

Americans for Democracy & Human Rights in Bahrain (ADHRB), Human Rights First (HRF), and Project on Middle East Democracy (POMED)

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Introduction

1. ADHRB, HRF, and POMED welcome the opportunity to contribute to the third cycle of the Universal Periodic Review (UPR) of Bahrain.
2. ADHRB is an independent, non-profit organization that fosters awareness of and support for democracy and human rights in Bahrain and the Middle East.
3. HRF is an independent, non-profit advocacy and action organization that works to secure core freedoms and global human rights.
4. POMED is a nonpartisan, nonprofit organization dedicated to examining how genuine democracies can develop in the Middle East and how the U.S. can best support that process. Through dialogue, research and advocacy, we work to strengthen the constituency for U.S. policies that peacefully support reform in the Middle East.
5. This submission focuses on Bahrain's compliance with its second-cycle recommendations to integrate all aspects of its population in the police force, implement the recommendations of the Bahrain Independent Commission of Inquiry (BICI), and foster an inclusive national dialogue. The information contained in this submission is based on direct communication with victims of human rights violations, their family members, and/or their lawyers, as well as activists and civil society figures. Secondary sources are noted where included. The submission is divided into the following sections, each of which include an introductory assessment, a full presentation of findings, and concluding recommendations:
 - A. Integration of Police Forces
 - B. Bahrain Independent Commission of Inquiry (BICI) Implementation
 - C. National Dialogue

A. Integration of Police Forces

1. The Government of Bahrain fully supported recommendation **115.103 (United States of America)** concerning improving the demographic diversity of the police force.ⁱ

Current Implementation Status: Not Implemented, No Perceived Progress

Introductory Assessment

2. The Government of Bahrain has for decades excluded the country's Shia majority population from proportional representation in the security forces. Despite nominal efforts to recruit Shia citizens for service in community police forces after 2011, these units are small and play a marginal role in actual policing; they are rarely used to confront demonstrations, for example. Estimates suggest that Shia account for no more than several percent of total security personnel. The sectarianization of the police force, amplified by the government's longstanding policy of recruiting foreign personnel from predominantly Sunni countries, has further marginalized the country's Shia population and placed them at increased risk of police abuse.

Findings

3. Bahrain's security apparatus is one of the largest employers in the country, and it consists primarily of the Bahrain Defense Force (BDF), the National Guard, and Ministry of Interior police forces, as well as intelligence agencies such as the National Security Apparatus (NSA). These security organs generally do not hire Shia as a matter of informal policy; if they are hired, Shia generally occupy non-sensitive roles in the lower rungs of the hierarchy. While the BDF does not produce official employment figures, the BICI estimated BDF personnel to be at approximately 12,000 personnel in 2011, including a substantial number of foreign recruits. Shia citizens in the BDF are estimated to comprise only several percent of the military,ⁱⁱ while local activists claim foreign-born Sunni officers comprise as much as 50 percent of the of the country's total security personnel.ⁱⁱⁱ A 2009 leak from the NSA further suggested that the percentage of Shia in its workforce did not exceed four percent,^{iv} and that the majority of those worked in non-supervisory positions or as informants. In 2015, estimates placed Shia employment in the security services at approximately 2-5 percent of all personnel, compared to the country's Shia population of at least 58-70 percent.^v
4. Since the 2011 unrest and the beginning of the second UPR cycle in 2012, the Bahraini government has largely failed to integrate Shia into the police force, and their presence remains negligible. In 2011, the MoI pledged to create 20,000 new jobs in the Coast Guard, Traffic Directorate, and Civil Defense, among other security agencies.^{vi} The government claims these hires were drawn from a cross-section of the population, but it has not publicly released demographic information on recruits. On the contrary, the MoI has reportedly begun to require new applicants to produce documents that state an individual's sect. Recent job advertisements

for the Mol request that applicants also submit their marriage certificates and those of their parents, for example, which clearly display sect. This is not a standard hiring practice in Bahrain.

