

BAHRAIN 2021 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Bahrain is a hereditary monarchy. King Hamad Bin Isa Al Khalifa is the head of state and holds ultimate authority over most government decisions. The king appoints the prime minister, the head of government, who is not required to be a member of parliament. In November 2020 the king appointed his son, Crown Prince Salman bin Hamad Al Khalifa, as prime minister, following the death of the incumbent. The prime minister proposes ministers, who are appointed and dismissed by the king via royal decree. The cabinet, or Council of Ministers, consists of 22 ministers, of whom seven are members of the ruling Al Khalifa family. The parliament consists of an upper house appointed by the king, the Shura (Consultative) Council, and an elected Council of Representatives, each with 40 seats. The country holds parliamentary elections every four years, most recently in 2018. Representatives from two formerly prominent opposition political societies, al-Wifaq and Wa'ad, could not participate in the elections due to their court-ordered dissolution in 2016 and 2017, respectively. The government did not permit international election monitors. Domestic monitors generally concluded authorities administered the elections without significant procedural irregularities.

The king is supreme commander of the armed forces, and the crown prince is deputy commander. The Ministry of Interior is responsible for internal security and oversees the civilian security force and specialized security units responsible for maintaining internal order. The Coast Guard is also under its jurisdiction. The Bahrain National Guard is responsible for internal threats. The chief of the National Intelligence Agency (previously the National Security Agency) is appointed by royal decree and reports to the prime minister. The agency has arrest authority, but reportedly did not conduct arrests during the year. Civilian authorities maintained effective control over the security forces. There were credible reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: torture and cases of cruel, inhuman, or degrading treatment or punishment by government; harsh and

life threatening prison conditions; arbitrary detention; political prisoners; arbitrary or unlawful interference with privacy; serious restrictions on free expression and media, including censorship, and the existence of criminal libel laws; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental organizations; restrictions on freedom of movement, including revocation of citizenship; serious and unreasonable restrictions on political participation; and significant restrictions on workers' freedom of association.

The government prosecuted some low-level security force members responsible for human rights abuses, following investigations by government institutions. The government took steps to investigate allegations of corruption. Nongovernmental human rights organizations claimed investigations were slow and lacked transparency.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that government security forces committed arbitrary or unlawful killings during the year.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution prohibits “harm[ing] an accused person physically or mentally.” Domestic and international human rights organizations, as well as detainees and former detainees, maintained that torture, abuse, and other cruel, inhuman, or degrading treatment or punishment by government security officials continued during the year.

Human rights groups alleged security officials beat detainees, placed detainees in stress positions, humiliated detainees in front of other prisoners, and insulted detainees' religious beliefs. Detainees reported that security forces committed abuses during searches, arrests at private residences, and during transportation. Detainees reported intimidation, such as threats of violence, took place at the Criminal Investigation Directorate (CID) headquarters facility. Some detainees at the CID reported security officials used physical and psychological mistreatment to extract confessions and statements under duress or to inflict retribution and punishment.

Human rights groups reported authorities subjected children, sometimes younger than age 15, to various forms of mistreatment, including beating, slapping, kicking, and verbal abuse. On August 18, the criminal age of majority was raised from 15 to 18, although the law has been inconsistently applied.

Human rights organizations reported that four prison detainees, convicted on terrorism, illegal assembly, and rioting charges, began a hunger strike in November to protest prison mistreatment and denial of contact with their families. The four ranged in age from 17 to 20. Several of the juvenile detainees reported they were held in solitary confinement and were subject to abuse during their interrogations.

Human rights organizations and families of inmates also reported authorities denied medical treatment to injured or ill detainees and prisoners of conscience (see section 1.e., Political Prisoners and Detainees). In June, 73-year-old Hasan Mushaima, a prominent leader of a dissolved political society sentenced to life in prison on terrorism charges related to his role organizing protests in 2011, issued a recorded message from Jaw Prison to complain of his deteriorating health and prison authorities' refusal to refer him to outside medical specialists. The government offered to release Mushaima on house arrest under the alternative sentencing law, but he declined, reportedly refusing to accept restrictions on his activities (see section 1.e., Political Prisoners and Detainees).

