangour that he is prevented from giving speeches in Imam Al-Sadeq mosque in Diraz. Imam Al-Sadeg mosque is one of the most prominent Shi'ite mosques in Bahrain and holds the largest Friday prayers.
- 95. Within a large-scale security campaign conducted by the authorities since the closure of the Islamic Enlightenment Society and Al-Risala Islamic Society, the Bahraini authorities summoned on Wednesday and Thursday June 15 and 16 a number of Shiite clerics for interrogation. The authorities summoned head of the Islamic Enlightenment Society, Sheikh Bager al-Hawai, for interrogation in the public prosecution, then released him early in the morning. They also summoned Sheikh Hussein Al-Mahrous, head of Sheikh Isa Qassim's office, and Sayed Majid al-Mashaal, secretary of the Islamic Scholars Council, which was dissolved by the authorities. In addition, the authorities summoned cleric Sheikh Ibrahim Al-Ansari, and the security authorities raided Sheikh Hassan al-Maliki's house.
- 96. In the same context, Shiite clerics in Bahrain said in a statement entitled "Banned from Prayer" that they feel that the Bharaini authorities pose security risks, noting that performing Friday and congregational prayers will be stopped at specific times. The clerics pointed out that the authorities prevented the largest Friday prayers in Bahrain and tried to impose restrictions on Shiites' practice of religious rituals according to their jurisdiction (Figh).

The statement reads as follows:

"The Shiite sect is passing through critical conditions of systematic persecution that reached its peak these days, until Shiite citizens felt unsafe to practice their religious rituals; including Friday and congregational prayers, which are the most important religious practices.

The imams of Friday and congregational prayers and the preachers at the mosques are repeatedly summoned and some of them are detained. In addition, the largest Friday prayer in Bahrain is banned, and there is an attempt to impose illegitimate restrictions on Shiites' practice of religious rituals according to their jurisdiction (Figh). Thus, we are [forced] to choose between performing our Friday and Congregational prayers according to our Shiite jurisdiction (Figh) or according to political desires and impulses.

Since a secure environment is not being provided for the performance of Friday and Congregational prayers, the following prayers will be halted: Maghrib and Isha prayers on Thursday night, and Fajr, Dhuhr, and Asr prayers on Friday, starting from Thursday evening on the 10th of Ramadan, 1437 (June 17, 2016), and this will continue each week until further notice."

97. Shiite mosques in Bahrain were emptied of imams and worshipers in the afternoon of the second Friday of the holy month of Ramadan, June 17, due to an announced security crackdown launched by security authorities on Shiite clerics and their institutions.

98. After the Bahraini government confiscated financial donations connected to the obligation of Khums, four senior Bahraini Shiite clerics, who are Sheikh Isa Qassim, Sayed Abdullah Al-Ghoraifi, Sheikh Abdulhussein Al-Sitri and Sheikh Mohammed Saleh Al-Rabii, issued a statement saying that the authorities' targeting of Khums is a blatant assault on the Shiite doctrine. In their statement, which was issued on Saturday, June 18, 2016, they said that "the obligation of Khums is one of the principles of the Shia doctrine", and "the targeting of this obligation under any description is a targeting of the doctrine." The clerics also said that "since the era of the Imams of Ahl al-Bayt, the Shiites have been practicing this obligation, which continued throughout history and still exists under the auspices and supervision of the trustworthy jurists, who have spared no effort in using the Khums money to serve the purposes of religion and the interests of Muslims, and to avoid spending it on anything that harms those purposes and interests." "In fact, they believe that using Khums money in any way that contradicts the purposes of religion and does not protect the interests of Muslims is one of the worst forbidden sins," they added.

"Targeting this obligation under any description equals targeting the [Shiite] doctrine, and is a blatant assault on the freedom of practicing the doctrine, which is guaranteed according to the Charter and the Constitution, and according to all international conventions," the clerics said.

"We utterly reject any violation of this freedom, and we will not allow ourselves to be the agents of Imam Al-Sadeq (AS) to negotiate with any party in this matter, which is settled in terms of the jurisdiction and the doctrine," they added. "We will not allow ourselves to neglect using the Khums money in a way that serves the purposes of religion and the interests of Muslims."

- 99. The Bahraini government responded to the senior Shiite clerics' statement by assuring that "the primary purpose of the decree on raising money is to check the legality of the source of these funds as well as the legality of the aspects of spending them, which is carried out by those who perform of this activity".
- 100. Moreover, on the 16th of June, head of the office of license applications for the collection of money for religious purposes in the Ministry of Justice and Islamic Affairs and Endowments, Dr. Mohammad Taher Al Oattan, declared that "the office does not interfere in the ways of spending or prioritizing the legitimate religious purposes covered by the decree, which include Zakat, alms and Khums, since that pertains to those who perform this activity, and the office only checks the legality of the means of collection and the way of spending."

The office called on the "individuals who want to raise money to abide by the law in a transparent and open framework as this encourages people to donate and reassures them about the legality of the ways of spending their money, which is the money of God and the state must verify the legality of everything related to it."23

101. The Public Prosecution, for the first time, described paying money and donations like alms, Zakat and Khums – which are considered the bases and requisites of Islam – as "collecting money without authorization and money laundering".

On June 19, the head the Prosecution, Mohammad Al Maliki declared that to date the investigations have "revealed that some of the defendants conducted banking operations on funds deposited in their bank accounts and violated legal regulations established in this regard." He added that the "investigations and inquiries showed that the cleric, whose personal accounts proved to be including a lot of money, had not deposited all the funds he had collected in those accounts, but kept them with him without depositing them in the bank accounts, which are currently reserved by the prosecution and had been opened for this purpose, in order to escape the security and banking supervision regarding deposit and withdrawal stated by law."

He also clarified that the "investigations also revealed that he was able to send a large part of the funds he collected and kept with him to Iran and Iraq, surpassing the transfer and disclosure rules." He added that "these amounts reached bodies and organizations abroad that are against the Kingdom of Bahrain."

He stated that the investigations revealed "that a cleric opened and managed an office to raise funds without obtaining a license for opening and managing it for that activity, and that was in response to the orders of the mentioned foreign bodies and organizations, in order to play a political role in Bahrain with a religious tone". The head of the prosecution also said that he will "announce names of agencies and organizations that have received funds from the cleric as soon as the completion of the prosecution proceedings once and for all in order to preserve the evidence and for reasons of confidentiality required by the investigation at this stage."24

The description of the Public Prosecution of collecting money that includes Zakat, alms and Khums as unlicensed fund raising or money laundering is against the law and the Islamic Sharee'ah (Islamic Law) that allows receiving money and spending it as charity without conditions except for the Sharee'ah conditions and restrictions.

102. On Monday, the 20th of June, the Bahraini government decided to withdraw the Bahraini nationality from the Shiite majority spiritual leader in Bahrain, Ayatollah Sheikh Isa Qassim. The decision of withdrawing the nationality came days after a campaign launched by the authorities against the opposition and the Shiite sect. The campaign included suspending Al-Wefaq, dissolving the two Islamic associations, Al Tawiya and Al Risala, and summoning a huge number of Shiite clerics, in addition to a media attack against Sheikh Isa Qassim by pro-government newspapers. An open strike started in front of Sheikh Qassim's house protesting against the withdrawal of his nationality and lead to imposing a blockade on the Diraz area and arresting and prosecuting many citizens for participating in this strike. (More information are included in the chapter on withdrawing the nationality of Sheikh Isa Qassim)



- 103. On Tuesday, the 21st of June, the security forces attacked the Al-Bayan office for religious consultations, which is related to Sheikh Isa Qassim, in Karranah region, West Manamah. The security forces that attacked the office broke the doors and searched the apartments in the upper floors where the office is located and where citizens and religion students live.
- 104. On the 22nd of June, Reuters reported news related to the US State Department report about Bahrain's execution of the recommendations of the BICI upon the request of the Congress. The report confirmed that Bahrain did not execute a significant number of Bassiouni's recommendations including those related to protecting freedom of speech such as peaceful opposition. The report said that the Bahraini

efforts for national reconciliation has stopped after the 2011 protests were suppressed, adding that there is still more that Bahrain needs to do to accomplish the reforms recommended by the BICI.

- 105.On Wednesday, the 22nd of June, two days ahead of the memorandum of the martyrdom of Imam Ali Bin Abi Talib that the Shiites in Bahrain commemorate, the security authorities summoned a number of heads of Husseiniyyas and informed them that they will target solace marches in case they included political approaches. They also declared that they will not hesitate to use force against mourners in case they carried pictures of the Shiite majority spiritual leader in Bahrain, Ayatollah Sheikh Isa Qassim, whom the government withdrew his nationality a week earlier.
- 106.On Thursday, the 23rd of June, security forces summoned prominent Shiite clerics for interrogation: Islamic Scholars Council (dissolved in 2014) vice president Sheikh Mahmoud Al Ali, member of the central body of the Council Sheikh Fadel Al Zaki, Ex-deputy representing Al Wefaq Block Sheikh Hamzah Addeiri and Sheikh Mounir Al Maatouk. They were summoned for interrogation in the Budaiya police station and were later released. This summons was related to the open strike in front of Sheikh Isa Qassim's house, in protest against the withdrawal of his nationality. Many activists were prosecuted regarding this protest.
- 107. In the context of vindicating the security campaign against the opposition and the dissidents demanding democracy and reformation, the Bahraini News Agency published on the 26th of June a statement for the Bahraini Prime Minister Khalifa

Bin Salman Al Khalifa, whom political activists demand replacing, saying "that the government continues its firmness and no one will stop it from uprooting terrorism and its instigators to ensure the nation's security and stability, pointing out that the actions that have been taken recently promoted the unite of the citizens concerned for the interests of their homeland." The statement further stressed that "the government continues the firmness and decisiveness against terrorism; there is no turning back nor indulgence."25

This statement was announced during hosting some of the most important political, social and media leaders and businessmen.

- 108. The Bahraini security forces arrested at the dawn of Sunday, the 26th of June, Taiba Ismail after breaking into her house, where they searched it and confiscated electronic devices. The court sentenced her on the 31st of August 2016, to a year in prison and a fine of 1000 Dinars because of her tweets on the social media site Twitter. The court accused her of insulting the King and inciting hatred against the regime.
- 109. The Bahraini security forces arrested on Sunday, the 26th of June, Shura member of Al Wefaq Block, Mohammad Mahdi Al Ekri, while leaving the area of the open protest in Diraz region in front of Sheikh Isa Qassim's house. Security forces justified arresting him by saying that this is a continuation of a previous imprisonment punishment that has 17 days left.

Al Ekri is a political activist and member in the consultation (Shura) of Al Wefaq Society. He was arrested in Manama on the 4th of January, 2015 by the security forces that were diffused in the region to prevent protests, which were staged by social media activists after arresting Secretary General of Al Wefaq Society Sheikh Ali Salman.

Al Ekri reported that while he was passing through one of the streets in Manama near the security forces that were questioning pedestrians to prevent gatherings and protests, he was arrested and restrained from the back painfully, peppermint was sprayed in his eyes, and he was beaten with hands and kicked as well as being cursed and insulted. After being forced into the security vehicle, peppermint was sprayed in his eyes and mouth again. Two days later, he was referred to the public prosecution that ordered to detain him for 7 days pending investigation on charges of assembly and riot aiming at damaging public and private properties, in spite of the absence of any protests or gatherings at the time of his arrest.

Afterwards, on the 21st of January 2015, he was referred to court, which sentenced him to 6 months in prison on the second hearing, for the same charges brought against him by the Public Prosecution, without allowing his lawyer to present pleading. On the 14th of June, 2015, an appellate court decided to release him on probation while sustaining trial although there were only 17 days left of the sentence issued by the first degree court.



110. In a suspicious incident with contradictory reports, Fakhriya Muslim Hasan (42 years) was deceased and her 3 children were injured. Human Rights organizations called for a transparent and objective investigation, which Bahrain does not carry out in all cases.

The Ministry of Interior announced in a statement that an explosion of a locally-made bomb took place on the evening of Thursday the 30th of June "killed a citizen and wounded three children who were with her in the car after shards from a bomb attack scattered as they passed".

The accident happened near a branch of the Iranian Bank Al Mustaqbal in Eastern Aker. Authorities had announced freezing an account in the bank asserting that it contained an amount of 10 million dollars, which are Khums money belonging to a local religious reference, meaning Sheikh Isa Qassim. Moreover, the Central Bank of Bahrain had announced on the 1st of May, 2015 taking over the management of Al Mustaqbal Bank and the Iranian Insurance company.

Ali Adel Abdullah, prior member in the National Unity Gathering (a pro government association) had declared that "an exceptional explosion [occurred] tonight in Bahrain in Al Mustaqbal bank."

Yet, other testimonies suggested that the dead woman's car was exposed to gunfire while a very important person was passing. "Al-Shawush" account only, which is managed by a security personnel working in the Bahraini National Security Agency, published the initial report of the incident the moment it happened on "Twitter" with details, which were deleted later on. He said that "a terrorist bombing targeted a senior figure in Bahrain," before rushing later to delete his Tweet and leave only the text of the narrative included in the statement of the Ministry of Interior; a move that raised many question marks.

Initial analysis of the published images of the incident do not reveal any indication of the bombing or any burns in the car of the deceased.

JULY

- 111. On the first of July, the Bahraini security authorities released the leader in Al Wefaq National Islamic Society and former Head of the Capital Municipal Council, Majid Milad after he had served his sentence. The first degree court had sentenced Milad to 2 years in prison for giving political speeches, but the Court of Appeal reduced the sentence to 1 year during trials that lacked fair standards.
- 112. Hundreds of citizens in Bahrain organized protest marches and solidarity stops in the early morning hours of Al Fitr feast on Wednesday, the 6th of July. The protestors raised anti-government banners as they declared their solidarity with Sheikh Isa Qassim and demanded giving back his nationality. The protestors also condemned the continuity of arrests and demanded releasing the detainees. Organizing solidarity stops with sheikh Isa Qassim and the political detainees was observed in many areas such as: "Saddad, Al Malikiya, Al Bilad Al Qadeem, Barbar, Abu Saiba, Shakhura, Al Markh and Tubli," in addition to marches and protests in "Sitra- Safala, Sitra- Al Kharijiya, Karzakan, Al Musalla, A'ali, Southern Sahla, jidhafs and Bouri."
- 113. Due to the siege on Diraz region, Al Wasat newspaper reported on Wednesday, the 6th of July that many people from Diraz residing outside their village came to visit hoping to be allowed to enter, but they were not allowed to do so. Some of them tried several times and kept moving from one entrance to another in the hot weather hoping that they might succeed in entering to greet their families, but their efforts

failed. Thus, they went back to their houses without being able to greet their families in the village, which left many families in Diraz feeling resentment.

Since the blockade imposed by the security forces on Diraz, the authorities closed all its entrances and left only two allowing only the people residing in Diraz to enter in order to prevent citizens from crowding in front of Sheikh Isa Oassim's house which has witnessed an open strike.

114. In the session held on the 7th of July, the European parliament condemned, with the vast majority of its voices, the measures that Bahrain has taken during its campaign against the opposition and that resulted in intensifying the punishment of the secretary general of Al Wefaq, Sheikh Ali Salman, closing Al Wefaq Society, arresting the prominent human rights activist, Nabil Rajab, revoking the nationality of Sheikh Isa Oassim and other issues.

606 out of 659 deputies that attended the session in the European parliament voted for the decision, 47 deputies voted against it, while 6 others kept their opinions discreet, thus the proportion of those who agree to condemn Bahrain at the meeting amounted to about 92 percent of the attendants.

A report issued by the European parliament stated that it renews its strong condemnation "of the continued crackdown against human rights defenders, political opposition and civil society, as well as imposing restrictions on fundamental rights in Bahrain."

The European Parliament called for the "immediate and unconditional release of prominent human rights defender Nabeel Rajab, the Secretary General of Al-Wefaq, Sheikh Ali Salman and other human rights activists, who have been imprisoned over exercising their right to freedom of expression, assembly and association, and the dropping of charges against them."

The parliament added, "The Bahraini government has a responsibility to ensure the security and safety of all citizens regardless of their political views or affiliations, and the members of the European Parliament believe that the long-term stability of Bahrain can only be achieved through the construction of a pluralistic society that respects diversity."

The European Parliament expressed concern, in particular, about "the use of anti-terrorism laws in Bahrain, and especially the deprivation of citizenship as a means of political pressure and punishment." The statement added, "We call on the Bahraini authorities to amend the nationality law and restore the citizenship of more than 300 people, including human rights defenders, politicians, journalists and senior religious authorities who have been unfairly stripped of them."26

115. The director general of the police directorate in the northern governorate commented on what the Al Wasat Bahraini newspaper had published regarding the absence of festivities in Diraz region and the incapability of the people from Diraz residing in other regions of greeting their families on the 7th of July. He said that "the people of the village of Diraz are not prevented from entering or leaving the village, noting that the currently applied traffic control measures are due to an illegal gathering in the village." The Director General of the Northern Governorate Police Directorate called upon all media to be accurate and objective, to seek information from official sources, to commit to professionalism that require returning to the concerned official bodies, and not to spread rumors that would threaten security and civil peace.



116. In the same context, the Al Wasat Bahraini newspaper reported that a number of shops near the main street in Diraz area had been highly affected because of the security measures (the security siege) taken by the authorities after the start of the open strike in front of Sheikh Isa Qassim's house protesting against taking away his nationality.

The newspaper added that all the shops were suffering from severe sales fall back and had submitted a formal complaint to the authorities. The newspaper further stated that some closed down their shops while others were considering that option. "In light of the sharp decline in sales and the shops commitment to pay monthly rents, the employees' salaries and other commitments, the owners of those shops are calling out for the need to find a solution for their suffering."²⁷

117. The Imams of Friday and congregational prayers in Bahrain declared the resumption of prayers on Thursday night and Friday in Shia mosques including Al Sadeq mosque in Diraz after stopping for about 4 weeks because of the pressure and threats imposed by the authorities such as: prohibiting the biggest Shia prayer in Al Sadeq mosque, issuing a decision that forbids the religious cleric Sheikh Muhammad Sankour from praying and delivering speeches, and summoning other religious clerics for interrogation.

Hence, Friday and congregational prayers resumed on Friday the 15th of July in Shia mosques, and Sheikh Muhammad Sankour lead the biggest Friday prayer in Diraz mosque where he demanded the authorities to come up with an initiative to cool the atmosphere and regain the people's trust.

118.On Wednesday the 13th of July, four decrees were issued by King of Bahrain Hamad Bin Isa Al Khalifa. The first decree, number 61, stipulated the amendment of some of the provisions of decree 69 of 2004 on reorganizing the Ministry of Interior. The second decree, number 62, stipulated appointing 16 General Directors in the Ministry of Interior,

including the appointment of Brigadier-General Khalifa bin Ahmed Al Khalifa as Deputy Chief of the Public Security, Brigadier-General Abdulrahman Saleh Al-Snan as Assistant Undersecretary of Exits, Investigation and Follow-up, Brigadier-General Ibrahim Hassan as Commandant of the Royal Police Academy, and Brigadier-General Shamsan Abdulla Al-Buainain as Assistant Undersecretary for Administrative Affairs. Nevertheless, Khalifa Bin Ahmad Al Khalifa as well as Youssef Al Arabi, who was appointed Director-General of Reform and Rehabilitation, were among the officers involved in committing violations against many citizens and prisoners.

119. On Thursday the 14th of July, the Public Prosecution issued a warrant against the citizen Ali Abdul Rahim, the Director of Labor Market Regulatory Authority, after the Prosecution had summoned and interrogated him concerning his participation in the open strike in front of Sheikh Isa Qassim's house in Diraz.

This warrant came after pro-government citizens published a picture of Abdul Rahim, taken from a video, of him carrying a picture of Sheikh Isa Qassim and they accused him of participating in the protest in Diraz. Among those who had published this picture was Deputy Jamal Bu Hasan who publicly demanded arresting Abdul Rahim and accused him of betrayal; so did a number of pro-government bloggers on Twitter who lead a public incitement campaign against Abdul Rahim.

The technique of slandering, publishing photos of the protestors, reporting them, inciting to kill them, imprisoning them, or firing them from their jobs is a technique widespread among the pro-government citizens and media, and all this was documented in the report of the Bahrain Independent Commission of Inquiry.

This report pointed out that the Official Bahraini Television broadcasted many programs that encouraged the violation of citizens' rights through media campaigns that included social media pages for oppressing the protestors. This lead to arresting hundreds of activists and protestors in 2011 and firing around 4000 people from their jobs.

120. Attorney General Ahmad Al-Dousari said in a statement on Saturday the 16th of July, "On the events of raising money without a license and laundering of illicit funds attributed to a number of NGOs and some individuals, the Public Prosecution has completed its investigation in these events and decided to refer three cases to the competent court".

The details are mentioned in the chapter on legal prosecutions (Khums case).

121. Regarding the targeting of Shiite clerics and Friday preachers, the Ministry of Interior summoned on July 16 Shiite cleric Sheikh Ali Humaidan, the Imam of Al Zahraa mosque in the city of Hamad for interrogation, and decided to forbid him from preaching and leading prayer.

122. Moreover, in the same regard, security authorities detained on Sunday the 17th of July the Imam of the largest Friday prayer in Bahrain, Sheikh Mohammad Sankour, whom thousands had prayed behind earlier on Friday the 15th of July, four weeks after stopping prayer because of the measures taken by the authorities against Shiites.

A day after being detained, the Public Prosecution released him on probation after interrogating him over charges of incitement of hatred against the regime and preaching without authorization. Yet, what he included in his speech was calling on the government to negotiate with the opposition to exit the political crisis that have stroke the country since 2011.

123. In the context of restricting the freedom of press and journalists, the Public Prosecution investigated with journalist Naziha Saeed on Sunday the 17th of July due to a lawsuit filed against her by the Information Affairs Authority accusing her of practicing journalism without authorization. This came after she was prohibited from travelling by the International Airport of Bahrain on the 29th of June 2016 without giving her any reasons.

The Bahraini authorities refuse giving or renewing licenses to many journalists working in international news agencies such as Naziha Saeed, who is a reporter for the French Television and Radio, despite being their reporter for many years.

124. The National Democratic Action Society (Wa'ad) declared on its website that it canceled a seminar that was supposed to be held in the Society's Headquarters on the night of Wednesday the 20th of July after it had received a call and a letter from the Ministry of Justice demanding the Society to refrain from having the seminar entitled "Iran from the Inside". The Ministry had justified the request for cancellation based on article 19 of the political associations law that prohibits "the interference in the internal affairs of other countries" although the seminar was intellectual and cannot be considered interference in the internal affairs of Iran.

- 125.On the 26th of July, the Public Prosecution in Bahrain declared that it ordered the imprisonment of some bloggers for 15 days after accusing them of the inciting hatred against the regime. Chief prosecution Mohammed al-Muslim declared that the Public Prosecution had received several reports from the Cyber Crime Directorate, about a number of people who published posts on their accounts on one of the social networking sites that include inciting hatred against the constitutional system of the kingdom, and calling for illegal marches. The Prosecution interrogated the accused, after arresting them and ordered to detain them for 15 days pending investigation.²⁸
- 126.In a series of targeting religious clerics, security authorities called upon Sheikh Saeed Al Asfour, a Diraz resident, who was arrested on the morning of Tuesday, the 19th of July, after receiving an order to be present in the police station in Al Budaiya area. He was also summoned again a week later on Tuesday the 26th of July.
- 127. On the 19thof July, security authorities summoned the political activist and chanter Abdul Jabbar Al Dirazi to Al Budaiya police station over incidents linked to the protest in Diraz.

- 128. Security authorities also summoned on Sunday the 24th of July, two religious clerics: Sheikh Jasem Al Khayat and Sayed Yassin Al Moussawi to Al Budaiya police station for interrogating them. Al Khayat was released, while Sayed Al Moussawi was arrested and presented, on Monday, the 25th of July, to the Public Prosecution that referred him afterwards to the Third Minor Criminal Court, where he was sentenced to a whole year in jail on the 31st of August.
- 129. Moreover, security authorities detained Sheikh Aziz Al Khadran for 2 days, on the 23rd and 24th of July, in spite of the fact that the Public Prosecution had decided to release him after interrogating him over charges related to offending the judicial system during his Friday speech. The Prosecution ordered to release him on probation.
- 130. On the 22nd of July, the security authorities in Bahrain arrested Sayed Kadhem Al Durazi, one of the most prominent Shiite figures in the country and owner of Sayed Kadhem Al-Durazi Contracting Group. He was arrested in Bahrain International Airport by the airport security before releasing him afterwards and referring him to the Public Prosecution. He was accused of "allowing protestors holding Diraz rally outside Sheikh Isa Qassim's house to make use of some of his properties."
- 131. In escalating measures against the spiritual leader of the Shiite sect in Bahrain, Sheikh Isa Qassim, the High Criminal Court started on Wednesday the 27th of July the first hearing of Sheikh Isa Qassim's trial over charges linked to the religious Obligation of Khums.