5. In 2012, the government announced plans to form a new community policing program comprised of 500 recruits “from all communities.”^{vii} According to government sources, a total of 1,500 community police had graduated from the Royal Police Academy by 2015.^{viii} The United States (U.S.) Department of State reported in 2016 that its “contacts have confirmed that Bahraini Shia have been among those integrated into the community police and the police cadets, but not in significant numbers.”^{ix} Independent reports have additionally found that these new units play only a marginal policing role.^x
6. With the exception of the limited number of Shia community police, there is no evidence to suggest that the government has taken any further steps toward significantly integrating the security forces in recent years. This is especially true of the BDF and the NSA. Rather, the government has continued to exacerbate this disparity by hiring a large number of foreign-born Sunni security personnel. Over the past two decades – as hundreds of Shia have been denaturalized – Bahraini authorities have granted citizenship to tens of thousands of foreign Sunnis from countries such as Syria, Jordan, Yemen, and Pakistan. While some of these expatriates find employment in the judiciary or the school system, the vast majority serve in the security forces. As revealed by former adviser to the Cabinet Affairs Ministry Dr. Salah al-Bandar in 2006, the government had granted citizenship to at least 100,000 foreign Sunnis in the preceding 15 years.^{xi} It is believed that the pace of naturalization has accelerated since 2011. During the state of emergency between March and May 2011, the Government of Bahrain recruited more than 2,500 former soldiers from Pakistan for service in both the National Guard and the riot police. Estimates suggest that this single recruitment effort resulted in a 50 percent increase in the size of these two units. None of the new Pakistani recruits were Shia. Advertisements for positions in Bahrain’s security forces have been seen in Pakistan as recently as 2014, and a Pakistani newspaper reported that more than 10,000 Pakistani nationals were serving in Bahrain’s security forces that same year.^{xii} Similarly, leaked documents listed the names and salaries of 499 Jordanian police officers employed by the Mol in 2014, and other reports estimate that up to 2,500 former Jordanian policemen work in the Bahraini security agencies.^{xiii} Notably, the government typically provides naturalized Sunni security personnel with housing and other social benefits, of which local Shia communities have been increasingly deprived.
7. There is also evidence to suggest that the government has tolerated, if not directly propagated, anti-Shia and extremist views within the security forces. For example, the BDF and the Department of Religious Education produced a book of religious instruction entitled *Nur al-Sunna* that denounces several non-Sunni sects of Islam as heretical, including Shiism.^{xiv} The book, which is reportedly distributed amongst the employees of these two institutions, also provides purported religious justifications for violence and discrimination against these sects. Dr. Saeed bin Ali bin Wahaf al-Qahtani, its author, writes that “al-Rafidah” (a pejorative term for Shia that is often translated as ‘rejectionist’) are among the “misguided sects” that “go against the Sunna of the prophet Mohammed.” A number of Shia religious practices are specifically labelled “forms of heresy,” including the Prayer of Raghaeb, fasting on Mid-Sha’aban, and celebrating the birth of the Prophet Mohammed. The author goes on to describe other Shia worship and burial practices as “shirk,” ultimately declaring that those “who commit such acts should repent or else they must be killed.” This rhetoric matches the testimony of some officers recruited from Pakistan, who have reported that they were “called for jihad against the Shia community” in Bahrain.^{xv}

