







SALAM for Democracy and Human Rights (SALAM DHR)

MENA Rights Group

HuMENA for Human Rights and Civic Engagement

Rights Realization Centre

BAHRAIN: Universal Periodic Review - Midterm Assessment

Introduction

1) The Universal Periodic Review (UPR) is a distinctive process that entails a periodic examination of the human rights records of all 193 United Nations (UN) Member States. The UPR represents a significant innovation of the Human Rights Council, based on the principle of equal treatment for all countries. It provides an opportunity for all states to declare the actions they have taken to improve the human rights situation in their countries and to overcome challenges to the enjoyment of human rights. Additionally, the UPR facilitates the sharing of best human rights practices around the globe. Currently, no other mechanism of this kind exists.

2) Salam for Democracy and Human Rights (SALAM DHR) is a non-governmental human rights organisation that promotes adherence to international human rights standards and universal principles of democracy. It primarily focuses on Bahrain and Kuwait. It is registered in France, Sweden, Switzerland, and the United Kingdom, while its personnel are geographically distributed. It is prohibited from officially operating within Bahrain, where the organisation nevertheless has members.

3) During its 4th UPR cycle in 2022, Bahrain supported 172 out of 245 recommendations.

4) This submission addresses the organisations' core concerns in respect to civil and political, economic and social rights, torture and cruel, inhuman and degrading punishment and citizenship.

5) The research underscores continued deficits in Bahrain's compliance with UPR recommendations, which persists despite the Bahraini government's assertions regarding its engagement with United Nations mechanisms. The research assesses the advancements achieved and the persisting obstacles to compliance with international human rights law and UN principles. By examining four periodic reviews of Bahrain, this shadow report provides valuable insights for donors, policymakers, and international organizations seeking to develop effective solutions and recommendations for the Bahraini government and international organizations. By conducting a thorough examination of the underlying factors contributing to Bahrain's failure to comply with UPR recommendations, this research endeavours to advance academic discourse and contribute to the promotion, awareness and protection of human rights in Bahrain.

6) The methodology of this report is based on the research of the contributing organisations, along with statements, laws and policies set out on websites belonging to the Government of Bahrain (GoB); reports from non-governmental organisations (NGOs) such as Amnesty

International, Human Rights Watch and others, along with semi-structured virtual interviews with experts on Bahrain, including activists and scholars. The interviews are significant in that they yield primary data from individuals directly affected by the restrictive laws. This includes lawyers and human rights activists who possess firsthand experience with Bahrain's legal system, as well as experts with extensive experience in Bahrain's political situation.

Previous UPR for Bahrain Under the First, Second, Third and Fourth Cycles

7) Bahrain was previously reviewed during the 1st, 13th, 36th and 41st sessions of the UPR, in 2008, 2012, 2017 and 2022 respectively.

8) In the first cycle, during the 1st session, Bahrain received nine recommendations to prioritise drafting a law on the provision of citizenship to children where the father is not a Bahraini citizen, which Bahrain supported.

9) In the second cycle, during the 13th session, six recommendations were made to Bahrain regarding nationality and statelessness in relation to gender discrimination.

10) In the third cycle, during the 36th session, fourteen recommendations were made to Bahrain regarding statelessness and the right to a nationality, seven of which it accepted, and seven it noted.

11) In the fourth cycle, during the 41st session, seventeen recommendations were made to Bahrain regarding statelessness and the right to a nationality, ten of which it accepted, and seven it noted.

12) Since 2016, various international human rights committees have also made recommendations to Bahrain on the matter of statelessness and discrimination against women and children.

13) Bahrain has engaged in some welcome reforms. It supported recommendations to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Botswana), to work towards the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Georgia), intensify its efforts to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Maldives), and consider ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Mauritius).[1] It also agreed to the recommendation to take measures to further limit all forms of torture, including by ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and ensure full accountability for violations and abuses (Italy).[2]

[1] Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.13; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.16.
[2] Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.17.

14) Moreover, Bahrain has supported the recommendation to strengthen the Special Investigations Unit (SIU) and the Ombudsman of the Ministry of the Interior to allow these institutions to fulfil their mandates in an effective, independent and impartial manner (Canada).[3]

15) However, SALAM DHR continues to receive reports of torture and ill-treatment, particularly of detainees arrested on suspicion of terrorism (a term that is vaguely defined in Bahraini law and used broadly by the (GoB), including minors.

16) The GoB supported recommendations to strengthen the right to freedom of expression and take measure to implement the commitments contained in the national action plan for human rights, 2022-2026 (France), amend legislation with a view to lifting restrictions on the rights to freedom of expression and freedom of peaceful assembly (Canada), continue to promote freedom of opinion and expression by working to make appropriate amendments to the Press and Electronic Media Law, in line with international standards and conventions ratified or acceded to by Bahrain (Morocco), reform laws that regulate publishing, both print and online, in order to ensure freedom of expression for the independent media and all citizens (Norway), revise the Press, Printing and Publication Act to ensure the protection of freedom of expression, online and offline, in line with target 16.10 of the Sustainable Development Goals and Article 19 of the International Covenant on Civil and Political Rights (Switzerland), move quickly to pass the much-delayed journalism and e-media law, to ensure stronger protections for journalists and to enhance wider media freedoms (United Kingdom of Great Britain and Northern Ireland), and remove restrictions on peaceful assembly and association, by eliminating the continuing prohibition on public demonstrations and allowing political societies to engage in meetings without restrictions (United States of America).[4]

17) Most legislation criminalising the rights to freedom of expression, association and peaceful assembly remains in place, in contravention of Article 25 of the International Covenant on Civil and Political Rights (ICCPR). It continues to be used to detain prisoners of conscience.

18) Many prisoners of conscience - including those detained in 2011 – remain incarcerated. Human rights defenders continue to work in a hostile environment, and impermissible restrictions on political associations remain in place.

19) With restricted media freedom and a hostile environment for members of civil society, considerable obstacles to elections being free, fair, and in alignment with Article 25 of the ICCPR remain in place in Bahrain.

20) Bahrain continues to use the death penalty. Several prisoners on death role have provided confessions they claimed were rendered under torture. Verdicts on death penalty cases have also been rendered by unfair trials, where the accused did not have adequate access to an attorney.

[3] Thematic List of Recommendations, UPR of Bahrain, 4th Cycle–41st Session. 124.62.
[4] Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.54; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.114; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.116; 124.133; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.134, Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.135; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.115.

Bahrain's Mid-Term Review

21) The Government of Bahrain (GoB) supported recommendations to advance comprehensive legislation against discrimination in all areas, defining the grounds for discrimination and providing effective remedies for victims of discrimination (Chile), adopt comprehensive anti-discrimination legislation and a policy framework to ensure full and effective protection from discrimination in all spheres and to provide remedies for victims of discrimination (Bulgaria), and continue to consolidate a culture of tolerance and peaceful coexistence and continue to promote national harmony and unity (United Arab Emirates).[5]

22) The 2022 midterm assessment conducted by SALAM DHR indicated an absence of major reforms and a fundamental lack of willingness by the GoB to substantively address human rights concerns raised in successive UPR cycles.

23) Since 2011, the GoB has not effectively implemented the recommendations of the Bahrain Independent Commission of Inquiry and UN human rights bodies. It rejected appeals to release prisoners of conscience or to improve its trial procedures. Discriminatory, sectarian practices, which isolate and securitise Bahrain's Shi'a population, continue. These practices violate freedom of expression, association, and assembly. Additionally, women remain politically and economically marginalised and migrants remain highly vulnerable. Finally, the use of the death penalty continues, despite considerable concerns over due process.

16) The submitting organisations urge the international community to learn from these examples and to critically assess all claims of progress by the GoB.

17) The submitting organisations implore the international community to reiterate and expand the recommendations it made in 2022.