132. In the same context, legal consultant and lawyer Abdullah Al Shamlawi affirmd that the charges against the spiritual leader of the Shiite sect in Bahrain, Sheikh Isa Qassim, contradict the Bahraini constitution. He also said in a tweet on his Twitter account on the 26th of July that the charges brought against Ayatullah Qassim according to the law of fundraising of 1956, are malicious and contradict Article 22 of the constitution which states, "Freedom of conscience is absolute. The State guarantees the inviolability of worship, and the freedom to perform religious rites and hold religious parades and meetings in accordance with the customs observed in the country."



133. Masjid and Shrine of Sa'sa'ah Bin Suhan Al Abdi (died in the year 56 after the migration) in Al Askar area was exposed to destruction and sabotage on Wednesday the 27th of July. This site is considered archeological and one of the important Shiite sites in Bahrain, and it had been exposed to sabotage by unknown people before.

The Bahraini newspaper, Al Wasat, reported that "unethical and offensive writings and drawings" were seen inside the mosque. It also clarified that the sabotage "Reached all the facilities and the contents of the mosque, starting from the main room containing the shrine, right down to the roof of the site and the prayer rooms for men and women, as well as tampering with the extensions and boxes of electricity, with the accumulation of garbage and stones at the site rooms, which have become a breeding ground for stray animals."29

- 134.On Saturday, the 30th of July, 2016, security forces arrested Sayed Majid Al Mishaal, head of the Islamic Scholars Council, and accused him of charges linked to assembly and incitement to disobedience of the law. After a hearing that lacked fair trial standards, the Third Minor Criminal Court sentenced Sayed Al Mishaal to two years in prison on the 31st of August, 2016. On the 6th of October 2016, the same court sentenced Sayed Majid Al Mishaal to a year in prison based on charges linked to assembly in Diraz, his total sentence thus reaching 3 years.
- 135. On the 30th of July, prisoner Hasan Jassim Al Hayki (35 years) died in prison as a result of being subjected to torture in the detention center after 25 days of arrest. His family declared that he revealed to them before his death that he was being tortured in the criminal investigation building. Moreover, some prisoners declared that Al Hayki had a cardiac arrest because of the torture he had suffered from in the Dry Dock prison where they demanded the police to transfer him to the prison clinic. He was later transferred to Al Salmaniya Hospital where he

passed away. His father demanded an order for autopsy from the Public Prosecution to reveal the cause of his death.

However, the Bahraini Public Prosecution accused the lawyer of Al-Hayki's family of "spreading false news", after announcing that "wounds and bruises on the body of the deceased confirm without any doubt that there is a criminal suspicion behind his death."

The head of the Northern Governorate Prosecution, Adnan Fakhro, said that the Prosecution investigated in the incident of a lawyer publicly spreading false news regarding the death of a pre-trial detainee in Dry Dock Detention Center on the 30th of July 2016. He added that the Special Investigations Unit concluded that Al-Hayki died of "natural causes", and that there is no criminal suspicion behind his death.

AUGUST

- 136. The Ministry of Interior spread its forces in the capital Manama, and closed all the roads leading to Al-Hoora cemetery to prevent holding a public funeral procession for Hassan Al-Hayiki, who died as a result of torture during his detention. Security forces surrounded Al-Hoora cemetery and prevented people from entering it.
- 137.Bahraini authorities arrested on Thursday August 4, 2016 prominent Shiite cleric Mohammad Jawad Al-Shihabi. Security forces took the cleric to the Police station in Al-Budaiya, after he was arrested at a checkpoint in Al-Diraz.
- 138. Due to the open sit-in protest in front of Sheikh Isa Qassim's house in Al-Diraz, a number of people including activists and Shiite clerics were prosecuted over practicing their right to freedom of assembly. Head of Bahrain's Northern Governorate Prosecution, Adnan Matar, said that "the Public Prosecution received a notice from Budaiya police station stating that a number of people were demonstrating in Diraz, and some participants were identified, adding that the Prosecution took upon itself the task of investigating the matter once it received the notice." He further added that the Prosecution interrogated on Thursday, August 4, 2016 suspects and detained them after accusing them of illegal assembly and breaking the law; and investigations carry on to build the case and send the accused to trial.

In the same context, he said that "the Public Prosecution finalized its investigation in 9 other cases, and referred them to a court specialized with charges of illegal demonstrations and incitements of hatred against the regime and un-authorized assembly."³⁰

139. Bahraini security forces arrested on the 6th of August Shiite cleric Sheikh Isa Al-Mou'min, the preacher of "Al-Kheif" Mosque in Al-Dair village. The cleric was accused of "inciting hatred against the regime" over a sermon he delivered on Friday. the Prosecution detained and referred him to the Minor Criminal Court which decided on the 28th of September to release the cleric on bail amounting to BD500, but the Samaheej Police station refused to release him and referred him to the Public Prosecution after accusing him of more charges. The Public Prosecution released him on the 29th of September after it interrogated him.

On Thursday (November 24, 2016), the court ordered to detain Sheikh Isa Al-Moumin for 3 months over "inciting hatred against regime" charge and the verdict is suspended for a BD500 bail.

- 140. Amongst those summoned for interrogation over the protest in Al-Diraz, security authorities summoned on the 7th of August former MP and Assistant Secretary General of Al-Wefaq Society, Khalil Al-Marzouq. The security authorities had summoned Al-Marzouq along with 11 others including political activists and Shiite clerics.
- 141.In the same context, security authorities interrogated the Ex MP representing Al-Wefaq, Ali Al-Ashiry. After he was

interrogated over participating in Al-Diraz protest, Al-Ashiry posted on Twitter: "I got out of Hamad city Police station at roundabout 17 after I was interrogated over participating in Al-Diraz protest".

- 142. In the same context, the Public Prosecution decided on the 7th of August to detain the clerics: Sheikh Ali Al-Hemli and Sheikh Mohamad Jawad Al-Shihabi over participating in the protest in front of Sheikh Isa Qassim's house. However, it released Sayed Hashem Al-Bahraini, Sayed Mohsen Al-Ghuraifi, Sheikh Abdul Hakim Al-Aradi, Sheikh Hussein Al-Mahrous, and Sheikh Abed Ali Al-A'ali.
- 143. Security authorities detained on the 9th of August 10 Shiite clerics over their refusal to "the sectarian measures" imposed by the government on religious rituals and prominent religious figures in the country, and over their refusal of the constant abuse of the countries' religious leader Sheikh Isa Qassim, in addition to their declaration that the Shiite sect's existence and religious beliefs are targeted, especially after targeting the Khums obligation and preventing the Shiite majority's largest Friday prayer. The Public Prosecution detained prominent cleric Sheikh Mohammad Jawad Al-Shihabi, Sheikh Fadel Al-Zaki, Sheikh Ali Al-Hemli and preacher Habib Al-Dirazi for 15 days pending investigation. The Ministry of Interior decided to detain Sayed Mohamad Al-Ghuraifi, Sheikh Mounir Al-Maatouk, Sheikh Aziz Al-Khadran, Sheikh Imad Al-Sha'ala, Sheikh Hussein Al-Mahrous, and Sayed Yassin Al-Moussawi to be presented to the Public Prosecution. The Public Prosecution referred some of them to court later on. On September 21, the Third Minor Criminal Court

- sentenced Sheikh Ali Naji and Sheikh Imad Al-Sha'ala to one year in prison.
- 144. The security authorities detained on Sunday (14 August 2016) head of the Religious Freedoms Department at the Bahrain Human Rights Observatory, Sheikh Maytham Al-Salman, after interrogating him for more than 9 hours about his stances regarding the violations against Shiites in Bahrain.
- 145. Bahrain's security authorities detained on the 14th of August the neurosurgeon Dr. Taha Al Dirazi after interrogating him to be presented to the Public Prosecution, which decided to detain him for 15 days pending investigation. On the 23rd of August, the Ninth Minor Criminal Court accused him of illegal assembly over participating in a gathering which consisted of more than 5 people in a public place on the 19th of July. Al-Dirazi attended the court along with his lawyer Qassim Al-Fardan. His lawyer plead for his client's release especially that he is a neurologist, which is a rare specialty amongst Bahraini doctors, and he had surgical operations for a number of patients postponed due to his detainment. Based on that, he was released on bail amounted to 200 dinars as the trial continued.
- 146. The cleric Hani Al-Ali Ahmad Al-Biladi was detained on the evening of the 14th of August to be presented to the Public Prosecution, which decided to detain him for 15 days pending investigations. The Ninth Minor Criminal Court accused him of assembly on the 23rd of August, 2016 in the same manner, in which Dr. Taha Al-Dirazi was accused along with other protestors in Al-Diraz.

147. Security authorities detained on the 15th of August women's rights activist Ghada Jamsheer as she was leaving Bahrain through Bahrain's airport. Jamsheer had been sentenced to a year and 8 months in prison over tweets she had posted, in which she criticized one of the ruling family's member. The Public Prosecution released Jamsheer on the 20th of December based on a decision to replace her prison sentence with social services.



- 148. In the first judicial verdict against the participants in Al-Diraz protest, a Bahraini court sentenced on Thursday (August 18, 2016) Shiite cleric Sheikh Ali Humaidan to one year in prison.
- 149. A Bahraini court sentenced on the 21st of August Ali Ahmad Nasser Ali to 7 months in prison over participating in the public funeral procession of Hasan Al-Hayiki, who died as a result of torture in custody. Ali was sentenced to 6 months in prison over gathering and a month over cursing.
- 150. As a part of the prosecution campaign against the participants in Al-Diraz protest in front of Sheikh Isa Qassim's house, the Third Minor Criminal Court held the first court hearing of the detained prominent cleric and preacher, Sheikh Mounir

- Al-Maatouk. The court hearing was adjourned until the 30th of August as the cleric remained detained. The authorities charged Al-Maatouk with illegal assembly, and he was sentenced on the 21st of September to one year in prison.
- 151.A Bahraini court commenced on the 23rd of August the prosecution of Shiite cleric Sheikh Ali Rahma over the charge of illegal gathering due to participating in Al-Diraz protest.
- 152. The security authorities prevented on the 22nd of August the head of monitoring and documentation unit at the Bahrain Center for Human Rights, Inas Aoun from leaving the country. Aoun stated on her Twitter account that she was prevented from leaving Bahrain from the airport based on an order issued by the Criminal Investigations Directorate.
- 153. Member of Bahrain Center for Human Rights and activist, Hussein Radhi, said that security authorities prevented him from leaving the country based on an order issued by the Cyber Crimes Directorate. Radhi stated on Tuesday (August 23, 2016) on his Twitter account, "I was banned from traveling through the Causeway, the employee told me it was based on an order issued by the Cyber Crimes Directorate in the Criminal Investigations Directorate".
- 154. In the same context, security authorities prevented on the 24th of August the head of LuaLua Center for Human Rights, activist Isa Al-Ghaeb, from traveling through Bahrain airport based on an order by the Security Apparatus.
- 155. The Ninth Minor Criminal Court, headed by Judge Hussein Al-Shaikh with the secretariat Mohammad Al-Harban,

commenced on Wednesday (August 24, 2016) the prosecution of prominent Shiite cleric Sheikh Mahmoud Al-A'ali, the Deputy President of the Islamic Scholars Council, the highest Shiite religious authority in Bahrain, which was suspended by the Bahraini authorities.

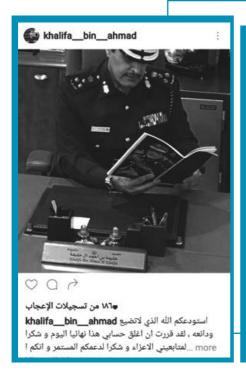
156.On the same day, the same court commenced the consideration of other cases including the case of prominent Shiite cleric and Head of Imam Al-Baqer religious seminar, Sheikh Mohamad Jawad Al-Shihabi, the case of Sheikh Fadel Al-Zaki, and the case of Sheikh Jassim Badr Al-Motawa'a. The court adjourned the hearings until the 31st of August to issue the verdicts as the detainees remain in custody.

As for the case of Sheikh Mohammad Jawad, in which he denied the accusations against him, lawyer Rim Khalaf presented a plea demanding a copy of the legal proceedings and time to view the documents. She also demanded the release of her client after she submitted a medical report about her client's health condition after he had been transferred to the prison hospital several times due to blood pressure, in addition to the fact that he is 50 years old. Sheikh Fadhel Al Zaki's lawyer, Zahra Abbas, presented the same plea.

According to the prosecution, the defendants were prosecuted for participating in a public gathering consisting of more than 5 persons. According to the Public Prosecution, it received a notice regarding the gathering of people who staged an illegal protest in front of Sheikh Isa Qassim's house and chanted anti-regime slogans. The Public Prosecution claimed that Al-Zaki and Jawad were amongst the participants chanting anti-regime slogans, and another incident indicates

that there was a gathering that included Al-Zaki and Jawad, who were chanting anti-regime slogans, holding pictures of Sheikh Isa Qassim, and obstructing traffic.

157.On the 25th of August 2016, a day after the scandal of insulting the household of Prophet Mohammad and questioning the lineage of Shias, the Deputy Chief of Public Security, Khalifa bin Ahmad Al-Khalifa, had to close his Instagram account. The comment written by Al-Khalifa shocked the Bahrainis, which made the Ministry of Interior issue a statement saying that his account was hacked. However, no one believed this narrative.



Khalifa bin Ahmad posted his photo with a comment saying, "I have decided to close my account permanently." This was not the first incident of this kind, the Bahraini military spokesman, Khaled Al-Buainain, closed his Twitter account after insulting the Shiite community several times.

What had been done by the Deputy Chief of Public Security and the Bahraini military spokesman before him, in addition to others, are criminal acts according to Bahrain's law. Article 309 of Bahrain's Penal Code states: "A punishment for a period not exceeding one year or a fine not exceeding BD 100 shall be inflicted upon any person who commits an offence by any method of expression against one of the recognized religion sects or ridicules the rituals thereof".

It is the same Article upon which some activists are being prosecuted, such as activist Nader Abdul Imam and journalist Faisal Al-Hiatt, despite the fact that the Tweets they were charged upon, does not exceed mentioning a historical incident, which cannot be considered an offence under this Article, hence there is an unequal implementation of the law.

On the other hand, despite clear incitement of hatred against the Shiite sect in some officials and Media workers' statements, no criminal charges are held against them.

158. As a part of a campaign of travel ban against activists, security authorities prevented on Saturday (August 27, 2016) two human rights activists from leaving the country via King Fahd Causeway that links Bahrain to Saudi Arabia.

Member of the European-Bahraini Organization for Human Rights, activist Ahmad Al Saffar, said that the authorities prevented him and activist IbtIsam Al Sayegh from leaving the country, noting that the ban was issued by the Public Prosecution, according to an employee at the passports department.

- 159. In the same context, Bahrain airport authorities prevented on Monday (August 29, 2016) activist Nidal Al-Salman from leaving the country, based on an order issued by the Criminal Investigations Directorate.
- 160. Based on the Diraz siege, the General Federation of Workers Trade Unions in Bahrain stressed on the 29th of August that the business owners and workers are facing difficulties due to the security measures imposed on Diraz, noting that these difficulties will increase as the scholastic year begins. "The Union called on the government to facilitate the entrance and exit of laborers and teachers working in Diraz".

The union stated that: "workers including those who are from Diraz, are facing difficulties when returning to their homes after a long day of work, especially those who work in shifts." It added that "problems will double with the beginning of the new scholastic year." The union noted that "the situation forms a problem for those working in contracting, like constructors, plumbers, carpenters, or electricians, whether they worked for contractors or had their own businesses". "The current situation, which has been ongoing for 70 days, requires an urgent evaluation and providing the needed facilitation for the entrance of teachers and workers", the union added.

It continued, "the presence of 4 schools and 5 nurseries constitutes a challenge that we have to confront with love and responsibility." The union stressed that "many workers or expatriates have become unable to make use of the Internet service for communication since companies are repeatedly cutting off the service in Diraz". The union added saying that "this cutting off is affecting the expatriates in particular, as it prevents these workers from any cheaper communication with their families and creates psychological stress on those foreign workers due to the lack of communication with their families".

The union commented saying that "all people are suffering and not only workers, some owners of shops and small and medium facilities such as electronics stores, refrigerators, and restaurants were even forced to close their shops due to restriction on bringing in the supplies and lack of customers".

161.On the 30th and 31st of August, Bahraini courts issued prison sentences against protestors over their participation in the open sit-in protest in Diraz. Sheikh Aziz Al-Khadran and Sayed Yassin Al-Moussawi, preacher Sayed Ali Ahmad Al-Moussawi, as well as television and artistic director, Yaser Nasser, were sentenced to one year in prison.

SEPTEMBER

162. A young Bahraini boy, Mostafa Al-Motghawi (16 years old), received a summons notice on the 4th of September asking Mostafa to be present for interrogation at the Budaiya Police station. He was detained to be presented to the Public Prosecution on charges of protesting in Diraz. The Public Prosecution decided to detain him for 15 days pending investigations, but the following day on September 7, the Prosecution decided to release Mostafa "due to his young age after he was accused of illegal protesting in violation of law earlier that time and he confessed doing so", according to the Public Prosecution's statement.

Yet, the security authorities refused to release him without giving reasons for that. Ever since, nothing was heard about him, and his family and his lawyer were not allowed to meet him, until he was released on Sunday (September 18, 2016), after 12 days of his arrest.

163.On September 9, the Assembly of Bahrain Shiite religious scholars addressed a letter to the chief of the UN Human Rights Council and the diplomatic delegations of the member states of the council at "Geneva", on the occasion of conducting the thirty third session of the council. And within, they declared the inflation of sectarian persecution and suppression against the Shiite majority.

The letter included the selection as follows: "We address you with this speech in concurrence with the convention of the thirty third session of the UN Human Rights Council at

Geneva to acquaint you with the developments in the Bahraini affairs, where the level of sectarian persecution has inflated against the indigenous population of the Shiite Muslims, and the state of discrimination has severely spread to become of an institutional form and a systemic methodology, by which the suppressive security handling of the incidents has become the only choice of the Bahraini government, who failed to manage the cultural and religious diversity, and as a result, transformed Bahrain into a mere police state.

The letter also pointed out to a brief conclusion concerning some figures of sectarian persecution as in the case of the trial of Sheikh Isa Qassim after depriving him of his citizenship, the siege on the Diraz region, the frequent prevention of conducting the largest Shiite Friday prayers in Bahrain, and the arrest of Mr. Majid Al-Mishaal, the chief of the Islamic Scholars Council, as well as the prosecution of a vast group of prominent Shiite scholars, activists, and citizens over accusations concerning freedom of expression and peaceful assembly, thus sending many of them to jail. The letter also alluded to other points including:

- Marginalizing the Shiite sect in education curriculum, governmental jobs, and scholarships.
- Violating the sanctity of religious rituals and husseiniyahs (Mosques for certain condolence purposes) and other aspects of practicing Shiite beliefs.
- Destructing the mosques in many Shiite regions.

- Banning worshiping duties like Khums and delivering religious speeches on Friday and congregational prayers.
- Besieging worship houses and banning Friday imams and worshipers.
- Violating religious sites by sabotaging and damaging them like "Saasaa Ibn Sawhan" holy shrine.
- Confiscating the independence of the religious institution (Shiite endowment) and forcing dominance and official politics upon its affairs.

The letter has firmly assured that Shiite religious scholars do not thereby demand to form a secular state or a state of a certain religion, but to have "a constitutionally-centered ruling that does not marginalize the will of the public, and does not establish the constitution without their participation, to grant the people the right to practice free and fair elections for the purpose of selecting their representatives in a parliament that expresses their volition, to have a parliament with full powers without being dominated by one of the two other authorities, and to be consulted in selecting its government. Moreover, the judiciary should be made for the service of justice, without forcing other volition aside from the constitution".

The letter also asserted on the "right to equality in citizenship and what is consequently gained of rights and forced of duties, as well as negating discrimination on basis of race, color, religion or sect, but only excelling by qualification and probity in establishing the government and its bodies and filling jobs and positions in state agencies, in addition to sustaining the firmness of Islamic brotherhood and reinforcing national unity among all classes of the society".

As a conclusion, the letter ended with a number of appeals including: Practicing pressure upon the Bahraini authorities to end the plight of sectarian persecution against Shiite Muslims, protecting the freedom of religion and belief, the value of religious tolerance, social justice, and the right of equality in nationalism, pressuring the Bahraini authorities to allow the UN Special Rapporteur on freedom of religion or belief to visit Bahrain, condemning the plight of sectarian persecution and discrimination, demanding the Bahraini government to immediately release all prisoners of conscience including Shiite scholars, opposition leaders and political and human rights activists, demanding the Bahraini government to immediately commence the implementation of the recommendations of "Bassiouni" and "Geneva", converting into a national conciliation that reflects the public will, lifting the siege over "Diraz" region, and providing international cover for the peaceful demonstrators in Diraz.31

164.On September 14, a group of 35 member states in the UN Human Rights Council condemned the measures that the Bahraini government has committed against the political opposition, calling for comprehensive reformations to accomplish stability in Bahrain. The European Union also issued a statement in the UN Human Rights Council and was

supported by 8 states including Britain, in which it expressed concern about depriving political dissidents from their citizenship.

The statement of the European Union declared that it admits the challenges that Bahrain is facing and encourages the country as a whole to attempt to achieve stability through reformations and national conciliation in an environment that permits peaceful expression concerning political injustice, where violence is excluded. The Union also expressed its worry concerning dissolving the political opposition Society, Al-Wefaq, intensifying the judicial appeal decision against its secretary general Sheikh Ali Salman to 9 years, arresting the defenders of human rights and banning them from travelling, including the re-arrest of Nabil Rajab, and depriving the Bahraini citizens from their citizenship, especially eminent characters like Sheikh Isa Qassim. Thereby, the EU called upon all parties to support a more comprehensive discussion, and to work collectively to achieve national conciliation and a sustainable political environment.

The EU has also asserted its worries concerning the allegations on torture, and asked the Bahraini authorities to invite the UN Special Rapporteur on torture.

165.On September 15, opposition leader and secretary general of Al-Wefaq Society, Sheikh Ali Salman, was referred to interrogation at the Criminal Investigation Department, over a speech he addressed to the UN Human Rights Council at Geneva in its 33rd session. The public prosecution thus announced that Sheikh Salman was interrogated on September 16, 2016, over a "notice from the General Directorate of Criminal Investigation

noting that it has received information which point out at the transfer of a letter to certain parties outside the country related to one of the condemned individuals currently serving his sentence." The public prosecution added that "the letter was transferred by a certain individual and included faulty rumors and tendentious news about the internal situation of the country by which harm is caused to the reputation of the kingdom aside to affronting." The public prosecution further added that "based on what proceeded, the public prosecution summoned the condemned individual from his jail and listened to his statements concerning the letter in the presence of his lawyer, and ordered to return him to jail and execute investigations on the conditions and circumstances of the incident".

166. On Wednesday, September 21, the Third Minor Criminal Court sentenced Sheikh Ali Naji, Sheikh Imad Al-Shaala, and Sheikh Moneer Al-Maatouk to one year in prison upon convicting them of gathering in Diraz region. The public prosecution had previously accused them on July 16, 2016 of participating with others (more than 5 individuals) in a gathering for the purpose of breaching security, in reference to the strike that the Diraz region has been witnessing in front of the house of Sheikh Isa Qassim since the official decision of depriving him of his citizenship was made.

The defense pressed the charges over receiving a notice about a strike for a group of about 170 demonstrators, a number of them went out in the form of an un-authorized march, holding photos of Sheikh Qassim and repeating political expressions around his house in Diraz, causing traffic jam and crippling public interests.