Impunity was not a significant problem in the security forces. The government stated that all prisons, detention facilities, and interrogation rooms at local police stations and the CID were equipped with closed-circuit television cameras that monitored facilities at all times. The Ministry of Interior police code of conduct

requires officers to abide by 10 principles, including limited use of force and zero tolerance for torture and mistreatment. The Royal Academy of Police included the police code of conduct in its curriculum, required all recruits to take a course on human rights, and provided recruits with copies of the police code of conduct in English and Arabic. The ministry reported it took disciplinary action against officers, although it did not publish details of which principles the officers violated and what disciplinary steps were taken.

According to its eighth annual report released in December, the Interior Ministry's Office of the Ombudsman received 209 complaints and 691 requests for assistance between May 2020 and April 30. Alleged victims or their families submitted multiple complaints regarding police mistreatment, along with human rights organizations and other international organizations. The complaints were levied against a variety of police directorates, Reform and Rehabilitation Centers (prisons), and other Ministry of Interior units. The Ombudsman rejected some cases as being outside of its jurisdiction and referred several more to other investigative bodies. The majority of cases investigated by the Ombudsman were considered resolved at the time of the report's release, although several were still considered pending.

The Special Investigation Unit (SIU), an element of the Public Prosecutor's Office (PPO) that reports to the king-appointed attorney general, is responsible for investigating security force misconduct, including complaints against police. The SIU investigated and referred cases of misconduct to the appropriate court, including civilian criminal courts, the Ministry of Interior's Military Court, and administrative courts. The ministry generally did not release the names of officers convicted, demoted, reassigned, or fired for misconduct. The SIU did not provide detailed reports regarding the nature of police misconduct, abuse, or excessive use of force. According to compiled local media reports during the year, the SIU received 68 formal complaints, questioned 107 who were tied to those complaints, and prosecuted 16 members of the security forces in the criminal court on police misconduct charges. Three police officers faced trials in military courts, and at least 11 former police officers were referred to psychological evaluations.

The Ministry of Interior organized various human rights training programs for its employees, including a year-long human rights curriculum and diploma at the

Royal Police Academy. The academy regularly negotiated memoranda of understanding with the government-linked National Institution for Human Rights (NIHR) to exchange expertise. The academy included a unit on human rights in international law in the curriculum for its master's degree in Security Administration and Criminal Forensics program.

Prison and Detention Center Conditions

Human rights activists reported conditions in prisons and detention centers were harsh and sometimes life threatening due to overcrowding, physical abuse, and inadequate sanitary conditions and medical care.

Physical Conditions: Human rights organizations and prisoners reported gross overcrowding in pretrial detention facilities that placed a strain on prison administration and led to a high prisoner-to-staff ratio.

Authorities held detainees younger than age 15 at the Juvenile Care Center; criminal records are expunged after detainees younger than 15 are released. The government housed convicted male inmates ages 15 to 17 and those 18 to 21 in separate buildings located on the grounds of the Dry Dock Facility. Upon reaching 21, prisoners enter the general population at Jaw Prison. The Ministry of Interior reserved one ward in the pretrial detention center for elderly and special needs detainees. Officials reported they offered these detainees special food, health care, and personal services to meet their needs.

The government reported detention centers were staffed with experienced medical specialists and outfitted with modern equipment, but prisoners needing medical attention reported difficulty in alerting guards to their needs. Some prisoners reported delays in scheduling offsite treatment or very short stays in the hospital, especially those needing follow-up care for complex or chronic conditions. Some prisoners spent extended periods at external hospitals, with prison guards posted to monitor them.

In response to complaints that prisoners were not receiving appropriate medical attention, the Ministry of Interior stated that all inmates received full health-care services and medication under the law and in line with humanitarian standards. After calls from human rights groups to investigate the death of 50-year-old inmate

Abbas Hassan Ali, the ministry confirmed he died of a heart attack April 6. Separately, the NIHR reported it found no evidence prison guards deliberately denied medical services to Ali.

The government announced on February 17 that COVID-19 vaccines were available for detainees. The Ministry of Interior later stated that most detainees received vaccines and that detainees could choose which version. Nonetheless, both prisoner families and human rights organizations raised concerns regarding COVID-19 outbreaks in detention centers. On March 25, families of detainees protested in front of the Ombudsman's office and Jaw Prison against "the spread of COVID-19 in prison" and called for the release of their relatives. After reviewing Ministry of Health data, human rights groups reported that more than 39 positive cases had been detected in Jaw prison as of March. The human rights nongovernmental organization (NGO) Salam for Democracy and Human Rights published the names of detainees who tested positive, calling for their immediate release.

