

**Americans for Democracy & Human Rights in Bahrain (ADHRB) and Bahrain  
Center Cultural Society (BCCS)**

***For consideration at the 27<sup>th</sup> session of the UN working group in April-May 2017***

**22 September 2016**

1. ADHRB is a non-profit organization that fosters awareness of and support for democracy and human rights in Bahrain and the Middle East.
2. ADHRB's reporting is based primarily on its United Nations (UN) complaint program, by which it works directly with victims of human rights violations, their family members or their lawyers on the ground in the region to document evidence of abuses and submit this evidence to the UN Special Procedures. ADHRB has repeatedly requested permission to formally visit Bahrain in order to consult with government officials, national human rights mechanisms, and our independent civil society partners on the ground, regarding issues relating to the UPR process, but has been so far denied access. As yet, the Government of Bahrain has declined to cooperate with ADHRB on any level.
3. BCCS is Bahraini cultural center and advocacy organization based in Berlin, Germany.
4. ADHRB and BCCS welcome the opportunity to contribute to the third cycle of the Universal Periodic Review (UPR) of Bahrain. This submission focuses on Bahrain's compliance with its second-cycle recommendations to take measures to meet the aspirations of victims of discrimination and protect ethnic and religious groups from abuse.

**Introduction**

5. In its second UPR cycle, the Government of Bahrain fully supported recommendations **115.70 (Belgium)** and **115.93 (Canada)** concerning efforts to meet the aspirations of the victims of discrimination and the protection of ethnic and religious communities.
6. The government has failed to implement the second-cycle UPR recommendations to protect and advance the position of victims of discrimination in Bahrain. On the contrary, the authorities have continued to discriminate against Bahrain's Shia majority – including the Baharna and Ajam ethnoreligious groups – in most aspects of daily life, from hiring practices to social services. While as much as 70% of Bahrain's population is Shia, nearly all practical political power is concentrated

within the Sunni al-Khalifa ruling family, and most key government posts are held by al-Khalifas or their supporters. Since the pro-democracy uprising in 2011, the authorities have particularly targeted Shia for political reprisal and have intensified restrictions on their religious and cultural rights. In recent years, the government has intensified its attack on Shia political participation and religious traditions, often employing violence to suppress the community's rights to free assembly, free association, free speech, and free belief. There is also mounting evidence to suggest that the government is specifically working to decrease the Shia population and alter the country's demographic balance in favor of the Sunni minority.

7. This submission examines ways in which the Government of Bahrain has not only failed to reduce discrimination, but has deepened societal divisions by further marginalizing the Shia community. Due to space constraints, this submission will not analyze the destruction of religious sites or the sectarianization of the security forces, although these are major aspects of discrimination in Bahrain. The submission is divided into the following sections:
  - A. Suppression of Religious Practices and Gatherings
  - B. Denaturalization, Demographic Engineering, and Political Disenfranchisement
  - C. Detention of Shia Religious and Opposition Leaders
  - D. Discrimination in Welfare, Culture, and Employment
  - E. Conclusion and Recommendations

#### **A. Suppressing Religious Practices and Gatherings**

8. Bahraini authorities have consistently restricted and interfered in traditional Shia religious practices. Security forces frequently disturb Shia celebrations during Muharram, for example, the month in which Shia Muslims mourn the martyrdom of the Prophet Mohammad's grandson, Imam Hussein. In 2015, ADHRB documented numerous cases of security forces arresting Shia clerics, tearing down flags and banners marking Ashura (or the Day of Remembrance), and suppressing peaceful public demonstrations with shotguns and teargas. The authorities removed flags and banners from more than 30 villages in the first two weeks of Muharram, and they raided a Shia religious hall, or Matam, in Karzkan village. The Ministry of Interior stated that its personnel removed "political slogans that do not represent Ashura,"<sup>ii</sup> but residents of the affected villages tell ADHRB that their banners displayed typical Ashura slogans that had been shown during Muharram for years. Moreover, the MoI justified its decision to violently disperse worshippers – resulting in several cases of near-suffocation, bodily injury, and private property damage – as necessary to "ensure traffic safety."<sup>iii</sup> That same Muharram, Bahraini authorities summoned and interrogated at least five Shia clerics, including Sheikh Abdulzahra al-Mubasher, Mulla Abbas al-Jamri, Mahdi Sahwan, Sheikh Mahmood al-Aali, and Sayed Yasser al-Sari. All five were questioned regarding their religious activities during Muharram, such as the contents of their sermons. Bahraini officials even summoned a youth group in order to interrogate them about a prayer gathering they held on the day of Ashura.
9. The government has repeatedly targeted Shia religious leaders for their sermons and for conducting traditional practices such as *khums*, whereby clerics distribute donations from the community for use in philanthropic initiatives. In June 2016, the MoI unilaterally revoked the