- 167. In the same context, the Third Minor Criminal Court sentenced college student Habib Abbas Moftah (19 years old) to two years in prison on September 21, over two charges of gathering in Diraz. The public prosecution said that on June 25 and 26, he participated in a gathering consisting of more than 5 people at a public place, and the details of one of the cases include receiving a notice of a demonstration of 700 individuals in front of the house of Sheikh Qassim at the Diraz region, and the defendant was among them.³²
- 168. On September 24, the Bahraini Minister of foreign affairs, Khalid Bin Ahmad Al Khalifa, said on an interview at Al-Hadath satellite channel that his country "will not waste time with the Human Rights Council," commenting on the declarations of the High Commissioner, Zaid Bin Raad Al-Hussain, in which he criticized the violations of human rights in Bahrain.³³
- 169. On Friday, September 30, the Bahraini authorities discharged the photographer Qassim Zeineddine after serving his three-year prison term over covering public demonstrations. A court had convicted Zeineddine of participating in riots, after arresting him in August 2013 after raiding his house by civilians, and confiscating his phone and other devices.

^{32.} Al-Wasat Bahraini newspaper volume 5129, http://www.alwasatnews.com/news/1161264.html

^{33.} Al-Ayam Bahraini newspaper, http://www.alayam.com/online/local/604507/News.html



170. In September, Reprieve organization issued a report entitled: "Belfast to Bahrain: the torture trail" that sheds light on death row prisoner, Mohammad Ramadan, who is a former policeman and a father of three children. He was subjected to torture in order to give a faulty admission. On the cover of the said report, the following expressions were written: "Innocent father on Bahrain's death row 'confessed' under torture", "State-owned Belfast company complicit in abuse cover-up", and "Northern Irish government turning a blind eye".34

The Irish site "Breaking News" mentioned that the organization called on an Irish company to stop training Bahraini security forces amid fears concerning torture. Reprieve tried to break the contract of the Irish NICO nonprofit company because police members and jail employees in Bahrain are systematically violating the rights of the government dissidents, pointing out that the organization also demands the company to "stop working with the Bahraini Ministry of Interior until the Bahraini government ratify the international legislations that refuse torture, and allow the UN to conduct independent investigations".³⁵

The report also declared that the "company trained forces that are accused of torturing prisoners to confess on charges, the penalty of which is execution, and supported associations that failed to conduct investigations about the violations".

OCTOBER

171.In October, which coincided with the Hijri month of Muharram, the security authorities intensified their campaign against the Shiite majority targeting their religious rituals, as trouble was caused among the citizens and security forces in many regions, after the authorities removed flags and banners related to the rituals of Ashura that the Shiites commemorate annually in Muharram, in memory of the martyrdom of Imam Hussein, the third Shiite Imam.

We shall point at some of the incidents hereby, while more will be mentioned in the chapter on violations of Ashura season.

- 172.On Sunday October 2, dispute occurred between the citizens of Abu Saiba and the security forces, after the latter removed Ashura banners hung on the road sides of the village. The incident occurred after massive numbers of security forces entered the village and tried to remove the banners. When the citizens attempted to question the security forces about the reason behind removing the banners, the latter used tear gas. As a result, tens of angry youths protested peacefully to face the security forces and chanted angry slogans. But these forces replied by firing tear gas bombs intensely, and some of the demonstrators were injured upon targeting them directly with tear gas canisters.
- 173.On Sunday, October 2, the resigned Al-Wefaq MP and political activist, Ali Al-Ashiri, demanded stopping foot patrols that roam the streets of Al-Dair village asking residents for

identity documents. On his Twitter account, he said that he saw "foot patrols stopping the young people who are working in front of Imam Al Montathar obsequies in Al-Dair and asking them to show their identity documents." Al-Ashiri considered what is happening at this time of Ashura season is a provocative and inconsistent "with what was put forward at the meeting with the heads of the obsequies in Muharraq," calling on the Director of Samaheej police station, Isa Al Sulaiti, to order to stop the patrols.

- 174.On a different note, security authorities continued their ongoing siege on the people of Diraz. On Sunday, October 2, in a violation of freedom of belief, the security authorities prevented preachers from entering Diraz to perform Ashura rituals in some obsequies. The preachers who were prevented are: preacher of Al-Matrouk obsequies, Sheikh Hussein Yacoub Al Maamiri, preacher of Sayyed Ali Al-Mousawi obsequies, Sayyed Mustafa Al-Karani, and preacher of Grand Diraz obsequies, Sheikh Mohammad Ali Al-Mahfouz.
- 175.On Monday morning, October 3, security authorities raided Karana, Abu Saiba, Sadad, Shahrakan, Karzakan, Malkiya and Sitra, and removed the flags and banners related to the rituals of Ashura season.
- 176.On Monday, October 3, security authorities arrested citizens from the area of Sadad who protested against removing Ashura banners. The citizens are: Ahmad Jassim Al-Abed, Mohammad Jassim Al-Abed, Hamed Jassim Al-Abed, and Abdallah Isa Abbas.



177. On Sunday, October 2, clerics in Bahrain described in a statement the security forces actions as vengeance against those who oppose the tyranny and dictatorship, which took away the dignity of citizens, the sanctity of rituals, and the respect of religion. The clerics added that Ashura is a "sacred ritual in the jurisdiction and theology of the indigenous people in the country, the Shiite community," stressing that the people will not leave their religion and identity vulnerable to desecration. The clerics called on the people of Bahrain to "heavily attend the Husseini (Ashura) obsequies and processions to protect and defend the religion", and to widely address the issue of the authorities' targeting of the doctrine this Ashura season in order to protect the religion and the country.

178. Even though the security forces unjustifiably attacked the manifestations of Ashura, removed Ashura banners, and assaulted those who were participating in hanging the banners and flags, Chief of Public Security, Tariq al-Hassan, said that the Ministry of Interior respects all religious occasions, including Ashura. Al-Hassan said, "The police force has taken the established legal action towards a number of irregularities, and meanwhile dealt with a number of outlaws under the established legal boundaries."

Al-Hassan added that "in accordance with the requirements of public order, there are certain places designated for banners and flags that everyone is aware of, therefore the competent authorities dealt with the violations committed in this regard in accordance with the law."

- 179.On October 5, the Bahraini authorities arrested Shiite cleric Sayyed Mohammad Hadi Al-Ghuraifi after a month of his release. He was detained in Budaiya police station for presenting him to the public prosecution.
- 180. Among a series of arbitrary actions taken against dissidents and human rights activists, and in the context of imposing travel bans on activists, on October 7, the security authorities prevented three human rights activists from leaving the country. The activists are: the human rights defender, lawyer Mohammed al-Tajer, prominent member of Bahrain Human Rights Observatory and human rights activist, Abdulnabi Al-Ekri, and head of Bahrain Transparency Society, Sayyed Sharaf al-Moussawi.

181.On Sunday, October 9, the security authorities arrested Bahraini journalist Faisal Hiatt, after they asked him to "come immediately". Hiatt said on his Twitter account that the call came from the Criminal Investigation Directorate. Some days earlier, the journalist Hiatt addressed the Interior Minister in a message, in which he talked about the torture he was subjected to during his arrest in 2011, in response to the minister's statement, in which he said that the workers in the ministry "fear God" and do not violate human rights.

However, the Ministry of Interior said that Hiatt insulted one of the sects in the country by a tweet he posted on the social networking website. Hiatt wrote a tweet, in which he refused the interrogation of the authorities with the preachers who talked about the Umayyad governor, Yazid ibn Muawiyah, and the Umayyad family, who killed Imam Hussein bin Ali (AS), the third Imam of Shia, during the Ashura season.

The director-general of the Anti-Corruption and Economic and Electronic Security Directorate, Bassam Al Miraj, said that "a person who posted a tweet on the social networking site, Twitter, that represents an insult to one of the sects in the country, was arrested." He added that "the necessary legal procedures were taken in preparation for referring the case to the public prosecution."³⁶

On Tuesday, November 29, the court sentenced Hiatt to 3 months in prison.

There is nothing in the statement of the journalist Hiatt that indicates insulting a sect or religion, and his statement only criticizes the Ministry of Interior for interrogating preachers who tell historical events and stories linked to Ashura season.

The real reason behind persecuting Hiatt is criticizing the security authorities for torture and human rights violations. However, some of the tweets that refer to historical events were used to prosecute him, even though the charges against him are inconsistent with the legal text, which is considered a disproportionate adaptation of the law and a breach of the principle of identifying irregularities legally.

182. In a statement issued on Monday, October 10, 2016 on the occasion of the World Day Against the Death Penalty 2016, Bahrain Human Rights Society said that since 2009 until today the Kingdom of Bahrain has not witnessed an implementation of the death penalty, which is a positive thing, but the disappointing part is that the death penalty sentences are still issued.

The statement reads as follows:

The international community celebrates the World Day Against the Death Penalty on October 10, where rights organizations and figures opposing this penalty, including the UN, reiterate their call to abolish the death penalty, believing it to be a heinous practice rejected by the healthy human sense. [This penalty] is

considered a blatant infringement of the principle of right in life, and which has become a firm principle in the civilized doctrine of humans, who have declared their outspoken opposition and constant outrage at the loss of human soul due to this inhumane punishment.

The Kingdom of Bahrain, since 2009 until today, has not witnessed the execution of any death penalty. This is a positive side that leads us to call for the complete abolishment of the death penalty from legislations. What is disappointing however, is that the death penalty sentences are still upheld in Bahraini courts. There is a number of prisoners sentenced to death (7 defendants sentenced to death), now sitting in prison, suffering [bad] psychological and physical conditions. Their situation is very hard, as they die every second of every day. The Society's stance is based on the International Bill of Human Rights, which affirms the right to life as stipulated in Article (3) of the Universal Declaration of Human Rights, stating that each individual has the right to life, freedom and safety. Article (6) of the International Covenant on Civil and Political Rights in its first Paragraph also states that "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life."

It should be noted that the Bahraini government carried out, on January 15, 2017, death sentences against three of the seven people mentioned in the previous statement. They were convicted in the case of targeting the police force in Al-Daih area, which led to the killing of three policemen, including the Emirati officer Tariq Mohammed Al Shehi in March, 2014.

The implementation of the death sentences came after the Court of Cassation approved, on January 9, 2017, the death sentences against Ali Abdul Shahid Al-Singace, Sami Mirza Mushaima, and Abbas Jamil Taher Al-Samee. The court also upheld life sentences against seven others, and withdrawal of nationality of eight of the convicts. The trial of those ten people was described as unfair and lacking the standards of fair trials.

- 183. On Monday, October 10, after an interrogation that lasted nearly six hours about religious speeches delivered on the occasion of Ashura, the security authorities released head of the Religious Freedoms Department at the Bahrain Human Rights Observatory, Sheikh Maytham Al-Salman. Samaheej police station had summoned Al-Salman for interrogation in the afternoon, before he was released late on Monday night and asked to come the next day to continue the interrogation.
- 184. On Thursday, October 13, after an Ashura-related mourning rite, security forces clashed with protesters who tried to reach the Pearl Roundabout, where Bahrain witnessed popular protests six years ago. The troops fired grenades at hundreds of demonstrators who approached the area, which has been guarded by the army and the National Guard since forcibly ending the protests in March 2011.
- 185.On October 16, the court sentenced the child Mohammed Isa Mohammed Ali (16 years old) to six months in prison after the public prosecution charged him with illegal assembly. The

authorities had also arbitrarily arrested Mohammed in July, 2016.

- 186. The security authorities prevented on Sunday, October 16, 2016 head of the monitoring and documentation unit at the Bahrain Center for Human Rights (BCHR), Enas Oun, and head of the monitoring and documentation unit at European-Bahraini Organization for Human Rights, Ahmed Al-Saffar, from leaving the country. The King Fahd Causeway authorities did not present any reasons behind the travel ban and asked Oun and Al-Saffar to contact the court or public prosecution to know the reasons behind the ban.
- 187. On Sunday, October 16, 2016, the security authorities interrogated 5 Shiite clerics, released 3 of them after more than 10 hours of interrogation, and decided to detain two of them in order to present them to the public prosecution. The authorities summoned Sheikh Abdulmohsen Mulla Atiya Al-Jamri, Mulla Abbas Mulla Atiya Al-Jamri, Sheikh Hassan Al-A'ali, Sayed Faisal Al-Talebi and Sayed Sadeg Al-Ghuraifi. They released Mulla Abbas Al-Jamri, Sheikh Hassan Al-A'ali and Sayed Faisal Al-Talebi, but decided to detain Sheikh Abdulmohsen Mulla Atiya and Sayed Sadeq Al-Ghuraifi on the pretext of presenting them to the prosecution.

The authorities summoned the Shiite clerics to interrogate them about religious lectures they delivered in Ashura. Sheikh Abdulmohsen Mulla Atiya was interrogated over a lecture he delivered about "takfir". However, Sayed Sadeq Al-Ghuraifi was interrogated over his lecture about "History of Bahraini villages".

It is worth mentioning that the 5 preachers remained in the interrogation room for 10 hours without food or water. The authorities prevented them from drinking water.

188. Meanwhile, on Tuesday, October 18, the Budaiya police charged Shiite cleric Sheikh Abdulmohsen Al-Jamri with new charges in order to hamper the public prosecution's decision to release him. The Budaiya police did not implement the public prosecution's decision before they charged Al-Jamri with new charges related to another speech he delivered in Ashura, even though the public prosecution had decided to release Al-Jamri after interrogating him.



189. As a part of the Bahraini government's restrictions on the practice of individuals' freedoms and rights, the National Democratic Action Society (Wa'ad) received a notice from the Ministry of Justice and Islamic Affairs stating that the society has violated the political associations' law over a delegation's visit led by Wa'ad's former Secretary General Ibrahim Sharif to Ashura gatherings as a form of national unity, considering these visits political activism.

- 190. On Thursday (20 October 2016), security forces raided Al Wefaq National Islamic Society headquarters in Bilad Al Qadeem, as well as the association's other branch in the Western Province in Malikiya, and confiscated its assets.
- 191.On the 21st of October authorities released prisoner Shawqi Radhi from Al Ekr village, after serving a five-and-a-halfyear prison term.

Radhi was amongst others accused of what was known as "University of Bahrain Events"; a military court sentenced him to 15 years in prison, and the prison sentence was reduced after a retrial by a civil court. Shawqi was arrested on the 26th of April 2011, he was tortured in custody and exposed to ill and degrading treatment to extract confessions.

192. On the 24th of October, Sayid Alawi Al-Musawi, telecommunications engineer, was arrested at his work. No news was heard about him until Sunday the 27th of November when his family received a call from him, in which he told them that he was held at the Criminal Investigations Directorate, which refutes the narrative of the National Institution for Human Rights about him being found in the Pre-Detention center in Dry Dock prison.

His family said that in his very short call, Al-Musawi seemed to be exhausted from torture he assumingly was exposed to since the day of his arrest, expressing deep concern over his

- safety. No news was heard about him after that call, which consequently makes his arrest a form of enforced disappearance.
- 193.In the same context, Amnesty International expressed in a statement issued on the 30th of January 2017 its grave concerns that Bahraini detainee Sayed Alawi Musawi is a victim of enforced disappearance and is at risk of torture and other ill-treatment. Amnesty stated that Sayid Alawi has not been allowed access to a lawyer nor allowed to see his family since he was arrested on the 24th of October 2016. Amnesty asserted that his family has not received any information about his charges, noting that Sayid Alawi's fate is unknown, and that it contacted the Ombudsman office, the Public Prosecution and the Minister of Interior regarding Al-Musawi's case but has not received any response.³⁷
- 194.On Tuesday (October 25, 2016), the security authorities in Dry Dock Prison prevented the family of activist Khalil Al-Halawachi from meeting him in an already scheduled visit. His daughter Fatima Al-Halawachi said that the authorities prevented them from visiting her father without presenting the reasons behind it.
- 195.On Wednesday (October 26, 2016) the Court of Appeals commuted the 5-year jail sentence against Fadhel Abbas, former Secretary General of the Unitary National Democratic Assemblage (Al-Wahdawi party), to 3 years in prison. A court of first instance had sentenced Abbas to 5 years in prison on the 26th of June 2016 over a statement published by the society in which it condemned the war on Yemen.

196.On Sunday (October 30, 2016), Budaiya police station summoned prominent Shiite scholar Sheikh Hani Al-Banna and detained him to appear before the Public Prosecution the next day. The Public Prosecution questioned and detained him for 15 days pending investigations after charging him with "inciting hatred against the ruling regime" and "inciting disobedience of the law".

NOVEMBER:

- 197.On Saturday (November 5, 2016), the security authorities prevented the human rights activist Dr.Monzer Al-Khor from leaving the country as he was leaving through King Fahd Causeway without presenting the reasons behind it.
- 198.On Wednesday (November 9, 2016) security authorities summoned a number of Al-Wefaq leaders including Sayid Hadi Al-Musawi, Sayid Jamil Kadhem, Abdul Jalil Khalil, Jalila Al Salman, Abdul Nabi Al Ekri, and others.
 - After they appeared before the Public Prosecution on Thursday (November 10, 2016) some of them were charged with gathering. Human rights activist Abdul Nabi Al-Ekri was charged with gathering at Sheikh Isa Qassim's house in Diraz on the 1st of August 2016 at 4:15 AM, so was activist Jalila Al-Salman charged with gathering in Al-Daih on the 11th of August.
- 199. On the 10th of November, the Public Prosecution charged the lawyer and human rights defender, Mohammad Al-Tajer, with "insulting government institutions, inciting hatred against a religious sect and misusing a telecommunications appliance." The Public Prosecution based its charges on a private WhatsApp voice message sent by Al-Tajer.
- 200. Human Rights Watch issued a statement regarding the targeting of lawyer Mohammad Al-Tajer, stating that Bahraini authorities have charged the prominent human rights lawyer

Mohammad Al-Tajer with charges that violate his right to freedom of speech.³⁸

201. The Bahraini Public Prosecution summoned on Saturday (November 12, 2016), the head of monitoring and documentation unit at the Bahrain Center for Human Rights, activist Inas Aoun for interrogation. The Public Prosecution accused Aoun of gathering in Al-Dair area on the 20th of June at 11:45 PM, although protests were not staged late at that time.

The Bahraini Public Prosecution summoned activist Ahmad Al-Saffar as well on the 13th of November for questioning, the summoning of activists comes as a part of a campaign aimed at creating retaliatory cases against activists as a way to justify the travel ban imposed on them.

- 202. In the same context, Former Secretary General of the National Democratic Action Society (Wa'ad), Radhi Al-Mussawi, received a summons ordering him to appear before the Public Prosecution on the 13th of November. The security authorities had prevented Al-Mussawi from leaving the country on the 10th of November.
- 203. In an inhumane act, Bahrain's Ministry of Health stopped providing milk for a Bahraini disabled child with cerebral palsy. The child eats and drinks nothing but that milk which is specifically made for his health condition and is all what supplies his body with nutrition through a stomach tube.

Although the Bahraini constitution stipulates that punishment is personal, once the court sentenced the child's father Qassim Ali Hassan Al-Adhem to 10 years in prison and revoked his citizenship, his whole family had been punished by cutting off the living and housing allowance, in addition to the milk which the 6 years old Faisal Qassim survives upon.³⁹



204. As a part of a campaign against activists practicing their right to freedom of speech, the prominent opposition personnel Ibrahim Sharif was charged by Bahrain's Public Prosecution on Sunday (13 November 2016) with "inciting hatred against the ruling regime" over statements he made to the American news agency, the Associated Press.

In a statement, the Public Prosecution said that it "received a notice from the Anti-Cyber Crimes Department reporting that a person gave a statement to a foreign agency in which he insulted the constitutional system of the kingdom," adding "The Prosecution commenced interrogation with the accused over what was included in the news piece. He; however, denied some of what was mentioned. It ordered his release after charging him with publicly inciting hatred and contempt against the ruling system, and is continuing investigations into the case."

In his comments given to the agency, Sharif expressed concern that Prince Charles' visit would "whitewash" the human rights situation in the island kingdom. He also stressed that "absolute power cannot be in the hands of the ruling family."

- 205. The Bahraini Interior Ministry said it summoned Ibrahim Sharif over meeting an official of a foreign embassy and discussing with him matters related to the country's internal affairs, claiming that this is considered an interference in Bahrain's sovereign affairs. However, Sharif stressed that he received a call from the embassy's representative, asking to meet him, being one of the human rights defenders. Sharif explained that he did not discuss any topics that constitute a violation of law or impinge the national sovereignty, during his meeting with the embassy representatives.
- 206. The Public Prosecution interrogated activist Zainab Mohammad, wife of death-row convict Mohammad Ramadan, on Sunday, November 13 and release her later. Zainab said on her own Twitter account that she was interrogated over "assembly" charge. Note that this charge was brought against dozens of Bahraini activists at that time.
- 207. The security authorities raided the house of Bahrain Center for Human Rights member, activist Zeinab Al Khamis to give her a subpoena to appear before the prosecution on Tuesday, November 15, for interrogation.

- 208. Bahrain's public prosecution questioned the political assistant of the Al-Wefaq Secretary-General and prominent opposition leader, Khalil Al-Marzooq, and charged him with assembling in Diraz at 4 AM on August 1. The prosecution had summoned Al-Marzooq for investigations on Tuesday, November 15 and decided to release him after finishing the interrogation.
- 209. The prosecution also questioned human rights defender and member of Bahrain Center for Human Rights, Ahmed Al-Saffar, on Monday, November 14 and charged him with assembling in Karzakan on August 12. The prosecution decided to release him later.
- 210. The prosecution also summoned member of Bahrain Center for Human Rights, Nidal Al-Salman, on Tuesday, November 15, for questioning her over assembly case in Diraz, and released her after finishing the interrogation.
- 211. Bahrain Center for Human Rights member Zeinab Al-Khamis was summoned by the prosecution on the same day (November 15) for interrogations over assembly case in A'ali on July 17. The prosecution released Al-Khamis later after the interrogations were concluded.
- 212. The prosecution questioned activist Ibrahim Al-Damestani on Wednesday, November 16 and accused him of assembling outside Sheikh Isa Qassim's house in Diraz on August 11, along with Al-Wefaq leader Sayed Hadi Al-Musawi and human rights activists Isa Al-Ghaeb, Nidal Al-Salman and Sayed Sharaf Al-Musawi.

During the interrogation, Al-Damestani stressed on the people's right to exercise freedom of expression, peaceful assembly, protest and strike as stipulated by the international conventions signed by Bahrain. He, however, denied that he had taken part in Diraz assembly on August 11, stressing that the prosecution is targeting him in person due to the lack of evidence against him, noting that the evidence was limited to the testimony of criminal investigations officer, Hussam Al-Meer. Al-Damestani also demanded the prosecution to lift the travel ban imposed on him so that he can travel abroad for seeking treatment.

- 213.In the same context, the prosecution interrogated member of Bahrain Center for Human Rights, Radhi Hussein, on Thursday, November 17 and accused him of inciting hatred against the government and disseminating false news that threaten public peace.
- 214. Amnesty International condemned in a statement the ongoing torture processes and other ill-treatment methods against detainees in the Bahraini prisons. The report presented by the organization on Monday, November 21, said that ill-treatment cases remain despite the pro-reform demonstrations in February and March 2011. Amnesty said in its report that there are "Dangerous Flaws" in the work of two UK-backed institutions that were established by the Bahraini authorities to monitor the human rights situation in the country, in response to the accusations raised against the Kingdom concerning mistreating detainees over the protests wave. The report also tackled the Ombudsman in the ministry of interior and the Special Investigation Unit (SIU) affiliated to

the public prosecution that were established in 2012 based on BICI recommendations.

The report said that while at least 93 members of the security forces had been charged with alleged involvement in unlawful killings, injuries, torture and other ill-treatment since November 2011, only a small number had been convicted and most sentences failed to reflect the gravity of the crime.

"No senior officers or officials have faced prosecution for the serious human rights violations committed during the suppression of the 2011 uprising, despite the BICI's call for further investigations and criminal prosecution of those suspected of being responsible," the report stressed.