8. Books like *Nur al-Sunna*, coupled with the government's aggressive foreign recruitment policy, have therefore led many observers to conclude that Bahrain's security forces foster sectarianism and violent extremism. Gulf scholar Marc Owen Jones has termed the process of foreign conscription in Bahrain "the deliberate instrumentalization of sectarianism"^{xvi} and Laurence Louer, a Middle East expert at the Centre d'Etudes et de Recherches Internationales (CERI) in Paris, has described it as a means of "praetorianizing" the security apparatus to fortify the government against the majority Shia population.^{xvii} Similarly, Nabeel Rajab, president of the Bahrain Centre for Human Rights (BCHR), characterized the security forces as an "ideological incubator" for violent extremism after a number of personnel defected to join terror groups like ISIS; he is currently detained on charges related to these comments and other social media posts. Rajab's tweets followed the emergence of a YouTube clip posted by a former MoI official urging Bahraini security personnel to fight with ISIS.^{xviii} The MoI later stated that the official was fired for "failure to appear at work." The government has admitted that more than 100 Bahrainis left the country to join ISIS in 2014, and it is suspected that many of the BDF personnel that have been denaturalized for alleged links to terror activity.

Recommendations:

9. To fully implement second UPR cycle recommendation **115.103 (United States of America)**, the Government of Bahrain should:
 - Increase the percentage of Shia citizens in all subdivisions of the security forces – particularly the BDF, the National Guard, the regular and riot police of the MoI, and the intelligence agencies such as the NSA – with the aim of gradually achieving proportional representation.
 - Set targets for the recruitment and promotion of non-Sunni personnel to be met before the next UPR.
 - Expand role of the community police force to include greater law enforcement responsibilities for local units.
 - Cease discrimination in recruiting and hiring practices for the security forces, such as requiring documents that indicate sect, like marriage certificates.
 - Eliminate any form of discrimination or sectarian rhetoric in the training and training materials of security forces.
 - Institute measures to combat and punish sectarianization and extremism in the security forces.
 - Hold personnel that discriminate along sectarian lines, both in policing and recruitment practices, accountable for their actions.

B. Bahrain Independent Commission of Inquiry (BICI) Implementation

10. The Government of Bahrain fully accepted recommendations **115.28 (Norway), 115.43 (Sweden), 115.45 (Turkey), 115.99 (Canada), 115.107 (Republic of Korea), 115.124 (Denmark), 115.127 (Thailand), 115.128 (Belgium), 115.132 (Qatar), 115.133 (Egypt), 115.134 (Jordan), 115.135 (Kuwait), 115.136 (Oman), 115.137 (Saudi Arabia), and 115.162 (Japan)** concerning implementation of the Bahrain Independent Commission of Inquiry (BICI) recommendations.

Current Status: Not Implemented

Introductory Assessment

11. By accepting the UPR recommendations concerning the BICI, the Bahraini government again officially pledged to implement these policy prescriptions. Nearly five years after the release of the BICI report, however, the government has failed to fully address the majority of the 26 recommendations. Rather, in a number of categories, the Government of Bahrain has demonstrated a marked decline in preserving basic civil and human rights in the country, as well continuing to perpetuate many of the abuses of the security and justice systems that the BICI recommendations were intended to correct. Independent assessments of the government's progress range from as high as ten fully implemented recommendations to as low as two.

Findings

1. The Government of Bahrain established the Bahrain Independent Commission of Inquiry (BICI), a panel of international human rights experts, in July 2011 to examine events in Bahrain during February and March 2011 and propose recommendations for reform. Following its investigation, the BICI issued 26 recommendations to the government aimed at providing for accountability, easing social tensions, and laying the groundwork for national reconciliation. The recommendations addressed a range of human rights concerns, including torture, lack of accountability for government officials accused of gross human rights violations, unfair trial procedures, arbitrary detention, and the targeting of nonviolent political activists. The BICI also addressed the sectarianization of the security forces and the lack of proper training. Other recommendations call on the government to reinstate Bahraini workers and students who were dismissed from their businesses and schools for participating in the pro-democracy protests. In November 2011, the BICI submitted its finalized report to the king, which he accepted and pledged to urgently implement.
2. More than five years later, in May 2016, the Government of Bahrain announced that it had fully implemented all 26 BICI recommendations. State media quoted Professor Cherif Bassiouni, chairman of the BICI, as evidence of its progress.^{xix} However, on 10 May 2016, Professor Bassiouni stated that the Bahrain News Agency had wrongfully cited him, asserting that the Bahraini government had only implemented ten of the 26 recommendations.^{xx}
3. The chairman's assessment is the most generous assessment outside of those released by the Bahraini government. In 2012, a year after the BICI report was released, POMED found that the government had fully implemented just three of the recommendations. Moreover, it concluded that no meaningful progress had been made toward six of the most important recommendations, including proposals to increase accountability for officials responsible for torture and severe