18) Finally, the submitting organisations call on the international community to place meaningful pressure on Bahrain to support and implement all recommendations it receives, including via adherence to legally binding conventions.

Economic Rights

19) The GoB has failed to implement safeguards under the International Covenant on Economic, Social and Cultural Rights (ICESCR), including the recruitment and employment of migrants. Migrant domestic workers continue to face difficult working conditions, such as forced labour, non-payment of wages, the confiscation of passports by employers, and debt bondage,[6] violating Article 6 of the ICESCR and Article 13 of the Bahraini Constitution. Bahrain is also in violation of the recommendation to continue efforts to ensure the safety, security and dignity of foreign workers, including domestic workers (Egypt).[7]

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[5] Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.64; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.65; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.121.

[6] "UN Committee on the Elimination of Racial Discrimination publishes findings on Bahrain, Botswana, Brazil, France, Georgia and Jamaica", OHCHR, 02 December 2022, https://www.ohchr.org/en/press-releases/2022/12/un-committee-elimination-racial-discrimination-publishes-findings-bahrain

[7] Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.228.

20) In July, Bahrain's royally appointed upper legislative chamber proposed a legal upper limit of BHD 120 (USD 320) per month for domestic workers' salaries. Like other migrant workers, domestic workers continued to lack the protection of a minimum wage.[8]

21) The Bahraini constitution and labour code recognises the right to form and join independent trade unions, but with significant restrictions. On June 16, 2023, the country's first trade union for domestic workers was established. This significant achievement offers hope for domestic workers advocating for decent working conditions and respect for their human rights.[9]

22) Progress in protecting migrant workers: Bahrain has introduced a new provident fund for end-of-service indemnity (EOSI) for migrant workers, marking a significant step in enhancing their social protection rights. This new system, managed by the Social Insurance Organization (SIO), requires employers to make monthly contributions to ensure timely and enforceable benefits for migrant workers. The reforms aim to address issues such as non-payment and delayed payment of EOSI benefits, which have been widespread.[10]

23) The GoB continues to discriminate against members of Bahrain's Shi'a community in respect to employment in the public sector. Shia continue to have restricted access to public posts, predominantly occupying lower-level public offices and being largely excluded from the security services. Bahrain is in further violation of Article 6 of the ICESCR, Article 13 of its constitution, and recommendation 124.142 of the 4th UPR.[11]

24) Bahrain officially repealed its kafala system in 2009, being the first country in the Gulf Cooperation Council to do so. Migrants are now sponsored by the Labour Market Regulation Authority and can change from one employer to another without their employer's agreement. Three months' notice is required to quit from an employer.

25) Bahrain piloted a flexible visa system in April 2017. The law operates as a "free visa" through which workers can sponsor themselves and work for multiple employers. Workers could be employed by the hour, daily, or in other arrangements. It was unclear whether the new permit allowed absconding charges to be filed. Other migrant workers could be punished for absconding.[12] The Flexi-Permit, however, was cancelled in October 2022, once again limiting the ability of migrants to change jobs.

26) As of December 2022, visit visas can no longer be converted into work permits, meaning migrants cannot obtain a work permit without exiting Bahrain. This places an inordinate

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[8] "Bahrain 2023", Amnesty International, https://www.amnesty.org/en/location/middle-east-and-north-africa/middle-east/bahrain/report-bahrain/

[9] "Bahrain Employment Law 2024: A Complete Overview", Truein, 22 August 2024, https://truein.com/gcc/blogs/bahrain-employment-laws/#:~:text=As%20of%202024%2C%20there%20is,be%20BHD%20300%20per%20month. ; "GDWU is Born: The First Domestic Workers' Union in Bahrain and Across the Gulf", IDWF, 16 June 2023, https://idwfed.org/news/gdwu-is-born-the-first-domestic-workers-union-in-bahrain-and-across-the-gulf/

[10] "Bahrain takes leap forward in enhancing end-of-service rights for migrant workers", International Labour Organization, 14 March 2024, https://www.ilo.org/resource/news/bahrain-takes-leap-forward-enhancing-end-service-rights-migrant-workers

[11] Bahrain Country Report 2024, BTI https://bti-project.org/en/reports/country-report/BHR

[12] "Disempowered, Dehumanised, Deported: Life Under the Kafala System", WalkFree: Global Slavery Index, https://www.walkfree.org/global-slavery-index/findings/spotlights/life-under-the-kafala-system/#footnote:53

amount of power in the hands of the migrant's employer, who must sponsor their entry into the country.

27) Reforms to the kafala system are incomplete. Legislation regulating kafala practices is rarely enforced. The ongoing implementation of a de facto kafala system in Bahrain requires migrant workers to have a local sponsor, leading to exploitative practices such as excessive working hours, passport and salary withholding, as well as lower wages. Despite a 300 BHD minimum wage, over 60% of foreign workers earn less than 200 BHD per month. The system risks migrant workers being arrested and deported for leaving work without consent.[13]

28) A 2022 law extended contract termination from one to two years, with workers bearing high permit costs. Domestic workers lack labour protections such as rest days, a minimum wage, and working hour limits.[14]

29) The GoB has expanded practices that limit economic opportunities for former opposition members and political prisoners through the routine delay or denial of "good conduct certificates," a document required for Bahraini citizens and residents to obtain employment, apply for university, or even to join a sports or social club.[15]

30) Bahrain's minimum wage is applicable only to the public sector, threatening the right to an adequate standard of living.[16]

31) Bahrain has taken steps to enhance wage transparency and protect workers' rights. In January 2022, the Labour Market Regulation Authority (LMRA) and the Central Bank of Bahrain (CBB) initiated the final phase of implementing the Wage Protection System (WPS). This electronic salary transfer system enables institutions to pay workers' wages through approved banks and financial institutions. While the WPS aims to ensure transparent payments, issues like wage theft and payment delays can still occur despite its implementation.[17]

Recommendations

32) SALAM DHR calls on Bahrain to:

- Ratify ILO Convention No. 87 (Freedom of Association) and Convention No. 98 (Right to Organize and Collective Bargaining);
- Revise Decree-Law No. 33 of 2002 to allow all workers, including domestic workers and civil servants, to freely form and join independent trade unions;
- Extend social protection coverage to all migrant workers, ensuring equitable access to benefits and protections;
- Cease systematic discrimination against the Shi'a community in public sector employment, ensuring equal access to all positions, including high-level roles and security services;
- Eliminate the kafala system to grant migrant workers full autonomy and freedom of movement, protecting them from exploitative practices;

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[13] Ibid.
[14] Bahrain Events of 2022, Human Rights Watch
https://www.hrw.org/world-report/2023/country-chapters/bahrain
[15] Ibid.
[16] "Bahrain Employment Law 2024: A Complete Overview", Truein, 22 August 2024
https://truein.com/gcc/blogs/bahrain-employment-laws/#:~:text=As%20of%202024%2C%20there%20is,be%20BHD%20300%20per%20month
[17] Asia Perri, "Did the socio-legal status of migrant workers in Bahrain exacerbate the health impact of the Covid-19 pandemic?", salam-dhr.org
https://salam-dhr.org/wp-content/uploads/2022/03/Health-Outcomes-Bahrain-Asia-Perri-1.pdf

- Amend labor laws to provide domestic workers with essential protections, including rest days, minimum wage, and working hour limits;
- Ensure affordable and transparent permit processes for workers and safeguard against exploitative contract termination policies;
- End the practice of withholding "good conduct certificates" from former political prisoners and opposition members, ensuring equal access to employment, education, and housing;
- Reinstate suspended benefits, such as housing allowances, for former detainees and their families; and
- Create a national minimum wage applicable to all workers.