It added, "In reality, the creation of the Ombudsman and the SIU does not appear to date to have significantly deterred human rights violations."⁴⁰



- 215. On the eve of Sheikh Isa Qassim's trial, solidarity demonstrations were staged in different Bahraini villages on November 23. Protestors condemned the sectarian persecution against Shia, demanding to stop sectarian discrimination against Shia and restore the citizenship of Sheikh Isa Qassim. They reiterated their refusal of subjecting Sheikh Qassim to trial, as his trial is malicious and political.
- 216.At around 2:00 am, on Wednesday, November 23, security forces heavily fired gas canisters in Diraz, which is witnessing an open-ended sit-in, without any reason, hours before the new session of the Shiite majority spiritual leader's trial.
- 217. Activist Ibtisam Al-Saegh received a subpoena on Monday, November 21 to be present for investigations in the Cyber Crime Directorate affiliated to the ministry of interior. The directorate, in its turn, referred Al-Saegh to the prosecution on Wednesday, November 23. She was accused of "inciting hatred and contempt against the system, destabilizing the state's security, and threatening civil peace." The prosecution released her after concluding the interrogations.
- 218. Moreover, the prosecution interrogated President of the (dissolved) Nursing Society, Dr. Rula Al-Saffar on Wednesday, November 23, and charged her with inciting hatred against the regime and threating civil peace.
- 219. The prosecution also summoned journalist Ahmad Radhi on Thursday, November 24, for interrogations, charged him with assembly and then released him.

- 220. The security forces arrested young man Ali Hassan Al-Mokhawder on November 24, after raiding his house. Ali was held at the Criminal Investigation building and nothing was known about him for days. He was not exposed to judicial parties or the public prosecution and was not allowed to call his lawyer or family, which makes his arrest an enforced disappearance.
- 221. In the same context, the International Center for Supporting Rights and Freedoms demanded, on November 27, the Bahraini authorities to unveil the fate of Ali Al-Mokhawder. The center said that neither Al-Mokhawder's family nor his lawyer knew anything about him. He only made a very short call to his family telling them that he is held at the Criminal Investigation building and is now subject to the security men without judicial supervision. The center explained that "the Bahraini authorities breached the International Covenant on Civil and Political Rights (ICCPR), which Bahrain has ratified in 2006, stipulating that everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation."

The center reiterated its demand to the Bahraini authorities to allow the visit of the UN special rapporteur on torture, whose visit the Kingdom has been refusing.



222. The security authorities released on Wednesday, November 30, activist Majeed Abdullah after serving his 6-month jail term over taking part in assemblies. Haj Majeed had been arrested and sentenced to 6 months in prison over his repeated participation in popular protests and demonstrations.

DECEMBER

- 223.On Friday, December 26, the authorities tighten the imposed security siege on Diraz. They prevented Shia from performing the largest Friday prayers in the country and banned worshippers from entering Diraz. Social media activists circulated phots on social media outlets showing the tightening of the security siege that has been imposed on Diraz since months, which forced citizens to perform the prayers separately (without being led by an Imam) in the Imam Al-Sadeq mosque in Diraz.
- 224. The security authorities prevented the drinking water companies and that of food from entering Diraz to supply the shops. The Bahraini Al-Wasat newspaper described what's going on as "the worst besiege of its kind." The newspaper reported some of the shops owners saying "some companies unloaded their cargo near Diraz roundabout and then the shops owners transferred them to the village. In addition, the security authorities prevented bringing in meat and especially fish. Most of the shops shelves were empty of food."41



- 225. The Qatari Al-Jazeera channel announced on Tuesday, December 6, that the Bahraini authorities prevented its staff from covering the Gulf summit hosted by Manama. Al-Jazeera announced on its breaking news account "the Bahraini authorities prevent Al-Jazeera staff from covering the Gulf summit in Manama".
- 226. The security authorities arrested on Tuesday, December 6, an employee who works for the Al Araby Al-Jadeed channel. Moreover, information confirmed that the authorities had stopped a live stream with a guest in Bahrain hosted to comment on the Gulf summit held in Manama before they arrested one of the employees.
- 227.On December 8, Bahrain's Supreme appeals court set February 16, 2017 as a date to issue its verdict in the case of 54 appellants accused of causing riots in Jaw prison on March 10, 2015. The court had sentenced 57 suspects to 15 years in prison and bound them to pay 508187.970 BD. Jaw Prison incident was discussed within the January incidents.
- 228. Prominent Shiite cleric Sheikh Mohammad Al-Mansi, who is serving a one-year jail term, was insulted, beaten and maltreated by policemen in Jaw Central Prison. Al-Mansi was performing morning congregational prayer in building 4 when one of the officers came and asked him to immediately stop the prayer. He was then tied up with chains and transferred to the prison's administration. This is not the first time Sheikh Al-Mansi has been insulted. He was previously agitated and insulted for practicing religious rituals with some of the detainees, as one of the policeman started screaming and messing up with the prisoners' belongings. As a result,

inmates launched a hunger strike on December 11 in protest against this violation.

- 229. Activists launched, on December 15, a wide campaign on social media in solidarity with the Al-Wefaq leader and Shiite cleric, Sheikh Hassan Isa, who spent more than 480 days in solitary confinement over politically motivated charges. Human rights defenders published footages in which they spoke about some of Sheikh Isa's characteristics, the most prominent of which is believing in the peaceful and reforming approach, and they denied the charges brought against him. The defenders also deemed his arrest as a revenge for his political activism. The participants demanded the authorities to immediately release him and drop the charges brought against him.
- 230.On Wednesday, December 21, at 9:53 AM, security forces raided the protest square where people are holding their sit-in outside Sheikh Isa Qassim's house.

Footages and photos showed armored vehicles and security forces wearing civilian clothes entering the village which was surrounded with dozens of vehicles. A large number of security enhancements reached Diraz's surrounding. Besides, the forces prevented entry to the village through all the checkpoints that have been deployed for 6 months. The Ministry of Interior said in a tweet later on that it was implementing judicial orders to arrest the wanted and search their houses. Meanwhile, eyewitness said that the security forces raided a house near Sheikh Qassim's house and arrested two young men without mentioning the reasons.

231. Protests escalated in Bahrain on Wednesday, December 21, after clashes broke out between the regime forces and protestors outside the house of Shiite majority religious leader, Ayatollah Sheikh Isa Qassim. Thousands of Bahraini staged protests in different villages, expressing their outrage at raiding Diraz. Various villages witnessed angry demonstrations in which protestors held photos for Sheikh Qassim and chanted slogans refusing attacking Sheikh Qassim. Forces clashed with protestors in some villages, fired shotguns and teargas canisters before protestors responded to the forces and hurled stones against them. Moreover, angry citizens blocked the public streets and burnt tires.

A large number of Sheikh Qassim's supporters headed to the protest square around his house in Diraz and reiterated chants stressing their readiness to defend him.

- 232.On the same day, Wednesday, December 21, security forces clashed with protestors in Sitra after hundreds of citizens demonstrated in the village protesting against attacking demonstrators around Sheikh Isa Qassim's house.
- 233.On December 26, the first Minor Criminal Court, presided by Judge Ibrahim Al-Jafen and secretariat Mr. Hashem Al-Rifaii, scheduled February 7, 2017, to issue the sentence in the case of prominent Shiite cleric and preacher, Sheikh Bashar Al-A'li, accused of insulting the Council of Representatives through an Instagram post.

During the hearing, Al-Ali stood before court with his lawyer Ahmad Qahiri, who filed a plea of innocence for his client. In the hearing, Sheikh Al-A'li's lawyer indicated that the Instagram page on which he was accused of posting insults, was hacked at the time those posts were published.

The Public Prosecution accused Sheikh Bashar Al-A'li of publicly insulting the Bahraini parliament through some posts on Instagram, which were manifested in the case documents. According to authorities, a notice came from the apparatus to combat cybercrime, saying that head of the Council of Representatives filed a complaint to the Public Prosecutor, asking him to take legal measures against Sheikh Bashar Al-A'li, who allegedly insulted the Council of Representatives.

- 234. On December 27, a security vehicle affiliated with the ministry of interior fired sound bombs against protestors gathering outside Sheikh Isa Qassim's house in Diraz. The vehicle then withdrew after it agitated the protestors and no injuries were recorded.
- 235. Family of detainee Fadhel Abbas demanded, on December 27, the ministry of interior to allow them to visit their son, expressing fear over his safety, especially that he has been held for 90 days without being allowed to be visited by his family.

The family also mentioned that their son Fadhel, who resides in Hamad town, was arrested on the dawn of September 26, 2016 and only called his family during the first days of his arrest. He then called again after 55 days. "His final call was 17 days ago, and he sounded frail, which increased our concern over him," his family said.

"We have received 4 visit permits from the Public Prosecution. However, each time, the authorities postpone the visit to continue the interrogation with him since the order of his arrest came from the Terror Crime Prosecution, according to what we were told. We have been promised a call back to arrange for a visit, but that hasn't happened yet," they further stated.

They added "We have approached the Ombudsman in the Ministry of Interior, but it said that it can't interfere with the issue considering that the order was issued from the aforementioned prosecution. We also approached the National Institution for Human Rights to know Fadhel's fate and current location, but we have not received anything yet. Besides, we also addressed the prosecution more than once to know his fate."

The family concluded "We call on the official security authorities to reveal Fadhel's fate and expose him to a physician if his condition requires that because we are very concerned over his health, and we ask them to allow us to visit him as soon as possible."

INFOGRAPHIC: SEQUENCE OF EVENTS

2016

January

Saudi Ministry of Interior announces the implementation of the death sentence against Shiite cleric Sheikh Nimr Al-Nimr



The Bahraini authorities arrests on Monday dawn ophthalmologist Dr. Said Al-Samahiji, after raiding his home, over tweets posted on "Twitter"



February



The security authorities detain American journalist **Anna Day** and three members of her camera crew while covering protests in Sitra. After being detained for two days, they were deported from Bahrain



The Fourth High Criminal Court sentences prominent opposition leader and former Secretary-General of Wa'ad Society, Ibrahim Sharif, to one year in prison



Security forces arrests human rights activist **Zainab al-Khawaja** after raiding her house to carry out a sentence issued against her over charges relating to freedom of opinion and expression



The Supreme Court of Appeals increases the sentence of Bahraini opposition leader, Sheikh Ali Salman,

to 9 years in prison instead of 4

June



As part of the travel ban on activists and human rights advocates, the **Bahraini** authorities prevents a number of human rights activists from traveling to Geneva to participate in the 32nd session of the Human Rights Council



The family of head of the Bahrain Center for Human Rights, **Nabil Rajab**, says on Twitter that the **security forces have** arrested him once again.



- The Bahraini Ministry of Interior closes the building of the Islamic Enlightenment Society (Tawiya), and the Ministry of Labor and Social Development announces dissolving it along with Al-Risala Islamic Society.
- Besigging, raiding and closing the headquarters of Al-Wefag National Islamic Society after the decision of the Administrative Court to stop the Society's activity and place it under judicial custody pursuant to an urgent lawsuit by the Ministry of Justice.



Banning the largest Shiite Friday prayer began in Bahrain by **banning** senior scholar Sheikh Mohammed Sankour from performing it



Revoking the nationality of the highest religious authority in Bahrain, **Ayatollah Sheikh Isa Qassim**



Starting the siege of Diraz area which continues until the time of writing the report

July



The Bahraini judiciary orders to dissolve Al-Wefaq National Islamic **Society,** the largest political society in the Gulf, and liquidate its funds



Security forces attack the peaceful assembly square in Diraz for the first time



The trial of **Ayatollah Sheikh Isa Qassim** begins



Announcing **the death** of Bahraini citizen **Hassan Al-Hayeki** after being subjected to severe torture in the criminal investigation building



The Bahraini authorities detains neurosurgeon Dr. Taha Al-Derazi after interrogating him for long hours

22 September The Supreme Court of Appeal approves closing and dissolving **Al-Wefaq** and liquidating its funds and transferring them to the State Treasury

October



The Court of Cassation overturns
Sheikh Ali Salman's prison
Sentence and returns the case to
the Court of Appeals

20

Raiding the headquarters of Al-Wefaq National Islamic Society and **confiscating its assets** December

12

The Supreme Court of Appeal insists on the harsh sentence of **9 years in prison** against the Bahraini opposition leader, **Sheikh Ali Salman**



Bahraini security forces attack the peaceful assembly square in Diraz for the second time

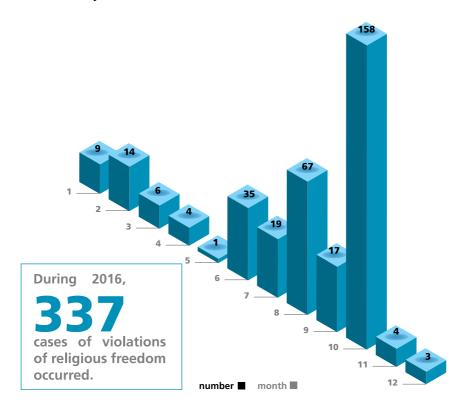
VIOLATION OF RELIGIOUS FREEDOM	

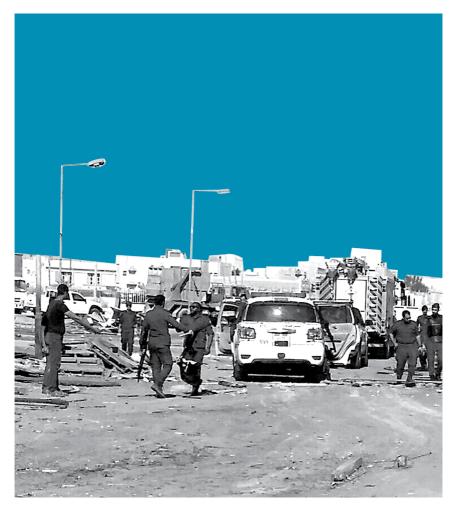
VIOLATION OF RELIGIOUS FREEDOM

The Bahraini Constitution, amended in 2002, ensures the right to practice religious rituals according to the customs followed in Bahrain, for article 22 stipulates: "Freedom of conscience is absolute. The State shall guarantee the inviolability of places of worship and the freedom to perform religious rites and to hold religious processions and meetings in accordance with the customs observed in the country."

Whereas the International Covenant on Civil and Political Rights, which Bahrain joined, states in article 18 that it ensures a human's right to "Freedom of thought, conscience, and religion", including "The freedom to have or to adopt a religion or belief of his choice, to manifest his religion or belief in worship, observance, practice and teaching, either individually or with others and in public or private."

On the other hand, the Bahraini Penal Law incriminates deliberately disturbing the performance of religious rituals, for article 311 stipulates:"A punishment of imprisonment for a period not more than one year or a fine not more than 200 Bahraini Dinars shall be inflicted upon: 1. Any person who deliberately causes disturbance to the holding of religious rituals by a recognized sect or to a religious ceremony or meeting or obstructing such events or preventing the holding thereof with the use of force or threat. 2. Any person who destroys, damages, or desecrates a place of worship for performing religious rituals of a recognized sect or a symbol or other things having a religious inviolability."





Despite the previously mentioned, and due to the policy of sectarian persecution applied by the Bahraini government, we can say that the government -particularly the security forces- disobeyed the aforementioned articles. Security forces deliberately disturbed, in many cases, the performance of religious rituals such as banning Friday prayer, targeting Imams of mosques, investigating with Islamic clerics based on speeches about Shiite beliefs, as well as destroying religious manifestations related to performing religious rituals, such as Ashura manifestations. This was pointed to during the narration of 2016 incidents and will be shown after presenting the violations of the season of Ashura.

The posterior histogram shows the number of violation cases during 2016, which reached a total of 337 cases. The violations happened to increase during the month of October, Muharram month, when Shiite citizens perform the yearly Ashura rituals.

Various patterns of violations in freedom of religion have been observed such as: investigating with many clerics based on their religious speeches about Shiite religious beliefs or about adopted intellectual or political thoughts, targeting the managers of obsequies and places of worship over organizing religious events, damaging religious Madifs (a place for food distribution as an Ashura ritual), using force at some religious parades and funeral processions, and removing flags and sabotaging posters related to religious rituals such as Ashura.

IN ASHURA SEASON

FROM SEPTEMBER 29 TO OCTOBER 15. 2016

Defining Ashura Season

Shiite Muslims in Bahrain have been commemorating Ashura Season for hundreds of years. They practice their religious rituals on the occasion of Ashura in which Imam Hussein (AS), the grandson of Prophet Mohammed (pbuh), was murdered. The Hussainiya preachers are the most important aspects during this season, because administrations of Hussainiyas and Obsequies ask one of the Scholars or preachers to lecture about cultural, religious, and historical issues related to this season.

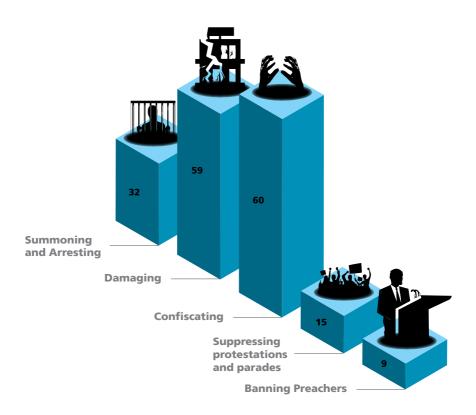
During the last couple of years, the security authorities in Bahrain committed violations to freedom of religion and belief against Shiite citizens. The sectarian persecution against Shiite citizens has increased to reach many preachers, as the number of clerics targeted reached 131 clerics, not to mention 35 religious chanters who have been previously mentioned in the first part of the report.

Some of the violations related to Ashura have been also mentioned within the chapter on sequence of events. The following shows some details about the Bahraini authorities' violations of Ashura rituals such as: Summoning and interrogating preachers, religious chanters, managers of obsequies and normal individuals,

arbitrary arrests and abuses, sabotaging and confiscating mourning manifestations placed by Shiite Muslims in obsequies and on streets, not to mention suppressing those participating in the commemoration rituals and procession parades by tear gases as well as suppressing parades aiming to protest over the security officials' sabotaging of mourning manifestations.

Summing up the cases

Cases of summoning and arbitrary arrests reached (32) cases, whereas cases of damaging Ashura manifestations were (59) cases and those related to confiscation reached (60) cases. (14) cases of suppressing protestations, which object removing posters and abusing Ashura manifestations, have been reported. In addition to that, authorities suppressed one procession parade and banned (9) preachers from entering Diraz village, for a total of (175) violation cases in Ashura over 15 days.



Summons and Arbitrary Arrest

Before Ashura Season, Bahraini authorities started harassing the religious activities carried out by citizens in preparation for Ashura Season. Authorities summoned (14) managers of Hussainiyas and obsequies in Muharraq Island on September 29.

The security authorities also restricted a number of preachers after summoning and interrogating (12) of them based on historical issues related to the murder of Imam Hussein 14 centuries ago. Authorities claim that preachers are insulting Islamic figures, in reference to (Yazid Ibn Muawiya) who killed Prophet Mohamed's grandson, Imam Hussein. However, this contradicts Muslims who do not classify Yazid as a Sahabi (companion) or a religious figure.

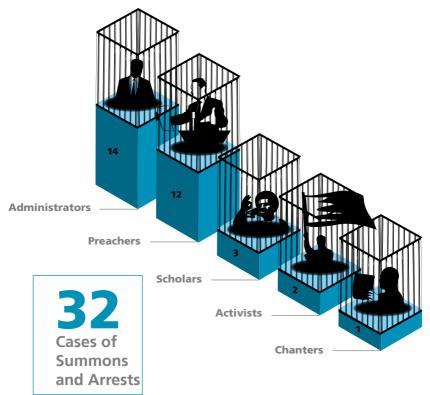
The authorities also arrested 3 scholars participating in the commemoration of Ashura, including Sayed Mohamed-Hadi Al-Guraifi who was arrested on Wednesday, October 5. Later, the public prosecution discharged him.

In addition, on October 16, the authorities called upon 5 preachers: Abbas Mullah Attiya Al-Jamri, Sheikh Abdul Mohsen Mullah Attiya Al-Jamri, Sayed Sadiq Al-Guraifi, Sayed Faysal Al Talebi and Sheikh Hassan Al-A'ali for interrogation at the Southern Hamad Police Station. The investigation remained ongoing for 10 hours during which they were even banned from drinking water.

After the investigation, Abbas Mullah Attiya Al-Jamri, Sheikh Hassan Al-A'ali, and Sayed Faysal Al-Talebi were released. However, the authorities detained Sheikh Abdul Mohsen Mullah Attiya Al- Jamri and Sayed Sadiq Al-Guraifi to refer them to the public prosecution the next morning. Al Guraifi was questioned

about a lecture regarding "History of Bahraini villages", while Sheikh Abbas Mullah Attiya Al-Jamri was interrogated about the topic of "Takfir" which he criticized in one of his speeches.

On the other hand, authorities made clerics and preachers wait for hours before starting the investigation, meaning they wouldn't be able to lecture. They would be released after the end of the "lecturing program" they have set, as what happened with Sheikh Maytham Al-Salman. He was interrogated for around 6 hours about a religious speech he had given during Ashura. He was discharged late on the evening of Monday, October 10, and was asked to return the next day to continue the interrogation.



It's noteworthy that Al-Salman was summoned for interrogation by the security authorities several times during 2016 based on religious speeches and his human rights activity, since he is the head of the Religious Freedoms Department at Bahrain Human Rights Observatory.

The authorities also interrogated the religious chanter "Hussein Mulla Hassan Sahwan" and detained him for a day for announcing that "Yazid Ibn Muawiya" is the killer of Imam Hussein.

Within the same context, the security authorities arrested the journalist Faisal Hiatt for insulting Yazid Ibn Muawya – as previously mentioned during the sequence of events – along with the social activist Ahmad Al-Rayyes who is known for his religious activism in issues related to commemoration of Ashura Season.

The number of summons and arrest cases amounted to (32) cases, (27) of which were summons cases, (5) of the latter were arresting cases of detainees who were later discharged, except for the journalist Faisal Hiatt. A judicial verdict was issued regarding his case, and he was sentenced to 3 months in prison as it was previously mention.

Cases of Destruction and Confiscation

A few days before the beginning of Ashura Season and in preparation for the commemoration of Ashura, some citizens hang posters and black flags on streets and create models which add up to the grief witnessed during this season. It has been the citizens' known habit for decades.

During 2016, security officers entered some areas for destroying posters, flags and models and confiscating them after destroying them. (59) cases of damaging and confiscating have been observed, not to mention confiscating speakers during one of the processions in Nuwaidrat. In the latter incident, security forces attacked the procession on October 12, dispersed the participants using tear gases and sound bombs. They also confiscated speakers and flags that participants were holding after dispersing them forcefully.

With that, the total number of confiscated posters, flags, models and others becomes (60) cases in (25) areas in Bahrain.

In protestation for the targeting of Ashura manifestations, a group of citizens from different areas in Bahrain organized marches protesting on the removal of Ashura flags, posters and models. Authorities used force with protestors, ultimately suppressing (14) protests.

Cases of banning preachers from entering the village of Diraz

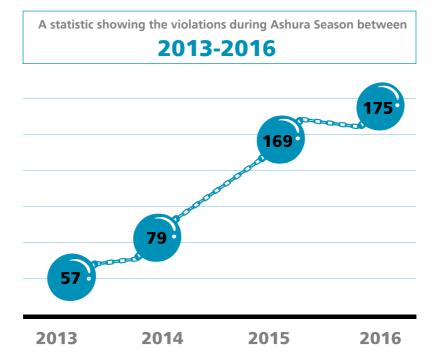
With the continuity of the siege on Diraz village since the revocation of Sheikh Isa Qassim's nationality until the beginning of Ashura season, citizens have been suffering from harassment related to the Shiite right to perform religious rituals during Ashura commemoration, especially that of preachers.

On Monday, October 3, authorities banned (5) preachers from entering Diraz village despite being recognized by the authorities as Hussainiya preachers. On Tuesday, October 4, the authorities allowed Sheikh Mohamed Ali Al-Mahfouz, the main preacher in Diraz obsequies, to enter. As for the rest of the four preachers, the authorities also banned them for the second day in a row. Thus, (9) cases of banning preachers from entering into Diraz village were observed within 2 consecutive days.



A statistical comparison with the previous years:

The number of violations connected to Ashura Season intensified in 2016 in comparison with the previous years. It increased from (57) cases in 2013, to (79) cases in 2014, to (169) cases in 2015 to finally reach (175) cases in 2016. The 2016 cases included summoning and interrogating preachers, religious chanters, managers of obsequies, organizers of religious events, activists and citizens participating in the commemoration of Ashura Season. They also included abusive arrests and mistreatment, not to mention vandalizing and confiscating posters and flags along with the excessive use of force by security forces while cracking down on the participants at the commemorative ceremony in protestation of the occurring vandalism.



PEACEFUL GATHERINGS ARE BANNED

PEACEFUL GATHERINGS ARE BANNED



The Bahraini government has aggravated its measures to ban citizens from practicing the right to freedom of assembly and demonstration, until they reached the peak by banning any assemblies or marches since March 2015.