human rights violations, release political prisoners, prevent sectarian incitement, and relax of censorship and controls on free expression. ADHRB, the Bahrain Center for Human Rights (BCHR), and the Bahrain Institute for Rights in Democracy (BIRD), assessed in November 2015 that the government had fully implemented only two of the 26 recommendations: recommendation 1718, which proposes that the National Security Agency (NSA) be stripped of its law enforcement and arrest powers; and recommendation 1722(i), which calls on courts to commute the death sentences of those defendants charged for murder during February and March 2011. Further, ADHRB, BCHR, and BIRD found that sixteen recommendations remain only partially implemented and eight have not been implemented at all. Similarly, HRF noted in May 2016 that since the release of the BICI report, no senior government figure has been held accountable for the arrests or deaths in custody, key political leaders remain in jail, and the authorities have continued to deny basic rights including freedom of association, assembly, and expression – all issues meant to be addressed by the BICI recommendations.^{xxi}

4. The U.S. Government has made comparable assessments. In 2013, the U.S. Department of State found that the Government of Bahrain had only fully implemented five of the 26 recommendations. The State Department noted that “much work” remains in order for Bahrain to uphold its promise of fulfilling all BICI recommendations.^{xxii} In late June 2016, the State Department belatedly released its second BICI analysis.^{xxiii} This report did not include explicit assessments of implementation status for each BICI recommendation, but our careful reading of that assessment is that the U.S. State Department considers only seven of the 26 BICI recommendations to have been fully implemented by the government. The State Department concluded that the while the “Government of Bahrain has implemented some important recommendations of the commission of inquiry...there are other key recommendations that have not been fully implemented.”^{xxiv}
5. Particularly, rather than implement the BICI recommendations aimed at reducing arbitrary detention, judicial harassment, and religious discrimination, the government has increased its suppression of free expression, association, and assembly in order to target activists and religious leaders. On 13 June 2016, Bahraini authorities rearrested prominent human rights defender and BCHR President Nabeel Rajab on charges related to tweets and other forms of expression. Security forces initially held him in solitary confinement and in very poor conditions, causing his health to deteriorate. Rajab faces up to 10 years if convicted of spreading “false or malicious news, statements, or rumours” under article 133 of Bahrain’s penal code. In addition, if convicted under article 215 of the penal code for “offending a foreign country [Saudi Arabia]” for tweets related to the Saudi-led war in Yemen, he faces a further two years imprisonment. He faces an additional three-year sentence if convicted of “offending a statutory body” under article 216 of the penal code for comments relating to abuses in Jau prison in Bahrain. In total, Rajab could serve up to 15 years imprisonment for exercising his right to free expression. In September 2016, after Rajab published an article in the *New York Times*, the government pressed another charge of “spreading false news and statements,” which carries an additional 1-year prison sentence. Rajab remains in detention.
6. The government has sentenced human rights defenders Abdulhadi al-Khawaja, Zainab al-Khawaja, and Maryam al-Khawaja on a range of charges related to free expression. Abdulhadi remains at Jau Prison on a life sentence and the Bahraini government has effectively exiled Maryam and Zainab. Most recently, in March 2016, Bahraini authorities arrested Zainab Al-Khawaja with her infant son. She began serving a 37-month prison term that month. The

authorities did not allow Zainab's family to take her infant son out of prison when Zainab fell ill and was unable to care for him. On 31 May, the Bahraini authorities released Zainab and her son from prison. Zainab left Bahrain for Denmark after the Danish consulate informed her of threats from a government official that she would be re-arrested and detained indefinitely if she remained.