Social Rights/Combating Racial Discrimination

33) During the 4th UPR, the GoB supported recommendations to: ensure that everyone is able to exercise their right to take part in cultural and religious life without discrimination or undue restrictions (Islamic Republic of Iran), continue to enhance the promotion of interfaith dialogue and religious tolerance (Indonesia), ensure the equal rights of all persons to freedom of religion (Islamic Republic of Iran), expedite the formulation of a national plan to consolidate the values and principles of religious tolerance and peaceful coexistence among religions to enhance national unity (Botswana), and continue to take measures to restore damaged religious sites (Islamic Republic of Iran).[18]

34) The GoB engages in a range of discriminatory, sectarian practices. The Bahraini government violated the religious freedoms of political detainees at Jaw Central Prison by officially banning them from reviving Ashura ceremonies, despite claims of protecting such freedoms, as detainees reported threats of force from prison officials in response to their peaceful protests against the restrictions.[19]

35) The Shi'a community has faced numerous infringements on their freedom of conscience and their right to conduct religious rites. According to Human Rights Watch, authorities established roadblocks and prevented Shia individuals who were not residents of the Diraz neighborhood from attending Friday prayers at the Imam al-Sadeq Mosque on June 9 and 16. The mosque is a main site for Shia Friday prayers in the country.[20]

36) The discrimination faced by Shi'a groups means Bahrain is in violation of UPR recommendations to fully respect the freedoms of expression, association, religion or belief for all people, without discrimination (Costa Rica) and to ensure that everyone is able to exercise

[18] Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.68; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.110; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.111; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.112; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.113.

[19] "Bahrain's Jaw Prison prevents political detainees from reviving Ashura ceremonies", ShiaWaves, 1 August 2022 https://shiawaves.com/english/news/islam/bahrain/84623-bahrains-jaw-prison-prevents-political-detainees-from-reviving-ashura-ceremonies/

[20] Bahrain 2023 International Religious Freedom Report, United States Department of State, Office of International Religious Freedom https://www.state.gov/wp-content/uploads/2024/05/547499_BAHRAIN-2023-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf

their right to take part in cultural and religious life without discrimination or undue restrictions (Islamic Republic of Iran).[21]

37) In 2024, a case involving a student from the Achomi ethnic minority highlighted issues of cultural sensitivity and community backlash against minority expressions, raising questions about the treatment of such groups in Bahrain.[22]

38) The government's educational reforms have not effectively addressed these inequalities. Shi'a students are still underrepresented in higher education, with limited access to leadership roles and academic institutions.[23]

39) In July 2023, HRW reported authorities blocked Shia worshippers from attending Friday prayers at the country's largest Shia mosque on two Fridays in June, following local protests against Saudi Arabia's execution of two Shia Bahrainis.[24]

40) In the 4th Cycle, the GoB supported: incorporating into their plans and policies measures that aim to achieve gender equity in the public and private spheres, including the participation of women in leadership positions (Chile), to continue taking measures to enhance women's participation in public life and align programmes with the national plan for the advancement of Bahraini women and the strategies, frameworks, programmes and initiatives emanating from it (United Arab Emirates), to consider taking additional steps to increase women's representation at decision-making levels (Cambodia), to raise awareness about the importance of the equal participation of women and men in public and political life and undertake apt steps towards this end (Cyprus), to redouble efforts to achieve the equitable representation of women in the public and political spheres, particularly in decision-making positions (Gabon), to continue to take measures to enhance the participation of women in political and public life (Iraq), continue efforts to enhance the participation of women in political and public life (Nepal), redouble efforts to enhance gender equality and women's representation in the public and political spheres (Indonesia), increase the number of women in political and public life at all levels and in all areas and promote women in leadership positions (Kazakhstan), to continue to implement legislation that protects women in their workplace and at home and provide effective tools to overcome the obstacles that still exist for their full legal integration (Spain), to continue intensifying efforts to eliminate violence against women (Cambodia), and Continue its work in order to combat violence against women.[25]

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[21] Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.118; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.68.
[22] Human Rights Report, Bahrain, 2024, Washington Centre https://www.washingtoncentre.org/wp-content/uploads/2024/08/2024-Bahrain-Human-Rights-Report.pdf
[23] Ibid.
[24] 2023 Country Reports on Human Rights Practices: Bahrain, U.S. Department of State, https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/bahrain/
[25] Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.166; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.174; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.175; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.176; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.178; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.179; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.180; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.181; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.182; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.183; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.190; Thematic List of

41) In June 2023, in a positive step, Bahrain annulled Article 353 of its Penal Code, which had allowed rapists to escape prosecution if they married their victims.

42) However, there was no change to Article 4 of the Law on Bahraini Nationality, under which only men can pass on their Bahraini nationality to their children. This results in children being born stateless, a status with immense, negative repercussions. Additionally, GoB's reservations to the Convention on the Elimination of Discrimination Against Women (CEDAW) articles 2, 9, 15, 16 and 29 severely limits the applications of the convention in Bahrain. This is shown by paragraph 52 of Bahrain's state report, Committed on the Elimination of Discrimination Against Women. The fact this reservation remains in force means Bahrain is in violation of recommendation 124.25 from its 4th UPR.

43) Violations of freedom of speech and expression have been evident in Bahrain. Internet users were summoned by the public prosecutor and interrogated over political online content during the reporting period. In September 2022, lawyer Abdulla Hashim was summoned to a Bahraini court because of his posts about unemployment figures on Twitter. Activist Nawal Atteya was summoned several times, by both the public prosecutor and the cybercrime unit, because of material she posted to Twitter that criticized the parliament.[26]

44) According to an October Freedom House report, in 2022 at least 41 activists and journalists were arrested, detained, interrogated, or prosecuted for speech-related matters, including their online activity.[27]

45) Until September, authorities at Jau Prison prevented hundreds of Shia prisoners convicted of violent or non-violent opposition to the government from holding group religious ceremonies in the prison prayer room, a restriction not applied to other prisoners.[28]

46) In February 2023, three religious reformers Jalal Al Qassab, Mohammed Redha, and Redha Rajab members of the Al-Tajdeed Society, which advocates open discussion and questioning about religion and Islamic jurisprudence posted a series of posts on social media that debated Quranic interpretations entrenched in Bahraini society and disputed the opinions of Islamic scholars on a range of topics. They have been subsequently charged under Articles 309 and 310 of the Bahrain Criminal Code, which criminalises "ridiculing" any of Bahrain's "recognized religious texts.[29]

47) In March 2023, Bahraini authorities arrested four men over social media posts. Ebrahim Al-Mannai, one of the four men arrested, was a lawyer and prominent activist who made a post on X, formerly known as Twitter, stating that the Bahraini government should reform its parliament if it is interested in highlighting the Bahraini parliament to the world.[30]

Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.197; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.198.

[26] "Freedom on the Net 2023, Bahrain", Freedom House, https://freedomhouse.org/country/bahrain/freedom-net/2023

[27] 2023 Country Reports on Human Rights Practices: Bahrain, U.S. Department of State, https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/bahrain/

[28] "Bahrain 2023", Amnesty International, https://www.amnesty.org/en/location/middle-east-and-north-africa/middle-east/bahrain/report-bahrain/

[29] "Bahrain: 3 On Trial for Religious Dialogue New Case of Persecution for Peaceful Speech", Amnesty International, 28 February 2023 https://www.hrw.org/news/2023/02/28/bahrain-3-trial-religious-dialogue

[30] Bahrain Events of 2023, HRW, https://www.hrw.org/world-report/2024/country-chapters/bahrain#699e6e

48) On December 20, international media and Human Rights First reported Ebrahim Sharif, an opposition figure, was arrested for "supporting a terrorist organization" due to a series of social media posts criticizing the government's participation in Operation Prosperity Guardian, a multinational maritime security coalition in the Red Sea. Sharif's posts encouraged support for Houthi actions and the "blockade" on the ports of the "Zionist Entity".[31]

Recommendations

49) SALAM DHR calls on Bahrain to:

- Cease discriminatory practices preventing the Shia community from exercising their religious rights, including participation in ceremonies and access to worship places;
- Guarantee equal rights for all religious groups in Bahrain, in line with international human rights standards;
- Implement UPR recommendations (124.118 and 124.68) to protect freedom of conscience and religious practices;
- Withdraw reservations to CEDAW Articles 2 and 16 to ensure gender equality and women's rights protection;
- Amend the Nationality Law to allow Bahraini women equal rights in passing nationality to their children;
- Continue positive reforms by addressing all forms of gender-based violence and discrimination, building on the annulment of Article 353 of the Penal Code;
- Stop prosecuting peaceful expression, including online content, in accordance with international obligations regarding freedom of speech;
- Amend Articles 309 and 310 of the Criminal Code to decriminalize the "ridiculing" of recognized religious texts, protecting critical discussions;
- Ensure protection for public discourse, allowing journalists, activists, and political figures to express views without fear of prosecution or harassment;
- Release individuals detained for peaceful expression, upholding their rights under international law; and
- End discriminatory practices against Shia prisoners, ensuring equal treatment and the right to hold religious ceremonies regardless of faith.