Looking closely at the laws and legislations applied in Bahrain and the measures taken by the government during the past years aimed at restricting or banning the right to assemble in the first place, we conclude that in spite of having laws for gatherings issued in the previous years, the Bahraini government continued to issue laws that put more chains and boundaries to ban practicing the right to assembly. The government also take unnecessary measures, which violate the essence of all international and local laws

The Bahraini Public Regulation Law No. 25 was issued in 1956, and decree law No. 18 on public meetings, processions and gatherings was issued in 1973. Despite the presence of such law, the Bahraini government issued in 2006 law No. 32 of 2006 concerning the amendments of some provisions of decree law No. 18 of 1973 (the aforementioned) which put more restrictions to the practicing of this right.

Furthermore, more strict official decisions were issued for the purpose of banning the right to assembly, including: the decision of the Minister of interior number 57 of 2011, and the decision of the Minister of interior concerning banning all gatherings and marches⁴², issued on Monday October 29 (2012), in addition to many measures that made gatherings and marches a banned right

^{42.} The declaration of the Minister of interior, Bahrain news agency, October 29 (2012) http://www. bna.bh/portal/news/531285?date=201328-02-

in Bahrain. As a result, human rights and political bodies and figures on national and international levels expressed concerns and condemnation towards the Bahraini government's ban of the exercise of that right in addition to the persecutions of many activists, human rights advocates and journalists because of practicing this right. We have previously mentioned some of these prosecutions in the chapter on sequence of events in 2016.

Upon exposing some facts, incidents and persecutions, we conclude that the government of Bahrain is taking measures that violate and impose unjustified restrictions on the right to assembly. At the time when these limits should be based on legal foundations that match the international mechanisms and legislations, and not include aspects that violate the right to assembly, we find that the Bahraini government imposed restrictions that violate the exceptions within the restrictions. The security measures and restrictions imposed by the government include the following:

- The absence of legal grounds for the restriction and prevention of gathering, and not allowing citizens to use public spaces to arrange gatherings in the same legal manner of practicing rights and other commercial, sportive and other activities...
- Forcing limits on the content of the gatherings by limiting the visual and audible aids, which is considered a restriction to the gatherings and violation of the freedom of opinion and expression, in addition to forcing time and place limits, without giving substitutes by which the authorities allow citizens to practice their right to assembly.

- Employing the measures taken to organize gathering to become limits that ban those gatherings. For example, the purpose of presenting a previous notification is to give the authorities the capability of making necessary arrangements to facilitate practicing the right to freedom of assembly and provide protection, security and general safety to the citizens and participants in the assembly, however, the authorities use the notification as a tool for limiting gatherings and to pursue and harass the submitter of the notification, in addition to frequently banning the gatherings.
- While the authorities should facilitate and protect any spontaneous gathering as long as it is peaceful, the security forces use force to disperse any anti-government gathering, even in the cases in which a notification is presented to the competent authorities.
- When imposing any restriction on assembly, the organizers of the assembly should be informed in writing of the reason behind the restriction or ban and should be able to appeal the restriction in court. However, we do not find that procedure available among the measures taken in Bahrain, as the banning in most cases is arbitrary. And in many cases, banning is declared by media shortly before the gathering is due.

Moreover, the measures that the Bahraini government is taking concerning gatherings and marches contradict Article 28 of the Bahraini constitution. In addition, some of the Bahraini legislations violate the essence of the constitutional articles regarding the right to assembly, not to mention using these legislations as a tool to limit or ban the rights. An example on those legislations is the

Bahraini Penal Code. 43 Article (179) of the Penal Code stipulates that "If one demonstrator or several demonstrators attempt to use violence for the realization of the purpose for which they have assembled, their action shall be deemed as a riot. The penalty for each person who knowingly takes part in such riot shall be a prison sentence and a fine not exceeding BD 500, or either penalty."

Article (180) also stipulates that "If one of the public authority officers finds that 5 persons or more have demonstrated with the intent of causing a riot, he may in such capacity order them to disperse. Thereafter, he shall be empowered to take the necessary measures for dispersing those who have not complied with the order by arresting them and may use force within reasonable limits against any person resisting the said order. He may not use firearms except in extreme necessity or when someone's life is threatened. Persons still demonstrating after the issue of the order to disperse while being aware of such order, shall be liable for imprisonment and a fine not exceeding BD 300, or either penalty.".

In the light of Article (179), the Bahraini authorities consider anyone who takes part in a gathering or march is violating the law, without excluding legal peaceful gatherings. Thus, this article is exploited to prosecute many of those who take part in peaceful gatherings over the charge of illegal gathering, as in the case of the judicial persecutions against those demonstrating in front of the house of Sheikh Isa Oassim.

Article (180) also criminalizes the intention to assemble without stating the form of riot that is considered a crime, and classifies uncertified marches within the gatherings mentioned in the text of the previous article. Therefore, the security forces are given the right to interfere to disperse all unauthorized marches, especially anti-government gatherings in spite of being peaceful and having obvious purposes, which violates the law and restricts practicing rights and freedom.

In addition, the way by which these two articles of the Bahraini Penal Code are applied – in addition to other articles and legislations – places extreme restrictions on practicing the right to gathering, which is guaranteed by article (28) of the constitution and article (21) of the International Covenant on Civil and Political Rights. Moreover, articles 179 and 180 of the Penal Code give law enforcement officials the authority to take tough measures to disperse the individuals who didn't even practice violence or take clear and comprehensive steps for that purpose, which can only reveal the absence of coherence in applying the law, or in other words, the uneven implementation of the law. This is especially true because the authorities are employing these articles to punish individuals who were only practicing their right to gathering as a form of expressing their opinion.⁴⁴

Similarly, article (13) of the Bahraini gatherings law⁴⁵ imposes extreme restrictions on practicing the right to gathering, or even calling for or participating in a gathering in case a notification was not submitted, or if the gathering was banned by the authorities. This article punishes whoever organizes, participates, supports, or calls for the gathering without specifying a certain criminal act or offense, which is considered a violation of practicing the right to gathering that is guaranteed by Bahraini and international laws. Indeed, according to treaties and covenants governing rights and freedoms, practicing the right to assembly must not be punishable and cannot be considered a violation of the law even if a notification was not submitted.

In general, articles (179) and (180) of the Bahraini Penal Code and article (13) of the law on gatherings are being applied to punish whoever participates in gatherings and marches even if they were

45. Article (13): Without violating any greater punishment stated in the Penal Code or any other law: Imprisonment for a term not exceeding six months or a fine not less than 100 Dinars or both punishments shall be imposed on the organizers and members of the committees for public meetings, marches, demonstrations and gatherings which are held without permission or despite being banned. The same punishment will be imposed on the persons who continue to call for the same actions despite the ban. Imprisonment for a term not exceeding one month or a fine not less than 50 Dinars or both punishments shall be imposed on the individuals who proceed to participate in that meeting or march or demonstration or assembly.

Imprisonment for a term not exceeding four months or a fine not less than 50 Dinars or both punishments shall be imposed on any person who participates - despite the warnings of the general security - in a meeting or march or demonstration or gathering which has not applied for permission or for which there has been a banning order or who resists an order to disperse.

Imprisonment for a term not exceeding one month or a fine not less than 50 Dinars or both punishments shall be imposed on anyone who uses a vehicle in any march or demonstration or gathering without special permission from the head of the general security or his deputy.

Imprisonment for a term not exceeding one year or a fine not less than 200 Dinars or both punishments shall be imposed on anyone who violates Paragraphs 3 and 4 of Article 6 of this law.

Shall be punished by imprisonment for a period not more than 1 year, a fine not less than 200 B.D, or both punishments every person violates paragraphs 2 and 3 of Article 6 of this law.

Imprisonment for a term not exceeding one month or a fine not less than 50 Dinars or both punishments shall be imposed on anyone who violates any of other judgments stated by this law.

peaceful, and those who call for these marches on social media. Bahraini courts sentence many citizens unfairly over exercising the right to assembly and charged them with illegal gathering. One of those gatherings is the sit-in which is witnessed in Diraz.

In addition to the previous articles, the law on protecting society from terrorist acts (Terrorism Law) is applied in cases that cannot be linked to terrorism, such as criminal arson and using violence during protests, after which the demonstrators are being prosecuted. In many cases, the law is being adapted in order to try the defendants according the terrorism law, rather than the Bahraini Criminal Law.

Moreover, the regions that witness daily or weekly protests are often subjected to collective punishment, and some of these regions are punished continuously. Security forces take systematic and unjustified security procedures, measures and methods which lead to the loss of safety and security. Some of the punishments take the following forms:

- Showering the neighborhoods of the targeted areas with tear gas.
- Shooting tear gas directly inside the houses.
- Besieging the regions, surrounding them with security men, and setting up checkpoints that restrict the freedom of movement.
- Targeting, vandalizing or damaging the private properties of the citizens such as cars, windows, doors, etc.

- Violating the sanctity of the homes by raiding the houses and terrorizing their residents without a judicial permission, and without taking the legal procedures related to the sanctity of homes into account.

Due to the use of excessive force, 43 cases of injuries were reported in 2016. 34 of those injuries were caused by shotguns and 9 of them were caused by other reasons. It is worth mentioning that there are many other injuries which were not reported because the injured victims fear to unveil their names, in order not to be subjected to prosecutions.

PROSECUTIONS AGAINST DIRAZ PROTESTORS



As a part of a campaign imposed by Bahrain's government on the rights to freedom of speech, and freedom of assembly, tens of clerics, chanters, political and human rights activists received summons from the security authorities over their participation in the open sit-in in Diraz area in front of Sheikh Isa Qassim's house ever since the authorities issued an official Decree revoking his citizenship. Bahraini courts sentenced several participants in the sit-in, in addition to the cases mentioned earlier when listing the most important events.

The cases and incidents related to the Diraz open sit-in are examples that clarify how Articles 178 and 179 of Bahrain's Penal Code are used to target political activists and Shiite clerics who have refused the government's policy regarding several cases of targeting political and religious leaders and figures, amongst which is Sheikh Isa Qassim, the spiritual leader of the Shiite majority in Bahrain. The sit-in continues in front of Sheikh Isa Qassim's house in the presence of hundreds of people on daily basis, yet most of the Public Prosecution's accusations are over illegal gathering of more than 5 persons which aims to the disruption of the country's security and violation of law, despite the fact that the sit-in is a peaceful protest with legitimate demands and falls under the right to freedom of expression and assembly.

Bahrain has received several recommendations whether from the Bahrain Independent Commission of Inquiry (Bassiouni), Human Rights Council, the High Commissioner for Human Rights, or other organizations regarding the laws that restrict the freedom of expression and speech, and the importance of the compatibility between the legislations and the human rights covenants and

treaties. Yet, it is noticed that the Bahraini courts are using the laws in an un-equivalent manner to restrict rights and freedoms, as a tool of punishment against any activities opposing the government and its policies.

For instance, the BICI report recommends to make the laws in Bahrain compatible with what the international human rights covenants and treaties state, in particular those concerning the freedom of expression and freedom of speech. Hence, the Bahraini government said that the amendment to the Penal Code, by introducing Article 69-bis, will assure the implementation of these recommendations, and that introducing this article will represent a qualitative shift that would certainly separate between the offence and the freedom of expression and speech, so that expression is not criminalized.

Article 69-bis states that: "The explanation of the limits imposed on the right of expression be within the necessary status of a democratic society according to the principles of the National Action Charter and constitution, and that the exercise of the freedom of expression within this frame be a reason that exempts from punishment."46

On the other hand, when reviewing the accusations of many cases mentioned in this report - or other cases which the Bahraini jurisdiction dealt with, or the cases that were mentioned concerning the arbitrary arrest like those of: Sheikh Ali Salman, Sheikh Hassan Isa, Ibrahim Sharif, Jamil Kadhem, Fadel Abbas and others – and comparing those accusations with the statements

^{46.} Article 69-bis of Law No. 51 of 2012 regarding the amendment of some provisions of the Penal Code issued by decree law No. 15 of 1976.

and expressions which the accusations were based upon and the way they were employed, the contrary of the government's claims regarding the separation between offence and freedom of expression is realized.

The verdict decided in Article 69-bis (when implemented), forms a basic indication to understand the regulating or punishing provisions related to freedom of expression. Therefore, the judicial authority has no right to give an understanding not compatible with the concept stated in the article when implementing it.

The concept of the democratic society stated in the Article, can be indicated in a frame that distinguishes it from other concepts; it is a concept expressing a state of clear aspects. This way this frame would form the minimum standard which indicates whether the society is a democratic one or not, noting that there is no democratic society that prevents the people from exercising the freedom of expression and opinion through gatherings and verbal statements or reports, which form the basic components of any democratic society.

What the Bahraini government is committing through un-equivalent implementation of law, which does not comply with the accusations against defendants, makes the courts unfair and disrespectful to the rights and freedoms stated in International Law and Bahraini legislations. Even though Bahrain has ratified the International Covenant on Civil and Political Rights in 2006, under which it has become obliged according to Article 2 of the

Covenant, to respect the rights recognized in it⁴⁷, yet it is clarified throughout the cases listed in which Bahraini courts violated laws and failed to provide guarantees to people's practices that fall under their right to freedom of expression.

^{47.} Article 2 of the International Covenant on Civil and Political Rights, "1. Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

^{2.} Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant."

TARGETING CIVIL SOCIETY INSTITUTIONS



The political activity in Bahrain remained prohibited for a lot of years, until Bahrain's Independence in 1971, and the issuance of Bahrain's Constitution in 1973 which gave the right to establish Non-Governmental Organizations⁴⁸. Yet the authorities restricted the work of the Non-Governmental Organizations and Associations, and have imposed several restrictive measures and legislations amongst which is the Law of Associations.49

After the National Action Charter was adopted in 2001 in a national referendum, in which political reforms in Bahrain were declared, within these reforms was the right for people to establish political associations that can engage in political activity according to the Law or associations mentioned earlier.

In 2005 the Political Associations Law⁵⁰ was issued, which instead of organizing the activity of the political associations and the civil society organizations and guarantees the right to engage in political activity, was rather seen as a violation to the political activity in Bahrain, due to the restrictions held in that law. The Law of Political Associations granted the Bahraini authorities the ability to ban any political activity that does not fall under the new strict Law. According to this law, the associations opposed to the Constitution of 2002 will not be registered or will be dissolved, knowing that the amended Constitution of 2002 aroused a lot of controversy for being amended and adopted by the King without any legislative measure that guarantees people's consent.

^{48.} Article 27 of Bahrain's Constitution

^{49.} Decree law No. 2 of 1989 on issuing the Law of Associations, Social and Cultural Clubs, Special Committees Working in the Field of Youth and Sports and Private Institutions

^{50.} Law No. 26 of 2005 relating to political societies

It is noteworthy that the Political Societies Law of 2005 has been used by Bahrain's government to suppress the civil society and restrict the freedom of association through: the arbitrary rejection of the registration applications, the direct intervention in the activity of the non-governmental organizations, the dissolution and seizure of those organizations with no legal justification over its leadership's criticism of the government and its policy, in addition to the tight restrictions on the associations' ability to collect and receive funds from abroad...and other measures that restrict the associations' different activities.

Instead of amending the Political Societies Law to reduce the restrictions imposed through it on the associations' political activity and their ability to choose their leaders, the amendment stated that the leaders of the political associations should not be religious preachers, which means that it is not allowed to combine between religious platforms and political activity. The events that lead to the amendments were mentioned in the part of the report that includes May 2016 events.

The Official Gazette data indicated that the official authorities dissolved during that period between 2000 and 2016 more than 30 non-governmental and political associations. Amongst these were associations that have been dissolved optionally, associations dissolved over political reasons or over its opposition to the government's policies, and religious associations belonging to opposition groups or those supporting it, the dissolved associations in 2016 are as follows:

- Minister of Labor and Social Development's decision No.59 of 2016 to suspend Islamic Enlightenment Society (Al-Tawiya Society).

- Minister of Labor and Social Development's decision No.60 of 2016 to suspend Al-Risala Association.
- President of the Bahrain Authority of Culture and Antiquities' decision No.1 of 2016 to suspend the Bahraini Association of Photography, the decision was published in the Official Gazette on the 21st of April 2016.

In addition, Al-Wefaq National Islamic Society was dissolved by a court order that lacked the least standards of fair trials, in which the jurisdiction was negatively employed to punish the political activity in Bahrain. Since 2011 the Bahraini government took many administrational measures and prosecutions against Al-Wefaq especially after 2014 elections, which Al-Wefaq refused to participate in. It demanded political and human rights serious reforms to participate in these elections, but the government did not respond to these demands.

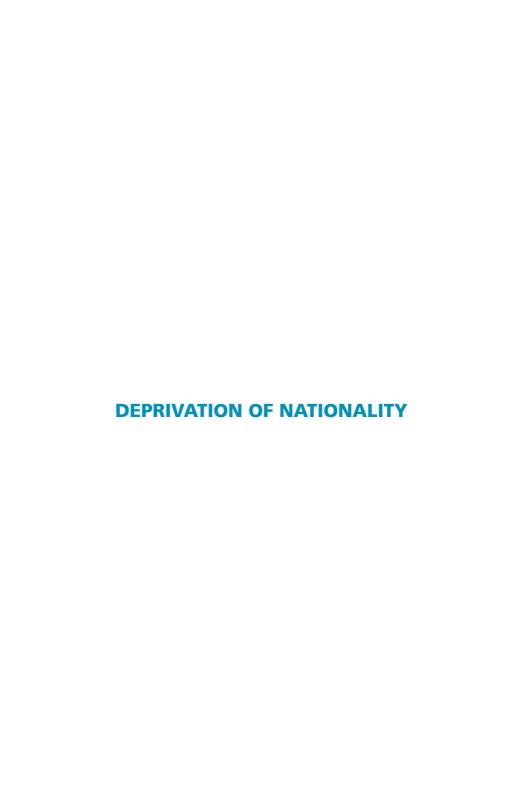
On 20 July 2016 the Ministry of Justice filed a lawsuit to suspend Al-Wefaq activity for 3 months until it adjusts its illegal status under the pretext of the invalidity of four public conferences, as a result of its lack of quorum and non-compliance with the publicity and transparency of the procedures for holding conferences, even though according to the law the members quorum shall be calculated according to the full members who have paid the fees membership, which is ignored by the Ministry of Justice.

On July 14, 2016, the Association received at 10:00 AM a notice from the First Civil Administrative Court that an emergency lawsuit has been filed against it by the Ministry of Justice requesting the lawyer to attend the session at 11:00 AM, only an hour after the notice was received.

Abdulla Al-Shimlawi the lawyer who represented Al-Wefaq attended to the court at 11:00 AM and was not allowed to know the reasons behind the lawsuit and was prevented from attending the meeting or presenting his defense. The court refused to grant the defense attorney a day to present his defense regarding the emergency order to shut down the society, after less than an hour the order to suspend Al-Wefaq and close its headquarters was put in effect, where the Judge read a printed verdict, which implies that the verdict was prepared in advance.

Until the consideration of the lawsuit the trial has went through a lot of measures that assure the lack of the standards and guarantees of a fair trial. On 17 July 2016, the High Administrative Civil Court issued its verdict to dissolve Al Wefag National Islamic Society and liquidate its funds to the State Treasury and to charge it with all costs and expenses of the case. The verdict came in the absence of any defense counsel to present documents that deny the charges and pleadings against the society.

When reviewing the accusations behind the verdict, and the evidence which the court considered as an evidence of conviction, in addition to the trial proceedings, we find that the trial was unfair, and was based on political reasons due to the association's political activity which opposes the government's policy.



DEPRIVATION OF NATIONALITY



The right to nationality is one of the most important human rights, of which no one shall be deprived except in very few cases. Article 15 of the Universal Declaration of Human Rights states that "Everyone has the right to a nationality, and may not be arbitrarily deprived of his nationality or have his right denied to change it". Article 24 of the Special political and civil Rights (ICESCR) states the same content.

Other articles in the Universal Declaration of Human Rights and the International Covenant regulate the individual's right to enjoy all human, political, social, cultural, economic and other rights, without any discrimination. In case an individual does not have a nationality, he may not enjoy many of these rights. In Bahrain for example, deprivation of citizens' nationality or revoking it constitutes a violation that leads to a feeling of insecurity, and the loss of a number of rights guaranteed by the law, for such a loss is considered a clear breach of the international and national laws, as well as a flagrant violation of fundamental human rights.

Regarding the Bahraini law, the Bahraini Constitution guarantees public rights and duties, and stipulates in Article 17, "the Bahraini nationality prescribed by law, may not be revoked of those who enjoy it, except in the case of high treason and other conditions defined by law".

The Bahraini Nationality Act of 1963 as amended by Legislative Decree No. 12 of 1989, and Legislative Decree No. 10 of 1981, regulates the right to a Bahraini nationality, the right to acquire it and the inadmissibility of its revocation except in few cases. It also states in section No. 10 on "Bahraini nationality deprivation" that "the great ruler may order to revoke the Bahraini nationality from everyone who enjoys it in the following cases:

- A. Entering the military service of a foreign country and remaining there despite an order issued to him by the Government of Bahrain to leave it, or
- B. Helping or engaging in the service of an enemy state, or
- C. Causing harm to the state's security.

Human rights situation of deprivation of nationality

Bahraini nationality was revoked in Bahrain as a punishment for political dissidents in different periods. For instance, Bahraini nationality of the national leader Abdul Rahman Al-Baker was revoked in 1954 because of his political activity. He was exiled to St. Helena Island in the Atlantic Ocean. The same goes for the sixties and seventies of the last century, where Bahrain did not allow many of the dissidents who reside outside Bahrain to return, and refused to renew their passports. Dozens of Bahrainis, who were from Persian origin, were stripped of their nationalities and were forcibly sent back to Iran in the eighties. The Bahraini government also revoked the nationality of opposing politicians in the nineties over their political activity during the popular uprising witnessed by Bahrain between 1994 and 2001.

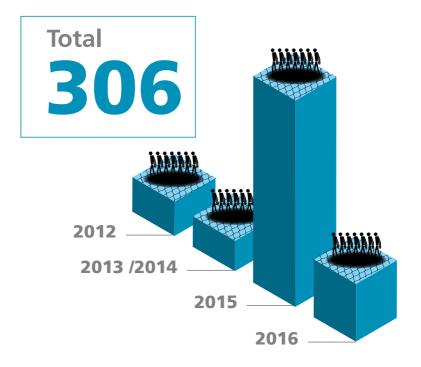
The use of deprivation of nationality as a tool to punish dissidents breaches all customs and laws, and is considered a flagrant violation of human rights, especially that the majority of those stripped of their nationality do not have another nationality than the Bahraini one. They are now stateless; a matter prohibited under international law, and is considered a form of arbitrary deprivation of nationality.

The revocation of nationality in all cases was an arbitrary action, and was implemented in accordance with illegal procedures, such as issuing an order to revoke a nationality by the Interior Minister, which is against the law. Even when amendment of the law gave the Minister of Interior the right of issuing decisions to revoke nationalities, it is still considered a breach of international law and a flagrant violation of human rights. This also applies to the revocation of Bahraini nationality according to legal provisions and unfair trials with political backgrounds. As for nationality revocation by royal orders, it is clearly based on political backgrounds, rather than legal reasons or justifications.

A series of nationality revocations began in 2012, where 31 Bahraini citizens were stripped of their nationalities by the Minister of Interior based on royal orders. Bahraini courts then began to exercise this role since 2013, through the employment of nationality law and the law on protecting society from terrorist acts (terrorism law) by Bahraini authorities after amending it. Courts revoked nationalities of about 21 citizens in 2013 and 2014, and the number risen in the year 2015 to 208, and 46 in 2016.

It should be noted that the majority of those who had their Bahraini nationality revoked are: political activists, media activists, human rights defenders and scholars, as well as some of the people involved in or support protests. This means that the real goal is to suppress opponents, and punish them through arbitrary deprivation of nationality.

The following are the statistics of a number of people who were stripped of their nationalities between 2012 and 2016, although the number of those who were stripped of their nationalities in 2016 is 46 until September 2016, two of them were stripped of their nationalities by royal decree and the other 44 based on court rulings.



Deporting citizens after revoking their nationalities

After revocation of citizens' Bahraini nationalities, the government decided on the policy of deporting them from Bahrain. Such an action opposes the most basic human right, i.e. stripping citizens of their right to nationality and the right to live in their homeland, and then deport them forcibly. It is a violation of Article 177 of Bahrain's Constitution, which states in its second part that "it is prohibited to deport a citizen from Bahrain or prevent him from returning to it".