citizenship of Ayatollah Sheikh Isa Qassim, a prominent Shia cleric who is widely considered the spiritual leader of Bahrain's Shia community. Although it has yet to present any credible evidence, the MoI alleged that Sheikh Qassim has "served foreign interests", promoted "sectarianism and violence," and "exploited the religious pulpit for political purposes." Sheikh Qassim, an outspoken advocate of political reform in Bahrain, is unable to appeal the denaturalization order.

10. A day after the MoI revoked Sheikh Qassim's citizenship, security forces reportedly raided a religious consultation office associated with the cleric. They also searched the nearby apartments of religious students and other citizens. On 16 July, the government announced that, in addition to the denaturalization order, it was initiating legal proceedings against Sheikh Qassim and two other individuals on charges of illicit fund-raising and money-laundering related to their involvement in the administration of *khums*. The charges can warrant up to seven years in jail and a USD \$2.6 million fine. Local sources report that Sheikh Qassim's prosecution is "likely to accelerate [government] plans to strip the country's Shia imams of the right to collect a religious contribution from the faithful...which could happen as soon as the end of the year."<sup>iv</sup> The government has accused Shia leaders like Sheikh Qassim of "misappropriating" these funds to support political prisoners and is now reportedly working to bring the practice of *khums* under the control of the state. The Public Prosecution Office (PPO) has so far summoned at least nine Shia clerics on allegations related to *khums*.
11. Earlier, on 14 June, the Ministry of Social Development closed two of the only remaining Shia civil society organizations, the Al-Risala Islamic Society and the Islamic Enlightenment Society (Al-Tawiya), on similar allegations related to *khums*. Security forces arrested the head of Al-Risala Islamic Society, Mahmood al-Arab, on the same day; he remains in detention. On 16 June, the PPO interrogated five Shia clerics – Sheikh Majeed al-Mishal, Sheikh Hussain al-Mahroos, Sheikh Hasan al-Maleki, Sheikh Ebrahim al-Ansari, and Sayed Hashim al-Bahraini – in connection with Al-Risala, Al-Tawiya, and the "illegal collection of money." The government has twice summoned the head of Al-Tawiya, Sheikh Baqer al-Hawaj, and has reportedly imposed a travel ban on him, preventing him from performing the hajj for the last ten years. The organization's website is also now blocked in Bahrain. In addition to international religious and cultural rights, the criminalization of traditional practices like *khums* contravenes Bahrain's 1956 law on collecting donations as well as Article 22 of the constitution, which states that "freedom of conscience is absolute...[and] the State shall guarantee the inviolability of places of worship and the freedom to perform religious rights and to hold religious processions and meetings in accordance with the customs observed in the country."<sup>v</sup>
12. Following the government's initial decision to denaturalize Sheikh Qassim and render him stateless, hundreds of protestors gathered at his home in Diraz to protest his imminent deportation. Though the authorities have not dispersed the peaceful sit-in at time of writing, security forces have surrounded the area and blocked all but two entrances into the village. Personnel at the two checkpoints have prevented residents without Diraz identification documents from entering the village, and all major Internet Service Providers (ISPs) – including the three largest: Batelco, Zain, and Viva – have enforced a daily internet blackout in the area between 7:00 p.m. and 1:00 a.m. Digital security expert Bill Marczak has found that "Batelco and Zain are likely deliberately disrupting both fixed-line and mobile data services in Duraz [sic]" and "it is possible that the disruptions are a result of a Service Restriction Order (SRO) from the Bahrain