Prisoners' Rights

50) Article 12 grants the right of everyone to the highest possible standards of health. Additionally, the GoB supported recommendations to comply with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, including by ensuring that all detainees are fully protected against torture and other cruel, inhuman or degrading treatment (Australia), to continue efforts in improving prison conditions and the treatment of people in detention, possibly also involving bilateral and international cooperation (Indonesia), and pursue the changes initiated with regard to the situation in prisons, particularly those concerning minors and those aimed at facilitating and improving

[31] 2023 Country Reports on Human Rights Practices: Bahrain, U.S. Department of State, https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/bahrain/

access to care for all prisoners, and generalize the use of alternative penalties to imprisonment (France).[32]

51) Bahrain's prison authorities have failed to implement even basic standards of sanitation. Authorities continue to deny Bahraini prisoners adequate medical care, causing unnecessary suffering and endangering the health of prisoners with chronic medical conditions. In May 2022, prison authorities did not respond adequately to a tuberculosis outbreak in Jau prison. At least two prisoners with symptoms of tuberculosis were ignored by prison authorities for more than a week.[33]

52) Prison authorities failed to provide hospital care to a prisoner, Ahmed Jaber, for 11 months. Jaber became sick in prison in April 2021 but was not transferred to a hospital until March 2022.[34]

53) Concerns remain over conditions in Jau Prison: on 15 August 2024, independent human rights experts called for urgent action to address the inhumane conditions in Jau Prison. Since March 2024, prisoners have been denied adequate medical care, sufficient food, and safe drinking water, with extreme heat due to a lack of air conditioning reaching 50°C. The experts emphasized that such treatment could constitute torture or cruel, inhuman, or degrading treatment and urged the Government of Bahrain to restore humane conditions and engage with prisoners and their families (UN Independent Experts, 2024).[35]

54) Abdel-Jalil al-Singace began a hunger strike in July 2021 that continued throughout 2022. In 2022, Bahraini authorities delayed or denied the delivery of multiple necessary medicines to al-Singace, including medications necessary for his nervous system and bodily functions, and eye drops.[36]

55) In August 2023, it was reported at least 800 prisoners were on hunger strike in Bahrain in protest of overcrowded and unhygienic prison conditions. In 2024 independent human rights experts at the UN Human Rights Office cited allegations of poor conditions at Jau prison, where prisoners have reportedly been denied access to health care and adequate food because of their protests for better conditions.[37]

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[32] Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.91; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.93; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.96.

[33] "Bahrain: Prison officials' inadequate response to tuberculosis cases in Jaw prison puts prisoners' health at serious risk", Amnesty International, 9 June 2022, https://www.amnesty.org/en/latest/news/2022/06/bahrain-prison-officials-inadequate-response-to-tuberculosis-cases-in-jaw-prison-puts-prisoners-health-at-serious-risk/

[34] Bahrain Events of 2022, Human Rights Watch https://www.hrw.org/world-report/2023/country-chapters/bahrain

[35] "Bahrain must restore rights in Jau prison amid prisoner protests, say experts", OHCHR, 15 August 2024 https://www.ohchr.org/en/press-releases/2024/08/bahrain-must-restore-rights-jau-prison-amid-prisoner-protests-say-experts

[36] Bahrain Events of 2022, Human Rights Watch https://www.hrw.org/world-report/2023/country-chapters/bahrain .

[37] Bahrain: Introductory country profile, House of Commons Library, UK parliament, https://researchbriefings.files.parliament.uk/documents/CBP-9531/CBP-9531.pdf

56) The prison authorities agreed to allow prisoners two hours a day out of their cells, group prayers twice a day in groups of up to 50 in the prayer room, and more calls and visits under better conditions.[38]

57) The Open Prison program, which opened in December 2022, allowed 48 prisoners to reunite with their families while serving their sentence in a new facility during the year. The Open Prison program sought to reintegrate select prisoners as productive members of society. Thirteen individuals released under the program's alternate sentencing got full-time private-sector jobs during the year pursuant to an agreement signed on March 29 between the Ministry of Interior and the nonprofit group INJAZ Bahrain, to offer hands-on training and immersive learning on employment, financial literacy, entrepreneurship, sustainability, STEM, and digital literacy to Open Prison program participants.[39]

58) Authorities failed to hold officials accountable for torture and ill-treatment in detention.[40]

- More than 400 inmates in Jau prison, the country's largest prison, initiated a hunger strike on August 7, 2023, to protest abysmal detention conditions and denial of health care. According to the Bahrain Institute for Rights and Democracy, as of August 30, more than 800 were on the hunger strike.[41]

- In June 2024, GIDHR reported that Ali Hussein Al-Fardan, a prisoner of conscience, had been the victim of medical negligence. Despite suffering from sickle cell anemia, colon disease, and other illnesses, he was denied essential healthcare. After experiencing a seizure, Ali was not taken to see a doctor for at least one hour, reportedly due to delays in administrative processes. Furthermore, he was only provided with painkillers, which are not suitable for his medical needs.[42]

Recommendations

59) SALAM DHR calls on the GoB to:

- Comply with ICESCR Article 12 by ensuring timely and adequate medical care for all prisoners;
- Investigate and hold accountable any officials involved in torture;
- Prohibit detention of minors, following CRC guidelines, with a focus on rehabilitation;
- Address Hunger Strikes: Resolve hunger strike issues by improving healthcare and prison conditions, aligning with ICESCR and CAT obligations; and
- Release Political Prisoners: Free all detainees held for peaceful expression, in compliance with ICCPR.

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[38] "Bahrain 2023", Amnesty International, https://www.amnesty.org/en/location/middle-east-and-north-africa/middle-east/bahrain/report-bahrain/

[39] 2023 Country Reports on Human Rights Practices: Bahrain, U.S. Department of State, https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/bahrain/

[40] Ibid.

[41] "Bahrain: Address Hunger Strike Grievances", Amnesty International, 1 September 2023 https://www.hrw.org/news/2023/09/01/bahrain-address-hunger-strike-grievances

[42] Prisoner of conscience Ali Hussein Al-Fardan suffers from medical negligence, GIDHR, X, 27 June 2024 https://x.com/gulfidhr/status/1806339309701624297

Political and Civil Rights

60) The royal pardon issued by King Hamad bin Isa Al Khalifa on 4 September 2024, for 457 individuals, which was the third mass amnesty in 2024, included the release of over 150 political prisoners.[43] The first pardon, on 8 April 2024, included an estimated 650 political prisoners, while the second pardon, on 15 June 2024, largely excluded political prisoners.[44]

61) While the pardons this year are notable, resulting in the lowest number of individuals wrongfully imprisoned in Bahrain since 2011, they largely excluded prominent human rights defenders and leading opposition activists who played significant roles in the 2011 pro-democracy protests.[45] And while the gesture is notable, Bahrain authorities must cease unjustly prosecuting their critics in the first place.[46]

62) Political repression and the curtailment of freedom of expression remain prevalent in Bahrain.