Bahrain has begun applying the policy of deporting citizens since 2015, on Sheikh Hussein Nejati and Farhad Khorshid. Others were also deported in 2016 including:

- Sheikh Mohammed Khajesteh, who was deported to Beirut on February 21, 2016.
- Hussein Khairallah, who was deported to Beirut on February 24, 2016.
- Dr. Masoud Jahromi, who was deported to Beirut on March 7, 2016.
- Ali Esfandiar, who was deported to the Republic of Iraq on March 15, 2016.

- Hassan Abu Al-Qassim, who is of a non-Bahraini father and a Bahraini mother. He was born in Bahrain, where he lived his entire life, then was deported to the city of Mashhad in Iran on May 14, 2016.
- Mahmoud Khaori, who is of a non-Bahraini father and a Bahraini mother. He was born in Bahrain and never left it since his birth, but was deported on October 9, 2016.
- Lawyer Taymour Karimi, who was deported to the Republic of Iraq on Sunday June 26, 2016.

Procedures that have been followed did not consume litigation classes of those whose nationalities were revoked and those deported from Bahrain, because they were unable to appeal the judgments of the courts. They or the defense were also not allowed to the right of checking the copy of the Royal Decree on revocation of their nationalities.

The majority of them have been summoned by the General Directorate of Nationality, Passports and Residence Affairs to hand over their passports and identity cards, and sign a paper that informs him of the necessity to rectify his residence as a "foreigner", before the judiciary system issues a judgment on the situation, and before enabling them to challenge the validity of the decision of nationality deprivation.

Children deprived of nationalities

Revocation of Bahraini nationality has affected lives of citizens and their families. They became deprived of their most basic rights: such as education, health, social aids, and others.

As a result, child Abbas Al-Khabbaz (4 years old) died in December 14, 2016, after security authorities had refused for more than two years to issue a passport for him so that he receives treatment from abroad. Being the son of detainee Mohammed Al-Khabbaz who is sentenced to life imprisonment and deprivation of citizenship is the reason of refusing to issue a passport for the child.

Security authorities also deprived nearly 14 Bahraini children of their nationalities for different political reasons; either due to revoking their fathers' nationalities, or for the fact that the father is in prison or out of the country due to political and security issues. Eight children were deprived of Bahraini nationality because their fathers' nationality was revoked. They are: Fatima Adnan Kamal Ahmed from Al-Muharraq region, Zahraa Saber Salatna from Sanabis region, Ali Hassan Sultan from Malkiya region, Rukayya Yusuf Imran from Hoori, Mohammad Jawad Mohammad Al-Tal from Tubli area, Mariam Moussa Abdali from Aker, Maryam Ibrahim Ali Al-Aradi, and Yousef Ahmed Al-Wedai from Barbar region.

Other four children were deprived of Bahraini nationality because their fathers are in prison serving their jail terms. The children are Hadi Wafi Kamil Majid, Hussein Murtada Abdul Jalil Al-Miqdad, Sara the daughter of opposition leader Ali Salman and the son of Sheikh Mohammad Habib al-Miqdad from Bilad Al-Qadeem area.

Other children were deprived of nationalities because their parents were abroad for political and security issues.

Table of names of children deprived of their nationalities for political reasons 51

No.	Child's name	Region	Reason for deprivation of nationality
1	Fatima Adnan Kamal Ahmed	Al-Muharraq	Father deprived of nationality
2	Zahraa Saber Salatna	Sanabis	Father deprived of nationality
3	Ali Hassan Sultan	Malkiya	Father deprived of nationality
4	Rukayya Yusuf Imran	Hoori	Father deprived of nationality
5	Mohammad Jawad Mohammad Al-Tal	Tubli	Father deprived of nationality
6	Mariam Moussa Abdali	Aker	Father deprived of nationality
7	Maryam Ibrahim Ali Al-Aradi	Arad – Ras Rumman	Father deprived of nationality
8	Yousef Ahmed Al-Wedai	Barbar	Father deprived of nationality
9	Hadi Wafi Kamel Majid	Ras Rumman	Father imprisoned

^{51.} Bahraini Al-Wasat newspaper http://www.alwasatnews.com/news/1178494.html

No.	Child's name	Region	Reason for deprivation of nationality
10	Hussein Murtada Abdul Jalil al-Miqdad	Bilad Al-Qadeem	Father imprisoned
11	Sara Ali Salman	Bilad Al-Qadeem	Father imprisoned
12	Son of Sheikh Mohammad Habib al-Miqdad	Bilad Al-Qadeem	Father imprisoned
13	Fatima Jawad Abdallah Mohammed Hussein	Al-Markh	Father is abroad
14	Ali Hussein Abdallah Abdul Hassan Nouh	Al-Naim	Father is abroad

Cases of deprivation of nationality

Sheikh Isa Ahmad Qassim



Facts:

On June 20, 2016, Bahrain's Ministry of Interior issued the following statement:

"The Ministry of Interior of the Kingdom of Bahrain is moving ahead in confronting all parties of extremism and those subordinate to external political and religious authorities, whether they are societies or individuals, especially those who

violate the duties of citizenship and peaceful coexistence and work on enforcing notions of political sectarianism, and violate the Constitution, the law and all of state institutions, aiming to divide the society in order to clone regional models based on sectarian foundations.

Accordingly, the citizenship of Isa Ahmed Qasim has been revoked. Ever since he received the Bahraini nationality, Qasim has established organizations that follow an external religious political authority, played a major role in creating an extremist sectarian environment and worked on dividing the society alongside sects and in accordance with subordination to his orders.

Qasim has also adopted theocracy and emphasized on the absolute allegiance to the Religious Clerics. Through his sermons and "fatwas", he exploited the religious pulpit for political purposes to serve foreign interests. He also encouraged sectarianism and violence. Qasim has kept his decisions and positions, which he dictated as religious rituals, dependent on his continuous communication with hostile foreign organizations and parties. In addition, Qasim collected funds without obtaining a license which contradicts the provisions of the law.

On several occasions, Isa Qasim has violated the supremacy of the law by issuing edicts (fatwas) that affected the elections and its processes. He influenced voters' decisions using religious sentiments. This extends to all aspects of public affairs, undermining the rights of the people and the rule of law. He also rallied many groups to prevent the issuance of the second section of the Family Law (Jafari Section).

Given that Qasim has acquired the Bahraini citizenship and did not preserve its rights and contributed to causing damage to the high interests of the State and undermined the obligation and loyalty to it, and in accordance with the provisions of the Bahraini Nationality law which stipulates in Article 10, Paragraph C "if he causes damage to the interest of the state or took action contrary to the duty or loyalty to it", and in reference to the presentation by the Minister of Interior, the Cabinet has issued a decision to revoke the citizenship of Isa Oasim.

The Ministry noted that safeguarding the Kingdom's security and peace in order to achieve a better life for all citizens and to accomplish further achievements in all fields is a top priority. Citizenship is made of rights and duties and no-one is above the law or beyond legal accountability." The statement issued by the Ministry of Interior has ended.52

The "Official Gazette" published in issue No. 3268 on page 5 the decree on revoking the nationality of the Shiite community leader in Bahrain, Ayatollah Sheikh Isa Ahmed Qassim, after King of Bahrain endorsed the decision and it was converted into a decree on June 30, 2016. (Appendix 1)

On July 14, 2016, Bahraini Public Prosecution formed a criminal lawsuit accusing Ayatollah Sheikh Isa Ahmed Qassim of charges of raising funds without a license, money laundering, and referred the case to the High Criminal Court to begin the first hearing on July 27, 2016. (Appendix 2)

Legislative atmosphere:

Article 17 of the 2002 Constitution of the Kingdom of Bahrain:

Paragraph (a) - Bahraini nationality shall be determined by law. A person inherently enjoying his Bahraini nationality cannot be stripped of his nationality except in case of treason, and such other cases as prescribed by law.

Article 10 of the Bahraini Nationality Act of 1963, as amended on July 7, 2014.

Stipulates the following:

The Bahraini citizenship may be withdrawn upon request of the Interior Minister and approval of the cabinet from any Bahraini citizen who:

- (a) enters in military service of a foreign country and keeps on service despite an order issued by the Government of Bahrain to leave such service.
- (b) helps or engages in service of a hostile country.
- (c) causes harm to the interests of the kingdom or acted contrary to the duty of loyalty to the country.

The constitutional environment:

Article 20, paragraph (c) of the 2002 constitution of the Kingdom of Bahrain stipulates the following: "An accused person is innocent until proved guilty in a legal trial in which he is assured of the necessary guarantees to exercise the right of defense at all stages of the investigation and trial in accordance with the law." The previously mentioned decision of the Minister of interior included a group of accusations against Sheikh Isa Ahmad Qassim and considered them a reason to deprive him from his citizenship, thus these accusations are not based on trials or final judicial decisions, instead, they were made based on claims that are not supported by evidences even in the decision itself, therefore this decision is faulty and illegal.

Thereby, if we check closely into the decision and its date of issue, and the date of the establishment of the criminal lawsuit against Sheikh Isa Ahmad Qassim, we shall conclude that the decision was issued before proceeding the trial that has not yet issued a first judgment until the date of writing this report; in all, pointing at the malice even in the origin of the trial and accusation.

Furthermore, if the decision of the Minister of interior to deprive Sheikh Qassim from the Bahraini citizenship is based on the tenth constitutional article of the Nationality law, which requires- abiding by its text- a physical crime and behavior practiced by the Bahraini citizen, causing malignancy to the kingdom of Bahrain, it is inapplicable unless there are irrefutable evidences available and definite, handed to the judge to issue his judgment, and not in any other case where the Minister of interior evaluates upon mere imagination origins or data that doesn't even rise to the level of assertion.

In addition to that, part (c) of the article was stated as a general text, unidentified clearly, thus this faulty text allows the Minister of interior to use this article whenever he wishes, against dissidents and politicians and activists as a form of grounding. This article was also used arbitrarily and faultily and in contradiction to the Bahraini constitution for depriving tens of dissidents from their citizenship.

Moreover, the reports introduced by the Minister of Interior are often written by intelligence officers and agencies, (Criminal Investigation Directorate that specializes in interior security or the national security agency that specializes in interior and exterior security basically). Malicious charges were made against various activists, political dissidents and religious scholars to ground them or jail them based on such reports.

The human rights environment:

The kingdom of Bahrain has certified the International Bill of Human Rights (the two covenants and the UN Charter), and the commitments imposed by the International Covenant on Civil and Political Rights identified in article 2 the general framework of legal commitment of the member states including Bahrain. They are not related exclusively to a certain right, but oblige the states with all their executive, legislative, and judicial authorities to protect rights and freedoms stipulated by the covenant, and to guarantee that to all the citizens of

the country and the individuals subject to its jurisdiction without discrimination by race or color or gender or language or religion or political opinion, or national or social origin or ownership or descents.

The decision of depriving sheikh Isa Qassim from his citizenship that was issued by the Minister of interior and confirmed by the King of Bahrain in a decree (as shown above) was not legally justified in the right way and didn't abide by the legislative procedures, neither by local law, the highest level of which is the constitution, nor by the international bill, instead, the procedures show a malicious political aspect. Thus, it is an obvious violation, which requires serious and quick international follow up, considering the effect of the decree on the victim and his family, which is represented by the loss of nationality, known in the Arabic Gulf societies as "Al-Bdoon" where the victim loses his legal position before the state and society, and suffers massive social and civil effects, which violate his human rights. This can also be described as civilian and social execution before the society and the state, in addition to damaging the role that the individual plays in the Bahraini society.

Lawyer Taymour Karimi:



Lawyer Taymour Karimi on board of the plane after being deported from Bahrain on his way to Iraq, through Dubai.

On May 23, 2016, the court ordered to deport lawyer Taymour Karimi who was arbitrarily deprived of his Bahraini citizenship for political reasons. Karimi does not have another nationality, and he was among a list of 31 people whose nationalities were revoked through a decision by the Ministry of Interior on November 6, 2012.

Karimi is a renowned lawyer in Bahrain. After he was deprived of his citizenship, his bank accounts were frozen, and he was informed by the Ministry of Justice that he was no longer allowed to practice his profession as lawyer. He was previously summoned to the General Directorate of Nationality, Passports and Residence Affairs to hand over his passport and ID, and sign a paper that informs him of the necessity to rectify his residence as a "foreigner."

Until August 10 (2014), Karimi was condemned in the charge of illegal residence in the country according to the law of immigration and residence. The court ordered to deport him and fined him 100 dinars, and the security forces notified him on June 26 that he must urgently leave Bahrain, and head towards Iraq.

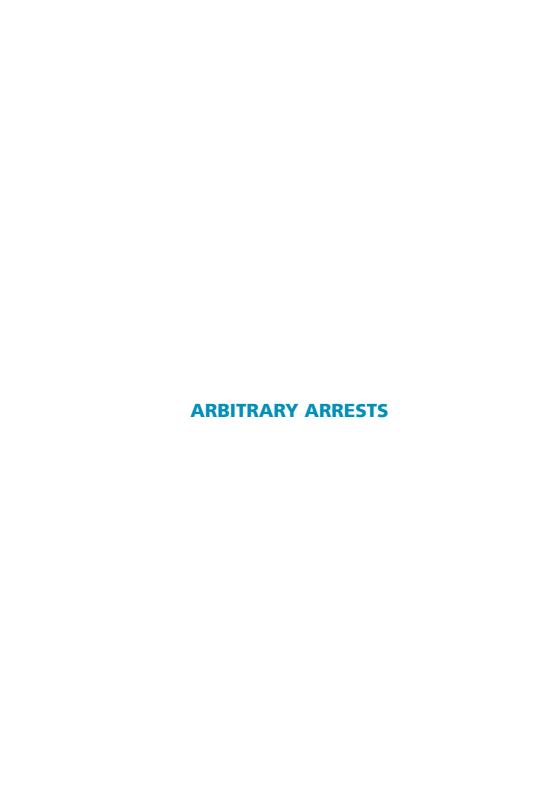
Dr. Masoud Jahromi:



Dr. Jahromi was the manager of communication engineering in the Ahliya College, he was arrested on April 14 (2011) after raiding his house within a security campaign that included activists, academics and journalists after the vast demonstrations in Bahrain. His family wasn't capable of establishing contact with him or visiting him until a month after arresting him. He was released after 5 months of imprisonment, and after various appeals to release him as there were no legal reason to jail him. Later, he was condemned with the charge of demonstrating.

On January 31 (2015), he was arbitrarily deprived of his citizenship, which is the only citizenship he has, for political reasons, within a list of 72 other citizens deprived from their citizenship according to a decree.

On March 7 (2016), Jahromi was deported to Beirut, after the Second Minor Criminal Court of Appeal, headed by Judge Ibrahim Al-Zayid and the membership of judges Wajih Al-Shaer and Ayman Mahran, approved the first-degree judgment to fine Dr. Jahromi 100 dinars and deport him indefinitely.



Arbitrary arrest



Arbitrary arrests are considered one of the main violations forbidden by the law and international conventions. Article 9 of the International Covenant on Civil and Political Rights stipulates in its first paragraph that every individual has the right to freedom and security and "No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law."

The third paragraph of article 9 stipulates that "Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody." The content of article 14 of the Arab Charter on Human Rights is also similar.

Article 19 of the Bahraini Constitution stipulates in paragraph (B) that "No person shall be arrested, detained, imprisoned, searched or compelled to reside in a specified place, nor shall the residence of any person or his liberty to choose his place of residence or his liberty of movement be restricted, except in accordance with the law and under the supervision of the judicial authorities."

Human rights situation of the arrests:

Through observing the human rights situation, we can say that many of the cases that have been followed up show that the judicial harassment and detention have been arbitrary, especially that many of them emerged as a result of practicing political issues, human rights activities, religious freedoms and rights, media related activities and many others acknowledged by the international law and Bahraini regulations. In addition, many have been arbitrarily detained due to practicing the right to peaceful assembly.

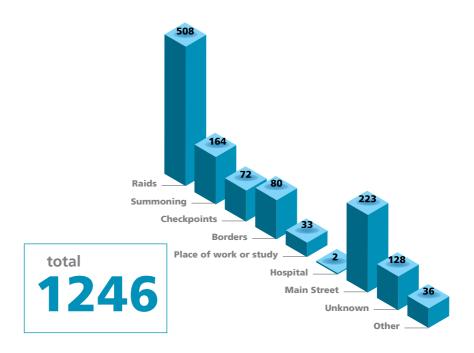
The majority of arbitrary arrests were done because of the uneven implementation of the law through applying articles in the Bahraini Penal Code to punish over activities and practices that are protected by the law and regulations in the first place. For example, article 216 of the Penal Code which stipulates that "A person shall be liable for imprisonment or payment of a fine if he offends, by any method of expression the National Assembly, or other constitutional institutions, the army, law courts, authorities or government agencies" has been implemented.

In this context, many of those who legitimately criticize the bodies aforementioned have been prosecuted. In addition, pertaining to the implementation of articles (178-179) related to demonstrations and riots, many have been prosecuted simply for practicing the right to freedom of assembly. Plus, many political and rights activists have been prosecuted based on article 165 of the Bahraini Penal Law which stipulates that a prison sentence shall be inflicted upon any person who expressly incites others to develop hatred or hostility towards the regime. Articles 168, 172, and 173 of the Penal Code have also been modified to punish the activists, in such a way that violates freedom of speech.

Moreover, the security authorities in Bahrain deliberately implemented the law on protecting society from terrorist acts⁵³ to prosecute many over cases that can't even be considered as

^{53.} Law 58 of 2006 on protecting society from terrorism acts.

terrorism. For example, in case some protestors tried to practice the right to assembly, that may be seen as "causing damage to the environment, public health, national economy or public utilities, facilities or properties or seizing them and obstructing the performance of their business activities, preventing or obstructing the government authorities, places of worship or academic institutions from carrying out their activities." ⁵⁴ This might subject them to judicial prosecution based on law on protecting society from terrorist acts (Terrorism Law), and is considered an uneven implementation of the law and contradicts the basic principles of practicing rights and freedoms.



^{54.} Article 1 of Law 58 of 2006 on protecting society from terrorism acts.

Bahraini courts have issued many judicial verdicts against participants in demonstrations demanding democracy in Bahrain through the use of the law on protecting society from terrorist acts, claiming that demonstrators have used or called for using violence during demonstrations, in addition to using a few laws which have been issued in the light of the law on gatherings and Penal Code.

Upon displaying the aforementioned judicial laws from the Bahraini Law, the Constitution, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Principles of the International Bill of Human Rights, we will understand that the real reason behind these arrests is to punish for activities that oppose the government's policy.

As pertaining to 2016 statistics, the total number of arrest cases related to the political movement that has been witnessed by Bahrain for 6 years reached (1246) cases, most of which were after performing house raids, which in turn reached (508) cases. The following table sums up the number and method of arrests:

Number	Method of Arrest	
508	Raids	XXX
164	Summoning	
72	At Checkpoints	
80	At the borders	
33	At place of work or study	
2	At a hospital	
223	The main street	X
128	Unknown	
36	Others	
1246	Total of arrests	

Cases of Arbitrary Arrests



He is the Secretary-General of Al-Wefaq National Islamic Society, Bahrain's largest opposition society. Bahrain's Supreme Court of Appeal increased on May 30, 2016 his 4-year jail term to 9.

Sheikh Ali Salman was summoned several times between 2011 and 2014 over his political activism and was banned from traveling more than once. On December 28, 2014, the Public Prosecution issued an arrest warrant against him. The warrant coincided with the Minister of Interior's statement regarding Sheikh Ali, in which he stated that there is a decision to prosecute him. The statement came two days after Sheikh Ali was re-elected as Al-Wefaq Secretary-General and after he called for a democratic system and the accountability of government.

After a short period of time, the prosecution referred him to the Fourth High Criminal Court that issued its preliminary verdict on June 16, 2015, sentencing him to 4 years in prison. Afterwards, the High Court of Appeals increased his sentence to 9 years in prison despite the absence of material evidences that prove the

charges brought against him, and despite the fact that the evidence used by the prosecution would have served to prove his innocence if they weren't cut, fabricated and used in an unlawful way.⁵⁵



He is a former member of the Bahraini parliament who resigned due to the Bahraini government's violations in 2011. He was arrested on August 18, 2015 from Bahrain's airport upon his return to Bahrain, over his political, religious and social activism, including offering financial aids to poor families.

He was arbitrarily arrested at the airport without knowing the reasons behind the arrest and without a permission from the public prosecution. When he was arrested, he was denied the right to defend himself and was not allowed to contact his family or lawyer. Neither his family nor his lawyer knew where he was detained until after 20 days of his forced disappearance, despite the fact that the public prosecution interrogated him on August

^{55.} See the report on Sheikh Ali Salman's trial issued by the Bahrain Forum for Human Rights in December 2015

23, 2015 without the knowledge of his family or lawyer. His lawyer knew this after his hearing before the public prosecution on September 7, 2015.

After his hearing before the public prosecution, he was allowed to talk to his lawyer for a period of 3 minutes only, during which he told the lawyer that he was being threatened and said, "I can't tell you what happened to me during interrogation at the criminal investigation building." The lawyer found out that this was not the first time he was tried before the public prosecution. Despite the fact that the lawyer had submitted many speeches, requesting the possibility of attending the interrogation, the prosecution would deny his presence.

On January 12, 2016, 147 days later, the case of Sheikh Hasan Isa was referred to the Fourth Criminal Court after being charged with "Funding terrorism through supplying wanted terrorists and others who have participated in terrorism acts with cash money."

Despite denying the charges, he is still being prosecuted. The trial has been called unjust based on the judgment of inspectors who attended 3 of the sessions.



He is one of the prominent opposition leaders in Bahrain and former Secretary-General of the National Democratic Action Society "Wa'ad". He was arrested on July 11, 2015 over a speech he delivered in Muharraq in the funeral procession of one of the protests' victims (Hussam Mohammad Jassim Al-Haddad, 16 years old) through which he criticized the government's policy and dubbed it "unsuccessful".

Bahrain's High Criminal Court sentenced him on February 24, 2016 to one year in prison over inciting hatred against the regime and acquitted him from the charge of promoting to change the ruling system by force. He was released on July 11, 2016 after serving his prison term.

Sharif was released on June 19, 2015, after spending more than four years behind bars over charges related to freedom of expression and opinion. However, he was re-arrested three weeks later after the Public Prosecution accused him of "promoting the overthrow of the political regime by unlawful means, as he urged in one of his public speeches people to start a revolution against the ruling system and confront the legitimate authorities, even sacrificing themselves in order to achieve a system change, which is against the provisions of the constitution and the law."

The prosecution also claimed that he publicly incited hatred and contempt against the ruling system by accusing the authorities of marginalizing a faction of the Bahraini society, discriminating against it and violating its rights, and also called for continuing the movement aimed at changing the ruling system.

Although Sharif's criticism against the government was legitimate and although he was exercising his freedom of expression and opinion as he had demanded political reform through peaceful means, the prosecution explained the speech and criticism raised by Sharif against the government as a way that breaches the law and violates freedom of expression and opinion. Sharif's arrest prompted wide international reactions that demanded his release. However, after receiving an unfair trial, he was handed down one-year jail term.



He is still on trial. He was arrested from his house on June 13, 2016. Rajab is the president of Bahrain Center for Human Rights, founding director of Gulf Center for Human Rights and Deputy Secretary General for the International Federation for Human Rights (FIDH). He was imprisoned many times and two judicial verdicts were issued against him over charges related to exercising freedom of opinion and expression.

Rajab is still behind bars waiting for his trial over the charge of disseminating false news and rumors about the internal situation in an attempt to defame Bahrain's reputation, over statements he made during television interviews since the onset of 2015 until his arrest in June 2016.

Bahrain's Fifth Criminal Court decided on December 28, 2016 to release Rajab, however, the Public Prosecution refrained from executing the court's decision and re-arrested him. The prosecution said that Rajab faces continued detention over disseminating false news and rumors about Bahrain's internal situations. A court started on January 23, 2017 to look into the new case brought against him and rejected the defense panel's request to release him.



He is an e-activist. He was arrested on July 25, 2016 after raiding his house at dawn in Samaheej and was taken to the police station without an arrest or search warrant. He was questioned over tweets he posted on Twitter, which the security authorities deemed insulting to the king.