7. In 2015, Bahraini courts also sentenced two prominent political leaders, Sheikh Ali Salman and Ebrahim Sharif, to prison for peaceful speeches criticizing government human rights violations. Authorities recently released Sharif, a leader of the Wa'ad opposition society, after he completed his one-year sentence, but the prosecution is reportedly appealing the initial ruling in order to extend his term. On 30 May 2016, a court more than doubled the prison sentence for Sheikh Ali Salman, Al-Wefaq Secretary-General, from four to nine years after it convicted him of an additional charge related to his peaceful speech.
8. In June 2016, the government took unprecedented steps to constrain civil society space in the country. In addition to the arrest of Nabeel Rajab and the forced exile of Zainab al-Khawaja, Bahraini authorities began targeting a wide range of civil society actors of reprisal. On 12 June 2016, authorities prevented a delegation of human rights defenders, activists, and family members of victims from traveling to Switzerland to take part in the 32nd Session of the UN Human Rights Council (UNHRC). Among those whom the government has banned from travel is Ebrahim Demistani, a medic, human rights defender, and labor activist, as well as the parents of victims of the government's violent suppression of the pro-democracy protests in 2011.
9. On 14 June 2016, the Ministry of Justice and Islamic Affairs shut down Al-Wefaq, the largest political opposition society in the country. A court ordered the expedited closure of Al-Wefaq, the freezing of their assets, and the suspension of all their activities. On 17 July 2016, the High Civil Court ordered the dissolution and liquidation of all assets of Al-Wefaq. On 22 September, an appellate court upheld the decision to dissolve the society.
10. On 20 June 2016, the Bahraini authorities revoked the citizenship of Ayatollah Sheikh Isa Qassim, regarded as the most prominent spiritual leader of Bahrain's majority Shia population. The arbitrary denaturalization order was also followed with a 72-hour deportation order. Since the decision was announced, demonstrators have held a peaceful, permanent sit-in around Sheikh Isa's home in Diraz. In July, the government announced it was bringing charges of money laundering against Sheikh Isa. Despite government claims to the contrary, the charges appear to be related to the Shia practice of khums, a major religious practice and obligation by which Shia Muslims donate money to Shia clerics for distribution to orphans and other vulnerable members of society.
11. In addition to Sheikh Isa Qassim, the Bahraini authorities have targeted dozens of other religious leaders on accusations related to the contents of their sermons or their participation in peaceful gatherings. Since June 2016, Bahraini authorities have summoned and/or detained more than 60 Shia clerics; more than 20 have been formally arrested and charged. On 21 September, courts sentenced three Shia clerics to one-year prison terms on charges of "illegal gathering" for participating in the sit-in at Diraz.
12. Throughout this period and since 2011, the national human rights and oversight mechanisms initiated by the government – and recommended by the BICI – have failed to fulfil their role. The

Public Prosecutor's Special Investigative Unit (SIU), the Mol's Office of the Ombudsman, the Prisoner and Detainee Rights Commission (PDRC), and the National Institute for Human Rights (NIHR) have all failed to hold the vast majority of government officials accountable for abuses or to properly monitor ongoing rights violations. At worst, these institutions have obscured government abuses or allowed it to feign progress. As indicated by the deteriorating political situation, they have had little positive effect on human rights in Bahrain.

13. Ultimately, these recent actions demonstrate that the government is only moving away from implementing the core BICI recommendations. The government has intensified its restrictions on freedom of speech, expression, and assembly, and it further undermined the possibility of substantive national dialogue and reconciliation. The Government of Bahrain has not met its second-cycle UPR recommendations to fully implement all 26 recommendations from the BICI.