Government, in relation to the protests.”<sup>vi</sup> Pro-government social media accounts have simultaneously circulated photographs of public sector employees seen participating in the Diraz sit-in, equating them with terrorists and calling for their arrest. On 12 July 2016, this campaign culminated in the interrogation and subsequent arrest of Ali Abduraheem, an official at the state Labour Market Regulatory Authority (LMRA), after social media users, including a member of parliament, posted a picture of him participating in the demonstrations online. The Bahrain Independent Commission of Inquiry (BICI) documented a similar practice in 2011, concluding that pro-government social media accounts targeted protesters, disclosed their whereabouts and personal details, and subjected them to harassment, threats, and defamation. Security forces later arrested and in some cases tortured many of the targeted individuals. Though the BICI found that such activity amounts to hate speech and incitement to violence, the government has not prosecuted anyone for participating in these types of campaigns.

13. In response to the sit-in, Bahrain’s prime minister, Khalifa bin Salman Al Khalifa, has stated that “there will be no place for those who incite violations of the law and who threaten the security of the country.”<sup>vii</sup> Since June, the authorities have begun to conduct mass arrests of individuals attending Friday prayers in Diraz and/or participating in the demonstrations. On 19 July 2016, the Budaiya police summoned and interrogated at least 13 individuals for allegedly participating in a protest following a Friday prayer gathering. Among those interrogated were Sheikh Saeed Al-Asfoor and religious singer Abduljabbar al-Derazi, both of whom were released on 21 July and 25 July, respectively. The security forces have also denied Shia imams Sheikh Mohammad Al-Ghoraifi and Sheikh Mohamed al-Sanqoor consistent access to the mosques in Diraz, preventing them from leading the Friday prayer sessions; sources have reported that Sheikh al-Ghoraifi has since been arrested. As of 12 August, official Friday prayers had not been held in Diraz for four consecutive weeks. According to activist reports, on 22 July the security forces detained as many as 50 individuals as they were leaving Diraz after attempting to hold a Friday prayer gathering. Two days later, police arrested a Shia cleric that lives in Diraz, Sayyed Yassine al-Mosawi. On 14 August, the authorities charged Sheikh Maytham al-Salman, a renowned interfaith leader and human rights defender, and Dr. Taha al-Derazi, an activist and former prisoner of conscience, with “illegal gathering” for participating in the sit-in; Sheikh Maytham was released on bail but Dr. Al-Derazi remains in detention. The following are also among those charged with illegal assembly since June 2016: Sheikh Mahmood Al-Aali, vice president of the dissolved Islamic Ulema Council (IUC), a group of the country’s leading Shia clerics; Sheikh Fadhel Al-Zaki, an IUC member; Sheikh Muneer al-Matooq; Sheikh Ebrahim al-Safa; Sheikh Ali Rahma; Mahdi Sahwan, a religious singer; Sayed Majeed al-Mishal, IUC president; Sheikh Jasim Al-Motawa; Sayed Yaseen Al-Mosawi; Sheikh Ali Naji al-Hamali; Mula Habib al-Durazi; and Sheikh Jasim Al-Khayat, head of the Arbitral Tribunal for the recently dissolved Al-Wefaq National Islamic Society, the country’s largest opposition group. Additionally, the authorities charged poet Khalil al-Ismaeel with both “illegal gathering” and “reciting a political poem” at Diraz. Most recently, on 21 September, a court sentenced three Shia clerics to one year in prison each on charges of “illegal gathering” for participating in the sit-in.
14. On 22 May 2016, just prior to the denaturalization of Sheikh Qassim, the government amended Article 5 of the Political Society Law to specifically prohibit religious figures, such as clerics and imams, from political participation. The amendment forbids religious figures from participating in political societies and discussing politics during sermons, among other restrictions; so far the authorities have exclusively used the law to target Shia activists and the predominantly-Shia