On June 8, Hussain Barakat, who was serving a life sentence for terrorism due to his alleged participation in the "Zulfiqar Brigades," an allegedly Iran-linked militant group, died in prison from COVID-19 complications. Human rights activists alleged that prison authorities had failed to properly implement COVID-19 mitigation measures. The Ministry of Interior's General Directorate of Reformation and Rehabilitation stated it disinfected cells daily and provided prisoners with medical kits and hygiene products. New inmates were quarantined for 14 days before joining the general prison population.

According to the government, six prisoners died during the year for reasons unrelated to COVID-19; the causes of three of these deaths were deemed by the government to be the result of chronic diseases, one was due to an overdose, and two were reported suicides. On July 25, Hasan Abdunabi Mansoor, age 35, died from sickle cell anemia complications while serving a three-month sentence at Dry Dock Detention Center. Human rights groups accused prison authorities of delaying his medical treatment; authorities denied the allegations.

Human rights organizations reported food was adequate for most prisoners; however, prisoners with medical conditions had difficulty obtaining special dietary

provisions. During the year some prisoners submitted complaints regarding the quality and quantity of food, allegedly after the prison contracted with a new catering company. Prisoners complained outdoor activities were limited to one hour and a half per day.

The ministry operated a center for rehabilitation and vocational training, including various educational, drug addiction, and behavioral programs.

Administration: Authorities generally allowed prisoners to file complaints to judicial authorities without censorship, and officials from the Ombudsman's Office were available to respond to complaints. Human rights groups reported that it was sometimes necessary to file multiple complaints to receive assistance. Prisoners had access to visitors at least once a month, often more frequently. Authorities permitted 30 minutes of phone calls each week in principle, but at times prevented prisoners from communicating with family members and others. In-person family visits remain suspended at year's end after a March 2020 decision by the General Directorate of Reformation and Rehabilitation in response to the COVID-19 pandemic. Detainees were permitted to hold video conferences with their families in lieu of in-person visits.

The NIHR stated Shia inmates were given additional time to practice Ashura rituals in common areas, adding that religious rituals were not allowed in prison cells as a matter of general policy.

Independent Monitoring: Authorities permitted access for the NIHR and the Prisoners and Detainees Rights Commission (PDRC), as well as the Ombudsman's Office and the SIU (see section 5). The Ombudsman also serves as the chair of the PDRC, which maintained an office at Jaw Prison to conduct regular investigations and privately meet with inmates and their families. The PDRC also conducted a formal monitoring visit to Jaw Prison August 30-31.

International human rights organizations questioned the independence and effectiveness of these organizations.

In April inmates in Building 17 of Jaw Prison undertook a hunger strike to protest mistreatment, including religious discrimination, lack of access to medical facilities, and limits on family visitation. On April 17, human rights groups

reported prison officials violently assaulted inmates after an extended sit-in and protest in Jaw Prison. The Ministry of Interior issued a statement the same day claiming that the prisoners had “blocked the hallways and obstructed the services inside the facility.” A delegation from NIHR visited Jaw Prison and disputed the ministry’s claims in an April 18 statement. Human rights NGOs reported that 33 prisoners were held in solitary confinement following the prison assault, and the UN Office of the High Commissioner on Human Rights called on the government to launch an investigation into the “violent repression of the sit-in at Jaw Prison.”

Separately, in response to a request for assistance for prisoner Sayed Mahmood al-Alawi from a human rights organization, the Ombudsman’s Office confirmed it facilitated a family visit in November and stated it would investigate allegations of mistreatment. No public information on the status of the investigation was available by year’s end.

In May, Interior Ministry officials invited senior diplomatic representatives to view prison conditions at Jaw Prison facilities and speak with prison officials regarding prisoner treatment. The Interior Ministry stated it was seeking to address prison overcrowding, including through early releases of inmates, and adequate medical care for prisoners. The government facilitated a second visit for diplomats in September to the Nasser Vocational Training Center in Jaw Prison. Diplomats were allowed to speak freely with prisoners concerning prison conditions, their treatment in the prison, and vocational training and courses offered by the prison.