- In December 2023, Human Rights Watch reported on the Bahraini government's repression of pro-Palestine protests. The banned political society, al-Wefaq, claimed the public prosecutor charged a resident from Damistan in criminal court on July 18 for participating in anti-Israel protests. The summons listed "gathering with the aim of committing crimes or harming security" as the primary charge.[47]

- On March 5, 2023, four individuals were arrested for peacefully protesting against the Formula One Grand Prix race while calling for the release of political prisoners.[48]

- In a move highlighting ongoing political repression, the Bahraini government revoked the visas of two Human Rights Watch (HRW) representatives in March 2023, preventing them from attending an International Parliamentary Union assembly in Manama. This action occurred just two days after HRW, along with 21 other NGOs, issued a joint statement urging delegates to address concerns about the lack of political freedom in Bahrain.[49]

- In March 2023, authorities arrested four individuals for social media posts critical of the government, including lawyer Ebrahim al-Mannai.[50]

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[43] Prominent human rights defenders remain in prison after several royal pardons, Gulf Center for Human Rights, 8 October 2024, https://www.gc4hr.org/prominent-human-rights-defenders-remain-in-prison-after-several-royal-pardons/
[44] Ibid.
[45] "29 Human Rights Organizations Urge UN Member States to Raise the Issue of Human Rights in Bahrain During General Assembly High-level Debate", Americans for Democracy & Human Rights in Bahrain, 23 September 2024, https://www.adhrb.org/2024/09/29-human-rights-organizations-urge-un-member-states-to-raise-the-issue-of-human-rights-in-bahrain-during-general-assembly-high-level-debate/
[46] Bahrain: Joint Letter on Human Rights Situation to Member and Observer States of the United Nations Human Rights Council, Human Rights Watch, 30 May 2024 https://www.hrw.org/news/2024/05/30/bahrain-joint-letter-human-rights-situation-member-and-observer-states-united
[47] 2022 Country Reports on Human Rights Practices: Bahrain, U.S. Department of State, https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/bahrain/
[48] 2023 Country Reports on Human Rights Practices: Bahrain, U.S. Department of State, https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/bahrain/
[49] Bahrain Revokes Human Rights Watch Visas, Human Rights Watch, 10 March 2023, https://www.hrw.org/news/2023/03/10/bahrain-revokes-human-rights-watch-visas
[50] Bahrain Events of 2023, Human Rights Watch, https://www.hrw.org/world-report/2024/country-chapters/bahrain

63) The constitution provides for the right of peaceful assembly, but laws and actions by authorities restrict this right. In February 2023, for example, the government summoned several family members of Bahrainis imprisoned or killed in the past by government forces and warned them against protesting around the anniversary of the2011 uprising. On 21 February, the police station in Sanabis, a Shia suburb of Manama, summoned Jameel Taher al-Samea, a young man executed in 2017 and compelled him to sign a statement pledging not to join any demonstrations.[51] On 5 March, police arrested Hajer Mansoor, Ali Muhana, Muneer Mushaima and Najah Yusuf – all former prisoners or family members of prisoners – for peacefully protesting adjacent to Bahrain's Formula 1 racetrack. They were released after several hours without charge.[52]

64) As a result of 2018 political isolation law, between 6,000 to 11,000 people were unable to run in the November 2022 election. Bahrain's 12 November parliamentary election did not allow for the expression of any form of dissent: members of the opposition have been banned from running for political office while individuals continue to be denied the fundamental freedoms of association, peaceful assembly and expression, directly violating Article 25 of the ICCPR. Freedom of association, peaceful assembly and expression are required to make elections free, fair and meaningful.[53]

65) The GoB claims that it has no political prisoners. According to numerous human rights NGOs, however, the government holds an unverified number of individuals held on non-violent, politically motivated charges. In August 2024, international media reported that the government held approximately 1,200 prisoners of conscience, most of them in Jaw Central Prison. Charges against them include: terrorism (which has a broad, ambiguous definition in Bahraini law), treason, espionage, and attempting to overthrow the monarchy.[54]

66) On August 22, the Ministry of Social Development issued a circular to civil society organizations (CSOs) warning them to abide by a law prohibiting them from engaging in political activities or fundraising. The government also required CSOs to submit board of director candidates for approval before holding elections. The government repeatedly disqualified members of banned political societies from running for office in CSOs, sports clubs, and other nonpolitical organizations, without explanation or an appeals process.[55]

67) Freedom of Expression: Bahraini law forbids any speech that authorities consider a challenge to public order or morals. While individuals openly expressed critical opinions regarding domestic political and social issues in private settings, those who shared such opinions publicly, including in traditional or social media, often faced repercussions. Over the course of 2024, the GoB took steps against what it considered acts of civil disobedience, which included critical speech. Ministry of Information Affairs personnel monitored media reports on matters deemed sensitive, especially those related to religious sects, national security, criticism of the ruling family or the judiciary, and the Saudi royal family. Media reported government

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[51] The State of the World's Human Rights: April 2024, Amnesty International, https://www.amnesty.org/en/documents/pol10/7200/2024/en/
[52] Ibid.
[53] "Bahrain: election without freedoms falls far short of democracy", Civicus Lens, 17 November 2022, https://lens.civicus.org/bahrain-election-without-freedoms-falls-far-short-of-democracy/
[54] 2023 Country Reports on Human Rights Practices: Bahrain, U.S. Department of State, https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/bahrain/
[55] 2022 Country Reports on Human Rights Practices: Bahrain, U.S. Department of State, **https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/bahrain/**

officials contacted editors directly and told them to stop publishing articles on certain subjects. The law prohibits anti-Islamic content in the media and mandates imprisonment for "exposing the state's official religion to offense and criticism." The GoBt restricted access to the internet and censored online content, and there were credible reports that the government monitored private online communications without appropriate legal authority.[56]

68) In May 2023, Bahrain's educational institutions were ordered to stop curriculum changes deemed incompatible with "Bahrain's national values designed to protect religion." Bahraini prime minister Crown Prince Salman bin Hamad al-Khalifa issued the order due to concerns about the inclusion of lessons on Israel in Bahraini curriculums. A specialist team was appointed to review the curriculums and look for any content not aligned with "national and religious constants."[57]

69) A permit is required to hold demonstrations, and a variety of onerous restrictions make it difficult to organize a legal gathering in practice. Participants can face long jail terms, particularly if the demonstrations involved clashes with security personnel. Police regularly use force to break up political protests, most of which occur in Shiite villages.[58]

70) International human rights agencies have been denied access to the country. Bahraini human rights defenders and their family members are subject to harassment, intimidation, and prosecution. Many remained either in prison or in exile as of 2023.[59]

71) In April 2023, the cabinet approved a National Human Rights Plan for 2022–2026—coordinated with the Office of the UN High Commissioner for Human Rights (OHCHR) and overseen by the Ministry of Foreign Affairs—intended to promote "respect for human rights at all levels." Local activists are reportedly skeptical of the plan, particularly when it comes to investigating abuses by the state, since it is tied to the government.[60]

72) In September 2023, Maryam al-Khawaja, the daughter of Abdulhadi al-Khawaja, a human rights activist who had been imprisoned for 12 years, was stopped from boarding a flight to Bahrain. Al-Khawaja had planned to use her visit to try to persuade Bahraini authorities to release her father. Accompanying al-Khawaja were delegations from international human rights NGOs Amnesty International, Front Line Defenders, and ActionAid Denmark, all of whom were also denied boarding and thus denied entry into Bahrain. Head of Amnesty International Agnès Callamard called the refusal of entry a "shameless attempt" by Bahraini authorities to suppress discussion about human rights violations in the country.[61]