political societies. In June 2016, the MoJ issued an emergency order to suspend Al-Wefaq and freeze its assets. The authorities proceeded to block the society's website and then seize and vandalize its headquarters; according to Al-Wefaq's legal counsel, security forces prevented them from entering the building to obtain documents required to prepare their defense. Citing this obstruction and the court's decision to expedite the hearing twice, the defense team later withdrew from the proceedings. On 17 July 2016, the High Civil Court affirmed the order and formally dissolved Al-Wefaq in the absence of any defense counsel. On 22 September, an appeals court upheld the decision. The government has continued to harass members of Al-Wefaq even after its dissolution, such as on 1 August 2016 when the authorities reportedly summoned former Member of Parliament and the head of the society's Shura Council, Sayed Jameel Kadhem.

## **B. Denaturalization, Demographic Engineering, and Political Disenfranchisement**

15. Though Sheikh Qassim may be the most high-profile denaturalization case in Bahrain, the government has revoked the citizenship of at least 330 Bahrainis since 2012. The authorities regularly utilize citizenship revocation – or the threat thereof – as a means of suppressing and/or punishing dissent. Specifically, Bahraini officials have exploited the broad provisions of both the 2006 Law on Protecting Society from Terrorist Acts and the recently expanded 1963 Citizenship Act to issue often unappealable denaturalization orders for government critics.
16. The vast majority of denaturalized individuals are Shia, adding to the thousands of stateless, predominantly Ajam Shia already residing in Bahrain prior to the 2011 unrest. Moreover, since 2014, the government has denaturalized and deported at least two Shia clerics without court order. This discriminatory and often arbitrary system for granting or revoking citizenship in Bahrain – one which has simultaneously seen the rapid naturalization of foreign, Sunni security personnel<sup>viii</sup> – has resulted in the Shia community, and particularly the Ajam, being far more likely to experience severe poverty and the attendant human rights issues.
17. Some reports indicate that the government's policy of demographic manipulation or "engineering"<sup>ix</sup> has significantly altered the country's ethnoreligious makeup, resulting in the gradual displacement of the Shia majority by a growing Sunni population increasingly made up of emigrants. A survey conducted in 2009 indicated that the country's sectarian distribution had already seen marked change, with the percentage of Shia dropping from as high as 70 to as low as 58, and reciprocal rise in the percentage of Sunni from as low as 30 to as high as 42.<sup>x</sup> This process has been expedited by the government's systematic naturalization of foreign security personnel from Sunni majority countries like Pakistan, Yemen, and Jordan. Former adviser to the Cabinet Affairs Ministry Salah al-Bandar, who initially revealed the government's efforts to manipulate the country's demographics almost a decade ago, stated in 2014 that the royal family may have authorized the naturalization of approximately 50,000 foreign Sunnis per year since 2006.<sup>xi</sup> According to recent scholarly work, the government has likely engaged in this practice, as well as the arbitrary deportation of Shia, for decades.<sup>xii</sup>
18. ADHRB has documented the denaturalization of 73 individuals so far in 2016, at least 56 of which are Shia with no established links to criminal activity. One of these individuals, Muhammad Hassan Ali Hussain Khojasta, a Shia cleric, was stripped of his citizenship and deported to Lebanon only

three days after a court upheld his deportation order on appeal. Other denaturalization orders, such as those issued by the MoI, are often ineligible for appeal. Additionally, the government routinely includes a number of violent extremists – often alleged affiliates of the Islamic State of Iraq and Syria (ISIS, known alternatively Islamic State, IS, ISIL, and Daesh) – in its mass denaturalization orders in an attempt to equate dissent and/or Shia political activity with terrorism, and to justify the policy under Bahrain’s broad anti-terror legislation. At least 13 of the 73 individuals denaturalized in 2016 were allegedly associated with ISIS; the government also revoked the citizenship of three BDF personnel, potentially for links to ISIS.