Improvements: On January 30, the Ministry of Interior’s undersecretary stated that the ministry offered inmates video calls, e-court hearings, e-documentation, and online medical consultations in response to the outbreak of COVID-19. The undersecretary cited safety measures, such as social distancing between inmates, repurposing an empty building to a field hospital, moving inmates to other buildings to alleviate overcrowding, opening new prison buildings, and quarantining incoming inmates to isolate COVID-19 cases. The official also stated the inmates underwent random COVID-19 tests, and the prison provided masks, gloves, and sanitizers.

The government released prisoners under the alternative sentencing law, and on September 9, the king issued a royal decree further expanding the use of alternative

sentencing (see section 1.e., Trial Procedures).

In February the king issued the Restorative Justice Law for Children and Protection from Mistreatment, which came into effect August 18 (see section 1.e., Trial Procedures and section 6, Children). The law, which raised the criminal age of majority from 15 to 18, mandates alternative noncustodial sentences for juvenile offenders.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention. Local and international human rights groups reported that individuals were detained without being notified at the time of the arrest of the legal authority of the person conducting the arrest, the reasons for the arrest, and the charges against them. Human rights groups claimed Ministry of Interior agents conducted many arrests at private residences without presenting an arrest warrant or presenting an inaccurate or incomplete one. Government officials disputed these claims.

Arrest Procedures and Treatment of Detainees

The law stipulates law enforcement officers may arrest individuals without a warrant only if they are caught in the act of committing certain crimes and there is sufficient evidence to press charges. Additionally, the code of criminal procedure requires execution of an arrest warrant before a summons order to appear before the public prosecutor. Human rights activists reported that police sometimes made arrests without presenting a warrant, and that the PPO summoned political and human rights activists for questioning without a warrant or court order.

By law the arresting authority must interrogate arrested individuals within seven days following their arrest. A lower criminal court judge may extend detention of a suspect for no more than 30 days or release the suspect. The PPO may extend the suspect's detention for 30 days, if the investigation is still pending, in coordination with the higher criminal court. Suspects may be held in pretrial detention for up to three months, after which the case is referred to the attorney general. Pretrial detention should not exceed six months, according to the law. The High Criminal Court must authorize any extensions beyond that period, and any renewals at 30-day intervals. Detained suspects have the right to legal counsel

during questioning. A functioning system of bail provides maximum and minimum bail amounts based on the charges; however, judges often denied bail requests without explanation, even in nonviolent cases. The law allows the presiding judge to determine the bail amount within these parameters on a case-by-case basis.

Attorneys reported difficulty in gaining access to their clients in a timely manner through all stages of the legal process. They reported difficulty registering as a detainee's legal representative because of arbitrary bureaucratic hurdles and lack of official government notaries; arbitrary questioning of credentials by police; lack of notification of clients' location in custody; arbitrary requirements to seek court orders to meet clients; prohibitions on meeting clients in private; prohibitions on passing legal documents to clients; questioning of clients by the PPO on very short notice; lack of access to clients during police questioning; and lack of access to consult with clients in court. While the state provides counsel to indigent detainees, there were reports detainees never met with their state-appointed attorney before or during their trial.

According to reports by local and international human rights groups, authorities held some detainees for a week or more with limited access to outside resources. The government sometimes withheld information from detainees and their families regarding detainees' whereabouts for as long as two weeks.

Arbitrary Arrest: Human rights groups reported that the Ministry of Interior sometimes arrested individuals for activities, such as calling for and attending protests and demonstrations, expressing their opinion in public or on social media (see sections 2.a. and 2.b.), and associating with persons of interest to authorities. Some detained individuals reported that arresting forces did not show them warrants.