73) Bahraini authorities extended their longstanding crackdown on dissent by arresting and harassing at least 57 individuals, including 25 children, following pro-Palestine protests sparked by Israel's actions in Gaza after the October 7 Hamas attacks. As of December 15, 36 people, including 23 children, remain in detention, with arrests also targeting online advocacy.[62]

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[56] Ibid.
[57] "Freedom in the World 2024, Bahrain", Freedom House, https://freedomhouse.org/country/bahrain/freedom-world/2024
[58] Ibid.
[59] Ibid.
[60] Ibid.
[61] Ibid.
[62] "Bahrain: Repression of Pro-Palestine Protests", HRW, 22 December 2023 https://www.hrw.org/news/2023/12/22/bahrain-repression-pro-palestine-protests

74) Despite laws prohibiting such actions, NGOs have reported that the government has failed to respect the right to privacy. Since 2020, Pegasus spyware has been detected on the devices of at least 12 activists. These actions violate the right to privacy as guaranteed by Article 17 of the ICCPR. In February 2022, a joint investigation by Red Line 4 Gulf, Amnesty International, and Citizen Lab found that critics of the Bahraini government, including Mohammed Al-Tajer, a prominent Bahraini lawyer, Dr. Sharifa Siwar, a mental health counselor, and an online journalist were targeted with the spyware between June and September 2021.[63]

Recommendations

75) SALAM DHR calls on Bahrain to:

- Bahrain must release all political prisoners, including human rights defenders and opposition activists, in accordance with the International Covenant on Civil and Political Rights (ICCPR);
- The government should repeal laws restricting freedom of expression and peaceful assembly to ensure compliance with Articles 19, 21, and 22 of the ICCPR;
- Bahrain must lift political bans, allow international observers to monitor human rights, and restore the legal standing of banned political societies like al-Wefaq;
- The government should repeal political isolation laws, restore the voting rights of individuals unjustly removed from voter rolls, and ensure transparent, monitored elections;
- Bahrain must end the use of excessive force against peaceful protesters and hold security personnel accountable for any violations of the right to peaceful assembly; and
- The government must cease the use of spyware against activists and journalists and ensure the right to privacy as mandated by Article 17 of the ICCPR, conducting independent investigations into violations.

Torture and Other Cruel, Inhuman, and Degrading Treatment

76) Bahrain is a signatory to the Convention Against Torture (CAT) and the Arab Charter on Human Rights. Torture is also prohibited under Article 19 of Bahrain's constitution and Articles 208 and 232 of Bahrain's penal code. These various laws are in conformity with the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT).

77) Despite this, instances of torture remain widespread in Bahrain. On 16 November 2023, the United Nations Working Group on Arbitrary Detention (WGAD) reported on four elderly Bahraini opposition leaders subjected to severe human rights violations. Hasan Mushaima, Sheikh Abdullah Isa Abdulla (Mirza) Mahroos, Abdulwahab Husain Ali Ahmed Ismaeel, and Sheikh Abduljalil Radhi Mansoor Makki (Al-Muqdad) were arrested without warrants, violently detained, and forcibly disappeared for up to three months. They experienced prolonged solitary confinement, denial of phone contact and visits, and severe forms of torture, including physical beating (beating and blindfolding Mahroos, and beating and hitting Ismaeel's head against a wall), kicking, sexual assault, hanging, forced nudity in cold

[63] Bahrain Events of 2022, Human Rights Watch https://www.hrw.org/world-report/2023/country-chapters/bahrain#445862

conditions, pouring cold water, and threats of rape and death. Additionally, they were denied medical care and fair trial procedures, with forced confessions used against them during trials.[64]

78) Independent human rights experts warned that they have received worrying allegations that since March 2024, in response to protests by prisoners for better conditions, detainees held in some buildings of the prison are often being denied required medical care and do not have regular access to adequate food and safe drinking water. Authorities have cut air conditioning, exposing prisoners to extreme heat, with temperatures rising to 50°C.

79) In 2024, the UN Working Group on Arbitrary Detention reiterated that widespread or systematic imprisonment or severe deprivation of liberty in Bahrain, particularly through warrantless detentions, forced confessions, and denial of medical care, may constitute crimes against humanity. These violations follow a pattern seen in previous years, where detainees are subjected to limited judicial review, torture, and ill-treatment, in violation of international human rights laws.[65]

80) Prisoners, including prominent human rights defenders Abdulhadi al-Khawaja and Abduljalil al-Singace, alleged that prison authorities refused to refer them to specialists and denied them access to necessary medicines. On September 1, Human Rights Watch (HRW) stated authorities repeatedly denied al-Khawaja essential health care, despite his life-threatening cardiac problems. Prisoners and their advocates alleged unreasonable periods of solitary confinement for some prisoners. On September 15, Mary Lawlor, the UN Special Rapporteur on human rights defenders, released a statement expressing alarm regarding the deteriorating health conditions of detained human rights defenders Abduljalil al-Singace, Abdulhadi al-Khawaja, and Naji Fateel.[66]

81) On June 20, the UN Working Group on Arbitrary Detention published an opinion calling for the release of six imprisoned students whom the Group maintained were being held arbitrarily after confessing to crimes under torture and undergoing unfair trials. The students – Ahmed Yusuf, Alaa Ansaif, Husain Matar, Husain Abdulla, Mohamed Baddaw and Sayed al-Khabbaz – were arrested separately, in unrelated cases, between 2013 and 2020. Three of them were children at the time of their arrests.[67]

82) On September 27, Bahraini courts sentenced 12 prisoners to an additional three years and one prisoner to one additional year regarding a 2021 prison sit-in protesting medical negligence.[68]

83) On January 31, four police officers were sentenced to one year in prison for mistreating a prisoner. From April to June, the Interior Ministry investigated 15 complaints of mistreatment

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[64] Human Rights Council, Working Group on Arbitrary Detention Opinions adopted by the Working Group on Arbitrary Detention at its ninety-eighth session, 13–17 November 2023 https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session98/a-hrc-wgad-74-2023-bahrain-aev.pdf

[65] Human Rights Council, Working Group on Arbitrary Detention, Opinions adopted by the Working Group on Arbitrary Detention at its ninety-ninth session, 18–27 March 2024 https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session99/a-hrc-wgad-2024-16-bahrain-aev.pdf

[66] 2023 Country Reports on Human Rights Practices: Bahrain, U.S. Department of State, https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/bahrain/

[67] 2023 Country Reports on Human Rights Practices: Bahrain, U.S. Department of State, https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/bahrain/

[68] Ibid.

of prisoners by security forces and interviewed 45 witnesses. As a result, one officer was referred to the ministry's military court and received disciplinary action. Four other police officers were fired due to misconduct.[69]

84) In October 2024, Human Rights Watch released a report examining the prosecution of eight death-row prisoners convicted since 2011. It alleged that the men were sentenced and convicted after "manifestly unfair trials" based primarily, if not entirely, on confessions obtained through torture and abuse.[70]

85) Bahrain has executed six people since 2017, with 26 others remaining on death row as of September 2023, many based on coerced confessions obtained through torture.[71]

86) Detainees are subjected to systematic torture and ill-treatment by Bahraini security forces. This includes beatings, electrocution, sleep deprivation, sexual assault, and threats during interrogations to extract confessions. Reports document that these practices are ongoing, occurring under the supervision of the Minister of Interior.[72]

87) In 2022, Human Rights Watch (HRW) detailed several instances of officials in the Criminal Investigation Directorate of the Ministry of Interior torturing Bahraini citizens. According to the victims, this torture included sexual assault, beatings, and the threat of raping their wives.[73]

88) A detainee at Bahrain's Jau prison reported severe conditions amounting to "psychological torture," including restricted access to electricity, water, and food following protests over the death of a political prisoner, prompting UN experts to urge the Bahraini government to address these human rights violations, as officials have reportedly intensified punitive measures since protests began in March 2024.[74]

89) The United Nations Working Group on Arbitrary Detention (WGAD) published in July 2024, the opinion it adopted on 22 March 2024 during its 99th session concerning three young Bahraini brothers sentenced between 13 years and six months and 14 years in prison. They were arbitrarily arrested and subjected to gruesome human rights violations including torture, unfair trials, reprisals, and medical negligence. These young prisoners are Muntadhar, Murtadha Abdali Mohamed Khatam, and Mohamed Abdali Mohamed Hasan Khatam.