19. Furthermore, the government has for decades engaged in discriminatory political districting to undermine predominantly Shia political societies and to disenfranchise Shia voters. Current electoral boundaries dilute the voting power of large Shia areas and amplify that of smaller pro-government communities. Al-Wefaq, whose membership is principally Shia, cited this long-standing history of state-sanctioned gerrymandering, especially in the wake of the collapse of the national dialogue, as a major motivating factor in its decision to boycott the 2014 parliamentary elections. Relatedly, ADHRB has found the government’s manipulation of non-proportional voting districts – intended to diffuse the voting power of the Shia majority – to be one of the most significant impediments to the realization of fair elections in Bahrain since 2002. The most recent electoral cycle in 2014 also marked a significant downturn in electoral turnout following a steady decline in popular participation since 2006, verified by the government’s own promotional document, *A Journey of Progress: Bahrain’s Political Achievements*.<sup>xiii</sup> According to *A Journey of Progress*, approximately 68% of Bahrain’s eligible voters turned out in 2010, compared with just above 52% in 2014;<sup>xiv</sup> actual figures are suspected to be significantly lower, with Al-Wefaq estimating a turnout of as little as 30%.<sup>xv</sup> The decline in turnout suggest increasing popular dissatisfaction with current constraints on substantive political engagement, which will likely only be exacerbated by the dissolution of major political societies like Al-Wefaq.

### C. Detention of Shia Religious and Opposition Figures

20. The Bahraini government has taken other direct measures to obstruct the political participation of Shia clerics and other leaders since the beginning of its second UPR cycle. In 2015, it arrested a large number of prominent Shia religious and opposition figures, including Sheikh Hassan Isa, Sheikh Abdulzahra al-Mubasher, Sheikh Isa al-Qufas, Sheikh Sadeq al-Shakhouri, and Sheikh Ali Salman, the Secretary General of Al-Wefaq, among others. The authorities also regularly harassed religious leaders who spoke out in support of those already detained in 2015. In December, for example, the government summoned Sheikh Maytham al-Salman for a speech he gave on the anniversary of Sheikh Ali Salman’s arrest, criticizing the government’s violations of his due process rights. Security forces had arrested Sheikh Maytham earlier that year on accusations of “inciting hatred” against the government after he expressed concern for the use of collective punishment in Bahrain. In 2016, Columbia University’s Global Freedom of Expression center released a legal statement demonstrating the “illegitimacy” of the charges against Sheikh Maytham, noting also that the government imposed a de facto travel ban on him when it refused to issue him a new passport after his previous one was “lost in mysterious circumstances.”<sup>xvi</sup>

21. The government has only intensified its harassment of religious leaders in 2016. In May, a Bahraini court of appeals rejected Sheikh Ali Salman's previous acquittal on the charge of inciting to overthrow the government in a speech, extending his total prison sentence from four years to nine. Earlier that month, another court sentenced prominent Shia cleric Sheikh Mohamed al-Mansi to one year in prison for delivering an "unauthorized sermon." Sheikh al-Mansi is known for leading prayers at the sites of the Shia mosques destroyed since 2011. On 15 June, the government prohibited Sheikh Mohammed al-Sanqoor, the leader of the largest Friday prayer gathering in Bahrain, from delivering sermons and directing prayers. In response, a group of Shia imams and clerics issued a statement indefinitely suspending all weekly Friday prayers, expressing that they felt "unsafe" leading the gatherings at this time. On 26 July, the authorities reportedly arrested prominent Shia cleric Sheikh Saeed Al-Asfour after summoning him to the al-Budai police station; the PPO ordered that he be detained for 15 days pending investigation on unknown charges. That same day, the Bahrain News Agency (BNA) announced that the PPO had launched what appeared to be a separate investigation into an unnamed cleric for delivering a sermon that included "provocative expressions that bore the hallmarks of punishable offences," ultimately charging him with "inciting hatred of the constitutional regime of the kingdom and insulting a statutory entity." Two days after those charges were announced, the MoJ summoned four clerics it had banned from giving Friday sermons and requested that they "sign a pledge to commit to the conditions of the religious sermons stipulated by the ministry," which call on preachers to highlight "patriotism" and "Arab identity" among other ambiguous concepts. The MoJ emphasized, however, that it does not consider such topics to be political, and that the preachers remain prohibited from engaging in political discourse. The BNA reported that one of the four clerics signed the MoJ's pledge and was permitted to resume his Friday sermons.<sup>xvii</sup>
  