Detainee's Ability to Challenge Lawfulness of Detention before a Court:

There were reports that authorities sometimes delayed or limited an individual's access to an attorney. There were no reports of courts finding individuals to have been unlawfully detained and recommending compensation.

e. Denial of Fair Public Trial

Although the constitution provides for an independent judiciary, political opposition figures asserted the judiciary was vulnerable to political pressure, especially in high-profile cases. The judiciary is divided into civil law courts that deal with commercial, civil, and criminal cases, and family matters of non-Muslims, and family law courts that handle personal status cases for Muslims. Under the Unified Family Law, there are separate family courts for Sunni and Shia sharia-based proceedings. Some judges were foreign citizens, serving on limited-term contracts and subject to government approval for renewal and residence. The Supreme Judicial Council reported working with the Judicial Legal Studies Institute to prepare 10 new local judges per year, in an effort to increase their number. The Supreme Judicial Council is responsible for supervising the work of the courts, including judges, and the PPO.

Trial Procedures

The constitution presumes defendants are innocent until proven guilty. By law authorities should inform detainees of the charges against them upon arrest. Civil and criminal trial procedures provide for a public trial. Defendants have the right to consult an attorney of their choice within 48 hours (unless the government charges them pursuant to counterterrorism legislation); however, there were reports that defendants and their lawyers had difficulty getting police, public prosecutors, and courts to recognize or register legal counsel. The government provides counsel at public expense to indigent defendants. Plaintiffs are required to provide their own interpreters, except in labor dispute cases, when the Ministry of Justice, Islamic Affairs, and Endowments may provide assistance.

Defendants have the right to present witnesses and evidence on their behalf. While defendants have the right to question witnesses against them, judges may declare questions to be irrelevant and prohibit a line of questioning without providing reasoning. Prosecutors rarely present evidence orally in court but provide it in written and digital formats to judges in their chambers. Defendants cannot be compelled to testify or to confess guilt, and they have the right to appeal. The government may try defendants in their absence; during the year some defendants with terrorism-related charges were convicted and sentenced in absentia.

On January 31, the Supreme Criminal Court sentenced eight defendants to life imprisonment on terrorism charges for reportedly forming an Iran-backed terrorist cell, known as the “Qassem Soleimani Brigades.” According to a January 2020 Ministry of Interior statement, the cell planned to carry out terrorist activities in retaliation for the killing of Iranian General Qassem Soleimani. The court convicted 10 other members in absentia, sentencing them to prison terms ranging from five to 15 years. Local human rights defenders criticized the lack of transparency of court hearings and questioned how the group could have planned retaliatory terrorist activities months before Soleimani’s death in January 2020.

In August the government launched an e-courts platform to streamline judicial proceedings.

Family status law varied according to Shia or Sunni interpretations of Islamic law, especially for women (see section 6).

On September 9, the king issued a royal decree expanding the use of alternative sentencing. The decree allows the Ministry of Interior to recommend an alternative sentence before sentencing, removing the requirement that prisoners serve at least half of their prison term to be eligible for noncustodial sentences. On September 12, more than 30 prisoners had their punishments converted to noncustodial sentences under the new rules. Prisoner advocates asserted that the requirement that prisoners not pose a threat to public security was sometimes used to limit the eligibility of prisoners of conscience or political prisoners for alternative noncustodial sentences.

According to the minister of justice, Islamic affairs, and endowments, inmates released provisionally under the alternative sentencing law were allowed to work at government offices, both in service and administrative positions, to complete the remainder of their prison sentences. Officials in 21 government offices were providing jobs and vocational training to prisoners released on alternative sentences, as well as seven private sector companies and civil society institutions.

In February the king issued the Restorative Justice Law for Children and Protection from Mistreatment (see section 1.d., Prison and Detention Center Conditions and section 6, Children). The law, which came into effect August 18,

mandates alternative noncustodial sentences for juvenile offenders. In addition to raising the criminal age of majority from 15 to 18, the law also established children's courts, a child protection center, and a special children's judicial committee to review criminal cases involving juveniles. The law also imposes harsher penalties on adults who incite or coerce children to commit crimes.

On August 7, the attorney general issued an order to define the PPO's Family and Child Prosecution Unit's procedures for investigating complaints involving children, to align it with the provisions of the new juvenile justice law and better protect children's basic rights. The order instructs the PPO to examine victims' social and psychological reports from the Child Protection Center before requesting their testimony. Children may request that an adult accompany them to any questioning. The order also requires the PPO to question children in their preferred language or dialect and in a manner that focuses on the child's needs and protects the child's privacy. The attorney general also directed the PPO to coordinate with the Ministry of Labor and Social Development's Child Protection Center on complaints related to children and offer support and aftercare for victims.