Recommendations

90) SALAM DHR calls on Bahrain to:

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[69] Ibid.
[70] 2022 Country Reports on Human Rights Practices: Bahrain, U.S. Department of State, **https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/bahrain/**
[71] https://committees.parliament.uk/writtenevidence/125286/pdf/
[72] Accountability for Torture in Bahrain A call for Magnitsky Sanctions, A report by Deighton Pierce Glynn Solicitors instructed by the Gulf Center for Human Rights, April 2022, https://dpglaw.co.uk/wp-content/uploads/2022/04/3652485-Report-Accountability-for-Torture-in-Bahrain-A-call-for-Magnitsky-Sanctions-April-2022.pdf
[73] https://committees.parliament.uk/writtenevidence/125286/pdf/
[74] "Bahraini Prisoners Subjected to 'Psychological Torture' at Jau Prison, Says Detainee", Middle East Eye, Inside Bahrain, Rayhan Uddin. 16 August 2024, https://www.middleeasteye.net/news/bahrain-inmates-jau-prison-psychological-torture

- Ratify the Optional Protocol to the Convention Against Torture (CAT) to ensure independent oversight of detention facilities;
- Investigate all allegations of torture independently and impartially, ensuring accountability for violations in line with CAT obligations;
- Invite the UN Special Rapporteur on Torture for regular, unrestricted visits to detention centers;
- Cease all forms of torture and ill-treatment, holding those responsible to account under Bahrain's constitution and international law;
- Ensure all prisoners have immediate access to necessary medical care, in compliance with international human rights standards;
- Implement an immediate moratorium on the death penalty should be implemented, particularly in cases involving coerced confessions through torture;
- Ensure fair trials, release those arbitrarily detained, and quash all convictions based on forced confessions; and
- Grant independent human rights organizations full access to detention facilities to monitor conditions and prevent further abuses.

Revocation of Nationality

91) Article 15 of the Universal Declaration of Human Rights states that everyone has the right to nationality, and no one shall be arbitrarily deprived of their nationality. Article 29 of the Arab Charter on Human Rights also states that every person has the right to a nationality and that no citizen shall be deprived of their nationality.

92) Since 2012, at least 990 Bahrainis have been stripped of their citizenship, the vast majority of whom are Shi'ites. The legal basis for this practice is the 2014 amendment of the 1963 Citizenship Law, which allows authorities to revoke citizenship when a person "causes harm to the interests of the kingdom or acts in a way that contravenes his duty of loyalty to it." A 2019 amendment to the law restricts the power to strip Bahrainis of their nationality from the cabinet. However, in practice, citizenship revocations predominantly have a symbolic impact as most revocations issued since 2012 were handed down by courts or the king. After King Hamad reinstated the citizenship of almost 700 people in 2019, about 300 people remain stateless.[75]

93) Citizenship stripping also negatively impacts the children of victims. Bahraini citizenship is only inherited through the father. Any children born after their father has lost his citizenship are born stateless, even if the mother is a Bahraini citizen. In July 2022, political opposition and social media accounts and websites criticized the government for denying citizenship and nationality to a child named Sayed Ali Qassim, rendering him and his siblings stateless. The government revoked the citizenship of the boy's father in 2015 following his terrorism conviction.[76]

94) NGOs confirmed multiple cases of authorities refusing applications for birth certificates and passports for children whose fathers were in prison because the fathers were not able to submit the applications in person.[77]

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[75] BTI Country Report: Bahrain, BTI Transformation Index, p 7, https://bti-project.org/en/reports/country-dashboard/BHR
[76] 2022 Country Reports on Human Rights Practices: Bahrain, U.S. Department of State, https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/bahrain/
[77] Ibid.

Recommendations

95) SALAM DHR calls on Bahrain to:

- Stop arbitrary revocation of nationality, in compliance with Article 15 of the Universal Declaration of Human Rights (UDHR);
- Amend the 1963 Citizenship Law and its 2014 and 2019 amendments to prevent nationality revocation for political reasons;
- Allow citizenship to be transmitted through both parents to prevent statelessness among children;
- Reinstate the nationality of those unjustly stripped of their citizenship and grant their children legal identity;
- Ensure no child is rendered stateless by granting birth certificates and passports even when a parent is imprisoned.

Rights of Women

77) During the 4th Cycle, the GoB supported amending its nationality laws so that Bahraini women married to foreigners can transmit Bahraini citizenship to their children. This recommendation was made by Norway, Cyprus, Sierra Leone, Brazil, the United States, United Kingdom, and Slovenia.[78]

78) In 2017, Bahrain reaffirmed aspirations to implement the Convention on the Elimination of All Forms of Discrimination against Women. Legislative Decree No. 70 of 2014 amending certain provisions of Legislative Decree No. 5 of 2002 rephrases some reservations to the Convention. It states that Bahrain is committed to implementing the provisions of Articles 2, 15(4) and 16 of the Convention without breaching the provisions of the Islamic Sharia.

79) Women, while comprising a large part of the student body, often face societal challenges that restrict their full participation in education and career opportunities.[79]

80) In 2024, Bahrain made strides in women's rights through legislative reforms, particularly with amendments to Bahrain Law No. 36/2012, which enhanced gender equality in the workplace. This law ensures equal entitlements for men and women, including provisions for paid maternity leave and protections against dismissal due to marriage or maternity leave. However, significant issues persist under the unified 2017 Family Law, which mandates that women must obey their husbands and restricts their ability to leave the marital home without a "legitimate excuse." Women also face challenges in matters of child custody and nationality rights, as they cannot confer their nationality to children born to non-Bahraini fathers.[80]

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[78] Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.233; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.240
Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.234; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.235; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.236; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.237; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.240; Thematic List of Recommendations, UPR of Bahrain, 4th Cycle – 41st Session, 124.238

[79] Human Rights Report, Bahrain, 2024, Washington Centre https://www.washingtoncentre.org/wp-content/uploads/2024/08/2024-Bahrain-Human-Rights-Report.pdf

[80] Ibid.

81) Personal status issues such as marriage, divorce, and child custody are governed by a 2017 unified family law applying to both Sunni and Shiite Muslim families. The law's provisions are based on Sharia (Islamic law) principles that place women at a disadvantage on numerous topics. A woman cannot act as the guardian of her child even if her child's father has passed away or following divorce in which a court orders that her child reside primarily with her (custody).[81]

82) Unlike men, Bahraini women who marry non-Bahrainis cannot pass their citizenship to their children. Accused rapists could avoid punishment by marrying their victims until May 2023, when the parliament voted to repeal the law (Article 353) that allowed this exemption.

83) Nonetheless, spousal rape is not specifically outlawed. Adultery is illegal in Bahrain, and individuals that kill a spouse caught in the act of adultery are eligible for leniency in sentencing.

84) The Bahraini constitution provides for gender equality in social, economic, and political spheres. Women can vote in local and national elections. However, family laws, which vary based on Shia and Sunni interpretations of Islamic law, continue to discriminate against women transmitting Bahraini nationality to their children on an equal basis to men (children take citizenship from their fathers). Protections on gender-based violence are considered lacking by countries such as the United Kingdom.[82]

85) Accused rapists could avoid punishment by marrying their victims until May 2023, when the parliament voted to repeal the law (Article 353) that allowed this exemption. Nonetheless, spousal rape is not specifically outlawed. Adultery is illegal, and those who kill a spouse caught in the act of adultery are eligible for leniency in sentencing.