22. On 31 July, the authorities announced that they had arrested another Shia cleric and the leader of the previously dissolved IUC, Majeed al-Mishal, for allegedly encouraging others to "break the law and take part in an illegal gathering."<sup>xviii</sup> The PPO had summoned al-Mishal a month earlier on allegations of "illegal collection of money," as part of its wider attack on the independent management of *khums* (see above). A week later, the authorities reportedly arrested Shia clerics Sheikh Mohammad Jawad al-Shahabi and Sheikh Isa al-Mou'min, imam of the Al-Kheif Mosque in Al-Dair village. Sheikh al-Mou'min is a former government employee and a member of the IUC and the Islamic Enlightenment Society, both of which are now closed.
  
23. On 7 August, the BNA announced that the PPO had remanded an unnamed imam into custody for seven days pending investigation on charges of "inciting hatred against the constitutional regime" during his Friday sermon.<sup>xix</sup> The authorities have also reportedly interrogated the imam of the Al-Zahra mosque and his replacement, Sheikh Ali Humaidan and Sheikh Aziz al-Khadran, respectively, on accusations related to the contents of their sermons. On 9 August, the authorities charged Sheikh al-Shahabi, Sheikh Fadhil al-Zaki, and two other Shia clerics, Sheikh Ali Naji al-Hamali and Mula Habib al-Durazi, with "unlawful assembly" for participating in the peaceful demonstrations in Diraz. On 14 August, the government summoned Sheikh Maytham al-Salman on new charges of unlawful assembly related to his participation in the sit-in; the authorities interrogated him for more than twelve hours before they released him on bail.
  
24. The Bahraini government has summoned and/or detained more than 60 Shia religious leaders since 14 June 2016, representing the most severe government campaign against the Shia ulema

since 1996, when the authorities arrested at least 11 clerics. At time of writing, more than 19 Shia religious leaders are incarcerated or detained in Bahrain, in addition to the thousands of Shia protestors, opposition activists, journalists, and human rights defenders.

25. In prison, Shia inmates consistently experience religious discrimination and hate speech, exacerbating the universally poor living conditions within Bahrain's detention facilities. Since 2013, ADHRB has submitted 88 complaints to the UN Special Procedures that included evidence of Bahraini prison guards preventing detainees from engaging in prayer, and another 74 complaints that included cases involving sectarian insults or hate speech. Inmates generally report that guards treat Shia detainees worse than their Sunni counterparts, and that all Shia religious texts are banned within prison. At the Isa Town Women's Prison, specifically, guards have punished women for celebrating religious occasions and have reportedly harassed and separated Sunni and Shia inmates that attempt to pray together. Zainab al-Khawaja, activist and daughter of BCHR cofounder Abdulhadi al-Khawaja, observed naturalized security forces subject Shia women to hate speech at Isa Town; in one instance, a guard described a Bahraini Shia prisoner as one the "disgusting terrorist Iranian people." That prisoner, Rabab Mohammed, had been arrested after she spoke back to a squad of riot patrol officers that had called her a "dirty Shia whore."

#### **D. Discrimination in Welfare, Culture, and Employment**

26. In recent years the government has done little to address the systemic socioeconomic inequalities between the Sunni and Shia communities, particularly in the cases of the Baharna and Ajam ethnoreligious groups. Though the government does offer welfare programs that provide financial assistance to families and individuals in need, a strict definition of citizenship, accompanied by many other restrictions on eligibility, prevents many families from obtaining these benefits. Moreover, as the government disproportionately revokes the citizenship of Shia, increasingly large portions of the community are ineligible for welfare programs. Bahrainis also widely view the educational, social, and municipal services that are provided in Shia areas to be inferior to those afforded to Sunni communities.
27. Shia communities continue to complain of inadequate housing, for example. Bahrain's lower-income citizens – who are predominantly Shia – rely on a state-subsidized housing system that is plagued by delayed project implementation and accusations of corruption. Citizens living in underprivileged areas often find themselves without houses, adequate sewage systems, and water supply. For several years, the Ministry of Housing (MoH) has been developing new plans to address these concerns, but it has often unevenly distributed new housing units along sectarian lines. In 2012, the MoH acknowledged that it had received 18,045 housing requests from the Northern Governorate, which contains over 194,000 citizens, and 3,779 from the Southern Governorate, which contains over 32,900 citizens. Despite the vast disparity in population and need, the government has constructed 1,271 new units in the Southern Governorate and only 1,017 in the Northern Governorate. With the exception of population size, the prime difference between the two governorates is that the Northern contains a Shia majority and has voted overwhelmingly for Al-Wefaq and other opposition parties in parliamentary elections, while the