Recommendations

14. To fully implement second-cycle UPR recommendations **115.28 (Norway), 115.43 (Sweden), 115.45 (Turkey), 115.99 (Canada), 115.107 (Republic of Korea), 115.124 (Denmark), 115.127 (Thailand), 115.128 (Belgium), 115.132 (Qatar), 115.133 (Egypt), 115.134 (Jordan), 115.135 (Kuwait), 115.136 (Oman), 115.137 (Saudi Arabia), and 115.162 (Japan)**, the Government of Bahrain should:
 - Acknowledge that it has not fully implemented all 26 BICI recommendations.
 - Establish another BICI follow-up unit, comprised of impartial figures from the human rights community, to analyze the government's current failure to properly assess and implement the BICI recommendations, and to propose immediate reforms to address recent regressive measures.
 - Set and announce new deadlines for the implementation of all 26 BICI recommendations.
 - Increase the transparency of the reform and implementation process via regular public updates and reports.
 - Allow independent organizations to visit the country to monitor progress on implementation of the recommendations.
 - Allow the UN High Commission on Human Rights to open an office in Bahrain to provide training and monitor the government's progress on implementation of the recommendations.

C. National Dialogue

15. The Government of Bahrain fully accepted recommendations **115.40 (Mexico)**, **115.55 (Jordan)**, **115.129 (Islamic Republic of Iran)**, and **115.131 (Uruguay)** concerning the continuation and resolution of an inclusive national dialogue process.

Current Status: Not Implemented

Introductory Assessment

16. The national dialogue process, originally initiated to achieve a peaceful political resolution between the government and the opposition groups, failed to achieve any substantive reform in Bahrain. Since 2011, the process began and was later halted on four occasions. Following the passage of further restrictions on freedom of assembly and expression in 2013, as well as ongoing human rights abuses such as mass arbitrary detention, the opposition withdrew from the most recent dialogue process and it collapsed in early 2014. The government has not restarted the process, and it has moved to further suppress the opposition, including the authorities' decision to dissolve the largest group, Al-Wefaq National Islamic Society, in 2016.

Findings

17. Bahrain's national dialogue process faced significant challenges since its inception. Following the 2011 pro-democracy movement, the king began the pre-dialogue process with all political societies in Bahrain. The opposition groups presented several goals that they wanted to achieve through the process, including: a government that represented the will of the people via a fully empowered Council of Representatives; fair electoral districting and an end to gerrymandering; a debate of the government's current naturalization policies; measures to combat corruption; efforts to protect national assets and resources; and a plan to address sectarian tensions. The Government of Bahrain rejected these items. Before the actual dialogue could commence, security forces began violently dispersing protesters in March 2011, effectively suspending the process. The opposition societies stated they were open to dialogue without pre-conditions but that the current situation was not suitable. The government, conversely, stated that "security and safety" was the priority, not dialogue.
18. By June 2011, the king ordered the resumption of the dialogue. Approximately 300 individuals from civil society, unions, and political societies participated. Invitees proposed views to be discussed during the dialogue. On 2 July 2011, the process officially resumed, focusing on a range of political, economic, social, and human rights issues.