On March 11, a court sentenced four defendants ages 16 and 17 to a six-month prison term for illegal assembly and planning to attack security forces. The judge provisionally released the four on alternative noncustodial sentences. They were accused of burning tires, blocking the streets, and possessing and using Molotov cocktails in Karrana village in February 2020.

On August 29, a special judicial committee issued its first ruling against a child younger than age 15. The child, who was accused of misuse of a mobile phone, was placed under judicial supervision for a year. On August 31, the Ministry of Labor and Social Development announced having received six law-enforcement orders from the special judicial committee. The ministry enrolled juveniles implicated in criminal activity in training and volunteer programs through the Child Protection Center, in lieu of prison sentences.

NGOs have expressed concerns regarding some terms of alternative noncustodial releases from prison. Volunteer work requirements as part of the alternative sentence could limit the released prisoner's ability to work for an income and

juveniles' ability to attend school.

Political Prisoners and Detainees

There were reports of political prisoners or detainees.

According to NGOs the government held numerous political prisoners. The government released several under the alternative sentencing law during the year, although most remained in prison. The government did not permit access to such persons by independent humanitarian organizations. Charges against individuals identified by NGOs as political prisoners included terrorism, treason, espionage, and attempting to overthrow the monarchy.

On April 2, Shia religious figure Abdulnabi al-Sammak was released from prison under an alternative sentence. Al-Sammak was arrested in 2020 for reciting a Shia prayer during the first 10 days of Muharram and charged with publicly insulting symbols and defaming the Islamic faith.

On April 9, Mohammad Jawad Barweez ("Parweez"), age 75, was provisionally released on April 9 after completing most of a 15-year sentence for conspiracy and sedition related to his participation in the 2011 antigovernment protests. The same day, Shia cleric Sayed Kamel al-Hashemi was released under an alternative sentence after serving most of his three-year prison term for criticizing the government.

A former Bahrain Defense Force officer, Ali al-Ghanimi, was released on April 9 after serving 10 years of a 12-year sentence for protesting in uniform.

On April 26, Zakiya al-Barbouri was released after serving nearly three years of a five-year sentence on terrorism charges related to the transport of explosives. Activists alleged that the charges were politically motivated and based solely on her confession, which they allege was obtained under duress.

On May 10, Abdulhadi Mushaima'a, the father of a young protester killed by police in 2011, was released under an alternative sentence. Mushaima'a was arrested in 2019 after protesting his son's death and calling for increased police accountability.

On August 5, Mohamed al-Aali, age 29, a prisoner with lung cancer, was released on an alternative sentence due to deteriorating health. He spent 20 days at a military hospital prior to his release. He had been sentenced to life in prison and had his citizenship revoked after being convicted on terrorism charges.

On September 13, Kumeel Juma, age 19, was released after serving two years in prison. Juma was convicted on 15 charges and sentenced in 2019 to consecutive sentences totaling 29 years in prison. Juma's case was cited in a UN Working Group on Arbitrary Detention report. International human rights NGOs considered his imprisonment a case of family reprisal due to his mother's political activities and imprisonment. NGOs alleged that the terms of Juma's alternative noncustodial release were exceedingly restrictive, including a travel ban and banning him from cultural and religious activities.

Human rights groups have called for the release of other imprisoned political opposition figures, including Sheikh Mohammed Habib al-Muqdad and Abdulwahab Husain, who were sentenced to life in prison in 2011, and Sheikh Ali Salman who received a life sentence in 2018. On May 9, relatives of Jaw prisoners marched in Karzakan, Sanabis, A'ali, Diraz, Bani Jamra, Sitra, and Hamala calling on authorities to release political prisoners. While some individuals were questioned by authorities, there were no reported arrests due to "illegal gatherings."

Prominent human rights defender Abdulhadi al-Khawaja, a dual Danish-Bahraini citizen, remained imprisoned on a life sentence. A military court tried and convicted al-Khawaja in 2011 on charges related to terrorism and attempting to overthrow the government. His family formally requested an alternative sentence in September but, according to his relatives, the government has not formally responded to the request. Al-Khawaja was the former president and cofounder of the Bahrain Centre for Human Rights.