86) The law criminalizes gender-based violence. Nevertheless, domestic violence against women was common, according to several women's rights organizations.[83]

87) Women formally enjoy full political rights but are marginalized in practice. A record high of eight women were elected to the lower house of parliament in 2022, and five women served in the cabinet as of that month.[84]

88) Women encountered employment discrimination, including wage discrimination. The government did not effectively enforce anti-discrimination laws in the workplace.[85]

89) The shrinking civic space for women human rights defenders in Bahrain has raised significant concerns. On February 28, 2023, the UN Committee on the Elimination of Discrimination against Women highlighted issues such as intimidation, harassment, threats, physical abuse, sexual violence, travel bans, and arbitrary detention faced by these defenders. The Committee

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[81] Bahrain Events of 2023, HRW, https://www.hrw.org/world-report/2024/country-chapters/bahrain#d91ede
[82] Bahrain: Introductory Country Profile, House of Commons Library, UK Parliament https://researchbriefings.files.parliament.uk/documents/CBP-9531/CBP-9531.pdf
[83] Ibid.
[84] Freedom in the World 2024, Bahrain, Freedom House, https://freedomhouse.org/country/bahrain/freedom-world/2024
[85] 2023 Country Reports on Human Rights Practices: Bahrain, U.S. Department of State, https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/bahrain/

urged the Bahraini government to strengthen and enforce measures to protect women human rights defenders, including journalists and political opposition members, from reprisals.[86]

Recommendations

90) SALAM DHR calls on Bahrain to:

- Amend its nationality law to allow women to pass citizenship to their children equally with men, in compliance with CEDAW;
- Criminalize spousal rape and strengthen legal protections against gender-based violence under existing laws;
- Enforce anti-discrimination laws in the workplace, ensuring equal pay and fair treatment for women, as required by ILO standards;
- Protect women human rights defenders from harassment and violence, in line with CEDAW and the ICCPR; and
- Enhance women's participation in political life, addressing barriers to equality as mandated by CEDAW.

Rights of the Child

91) The Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR), as well as the International Covenant on Economic, Social and Cultural Rights (ICESCR), confirm the necessity to protect children's rights and provide a safe environment for them. Bahrain is a signatory to all three.

92) Although Bahrain acceded to and ratified the UNCRC in 1991, signed it without reservations in February 1992, and it indeed came into force in March 1992, legal loopholes regarding children remain.

93) Child marriage remains a significant concern in Bahrain, with national laws permitting girls to marry at 16, and even younger with court approval. This practice is exacerbated by socio-economic factors, including poverty and lack of education, particularly in disadvantaged areas. Although Bahrain has ratified international treaties aimed at eliminating child marriage, the existing legal framework does not align with these commitments, leaving girls vulnerable to exploitation.[87]

94) In 2022, Bahrain continues to violate children's rights by arbitrarily detaining minors. Six boys, aged 13 and 14, remain detained without access to lawyers or family visits, having been accused of throwing Molotov cocktails. Authorities have repeatedly postponed hearings, further extending their detention.[88]

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[86] UN women's Rights Committee Publishes Findings on Bahrain, Costa Rica, Georgia, Hungary, Mauritania, Norway, Slovenia and Tunisia, OHCHR, 28 February 2023, https://www.ohchr.org/en/press-releases/2023/02/un-womens-rights-committee-publishes-findings-bahrain-costa-rica-georgia

[87] Human Rights Report, Bahrain, Washington Centre, https://www.washingtoncentre.org/wp-content/uploads/2024/08/2024-Bahrain-Human-Rights-Report.pdf

[88] "The UK Sees No Evil in Bahrain's Detention of Children", HRW, Bill Van Esveld, 4 March 2022 https://www.hrw.org/news/2022/03/04/uk-sees-no-evil-bahrains-detention-children

95) Under Bahrain's Restorative Justice Law for Children, which came into effect in 2021, minors still face harsh treatment, including detentions without sufficient legal protections, particularly for involvement in protests[89]

96) Concerns of the UN Committee on the Rights of the Child Regarding Military Violations: The UN Committee on the Rights of the Child expressed concerns over reports that children were killed or injured in Yemen, attributed to the military actions of the "Coalition to Support Legitimacy in Yemen," of which Bahrain is a part. The Committee urged Bahrain to prioritize the safety of children in all military activities and to investigate such incidents impartially. If verified, the Committee recommended that perpetrators be held accountable, and victims be provided with compensation.

97) Legislative Gaps on the Sale and Exploitation of Children: The Committee noted the lack of specific legislation in Bahrain to comprehensively address the sale and sexual exploitation of children. It recommended that all forms of sale and exploitation, including those conducted online, be explicitly covered under Bahraini law, with appropriate sanctions in place. The Committee also emphasized the need for a legal definition that protects exploited children from being prosecuted as offenders.[90]

Recommendations

100) SALAM DHR urges the Government of Bahrain to:

- Respect the international charters and treaties that have been ratified, especially the Convention on the Rights of the Child (UNCRC);
- Immediately release children from detention and fully compensate for all the suffering they have endured;
- Amend Laws on Child Marriage: Raise the minimum marriage age to 18 without exceptions to eliminate child marriage and align with international commitments;
- Investigate Military Violations: Commit to impartial investigations into allegations of children harmed in military actions and ensure accountability for perpetrators;
- Legislate Against Child Exploitation: Enact specific laws addressing the sale and sexual exploitation of children, ensuring victims are protected and not criminalized; and
- Establish Monitoring Mechanisms: Create a system for regular reporting on children's rights status to international bodies, facilitating transparency and compliance.

Summary Findings

- Migrant domestic workers face forced labor, wage theft, and lack of legal protections, violating ICESCR and UPR recommendations.
- Shi'a Muslims experience restrictions on religious practices, including bans on Ashura ceremonies and barriers to mosque access.

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[89] Ibid.

[90] UN Child Rights Committee publishes findings on Argentina, Armenia, Bahrain, Israel, Mexico, and Turkmenistan, OHCHR, 19 September 2024, https://www.ohchr.org/en/press-releases/2024/09/un-child-rights-committee-publishes-findings-argentina-armenia-bahrain

- Laws limit free speech; activists and journalists face arrests, surveillance, and detention for critical statements.
- Legal frameworks restrict women's rights, notably in citizenship, family law, and gender-based violence protections.
- Reports document torture and inadequate healthcare in prisons, with detainees subjected to abuse and forced confessions.
- Thousands are barred from public office, opposition members face bans, and political societies like al-Wefaq remain banned.
- Overcrowded, unsanitary conditions, inadequate medical care, and extreme heat in prisons may amount to cruel treatment.
- Citizenship revocation impacts the Shi'a community and leaves children stateless, contravening UDHR principles.
- Minors face detention without due process, and child marriage laws allow exploitation, contravening the UNCRC.
- Female activists report harassment, travel bans, and violence, limiting civic space for advocacy.

Recommendations

- Ensure legal protections and fair working conditions for migrant and domestic workers, including wage security and freedom from forced labor;
- End discriminatory practices against Shi'a Muslims, allowing unrestricted religious worship and expression;
- Repeal restrictive laws on speech and assembly, protecting activists, journalists, and peaceful protesters from prosecution;
- Amend nationality and family laws to provide equal rights for women, including citizenship rights for children of Bahraini mothers;
- Halt all torture practices, provide adequate healthcare, and ensure humane prison conditions in line with international standards;
- Lift bans on opposition members and political societies, allowing fair participation in public office;
- Enforce protections against harassment and violence targeting female activists and advocates;
- Prevent Child Exploitation and Early Marriage;
- Restore citizenship to individuals unjustly stripped of nationality, preventing statelessness, especially for children; and
- Ratify the Optional Protocol to CAT for independent monitoring of detention facilities and accountability for abuses.