Southern contains a Sunni majority and typically votes for government-backed candidates. The MoH has also pledged to build 15,000 residential units in a planned “Northern City,” but it has not made significant progress on this project since 2012. Conversely, on 8 August 2016, the MoH announced a plan to construct another 3,000 housing units in the Southern Governorate.<sup>xx</sup>

28. Shia families face other institutionalized obstacles in their attempts to acquire state-owned housing. When the government does complete new housing projects, it disproportionately distributes them to foreign-born Sunnis, despite the demonstrated need of average Bahraini Shia. President of BCHR Nabeel Rajab, who is currently detained on charges related to exercising his right to free expression, has noted that “most Shi’ites feel that their situation is caused by discrimination and because nationalised foreigners are taking up most of the housing projects.” Some Shia citizens have reported waiting as long as 20 years to receive government housing. Unemployed Shia sometimes have to wait ten or fifteen years longer than foreign-born Sunnis employed in the security services. In towns like Riffa, the traditional home of the Al Khalifa family, Shia have particular difficulty renting and buying homes and purchasing land. Bahraini activist Maryam al-Khawaja likens the housing situation of Shia living in Bahrain to that of apartheid,<sup>xxi</sup> a sentiment echoed by other observers like Dr. Salah al-Bandar.<sup>xxii</sup>
29. The authorities have also worked to systematically exclude Shia culture from the country’s official history, media, and educational curricula. State-sponsored textbooks and museums typically downplay or outright ignore the importance of Shia – and specifically Baharna – communities in the history of Bahrain, focusing instead on the royal family and the period following the Al Khalifa’s arrival in the country. When they do refer to the Shia, they often characterize them as “Safavid loyalists of Iran” or in other derogatory terms that frame the community as intrinsically foreign to the official conception of the Bahraini nation. This terminology became particularly common in state-sponsored and pro-government media during the 2011 unrest, and much of it has persisted in spite of the government’s broad censorship powers and anti-incitement legislation. The pro-government newspaper *al-Watan* has run a recurring column dedicated to cataloging the supposed terroristic and subversive activities of Bahrain’ Shia community, for example. Similarly, in June 2016, the BNA announced the government’s decision to dissolve Al-Wafaq by equating the nonviolent opposition movement with externally-sponsored terrorism: “the association’s practices...create an environment for terrorism, extremism and violence as well as a call for foreign interference in internal national affairs.
30. The government has institutionalized this exclusionary rhetoric in several tourism and development projects since 2011. In addition to the dozens of Shia mosques destroyed in 2011, the government has sought to erase areligious symbols of the uprising, often replacing them with explicitly sectarian designators. The clearest example of this policy followed the government’s demolition of the Pearl Roundabout monument, the focal point of the pro-democracy demonstrations in 2011. After the authorities bulldozed the structure, they paved the site and renamed it ‘Al-Farooq Junction’ in reference to an early figure in Sunni Islam who contributed to the sectarian divide. The government removed all images of the Pearl Roundabout monument from coins, postcards, government websites, and the logo of the state media outlet, BNA. Similarly, official tourism materials produced by the Bahrain Authority for Culture & Antiquities fail to list any mosques or pilgrimage sites directly relevant to the Shia community.