Political prisoner Abduljalil al-Singace began refusing solid food in April to protest prison authorities confiscating his manuscript discussing Arabic dialects. He has been serving a life sentence since 2011, after being convicted of attempting to overthrow the monarchy.

On April 16, the family of Shia scholar Sheikh Abdullah Isa al-Mahroos reported he had started a hunger strike due to not receiving proper medical care and being prevented from seeing his son, who is also incarcerated in Jaw Prison. Al-Mahroos was sentenced to 15 years in prison in 2011 along with 20 other opposition activists. His family said he should be eligible for an alternative sentence and had chronic medical problems.

On April 20, Jaw Prison authorities granted Sheikh Abduljalil al-Meqdad temporary release to attend his mother's funeral. Sheikh al-Meqdad was arrested in March 2011 and charged with attempting to overthrow the government; he was sentenced to life in prison. At least five of his relatives, including his brother Sheikh Habib al-Meqdad, were serving prison sentences ranging from 10 to 15 years.

In June a prominent leader of a dissolved political society, Hasan Mushaima, reportedly refused to accept the conditions of an alternative sentence offered due to his deteriorating health. He has been serving a life sentence on terrorism charges since 2011.

Civil Judicial Procedures and Remedies

Citizens may submit civil suits before a court seeking cessation of or damages for some types of human rights abuses. In many such situations, however, the law prevents citizens from filing civil suits against security agencies.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

Although the constitution prohibits such actions, the government reportedly violated prohibitions against interference with privacy, family, home, or correspondence. Human rights organizations reported security forces sometimes entered homes without authorization and destroyed or confiscated personal property. The law requires the government to obtain a court order before monitoring telephone calls, email, and personal correspondence. Many citizens and human rights organizations believed police used informant networks, including ones that targeted or used children younger than age 18.

Reports also indicated the government used computer and mobile phone programs to surveil political activists and members of the opposition inside and outside the country. At least 13 activists were specifically targeted using Pegasus spyware by the Israeli company NSO Group, according to cybersecurity watchdog Citizen Lab, with at least one of the individuals residing in the United Kingdom when the hacking occurred.

According to local and international human rights groups, security officials sometimes threatened a detainee's family members with reprisals for the detainee's unwillingness to cooperate during interrogations and refusal to sign confession statements.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution provides for freedom of speech and for members of the press and other media, "provided that the fundamental beliefs of Islamic doctrine are not infringed, the unity of the people is not prejudiced, and discord and sectarianism are not aroused." This constitutional provision, however, does not extend protection to social media. The government limited freedom of expression and press freedom through prosecutions of individuals under libel, slander, and national security laws that targeted both professional and citizen journalists.

Freedom of Expression: The law forbids any speech that infringes on public order or morals. Speech was curtailed in both traditional media and social media. While individuals openly expressed critical opinions regarding domestic political and social issues in private settings, those who expressed such opinions publicly often faced repercussions. During the year the government took steps against what it considered acts of civil disobedience, which included critical speech. The penal code allows penalties of no less than one year and no more than seven years of imprisonment, plus a fine, for anyone who "offends the monarch of the Kingdom of Bahrain, the flag, or the national emblem."

On January 21, authorities released Shia preacher Sheikh Abdul Mohsin Mulla

Atiyya al-Jamri after a one-year prison sentence. Al-Jamri was convicted of delivering a sermon “disdaining a figure that is revered by a religious group,” according to the PPO.

On July 8, retired military officer and social media activist Mohamed al-Zayani was sentenced to a two-year noncustodial sentence after posting a video criticizing the PPO and the judiciary. Al-Zayani was an outspoken critic on sensitive topics, such as political prisoners and corruption.

International and local NGOs reported that police summoned three clerics in August during the days leading up to, and following, the Ashura religious rites. Authorities reportedly summoned and interrogated them for the content of their sermons, and specifically for “inciting sectarian hatred.” Police held two of them overnight; the third cleric remained in police custody as of year’s end.

Freedom of Expression for Members of the Press and Other Media, Including Online Media: The government did not own any print media, but the Ministry of Information Affairs and other government entities exercised considerable control over privately owned domestic print media.

