

# BAHRAIN

## ANNUAL REPORT 2007

The authorities imposed restrictions on freedom of expression. A group of detainees complained of physical abuse during their detention. The King ratified a law imposing the death penalty. Three people were executed for murder.

### Background

In September Bahrain acceded to the International Covenant on Civil and Political Rights. Elections to a new 40-seat House of Representatives took place in November. Although political parties were officially banned in Bahrain, the al-Wefaq National Islamic Society, the main Shi'a Muslim opposition which had boycotted the previous parliamentary elections in 2002, won 17 seats, and two Sunni Muslim groups, the al-Menbar National Islamic Society and the al-Asala Islamic Society, won a total of 12 seats. Pro-government candidates won 10 seats. Latifa al-Ga'ood was the only one of 18 women candidates to be elected.

### Guantánamo Bay detainees

A Bahraini national, Salah al-Balooshi, who had been detained by the US authorities at Guantánamo Bay, Cuba, was returned to Bahrain in October and released. Two other Bahraini nationals, 'Issa 'Abdullah al-Murbati and Juma'a Mohammed al-Dossari, continued to be held at Guantánamo Bay throughout 2006.

### New counter-terrorism law

In August the King, Shaikh Hamad bin 'Issa Al Khalifa, ratified a new counter-terrorism law which had been approved by both the elected House of Representatives and the appointed Shura (Consultative) Council in July. The new law extended the use of the death penalty and prior to its introduction was criticized by both the UN Committee against Torture and the Special Rapporteur on the promotion and protection of human rights while countering terrorism, who expressed concern that it could be used to penalize the peaceful exercise of human rights.

### Freedom of expression and association

In July the House of Representatives approved amendments to Decree no. 18 of 1973 on Public Meetings, Processions and Gatherings, and referred it to the Shura Council. Certain provisions of the decree, as well as some of the proposed amendments, imposed serious restrictions on the rights to freedom of expression and of assembly. For example, the definition of "public gathering" was very broad, and even meetings held in private and involving a small number of people were subject to prior official notification. Article 10(a) prohibited political rallies and meetings for non-citizens, while Article 10(b) banned demonstrations for election purposes. The King ratified the new law in July after its approval by the Shura Council.

In October the High Criminal Court ordered a ban on the publishing of any information relating to a report issued in September by Salah al-Bandar, a UK national and adviser to the Bahraini government. The report alleged that officials had planned to manipulate the outcome of the November parliamentary elections at the expense of the majority Shi'a Muslim population. He was deported to the UK the same month and later charged with "illegally seizing government documents and stealing two cheques". He denied the charges.

In October the Minister of Information issued an order banning seven internet websites on the basis of Articles 19 and 20 of the Press and Publications Law of 2002. The reasons for the ban were not clear but were believed to be connected with the report published by Salah al-Bandar. A number of other websites were also banned during the year.

### Human rights activists

During the year several human rights activists were reportedly subjected to harassment in the form of anonymous threatening telephone calls telling them to cease their human rights activities. For example, human rights activists received calls warning them to stop referring to Salah al-Bandar's report in their work.

### **Abuses of detainees**

- In August, 19 detainees, most of whom were being held at the Dry-Dock prison on the Island of Muharraq, were beaten by riot police after a court session, apparently after they announced their intention to go on a hunger strike. They were protesting against their detention without bail and repeated postponements of the court sessions. The 19 detainees were arrested allegedly for holding an illegal gathering and sabotaging property in the town of Sanabis. After they appeared before the High Criminal Court, they were reportedly taken outside the prison grounds, their hands tied behind their backs, and forced to lie face-down in the heat of the sun for more than two hours, during which time they were allegedly beaten with sticks and kicked. The men were released in September after a pardon from the King. However, no investigation into their alleged ill-treatment was known to have been carried out.

### **Death penalty**

In November the King ratified the death sentences against three people. Mohammad Hanif Atta Mohammad, a Pakistani national, had been found guilty of the murder in August 2003 of Ibrahim al-Asmawi, a Bahraini national. He was sentenced to death by the High Criminal Court and the sentence was upheld on appeal. In a separate case two Bangladeshi nationals, Jasmine Anwar Hussain, a female domestic worker, and Mohammad Hilaluddin, were sentenced to death in November 2004. Their death sentences were upheld on appeal in December 2005. All three were executed by firing squad in December 2006. These were the first executions to be carried out in Bahrain since 1996.