The Fourth Minor Criminal Court sentenced him on August 31, 2016 to 2 years in prison with the execution of the sentence over the charge of insulting the king and inciting hatred against the system through tweets he posted on his own Twitter account. On Wednesday, November 16, 2016, the appeals court commuted his 2-year jail term to one.

It is to mention that a number of tweeters in Bahrain are facing the same charge. In 2016, activist Taiba Ismail, e-activist and football player in Sitra Club Mohammad Al-Alawiyat, women's rights activist Ghada Jamsheer, and journalist Ahmad Radhi were prosecuted. Moreover, imprisonment verdicts were issues against others.



Sayed Majeed Al-Mashaal

He is the head of the Islamic Scholars Council (the highest Shiite religious institution in Bahrain) that was dissolved by the authorities in 2014 within the sectarian persecution policy, after a series of harassments against Sayed Al-Mashaal represented by the repeated summoning by police station and Public Prosecution (which we have previously referred to). On Saturday, July 30, 2017, Al-Mashaal was arrested from his house. Two members in civilian clothes knocked at his door and asked about him. When he went outside his house, he was surprised to see dozens of security vehicles surrounding his house. Meanwhile, dismounted forces approached to arrest him. Al-Mashaal asked the forces to return home to change his clothes and inform his family. However, they refused and directly took him to an unknown place.

On the same day, the Director-General of the Northern Governorate Police announced the arrest of Majeed Al- Maashal (Head of the dissolved Bahraini Islamic Scholars Council) for inciting others to break the law and take part in an illegal gathering.

After 3 days of enforced disappearance, Sayed Majeed made the first call to his family on August 3, 2016 and told them he was arrested. His family could visit him on August 9 in a room that contained 3 policemen to monitor the conducted conversation.

The public prosecution decided on August 1, 2016 to detain him for 15 days pending investigations after accusing him of "illegal assembly". The prosecution referred him on August 8 to trial, in a surprising measure, and his first hearing session was scheduled on August 17, 2016.

A Bahraini court sentenced Al-Mashaal on August 31, 2016 to two years in prison over charges of inciting others to commit acts that contradict the law and taking part in an illegal assembly. The same court sentenced him on October 6, 2016 to one year in prison over charges related to assembling in Diraz. Thus, his jail term reached 3 years. However, on November 29, 2016, the appeals court commuted the one-year jail term issued over the second charge to 6 months and kept the one-year jail term issued over the first charge.



Fadhel Abbas Mahdi

He is the former Secretary General of the Unitary National Democratic Assemblage (Al-Wahdawi party), an author, journalist and one of the most prominent political dissidents in Bahrain.

He was arrested on March 27, 2015 and the prosecution decided to detain him pending investigation. Advocate General Wael Buallay has affirmed that "the Public Prosecution had completed its investigation into the report of the General Directorate of Criminal Investigation and Forensic Science on a statement issued by the Secretary-General of a political society, in which he criticized the military operations currently carried out by the Kingdom of Bahrain, alongside a number of brotherly countries, for the sake of restoring legitimacy and stability in Yemen." "The statement may raise questions about the soundness and the legitimacy of the Kingdom's political and military stances," the Advocate General said.

The Public Prosecution referred the society's Secretary-General to the Fourth High Criminal Court and released the deputy secretary-general and his assistant after the defendant said he, himself, wrote and published the statement. The Advocate General said "the Public Prosecution had charged the defendant with deliberately disseminating lies in a time of

war, spreading tendentious rumors and propaganda that may harm the on-going military operations of the armed forces, a crime that is punishable by a jail term of up to ten years." The suspect was also accused of insulting a brotherly country.⁵⁶

On his hearing session on May 21, 2015, Fadel Abbas said "the statement which I was convicted over is issued by a licensed political society. The statement represents the society, itself, and not the Kingdom of Bahrain. In addition, it was issued before 10 AM, and no statement regarding Bahrain's participation in war on Yemen was issued yet. There weren't also military measures which we knew about."

Although the statement represents a political opinion with respect to the decision of war on Yemen and that the charges brought by the prosecution are not applicable on it, the law was adjusted in an unequal way. A court sentenced him on June 28, 2015 to 5 years in prison over disseminating false news and rumors in war time. The Supreme Court of Appeals commuted on October 26, 2016 his sentence to 3 years.



36 Years old

She was arbitrarily arrested by the Bahraini security forces at dawn of Sunday (June 26, 2016) after raiding her house in a violent way that intimidated the children and people living in it. The forces searched the house and confiscated the electronic devices without presenting a permission from the public prosecution.

The prosecution ordered later to detain her for a week pending investigations over the charge of insulting the king. On July 4, 2016, the prosecution decided to extend Taiba's detention to 15 days despite appeals demanding pardoning her and releasing her, even on a bail and with guaranteeing her place of residency, due to the situation her 2 sons are experiencing. It is to note the Taiba's sons are young and they need care. She has a 7-month-old toddler; his situation deteriorated after his mother was arrested. The children's father can't take care of them because he works from morning till late at night.

Taiba was then referred to the court. On August 31, 2016, a court sentenced her to one-year jail term and BD 1000 fine over her tweets on social media outlets. She was accused of insulting the king and inciting hatred against the regime.



Human Rights Situation of Children's Arrest



In 2016, the number of detained children reached 185, most of whom were arrested in January and February due to the increase in protests in that period across different villages, in particular in February; the anniversary of the pro-democracy uprising. These arbitrary arrests violate the right of children to freedom and security, especially that most of them are still arrested and some are being prosecuted over cases under the law of protecting society from terrorist acts (Terrorism Law).

In the same context, the prosecution said in a statement on Sunday, February 21, 2016, that it interrogated a number of children between the ages of 9 and 14, noting that some were questioned over charges of terrorist acts. The prosecution added that some of them were also detained in the juvenile detention center. The Attorney-General Abdulrahman Al-Sayed said that the Public Prosecution "conducted investigations into incidents over which juveniles were accused of crimes of a criminal nature, as the police had received a report about six persons breaking into a school and causing damage. One of the suspects was identified and taken into custody."

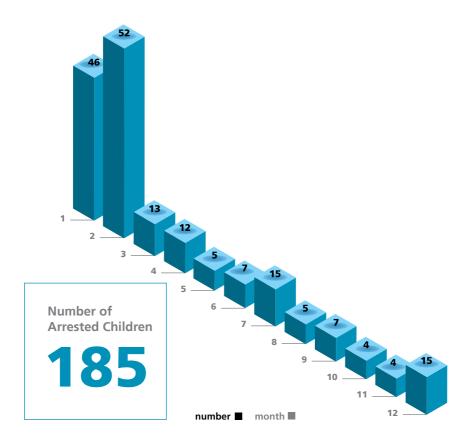
"Three others were arrested over the results of investigations. The prosecution further investigated the incident, interrogated the detained suspects whose ages ranged between 9 and 14 and raised against them charges of rioting, arson, sabotage and trespassing. The prosecution then referred them to a juvenile court, which ordered holding them at the juvenile center pending investigations," he further stated.

He added that the Terror Crimes Prosecution received in November 2015 a notice saying that people put hoax bomb on the public street in Saar, aiming at intimidating citizens. This is considered a crime in the law on protecting society from terrorist acts. The investigations and statements of the 3 defendants as well as findings of investigations proved that 3 juvenile youths took part in the crime and that some of them took part in a similar crime before. The juvenile judge had ordered to put the juvenile suspects in the juvenile care center and then ordered to hand them to their parents. Two out of the 3 suspects committed the same crime once more, thus, they were summoned by the prosecution that questioned them and presented them to the judge of the juvenile court, who, in his turn, ordered to hold them in the juvenile care center pending investigations. Meanwhile, the prosecution referred the juvenile defendants to the juvenile court and the grown-ups to the high criminal court.

The Attorney-General added that committing such criminal acts by juveniles clearly reveal the criminal danger which resulted from their lack of guidance, awareness, discipline as well as lack of care in raising them up on the right conduct. This requires their parents to receive parental guidance to raise their children in a way that distances them from making them fall into the consequences of crimes, to maintain their future and in order to make the parents avoid bearing responsibility for the outlaw acts carried out by their children.

The previous statement as well as the security measures followed by the Bahraini government in dealing with children and targeting them and targeting anyone who takes part in the peaceful demonstrations reflect lack of commitment of Bahraini government to the international conventions it had ratified, including the United Nations Convention on the rights of the child. Besides, one can't trust the narrative of the security parties that seek to restrict the children's freedoms and revenge from them due to the political situation. In many cases, children were chased over the charge of planting hoax bomb on the street; this is a loose charge that lack material evidence of the crime. Bahraini courts issued prison sentences ranging from 5 to 7 years over this charge.

Many children were also chased over participating in protests and peaceful assemblies. The authorities charge the children with staging unlicensed protests or making riots, according to articles 178 and 179 of Bahrain's penal code.



Among the children who were arrested on the hands of the security authorities, child Ali Abbas Abu Taki (6 years old) who was questioned by the prosecution on Wednesday, February 17, 2016 after his 10-year-old brother Abdulla was arrested three days earlier, over charges related to political movement in Bahrain.

Cases of Children's Arbitrary Arrests



Sayed Fadel Saeed Shames

14 years old

Fadel was arbitrary arrested several times within 2016. On January 19, 2016, he received a subpoena to appear before the prosecution the following day. Fadel went with his father to the prosecution that interrogated him without the presence of a lawyer. The prosecution did not allow his father to enter the investigation room with his son. After the interrogations, the prosecution charged him with planting strange body on the street and decided to detain him for 6 days, although he denied the charge brought against him, according to his family.

He was re-arrested on February 9, 2016 and released on March 27, i.e. more than one month on his arrest. He was also summoned for interrogations in November 2016.

It is to mention that Sayed Fadel is the brother of a victim who was killed in an unlawful way, child Sayed Ahmad Shames who was directly targeted and killed by the security authorities in 2012.



Sayed Mohammad Hashem Sharaf

13 years old

He is in grade 7 and a player in Bahrain's table tennis team. He was arbitrarily arrested several times. He was arrested after receiving a subpoena on January 20, 2016 to appear before the prosecution.

On January 21, Mohammad went along with his father to the prosecution that interrogated him without the presence of his lawyer, noting that his father was not allowed to enter the investigation room with his son. The prosecution charged him with planting strange body on the street and decided to detain him for 5 days, although he denied the charge brought against him.



Mostafa Al-Motaghawi

16 years old

He received on September 4, 2016 an appearance order to appear for interrogation at Budaiya police station. He was arrested for the sake of being presented to the General Prosecutor, on charges of gathering in Diraz area that is witnessing an open sit-in. The General Prosecution decided to keep Al-Motaghawi in custody for 15 days on Tuesday, September 6.

However, the General Prosecution decided, according to a statement issued the next day on Wednesday, September 7, on the release of the child Mustafa "due to his young age, after he was charged with illegal gathering, which is considered a violation of the provisions of law when he earlier confessed committing the incident". However, security authorities have refused to release him without knowing the causes. No news was known about him, and his family and lawyer were not allowed to meet him until his release on Sunday, September 18, i.e. 12 days after arresting him.



Enforced Disappearance



According to the definition of the UN Working Group on Enforced or Involuntary Disappearances, a disappearance is considered enforced in case of depriving a person of liberty against his will, or in case of the involvement of government officials at least by acquiescence, and in the case of refusal to acknowledge the deprivation of liberty or concealment of the fate or whereabouts of the disappeared person.

Bahraini laws and international conventions ban enforced disappearances, where second paragraph of Article 9 of the International Covenant on Civil and Political Rights states that "it is a must to inform any arrested person of the reasons of custody, and he shall be promptly informed of any charges against him.»

Article 61 of Criminal Procedures Code also stipulates that: "No one shall be arrested or imprisoned except by order of legally competent authorities. He should also be treated in a manner that preserves human dignity, and shall not be physically or mentally harmed. He shall ask about reasons of his arrest when arrested. and has the right to communicate with family members to inform them of what had happened and seek help from a lawyer."

Other legal articles also ban enforced disappearance and give the detainee the right of contacting his family and lawyer; a matter to which the Bahraini government is not adhering in many cases. There have been increasing cases of enforced disappearances in Bahrain in a manner that agrees with the decision of the Working Group on Enforced or Involuntary Disappearances, which causes concern to the victim and his family; especially after intensifying security measures and employing the law on protecting society from terrorist acts against many persons.

Enforced Disappearance Cases

We mention the following cases, as well as other cases we previously referred to in the chapter of Sequence of Events of 2016, some of which are considered enforced disappearance cases:

Mr. Alawi Hussein Al-Moussawi

43 years old

Mr. Alawi is a communication engineer in Batelco company. The nature of his work involves the direct follow-up of faults in the network, as well as the supervision on the repair work at the site.

On Monday, October 24, 2016, Mr. Alawi went to his work as usual at 5:00 am. On the same day, he went to follow up on a failure of one of the company's cables. Such a case required his presence on site beyond the end of his work time, which ends at 1.00 pm. As a result, he called his wife at 3:00 pm to tell her that he would be late in order to finish his work.

While being present on site in an old park which is closed due to starting a new project near the airport in Galali region, and during a meeting with the engineers and contractors' managers at the site, the work site perimeter was enclosed by eight cars. Four people from armed civil security agents invaded the

meeting room at about 4.00 pm, surrounded Mr. Alawi, confiscated his mobile phone and tablet (iPad) which are owned by the company after turning them off and took him by force in a humiliating way to an unknown destination. One of the agents wore gloves and took the company's (Batelco) car to an unknown place as well. His colleagues at work were also surprised the next morning on October 25, 2016 when the computer in his office in Batelco building at Hamala was missing.

On Monday October 24, 2016, his family attempted to contact him again, but his mobile was switched off. Consequently, the family headed to the Budaiya police station to file a report of his disappearance, where the staff called all detention destinations in the interior ministry, hospitals and ports, which have all confirmed that Mr. Alawi is not present in any of them. An official statement report was issued to affirm the disappearance of Mr. Alawi under No. 5610/2016.

After around 30 to 45 minutes, his wife received a phone call from Budaiya police station stating that Mr. Alawi is present at the Criminal Investigation Bureau in Al-Adliya area, and asking his wife to cancel the official disappearance notice. Since then, Mr. Alawi has not contacted his family, who went to the Investigations Bureau on Tuesday, November 1, 2016 to ask about Mr. Alawi and hand over his clothes. However, the Bureau's staff did not disclose any information about his presence, and received his clothes after making the family wait for nearly an hour and a half without any news about him.

On Thursday November 3, 2016 at around 6.00 pm, Mr. Alawi's wife received a phone call from the Investigations Bureau telling her that Mr. Alawi was transferred to Dry Dock Detention Center that she must take back his clothes which were deposited at the Bureau on Tuesday and send them to Dry Dock Detention Center on Sunday, November 6, 2016. The family went to the Bureau where the staff refused giving back the clothes on the onset, and denied his presence in Dry Dock Detention Center. The family were handed the clothes after insistence.

The family contacted the Ombudsman and the National Foundation for Human Rights many times. After several attempts, the response of the Ombudsman stated that there is no information about him, but the National Foundation for Human Rights said he is at the Dry Dock Detention Center. However, on Sunday November 27, Mr. Alawi called his family and told them he is at the Criminal Investigations Bureau building, which denies the statements made by the National Foundation for Human Rights. The family said that the short call made by Al-Moussawi showed the weariness caused by severe torture they believed he suffered since he was arrested. They expressed deep concern for his safety, and did not hear any news about him after this phone call; a reason that makes his disappearance enforced.

Ali Hassan Al-Mokhawder

He was arrested by security forces in November 24, 2016, after invading his house and taking him under force to the Criminal Investigations Bureau. There was no news about him for days, for he was not taken to the General Prosecution or judicial authorities. He was not allowed to contact his lawyer or family, which can be considered as enforced disappearance.

The International Center for the Support of Rights and Freedoms, member of the Coalition for the International Criminal Court, called on the Bahraini authorities on November 27 to disclose information about the fate of the young man Ali Hassan Al-Mokhawder. The Center also mentioned that his family and his lawyer don't know any news about him since his arrest, and that Al-Mokhawder was only allowed to briefly call his family and state that "he is present at the Criminal Investigations Bureau and is now under the jurisdiction of the security men, without judicial oversight."

Hassan Jaafar Ali

18 years old

He was arrested in Bani Jamra region on Sunday, February 21, 2016. He called his family twice; in the first call, he told his mother he is in the Criminal Investigations Bureau building, and in the second time he asked for clothes. After these two phone calls, there were no more news about him, and his mother asked the Ministry of Interior to allow her to visit him after nearly 14 days of his arrest.

His mother said, "We went to the Investigations Bureau building and asked them to allow us to see my son, but they only took the clothes from us and did not say anything about him. We have not received any phone call or information about my son since last Saturday, and we do not know the charges against him, but we knew he was brought to the region and filmed in an abandoned house."

She continued, "On the day my son Hassan was arrested, others were arrested from their homes as well, and the sum of those arrested on that day were 15 young people including my son. They were all transferred to the Dry Dock Detention Center except my son; a matter that made us wonder about the nature of the charges against him. We call upon the Ministry of Interior to speed up the investigations with my son, and enable him to hire a lawyer if needed, and allow the lawyer to meet him during the investigation. We also request releasing my son if no clear charges are brought against him. We now want to be allowed to visit him as soon as possible."



Torture and ill-treatment



International laws and legislations ban torture and ill-treatment, whether physical, mental, or psychological torture, as Article 7 of the International Covenant on Civil and Political Rights stipulates, "No one shall be subjected to torture or to cruel, inhuman, degrading treatment or punishment".

Article 1 of the Convention against Torture states "for the purposes of this Convention, the term "torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he has committed or is suspected of having committed by him or a third person, or intimidating or coercing him or a third person - or when such pain or suffering is based on discrimination of any kind for any reason, or when performed with the abetment, consent or agreement of a public official or other person acting in an official capacity. This does not include pain or suffering caused only by legal sanctions or inherent for these sanctions, or what is considered a side effect caused by legal sanctions."57

Furthermore, Article 8 of the Arab Charter on Human Rights stipulates that:

- 1. No one shall be subjected to physical or psychological torture or to cruel, degrading, humiliating or inhuman treatment.
- 2. Each State party shall protect every individual subject to its jurisdiction from such practices and shall take effective

^{57.} Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is adopted by the United Nations General Assembly under resolution 3946/ of December 10, 1984, effective date: June 26, 1987, according to the provisions of Article 27 (1)

measures to prevent them. The commission of, or participation in, such acts shall be regarded as crimes that are punishable by law and not subject to any statute of limitations. Each State party shall guarantee in its legal system redress for any victim of torture and the right to rehabilitation and compensation.

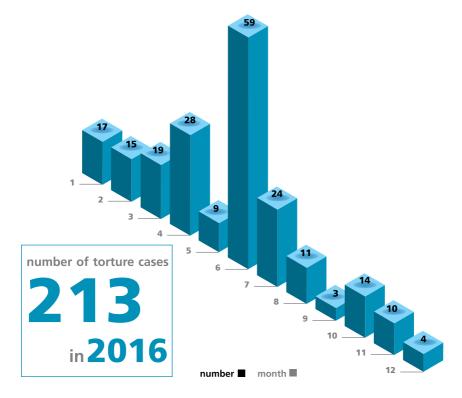
Regarding Bahrain, the text of the Constitution of Bahrain in Article 19, paragraph (d) stipulates that "No one shall be subjected to physical or mental torture, or abetment, or undignified treatment, and the law defines the punishment of anyone who does so. Any statement or confession proved to have been made under torture, abetment, or threatening with such treatment, is considered abolished"

As for the law that punishes the crime of torture, and which is confirmed in the previous constitutional article, Article 208 of Bahrain's penal code condemns any employee who makes use of torture or threat power, either directly or indirectly, for it stipulates that "The penalty of imprisonment is inflicted on any public official who uses torture, force or threat, whether by himself or through others, with the accused, witness or expert to get him to confess a crime or to make a statement or information about it. The penalty shall be life imprisonment if use of force or torture led to death".

Article 232 also stipulates that: "Whosoever uses torture, force or threat, whether by himself or through others, with the accused, witness or expert to make him confess the occurrence of a crime or to make a statement or information about it. The penalty shall be imprisonment for not less than six months if torture or force affected the body health".

Plenty of evidences referring to the continuation of torture and ill-treatment in Bahraini prisons and detention centers are available in Bahrain, especially after applying some of the procedures and laws that contribute to the possibility of torture and ill-treatment for detainees; this was already mentioned in the chapter on arbitrary arrests and enforced disappearances.

Many other matters intensify fears and concerns from the continuation of torture. These include Bahrain's refusal of the visit of the UN Special Rapporteur on torture for many times as well as the rest of the rapporteurs, and the continuous refusal of security authorities, general prosecutors and courts to expose detainees on neutral doctors to make sure if they might have been tortured.



On the contrary, everyone who is bringing up this topic is accused of insulting the Ministry of Interior, or of publishing false news, which is what happened to the MP Khaled Abd El-Aal, who was sentenced to one year in prison after posting Tweets on his Twitter account saying the Ministry of Interior has become a torture den. The same thing happened with the lawyer of detainee Hassan Jassem Al-Hayki, who died in prison in July 30, 2016 as a result of being tortured. The General Prosecution accused Al-Hayki's lawyer of publishing false news when announcing that the body of Al-Hayki showed "cuts and bruises on the body of the deceased which confirms beyond any doubt the existence of a criminal suspicion behind his death".

Available information indicates the existence of a systematic level of torture, ill-treatment and degrading inhuman practices performed by the security services. Such systematic level has not changed even after the pledges of the Bahraini Government to implement the recommendations included in the report of Bahrain Independent Commission of Inquiry (BICI) and the recommendations of Human Rights Council recommended during the review UPR.

This approach cannot continue this way except if there were orders coming from superior security, administrative and political levels, or if there were no serious attempts to stop it despite being aware of it. On the contrary, there are clear indications that prove that officials in the Bahraini government implement the policy of providing immunity for those involved in torture, which in turn contributes to the occurrence of torture crimes continuously. What aids the continuation of torture crimes are the unfair sentences issued by the Bahraini judiciary, where the killers of citizens and those involved in their torture were acquitted, as well

as the complicity of the General Prosecution with the security services, which also led to the continuation of the same approach. Trying many persons under the law on protecting society from terrorist acts (Terrorism Law) gives the security forces excessive powers that would increase the risk of torture and ill-treatment.

Several information and indications confirm that torture in Bahrain is continuous and supported by the government. Raihanna Al-Moussawi, death-row prisoner Mohammed Ramadan, the two brothers Mohammed and Ali Fakhrawi, and others are all example that prove this reality. The following figures show torture cases of 2016.

Torture and ill-treatment cases



Hassan Jassem Al-Havki

35 years old

He died in July 30, 2016 as a result of torture in the detention center 25 days after his arrest. His family stated that before his death, he disclosed information about being subjected to severe torture in the Criminal Investigations Bureau building. However, some of the arrested persons who were with him said he died due to a heart attack caused by torturing him in Dry Dock Detention Center. They added that they called upon the police to transfer Al-Hayki to the prison's medical clinic, but he was later transferred to Al-Salmaniyah hospital where he died. His father demanded an order for autopsy from the Public Prosecution to reveal the cause of his death.

However, the General Prosecution later accused the lawyer of Al-Hayki's family of "publishing false news" after announcing that Al-Hayki's body showed wounds and bruises, which asserts the presence of a criminal suspicion behind his death".

The head of the Northern Governorate Prosecution, Adnan Fakhro, said that the Prosecution investigated in the incident of a lawyer publicly spreading false news regarding the death of a pre-trial detainee in Dry Dock Detention Center on the 30th of July 2016. He added that the Special Investigations Unit concluded that Al-Hayki died of "natural causes", and that there is no criminal suspicion behind his death.



Hassan Radi Hassan Al-Bagali

29 years old

He was subject to enforced disappearance for 15 days after his arrest. After meeting his family, they knew he was subject to psychological and physical torture, such as beating the belly, head and neck, long exposure to cold weather after being undressed, sleep deprivation and electrocution, as well as threatening to harm his wife and sister.

Details about arresting Al-Baqali include being previously arrested for several times. He went abroad after receiving threats from officer Turki Al-Majed, then got sentenced on February 21, 2016. Moreover, he was arrested by the Interpol in Amman's airport while traveling from Iran to Dubai on February 22, 2016 due to a security order issued by Bahraini authorities.