19. Nevertheless, the process remained flawed. Members of opposition societies accounted for less than 10 percent of total participants, although the main aim of the dialogue was to resolve the political conflict. The process additionally only allowed participants to submit “views,” not “decisions.” Only after these views were discussed in selected subgroups would they be submitted for the government and the king for approval; even then, the government reserved the right to reject points of dialogue. Though the government claimed that it had approved all views, the opposition societies stated that it had refused to put a number of key views up for discussion, including those that included issues of arbitrary arrest, extrajudicial killing, torture, and discrimination. In addition, the government did not select any Al-Wefaq representatives for inclusion in the discussion of key political issues, entitled “political societies,” which was one of the most important points of the dialogue.
20. On 19 July 2011, Al-Wefaq withdrew from the dialogue due to what the society described as the “unseriousness” of the process. The society stated that it was just a discussion forum, not a real dialogue meant to resolve the country’s political situation. It added that it had sent several letters of concern to the government, but that none had been addressed. An Al-Wefaq representative stated that, among other problems, the government refused the society’s proposal to form a smaller committee to discuss political topics; it included many extraneous topics that distracted from the core political issues; the government submitted the agenda without the agreement of the participants; it only gave participants three minutes to discuss their position on elected systems government, fair electoral districts, and other important political issues; and it rejected the views concerning the matters of constitutional monarchy, cancelation of the Shura Council, formal political parties (rather than societies), and a referendum on the eventual outcomes of the dialogue.
21. On 25 July 2011, the dialogue was concluded and its outcomes were presented to the government. Two governmental committees were ordered to be formed to implement these recommendations. The government stated on more than one occasion that the views/recommendations of the dialogue were implemented or are being implemented; however, no report of status of implementation were published.
22. Two years later, the government initiated another dialogue process in February 2013. Twenty-seven people representing six opposition societies, nine political societies, and the lower chamber of the parliament and the government participated. Members of the government participating in the dialogue included the Minister of Justice and Islamic Affairs, Shaikh Khalid bin Ali al-Khalifa; the Minister of Works, Essam bin Abdulla Khalaf; and the Minister of Education, Dr. Majid bin Ali al-Noaimi.
23. Renewed protests arose in March 2013 and the leader of Al-Wefaq society, Sheikh Ali Salman, stated that the government was not taking the dialogue seriously, characterizing the process as merely “preparation for” real dialogue with the government.^{xxv} The chief complaint was that the government was failing to address the opposition’s key demands, notably popular political

participation by way of elections and more representative electoral districts. Opposition societies also voiced concerns that the dialogue lacked equal representation. In April 2013, a coalition of opposition parties withdrew from the dialogue after the government delegation refused to address this issue. The largest of the opposition parties voiced further frustration with the process' lack of transparency, noting that proceedings were not broadcast to the public and that the government repeatedly avoided key issues. Finally, opposition parties called for outside moderators, including the UN, to assist in the dialogue, which was rejected by the government.

24. In May 2013, opposition groups boycotted the dialogue for two weeks after authorities raided the home of Ayatollah Sheikh Issa Qassim, the country's leading Shia cleric. This boycott included the largest society, Al-Wefaq.
25. In June 2013, opposition groups pushed for the replacement of eight parliamentarians with eight independent figures, explaining that the current make-up did not constitute fair representation. This proposal was rejected, and the dialogue subsequently went on recess from July to August 2013 in observance of Ramadan.
26. After resuming at the end of August 2013, the dialogue was again stalled after the government arrested leading Al-Wefaq member Khalil al-Marzooq for his participation in a protest at which the February 14 Coalition was present. Although he repeatedly called for nonviolent protest at the rally, the government classifies the Coalition as a terrorist organization and used al-Marzooq's presence as a pretext for his arrest. After the authorities charged him under the terrorism law, Al-Wefaq and four other opposition groups withdrew from the dialogue. At the same time, the government arrested and sentenced more than fifty activists on terrorism related charges and/or for their participation in demonstrations, branded 'illegal gatherings.'
27. The government elected to continue the dialogue without the participation of the opposition until its final collapse on 9 January 2014, when several pro-government political societies suspended their participation as well. At this point, the government cancelled the dialogue.
28. At time of writing in September 2016, the government has not initiated another dialogue process. In the two years since the last dialogue, it has only further constrained the space for political engagement, officially dissolving Al-Wefaq and increasing the prison term of its Secretary-General, Sheikh Ali Salman. Additionally, the government sentenced Ebrahim Sharif, leader of the secular Wa'ad opposition society, to another year in prison in 2015 on charges related to the contents of a political speech he delivered; though he recently completed the term, the prosecution is expected to appeal in an attempt to secure a lengthier sentence. There are as many as 4,000 political prisoners currently incarcerated in Bahrain. The government has not given any indication that it intends to resume a national dialogue, and nearly all sectors of civil society that would participate in such a dialogue have been targeted with some form of judicial harassment.