## **ANNUAL REPORT 2006**

**Three people were arrested in connection with material published on an Internet website. A human rights activist appeared before a court on charges that seemed to be politically motivated. Security forces used excessive force to disperse demonstrators in the capital al-Manama.**

### **Key developments**

The government proposed a new counter-terrorism law to the National Assembly (parliament) in April under which anyone convicted of committing or planning terrorist acts would face the death penalty. Human rights activists and some members of parliament criticized the proposed law as an attempt to restrict freedoms excessively. The law was approved by the parliament in December and was due to be referred to the Shura (Consultative) Council and then ratified by the King in 2006. In July, parliament approved a new law to regulate political associations. This requires associations to be approved by the Minister of Justice who can also apply to the Supreme Court to have them dissolved or cease their activities. Human rights and other groups criticized the new law as overly restrictive and called on King Hamad bin 'Issa Al Khalifa to cancel it. He had not done so by the end of 2005.

Human rights activists and some members of the parliament continued to urge the government to press for the release of six Bahraini nationals detained by the US military at Guantánamo Bay. Three of them were returned to Bahrain in November and released.

### **Political arrests**

Three men were arrested in February in connection with comments published on their Internet website discussion forum ([www.bahrainonline.org](http://www.bahrainonline.org)) which were alleged to be critical of the government and offensive to the royal family. 'Ali 'Abdul Imam, Mohammad al-Mousawi and Hussain Yousef were detained for 15 days on the orders of the Public Prosecution. The charges against them included "inciting hatred, defamation and spreading false information". The three went on hunger strike during their detention at al-Hooraa police station in al-Manama. They were released on 14 March. At the end of the year it was not clear whether they were still awaiting trial.

### **Human rights defenders**

Ghada Jamsheer, a leading human rights defender, appeared in court in June. She faced charges of insulting the judiciary; defamation and slander of a family court judge; and slander of the husband of a victim of domestic violence. The first charge arose from petitions and articles issued between October 2002 and June 2003 by the Women's Petition Committee, of which Ghada Jamsheer is the director. The group was formed in October 2002 to campaign for the reform of personal status courts and the codification of family laws. Ghada Jamsheer denied all the charges, most of which were dropped or dismissed by the courts. However, the charge of slandering a judge remained pending at the end of the year.

Lawyers acting for the Bahrain Centre for Human Rights (BCHR) filed a court case against the Ministry of Labour in January. The action contested the Minister of Labour's decision to order the closure of the Centre in September 2004 for an alleged breach of the 1989 Societies Law. The application was rejected by the High Civil Court in January. The lawyers acting for the Centre then reportedly referred the case to the Administrative Court in April, where it was believed to remain pending at the end of the year.

### **Excessive force**

In June, the security forces were reported to have used excessive force when dispersing peaceful demonstrators calling for more job opportunities who had gathered outside the Royal Court in Rifa'a in al-Manama. Many of the demonstrators were beaten and some required hospital treatment. About 30 were arrested but released the same day without charge. In July, a further demonstration against unemployment resulted in more than 30 people being severely beaten by the security forces; some required hospital treatment. Those assaulted included 'Abdul Hadi al-Khawaja and Nabeel Rajab,

human rights activists belonging to the BCHR.

### **UN Committee against Torture**

In May the UN Committee against Torture considered Bahrain's report on its implementation of the UN Convention against Torture. The Committee regretted the government's five-year delay in submitting the report, but noted that several positive developments had occurred in Bahrain since 2001. However, the Committee expressed concern about the continuing "lack of a comprehensive definition of torture" in Bahraini law; the "provision of blanket amnesty to all alleged perpetrators of torture and other crimes by Decree 56 of 2002"; and the "lack of redress available to victims of torture". It urged the government to adopt legislation to prevent and punish violence against women, including domestic violence, and to amend Decree 56 to "ensure there is no impunity for officials who have perpetrated or acquiesced in torture and other cruel and inhuman or degrading treatment".

### **Death penalty**

Two Bangladeshi nationals, Jasmine Anwar Hussain and Mohammad Hilaluddin, had their death sentences upheld on appeal in December. At the end of the year it was unclear whether the case would be referred to the Court of Cassation. They had been sentenced to death for murder in November 2004.