The family contacted the Bahraini embassy in Amman, but it has not received any response. On February 23, 2016, Hassan Al-Bagali called his family from the Criminal Investigation Directorate and asked for their presence on the next day. When the family arrived at the building and asked about him, the staff refused to reveal any other information than his detention at the Criminal Investigations Directorate and that the family will be later contacted. On February 25, 2016, the family went back to the Investigations Bureau to visit Al-Baqali but were not allowed to do so and were told once again that they will be contacted later. Fifteen days after his arrest, his family visited him and discovered that he was subjected to torture and cruel, inhuman and degrading treatment.



ammed and Ali Fakhrawi

Abdel Karim Fakhrawi, who died as a result of torture in the National Security Agency detention center in 2011, is their uncle

When security forces invaded their mother's house on September 18, 2015, Mohammed Fakhrawi asked the security chief, who broke into the house to arrest someone else, to reveal the General Prosecution's permission to enter and search the house. Instead of revealing his permission, the chief ordered security forces to torture Mohammed Fakhrawi in one of the rooms of the house, and then ordered to arrest all present men in an arbitrary manner. Among the men was his brother Ali Fakhrawi, despite the inexistence of a permission to arrest them.

After their arrest, both brothers were subjected to torture and ill-treatment. They were deprived of drinking water, going to the toilet and spending a long time taking a shower during their arrest. They were also sexually assaulted and exposed to extremely cold temperature after undressing them, which is considered a sort of severe torture. They stayed in the solitary confinement for a long time, and handcuffed the whole time during the first month. They were kept handcuffed

even after transferring them to the communal prison unlike other prisoners.

Despite the fact that the Fakhrawi brothers did not have any charges against them when arrested, authorities accused them and others of a political case known as Al-Basta Group; a case which the Ministry of Interior has revealed in a statement along with photos of suspects before proving the charges against them.



hanna Al-Moussawi

After a three-year imprisonment, security authorities released Raihanna Al-Moussawi who revealed in an interview how she was tortured and undressed. She also mentioned the role of Emirati officers from the Peninsula Shield Force while interrogating her. Head of General Security replied on his Twitter account by accusing Raihanna of "attempting to discredit security forces".

Raihanna Al-Moussawi answered the Head of Public Security, who doubted her announcements, by stating that "what she mentioned was presented as a complaint since May 2013 to the Ombudsman, and that she has a copy of that complaint" in an interview with the Bahrain Mirror's website. Al-Moussawi confirmed that a copy of the complaint is present at the National Institution for Human Rights which was represented by Abdullah Al-Dirazi. She also added that Abdullah Al-Dirazi "had visited her in the cell but did not show much interest to her complaint". Regarding evidences, she exclaimed, "Does someone inside the Investigations Bureau building carry a camera, or may be accompanied by his lawyer or his relatives to make them see what he/she experiences?" Al-Moussawi also stated that she "signed papers without knowing their content in the General Prosecution building in the presence of a person who takes orders from a Special Investigations Unit" of the General Prosecution, which mission is investigating violations of security personnel.

Special Investigations Unit summoned Raihanna Al-Moussawi to interrogate her once again in presence of lawyer Mohammed Al-Tajer, who stated, "Special Investigations Unit went on enquiring Raihannah about the identity of those who interviewed her, instead of asking questions relevant to the case of her torture".

Thereafter, office of lawyer Mohammed Al-Tajer announced in a statement on Thursday, May 12, 2016 that Raihanna Al-Moussawi received phone calls from the Special Investigations Unit of General Prosecution, asking her to appear before a medical examiner to conduct medical tests three years after the complaint was made on being subjected to torture and ill-treatment during the period of her arrest. The statement continued: three years after the crime of torture and ill-treatment,

and after the direct physical effects of the crime faded away, Raihanna Al-Moussawi is asked to undergo a new medical examination before the medical examiner, noting that this is the second medical examination that is being requested from Raihanna Al-Moussawi without receiving her previously carried out test results. The statement emphasized that Rihanna Moussawi was told to appear this evening before a medical examiner to reveal the continuing side effects resulting from physical and moral torture. Al-Moussawi confirmed earlier after being summoned before the Special Investigation Unit she still suffers partial deafness in her left ear, visual impairment, cramps, as well as a mental state as a result of torture and ill-treatment during her arrest.58

After the investigation and examination were completed, Special Investigations Unit later stated that "no signs of torture were found on Raihanna Al-Moussawi", noting that they were completed three years after the torture incident.

Statement by office of lawyer Mohammed Al-Tajer, http://www.twitlonger.com/show/ n 1som2pv

CC	ONCLUSIONS	S AND REC	OMMENDA	TIONS

It is clear throughout this report that the human rights violations in Bahrain are in constant increase, and the human rights record has become worse, especially with tightening the security grip against the opposition in Bahrain and the prosecution of political and rights activists, journalists, and photographers, for practicing their activities related directly to their work, and to their right to freedom of expression, in addition to prosecuting the protestors, and using the law to punish them through judicial prosecutions and measures that lack the basis of fair trials.

As a part of restricting the political and human rights activity, the Bahraini government has enacted several legislative measures, including legislations and amendments on some laws amongst which is the Political Societies Law, Bahrain's Penal Code, and Anti-Terrorism Law, which the government have used to punish activists and target the political and human rights movement.

Bahraini authorities also prevented dozens of Bahraini political and religious figures from traveling during 2016, which prevented some of them from attending the Human Rights Council's sessions in Geneva, without knowing the reason behind the ban, as others know their travel ban is related to lawsuits brought against them by the Public Prosecution. The sequence of events shows that a number of human rights activists and political activists as well as clerics that were under travel ban have been summoned over charges related to their religious, political, or media related activities, or participating in the open sit-in protest in Diraz in front of Sheikh Isa Qassim's house.

The violation of religious freedoms has revealed the extent of sectarian persecution against Shiites in Bahrain compared to previous years, through targeting their religious rituals, arresting Shiite clerics and figures, and targeting their cultural institutions like Islamic Enlightenment Society...and other violations against Shiite citizens.

A series of violations were persistently practiced such as: arbitrary arrest, torture and mistreatment, enforced disappearance, raids, and other violations as a result of authorities' measures, as well as the use of number of laws such as Anti-Terrorism Law, which contributes to the defendants' risk of being tortured and mistreated, in addition to other violations like arbitrary arrests and enforced disappearances. Also, the government's policy provides protection to those involved in torture and violations and punished those who attempt to accuse security forces of torture and abuse allegations which plays a key factor in perpetuating these violations.

Added to the ongoing violations, the government's continuous approach to punish political, human rights and media related activity, through a number of measures, has been revealed by depriving citizens of their nationality by stripping their citizenships, and forcibly exiling them from Bahrain, as well as prohibiting all forms of demonstrations and facing it with excessive use of force, in addition to targeting and dissolving institutions and associations over political reasons or for being a religious association of opposition groups.

Conclusion:

- 1. The fundamental rights and freedoms are seriously deteriorating in Bahrain, especially after promoting impunity, introducing local legislations which contradict the principles of human rights, restricting freedoms of expression, peaceful assembly, religion and belief, and association, prosecuting dissidents, activists and human rights defenders through unfair trials since the judicial authorities are involved in the revenge of dissidents and human rights defenders and confiscating civil and political rights.
- 2. The right to peaceful assembly is banned in Bahrain since 2014. The Law on Public Gatherings imposed unnecessary restrictions to criminalize the right to peaceful assembly, and the Bahraini authorities' enforcement of the law was characterized by arbitrary interpretation of the restrictions set forth in the International Covenant on Civil and Political Rights.
- 3. The Bahraini authorities imposed arbitrary restrictions on the establishment of non-governmental organizations, and unjustifiably intervened in the organizations' affairs to the extent of suspending and dissolving or prosecuting them, through Civil Associations Law and Political Associations Law.
- 4. The Bahraini authorities provided themselves with a legal pretext for arbitrary deprivation of citizenships, through the Bahraini Citizenship Act and the Terrorism Law. In addition, the Bahraini authorities failed to provide effective

- administrative or judicial reference for those who were stripped of their nationalities, and stirred up lawsuits of illegal stay and forced deportation against some them.
- 5. The Ombudsman, the Special Investigation Unit, and the National Institution for Human Rights failed to fulfill their human rights roles. Therefore, there is an urgent need to bring about legislative amendments that ensure the principle of independence of these human rights bodies, particularly the National Institution for Human Rights, which was established in contrary to the Paris Principles.

The BFHR emphasized the necessity of the following:

- 1. The Bahraini authorities must immediately and seriously implement the Bahrain Independent Commission of Inquiry (BICI) recommendations, and those of the UPR. They should also remove the ban imposed on the right to peaceful assembly, and stop adopting local laws in order to restrict the right to freedom of expression.
- 2. The Bahraini authorities must stop practicing forced disappearance, halt extra-judicial killings, guarantee fair trials for citizens, and allow observers to attend those trials.
- 3. We emphasize Bahrain's need for international monitoring over the performance of the agencies created by the Bahraini authorities after the BICI report to reveal the truths.

4. There is an urgent need for international monitoring of the implementation of the BICI recommendations and those of the UPR on Bahrain, after issuing binding decisions for the Bahraini authorities to enhance the human rights situation.

We also call on the Member States of the Human Rights Council to adopt the following recommendations during the Bahrain human rights UPR:

- 1. Appoint a UN special rapporteur on Bahrain, and pressure the Bahraini authorities to allow UN special rapporteurs to visit Bahrain and supervise the internal situation, especially the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Special Rapporteur on the rights to freedom of peaceful assembly and of association, Special Rapporteur on the situation of human rights defenders, and Special Rapporteur on freedom of religion or belief.
- 2. Form an international investigations committee on all violations in Bahrain, which would present binding recommendations to the Bahraini authorities in order to improve the human rights situation.
- 3. Establish a regional office for the Office of the High Commissioner for Human Rights with full powers.
- 4. Urge Bahrain to join the Rome Statute of the International Criminal Court and the Optional Protocol to the Convention against Torture, and release all prisoners of conscience including human rights defenders, political activists and religious scholars.

- 5. Urge Bahrain to amend local legislations to guarantee the right to peaceful assembly, freedom of expression and citizenship, and demand it to urgently lift the siege imposed on Diraz.
- 6. Call on the Bahraini authorities to cancel all citizenship revocation verdicts and bring back the deportees.
- 7. We urge European Union states and other HRC member states to call on the Bahraini authorities to end death row sentences, halt their implementation against all prisoners of conscience, and consider this punishment to be a deprivation of the right to life.
- 8. We call on the USA to freeze the arms deals with the government of Bahrain and impose pressure on it to stop the violations of human rights in a direct and indirect manner, and we call on the British government as well to prevent the government of Bahrain from using the UK's support to cover up its human rights violations.
- 9. Adapt local legislations with international laws in order to ensure the independence of religious affairs and protection of freedom of belief.
- 10. Develop legislative guarantees which prevent any other authorities from interfering in the work of the Judicial Authority.
- 11. Ask the Bahraini government to be open and to enhance trust with the components of society to begin national reconciliation

INFOGRAPHIC: CONCLUSIONS AND RECOMMENDATIONS

2016 VIOLATIONS DIGITAL INVENTORY

victims of violations



Arbitrary arrests



Enforced disappearance



Torture and ill-treatment



Violation of religious freedoms



Deprivation of nationality



Enforced deportation

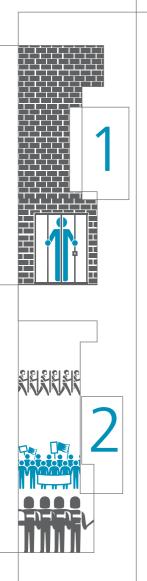


Travel ban



Unfair trials

CONCLUSION



The fundamental rights and freedoms are seriously deteriorating in Bahrain, especially after promoting impunity, introducing local legislations which contradict the principles of human rights, restricting freedoms of expression, peaceful assembly, religion and belief, and association, prosecuting dissidents, activists and human rights defenders through unfair trials – since the judicial authorities are involved in the revenge of dissidents and human rights defenders – and confiscating civil and political rights.

The right to peaceful assembly is banned in Bahrain since 2014. The Law on Public Gatherings imposed unnecessary restrictions to criminalize the right to peaceful assembly, and the Bahraini authorities' enforcement of the law was characterized by arbitrary interpretation of the restrictions set forth in the International Covenant on Civil and Political Rights.



The Bahraini authorities imposed arbitrary restrictions on the establishment of non-governmental organizations, and unjustifiably intervened in the organizations' affairs to the extent of suspending and dissolving or prosecuting them, through Civil **Associations Law and Political Associations** Law.



The Bahraini authorities provided themselves with a legal pretext for arbitrary deprivation of citizenships, through the Bahraini Citizenship Act and the Terrorism Law. In addition, the Bahraini authorities failed to provide effective administrative or judicial reference for those who were stripped of their nationalities, and stirred up lawsuits of illegal stay and forced deportation against some them.



The Ombudsman, the Special Investigation Unit, and the National Institution for Human Rights failed to fulfill their human rights roles. Therefore, there is an urgent need to bring about legislative amendments that ensure the principle of independence of these human rights bodies, particularly the National Institution for Human Rights, which was established in contrary to the Paris Principles.

RECOMMENDATIONS

The Bahraini authorities must immediately and seriously implement the Bahrain Independent Commission of Inquiry (BICI) recommendations, and those of the UPR. They should also remove the ban imposed on the right to peaceful assembly, and stop adopting local laws in order to restrict the right to freedom of expression.

The Bahraini authorities must stop practicing forced disappearance, halt extra-judicial killings, guarantee fair trials for citizens, and allow observers to attend those trials.

We emphasize Bahrain's need for international monitoring over the performance of the agencies created by the Bahraini authorities after the BICI report to reveal the truths.

There is an urgent need for international monitoring of the implementation of the BICI recommendations and those of the UPR on Bahrain, after issuing binding decisions for the Bahraini authorities to enhance the human rights situation.

RECOMMENDATIONS

OF THE MEMBER STATES OF THE HUMAN RIGHTS COUNCIL



Appoint a UN special rapporteur on Bahrain, and pressure the Bahraini authorities to allow UN special rapporteurs to visit Bahrain and supervise the internal situation, especially the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Special Rapporteur on the rights to freedom of peaceful assembly and of association, Special Rapporteur on the situation of human rights defenders, and Special Rapporteur on freedom of religion or belief.



Form an international investigations committee on all violations in Bahrain, which would present binding recommendations to the Bahraini authorities in order to improve the human rights situation.



Establish a regional office for the Office of the High Commissioner for Human Rights with full powers.



Urge Bahrain to join the Rome Statute of the International **Criminal Court and the Optional Protocol to the Convention** against Torture, and release all prisoners of conscience including human rights defenders, political activists and religious scholars.



Urge Bahrain to amend local legislations to guarantee the right to peaceful assembly, freedom of expression and citizenship, and demand it to urgently lift the siege imposed on Diraz.



Call on the Bahraini authorities to cancel all citizenship revocation verdicts and bring back the deportees.



Ask the Bahraini government to be open and to enhance trust with the components of society to begin national reconciliation.



We urge European Union states and other HRC member states to call on the Bahraini authorities to end death row sentences, halt their implementation against all prisoners of conscience, and consider this punishment to be a deprivation of the right to life.

9



We call on the USA to freeze the arms deals with the government of Bahrain and impose pressure on it to stop the violations of human rights in a direct and indirect manner, and we call on the British government as well to prevent the government of Bahrain from using the UK's support to cover up its human rights violations.

10



Adapt local legislations with international laws in order to ensure the independence of religious affairs and protection of freedom of belief.





Develop legislative guarantees which **prevent any other authorities from interfering in the work of the Judicial Authority.**

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In addition to other sources mentioned in footnotes

Annex

A List of victims banned from travelling and the date of their ban

No.	Name	Area of Residence	Date of Ban	Status
1	Zainab Al Khamees	A'ali	07-Apr-16 18-Oct-16	Human Rights Activist
2	Taha Ali Hussein Al Dirazi	Diraz	10-Jun-16	Surgeon, Activist, and Victim
3	Ali Ibrahim Al Ghadeer	Al Borhama	12-Jun-16	Human Rights Activist
4	Abdul Hadi Saleh Jaafar Mushaima'a	Al Daih	12-Jun-16	Father of a victim
5	Zamzam Abdullah Jassim Mohammad	Al Daih	12-Jun-16	Mother of a victim
6	Hussein Radhi	Shahrakan	12-Jun-16 23-Aug-16	Human Rights Activist
7	Ibrahim Abdullah Al Dimistani	Al Diraz	12-Jun-16	Human Rights Activist
8	lbtisam Abdul Hussein Ali Al Sayegh	Jad Ali	12-Jun-16	Human Rights Activist
9	Jalila Mohammad Ridha Al-Salman	Manama	14-Jun-16	Human Rights Activist
10	Abdul Nabi Hassan Al Ekri	Al Daih	18-Jun-16 07-Oct-16	International Human Rights Activist
11	Abdul Majid Abdullah ""Sumoud	Ras Roman	19-Jun-16	Activist
12	Sayid Saeed Isa Hussein Isa	Al-Kharijeya	19-Jun-16	Father of victim

No.	Name	Area of Residence	Date of Ban	Status
13	Nazeeha Saeed	Al Daih	28-Jun-16 30-Jun-16	Journalist
14	Ayat Isa Al Saffar	Wadiyan	30-Jun-16	Victim
15	Sheikh Maytham Al Salman	Manama	02- Sep -15 The ban lasted until the end of 2016	International Activist
16	Ahmad Radhi	Sanabis	07-Jul-16 17-Sep-16	Journalist
17	Mohammad Isa Altajer	Al Dair	08-Jul-16 23-Aug-16 07-Oct-16	Activist and Lawyer
18	Sayid Sharaf Mohsin Al Moussawi	Al Diraz	08-Jul-16 03-Sep-16 07-Oct-16	International Activist
19	Raihana Al Sayid Abdullah Al-Moussawi	Safala	13-Jul-16	Victim
20	Radhi Saleh Al Qatari	Karbabad	19-Jul-16 29-Sep-16	Human Rights Activist
21	Inas Aoun	Samaheej	22-Aug-16 16-Oct-16	Human Rights Activist
22	Isa Al Gha'eb	Manama	24-Aug-16	Human Rights Activist
23	Ali Ibrahim Al Ghadeer	Al Borhama	24-Aug-16	Human Rights Activist
24	Ahmad Al Saffar	Hamad Town	27-Aug-16 16-Oct-16	Human Rights Activist
25	Nidhal Al Salman	Manama	29-Aug-16	Human Rights Activist
26	Jalila Mohammad Ridha Al Salman	Manama	30-Aug-16	Human Rights Activist
27	Mohammad Khalil Al Shakhouri	Karzakan	05-Sep-16	Human Rights Activist

لِيَوْكُ السِّهِيْدَ 5

العدد: 3268 - الخميس 30 يونيو 2016

مرسوم رقم (٥٥) لسنة ٢٠١٦ بإسقاط الجنسية البحرينية

ملك مملكة البحرين.

نحن حمد بن عيسى آل خليفة

بعد الاطلاع على الدستور،

وعلى قانون الجنسية البحرينية لعام ١٩٦٣ وتعديلاته، وعلى الأخص المادتين (٨) و(١٠)،

وعلى توصيات المجلس الوطني الصادرة بجلسته الاستثنائية المنعقدة بتاريخ ٢٨ يوليو ٢٠١٣، وعلى الأخص التوصية الثانية التي نصت على "إسقاط الجنسية البحرينية عن كل مرتكبي الجرائم الإرهابية والمحرُّضين عليها"،

وبناءً على عرض وزير الداخلية الذي بين طلب أسباب إسقاط الجنسية البحرينية، والتي تم اكتسابها ولم يتم حِفْظ حقوقها والتسَبِّب في الإضرار بمصالح المملكة وعدم مراعاته لواجب الولاء لها،

وبناءً على قرار مجلس الوزراء بالموافقة على إسقاط الجنسية،

رسمنا بالأتي: المادة الأولى

تُسقَط الجنسية البحرينية عن عيسى أحمد قاسم الذي يحمل الرقم الشخصى (٤١٠٠٣١٩٥٠).

المادة الثانية

على رئيس مجلس الوزراء والوزراء . كل فيما يخصه . تنفيذ أحكام هذا المرسوم، ويُعمل به من تاريخ صدوره، ويُنشر في الحريدة الرسمية.

ملك مملكة البحرين حمد بن عيسى آل خليفة

> رئيس مجلس الوزراء خليفة بن سلمان آل خليفة

> > وزير الداخلية راشد بن عبدالله آل خليفة

صدر في قصر الرفاع: بتاريخ: ١٥ رمضان ١٤٣٧هـ الموافق: ٢٠ يـونيــو ٢٠١٦م Kingdom of Bahrain PUBLIC PROSECUTION



مملكحة البحريين

.VC.17.7710

أمر إحالة في القضية رقم ٢٠١٦/٧٦٢٠٧ جنايات النيابة العامة

في ١٤/٧/١٤ عم نــايـف يــوسفالقائم باعمال المحامي العام للنيابة الكلية لمملكة البحرين بعد الإطلاع على أوراق القضية المذكورة بعاليه وما تم فيها من تحقيقات: تتهم النيابة العامة :

رقم الهوية	الجنسية	المهنة	العنوان	العمر	الاسم
11 190.			مینی ۱۷۹ شارع ۲۲۰ مجمع ۲۶۰ الدراز	٧٥ سنة	١ ـعيسى أحمد قاسم عبدالله
77.111111	بحريتي	-	مبنی ۹۴۰ شارع ۱۴۳۳ مجمع ۱۱۶ الدیه	و ا سنة	٢ حسين يوسف حسن القصاب
£0.1.71YF	بحريتي		شارع £££ شارع £1.9 مجمع . £0 الدراز	٧١ سنة	٣ ميرزا عبدالله حسن الدرازي

بمملكة البحرين

لأنهم في غضون الفترة من ٢٠٠٩ حتى ٢٠١٦م

أولاً: اكتسبوا وحازوا المبالغ المالية المبينة بالتحقيقات وأخفوا طبيعتها ومصدرها ومكانها مع علمهم بأنها متحصلة من جريمة جمع أموال بدون ترخيص ، بأن أجروا عليها عمليات إيداع وسحب وشراء وتخصيص وتوزيع بما من شأنه إظهار أن مصدرها مشروع على خلاف الحقيقة وذلك على النحو المبين تفصيلًا بالتحقيقات.

ثَانياً: جمعوا أموال للأغراض العامة دون الحصول على ترخيص وذلك على النحو المبين (بالتحقيقات.

القائد بأعمال المتحامي الع

CULING. CONTRACTOR OF SAN

PP-002

 Kingdom of Bahrain PUBLIC PROSECUTION



محملک نه البحريان النياب نه العامية

بناء عليله

يكون المتهمين قد ارتكبوا الجريمة المعاقب عليها بالمائتين ؟ تمكر و ١١١ من قانون العقويات وبالمواد ١ و ٢-١ بنود (١ ، ب ، ج) و ٣-٣ (بند ج) و ٣-٣ من المرسوم بقانون رقم (٤) لسنة ٢٠٠١م بشأن حظر ومكافحة غسل الاموال والمعدل بالقانون رقم ٤٥ لسنة ٢٠٠٦م وبالمواد ١ و ٢ و ٤ /٢/١٤ من المرسوم يقانون رقم (٢١) لسنة ٣ ١٠١٨م بشأن تنظيم جمع المال للأغراض العامة وبالمائتين ٢/١ و ١/٢ من قانون جمع التبرعات الخبرية لعام

اذا ان

ثانيا مرفق قائمة بمؤدى أقوال الشهود وأدلة الإثبات.

القائم باعمال المحامي العبام للنيابة الكلية

BAHRAIN...THE MAP OF PERSECUTION:

UNDERMINING CIVIL SOCIETY

The Bahrain Forum for Human Rights (BFHR) issues this 2016 report with the beginning of 2017, the year in which Bahrain's human rights situation will be discussed within the UN Universal Periodic Review (UPR) at the UN Human Rights Council in Geneva.

Bahrain's human rights record has become more burdensome than before, with the security crackdown on the Bahraini opposition and the prosecutions of political and rights activists, journalists and photographers for practicing their activities, which are directly related to their work and to the right to express their opinions. In addition, protesters are being prosecuted and the law is being used to punish them within unfair procedures and trials, and violations are continuing and escalating.

Bahrain Forum for Human Rights (BFHR)

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