Recommendations

29. To fully implemented second-cycle recommendations **115.40 (Mexico)**, **115.55 (Jordan)**, **115.129 (Islamic Republic of Iran)**, and **115.131 (Uruguay)** concerning an inclusive national dialogue process, the Government of Bahrain must first create the conditions under which a meaningful process could exist. It should:

- Release all incarcerated opposition leaders, political activists, and civil society actors so that they can participate in a future dialogue process.
- Reinstated the Al-Wefaq opposition society and halt legal proceedings against its members.
- Decriminalize and eliminate restrictions on free expression, association, and assembly to facilitate any future dialogue process.
- Empower any future dialogue process to determine binding resolutions for reform with a set and enforceable timetable.

Endnotes

- i Universal Periodic Review Twenty-first Session, "Report of the Working Group on the Universal Periodic Review: Bahrain," United Nations Human Rights Council, 6 July 2012, A/HRC/21/6, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G12/150/49/PDF/G1215049.pdf?OpenElement>.
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- iii "Bahraini Shi'ites protest against settling Sunnis," Reuters, 9 March 2011, <http://www.reuters.com/article/2011/03/09/us-bahrain-protests-idUSTRE7284W320110309>; and Confidential sources.
- iv "Bahrain: Dangerous Statistics and Facts about the National Security Apparatus," BCHR, 8 March 2009, <http://www.bahrainrights.org/en/node/2784>.
- v Ian Sipercio, "Bahrain's Sectarian Challenge," Middle East Policy Council, 22 October 2010, <http://www.mepc.org/articles-commentary/commentary/bahrain-s-sectarian-challenge?print>.
- vi "One Year Later: Assessing Bahrain's Implementation of the BICI Report," Project on Middle East Democracy, November 2012, <http://pomed.org/wp-content/uploads/2013/12/One-Year-Later-Assessing-Bahrains-Implementation-of-the-BICI-Report.pdf>
- vii *Steps taken by the Government of Bahrain to Implement the Recommendations in the 2011 Report of the Bahrain Independent Commission of Inquiry*, US Department of State, 21 June 2016, <http://pomed.org/wp-content/uploads/2016/06/State-BICI-Report.pdf>
- viii Ibid.
- ix Ibid.
- x "One Year Later: Assessing Bahrain's Implementation of the BICI Report," Project on Middle East Democracy, November 2012, <http://pomed.org/wp-content/uploads/2013/12/One-Year-Later-Assessing-Bahrains-Implementation-of-the-BICI-Report.pdf>, 13-14.
- xi "Al-Bandar Report: Demographic engineering in Bahrain and mechanisms of exclusion," BCHR, 30 September 2006, <http://www.bahrainrights.org/en/node/528>; [the al-Bandar papers, leaked by a civil servant, revealed an inter-ministry plan to employ foreign Sunni nationals and grant them citizenship at a fast rate, thereby proportionally reducing the Shia demographic from a majority to a minority.](http://www.bahrainrights.org/en/node/528)
- xii "King of Bahrain vows to enhance military cooperation at JSHQ," Dawn, 20 March 2014, <http://www.dawn.com/news/1094257/king-of-bahrain-vows-to-enhance-military-cooperation-at-jshq>
- xiii Nazgol Kafai & Ala'a Shehabi, *The Struggle for Information: Revelations on Mercenaries, Sectarian Agitation and Demographic Engineering in Bahrain*, JADALIYYA, 29 May 2014, <http://www.jadaliyya.com/pages/index/17912/the-struggle-for-information-revelations-on-mercen>
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