## ANNUAL REPORT 2005

**Four political associations organized a petition calling for constitutional amendments, which led to the arrest of 17 people. The Bahrain Centre for Human Rights was closed by ministerial order and its executive director arrested. In response, hundreds of demonstrators took to the streets. The death sentence against a young Ethiopian woman was commuted.**

### Background

In April, the first woman government minister was appointed. Nada 'Abbas Haffadh, member of the Supreme Council for Women, became Health Minister. The long-serving Interior Minister Shaikh Muhammad bin Khalifa Al Khalifa was replaced in May by Major General Shaikh Rashid bin 'Abdullah bin Ahmad Al Khalifa.

In October King Hamad bin 'Issa Al Khalifa called for the enactment of laws that would end all forms of discrimination against women.

### Arrests

'Abdul Ra'uf al-Shayeb, a board member of the National Committee for Martyrs and Victims of Torture, was arrested on 30 March. The arrest reportedly related to his entering a house without permission and having an "illicit relationship" with an Indonesian housemaid. However, 'Abdul Ra'uf al-Shayeb's arrest was believed to be connected with his call a few days earlier for a demonstration on behalf of victims of torture to take place on 4 April, the day of the first Formula One Grand Prix to be held in Bahrain. He was released on 3 April. At the end of the year he still faced charges of entering a house without the owner's permission.

Seventeen people, including juveniles, were arrested on 30 April for organizing a public petition calling for constitutional amendments. The petition was said to have been initiated by four political associations: the National Democratic Action Society, the Islamic National Reconciliation Association (al-Wifaq), the National Democratic Society and the Islamic Action Society. By 20 May all detainees had been released by order of the King.

### Human rights defender detained

'Abdul Hadi al-Khawaja, a human rights activist and executive director of the Bahrain Centre for Human Rights (BCHR), was arrested on 25 September and ordered to be detained for 45 days by the public prosecutor. The day before, he had made a personal attack on the Prime Minister and voiced strong criticisms of the government's economic and human rights record while speaking at a BCHR-convened seminar on poverty. On 28 September the Minister of Labour and Social Affairs ordered the BCHR's closure.

'Abdul Hadi al-Khawaja appeared in court on 16 and 20 October and on 7 November, and was charged under Articles 165 and 168 of the 1976 Penal Code which include the offence of "inciting hatred of the state, defamation, spreading false information designed to destabilize public security". He denied all charges on the basis that the 1976 laws were "unconstitutional". On 21 November he received a one-year prison sentence but was released the same day, having been pardoned by the King. Hundreds of people demonstrated calling for his release, many of whom were arrested and remained in detention until their release also on 21 November by order of the King.

### Torture and ill-treatment

- Hasan 'Abd al-Nabi Hassan, an unemployed man from Sitra, was arrested on 20 November by four men in civilian clothes as he stood near the royal palace holding banners, one of which said: "I am a Bahraini citizen and I demand a job". The men, said to be from the Royal Guard, ordered him to get into their car. When he refused three of them reportedly kicked and beat him with batons all over his body. The driver was reported to have deliberately reversed the car into him, hitting him on the side and arm. Hassan 'Abd al-Nabi Hassan lost consciousness and was taken to Rifa'a al-Gharbiya police station. He was handcuffed and put in a cell. When he asked

for medical treatment and to see a lawyer, a duty officer beat him with a baton and metal handcuffs. He was released on 21 November and ordered to stop his protests near the palace.

### **Violence against women**

There were reports of domestic violence against female migrant workers and Bahraini women. State inaction and discriminatory legislation left women vulnerable to gender-based violence.

- A Bahraini woman was divorced from her husband after she suffered regular beatings. No action against him was taken despite the availability of medical evidence and complaints. The husband kept custody of the couple's two children.
- In May the Migrant Workers' Group, a local non-governmental organization (NGO) working under the umbrella of the BCHR, rescued Tushari Ramyalatha, a 19-year-old Sri Lankan maid. She was reportedly the victim of regular beatings and sexual harassment by her employer's family who also refused to pay her salary. She returned to Sri Lanka after her sponsor reportedly agreed to pay for her flight and six months' salary.

In August the Shura (advisory) Council announced that it had initiated a draft law to combat violence against women.

### **Death penalty**

In January the Supreme Court commuted the death sentence of Yoshork Dostazudi, a 23-year-old Ethiopian woman, to life imprisonment. She had been found guilty of beating to death her female employer in December 1998.