31. In the education system, government policy prevents the vast majority of Shia children from receiving a Shia religious education within their schools. State-run elementary, secondary, and tertiary schools heavily integrate the precepts of the Maliki school of Sunni jurisprudence into their curricula, and specific Shia religious practices and beliefs are often denigrated. Additionally, the Government of Bahrain permits only one Shia-specific school, the Jaafari Institute, to operate legally within the country. The Jaafari Institute enrolls some 1,200 in elementary and secondary-education programs. Given that the country contains more than a hundred thousand Shia citizens, the government has created a system in which only a small fraction of their children and adolescents can access, at any one time, a Shia-specific education.
32. Shia teachers also face discriminatory hiring practices. Though official statistics do not delineate by sect, independent sources relate that the majority of unemployed university graduates are Shia, and that a disproportionate number of qualified Shia candidates have been unable to find work as teachers. The government has instead come to rely on foreign teachers from predominantly Sunni countries such as Egypt and Jordan to staff its school system. In 2014, a report indicated that the government employed at least 300 Egyptian teachers and in 2015, the Jordanian Teachers Union revealed that 1,200 Jordanian teachers were candidates for positions in Bahrain.<sup>xxiii</sup> In February 2015, the Ministry of Education officially opened up teaching vacancies to candidates from Gulf countries; previously, there was at least a stated condition that candidates should be Bahraini nationals.
33. According to Shia students, the Ministry of Education also displays an anti-Shia bias when distributing scholarships. After 2011, it instituted a new financial aid selection process substantially based on interviews, rather than primarily on academic merit or need. Since the establishment of this policy, many students have claimed that their interviews included questions concerning their religious and political beliefs, and that their round of scholarships was unfairly distributed. In 2015, after that year's round, at least 12,000 tweets were posted under the hashtag "massacre of scholarships" in criticism of the allegedly discriminatory policy.<sup>xxiv</sup>
34. Following the 2011 unrest, the government dismissed thousands of university employees and other Bahrainis from their jobs for suspected support of the protest movement. According to the BICI, at least 2,000 public sector employees and 2,400 private sector workers were unlawfully fired for alleged links to the demonstrations or to demonstrators, the majority of which were Shia. Though the government claims that it has reinstated nearly all those who lost their jobs in the aftermath of the unrest, the General Federation of Bahrain Trade Unions (GFBTU) found that several hundred cases had yet to be resolved as of 2013. Moreover, many of the rehired individuals claim that they received lower-level, lower-paid positions. This form of economic reprisal has driven many Bahraini Shia to seek employment in other countries, even as the government has increasingly outsourced public sector positions.

## **E. Conclusion and Recommendations**

35. The Bahraini government has not reduced discrimination against the country's Shia majority. Rather, it has intensified its suppression of Shia religious practices, political participation, and

general enjoyment of basic human rights such as free expression, belief, assembly, and association. Simultaneously, the government has not protected or met the aspirations of victims of discrimination, moving instead to further marginalize and disenfranchise the Shia community by disproportionately denaturalizing Shia citizens and denying them access to public sector benefits. To implement second-cycle UPR recommendations **115.70 (Belgium)** and **115.93 (Canada)**, the Government of Bahrain should:

- Respect the right of the Shia community to publicly observe religious practices and holidays, such as Ashura.
- Cease all prosecution related to religious practices like *khums* and codify protections for the independent administration of such practices.
- Reopen closed religious associations and Shia civil society groups.
- Refrain from obstructing Friday prayers and other religious gatherings.
- Reinstatement of the nationality of Sheikh Isa Qassim and all other arbitrarily denaturalized citizens.
- Create fair and proportional electoral districts.
- Revoke the amendment to the Political Societies Law to remove legal grounds for the prosecution of religious figures for engaging in political speech or belonging to political societies.
- Halt all judicial harassment of religious figures for the content of their sermons or their participation in peaceful gatherings.
- Release all prisoners of conscience held for their religious or political beliefs, such as Sheikh Ali Salman.
- Hold prison guards and other security personnel accountable for discrimination and hate speech.
- Create new housing projects in impoverished Shia communities.
- Increase the proportional representation of the Shia population in scholarship distribution and public sector employment.

## Notes

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