The government owned and operated all domestic radio and television stations. Audiences generally received radio and television broadcasts in Arabic and English from stations based outside the country, including by satellite. The Ministry of Information Affairs reviewed all books and publications prior to issuing printing licenses. The Ministry of Justice, Islamic Affairs, and Endowments also reviewed those books that discussed religion.

Violence and Harassment: According to local journalists and human rights groups, authorities sometimes harassed, arrested, or threatened journalists, photographers, and “citizen journalists” active on social media due to their reporting. Authorities claimed, however, that some individuals who identified themselves as journalists and photographers were associated with violent opposition groups and produced propaganda and recruiting videos for these groups. International media representatives reported difficulty in obtaining visas to work as journalists.

In June authorities detained a Sunni former member of parliament, Osama al-

Tamimi, who had been critical on social media and in parliament of the ruling family and the treatment of prisoners. He was in the hospital for medical treatment at the time of his arrest. On June 27, he posted a message from prison, accusing authorities of penalizing his family by laying off his siblings from their government jobs, expelling his children from school, conducting multiple raids on his house, and vandalizing his property. Al-Tamimi also accused authorities of seizing his assets, freezing his local bank accounts, and injecting him with toxic substances. He remained in prison without charges at year's end.

Censorship or Content Restrictions: Government censorship occurred. Ministry of Information Affairs personnel actively monitored and blocked stories on matters deemed sensitive, especially those related to sectarianism, national security, or criticism of the royal family, the Saudi royal family, or the judiciary. Journalists widely practiced self-censorship. Some members of media reported government officials contacted editors directly and told them to stop publishing articles on certain subjects.

The press and publications law prohibits anti-Islamic content in media and mandates imprisonment for “exposing the state’s official religion to offense and criticism.” The law states, “Any publication that prejudices the ruling system of the country and its official religion may be banned from publication by a ministerial order.” In November, after a movie studio refused to edit out certain scenes, the Ministry of Information banned the screening of a film due to its portrayal of a lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) character and a same-sex relationship.

Libel/Slander Laws: The government enforced libel and national security-related laws restricting freedom of the press. The penal code prohibits libel, slander, and “divulging secrets,” and it stipulates a punishment of imprisonment of no more than two years or a fine. Application of the slander law was selective.

National Security: National security laws provide for substantial fines and prison sentences of at least six months for criticizing the king or inciting actions that undermine state security, as well as fines for 14 related offenses. Punishable activities include publicizing statements issued by a foreign state or organization without prior government approval, publishing reports that adversely affect the

value of the dinar (BHD), the local currency, saying anything offensive against a head of state that maintains diplomatic relations with the country, and publishing offensive remarks concerning accredited representatives of foreign countries.

Internet Freedom

The government blocked access to some websites from inside and outside the country, including political opposition-linked websites. The government continued to block web-based outlets it believed were supported by Qatar, which it began after breaking diplomatic relations with Qatar in 2017, as well as other Arab media outlets critical of the country. It also blocked access to international human rights groups reporting on human rights and political prisoners, as well as opposition-leaning news sites that were critical of the ruling family and the government. The government restricted internet freedom and monitored individuals' online activities, including via social media, leading to degradation of internet and mobile phone services for some neighborhoods and to legal action against some internet users.

Several media reports alleged the government worked with other foreign governments and private companies to monitor political opposition leaders and human rights activists' social media accounts, mobile telephones, and other forms of local and international electronic communications (see section 1.f.).

Political and human rights activists reported being interrogated by security forces regarding their social media posts. They sometimes reported repeated interrogations that included threats against their physical safety, livelihood, and families. They also reported being threatened with denial of social services, such as housing and education. Some individuals were summoned to police stations and required to sign pledges to cease posting political content. Several activists said they shut down social media accounts or ceased posting to social media accounts after being threatened.

Academic Freedom and Cultural Events

The government restricted academic freedom and cultural events. Some academics engaged in self-censorship, avoiding discussion of contentious political topics. Abduljalil al-Singace, an academic and blogger in prison since 2011, alleged that

prison authorities confiscated his draft manuscript on Arabic language and dialects in April (see section 1.e., Political Prisoners and Detainees).

b. Freedoms of Peaceful Assembly and Association

The government restricted freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

The constitution provides for the right of peaceful assembly, but several laws restrict the exercise of this right. The Ministry of Interior maintained a prohibition on public demonstrations for the sixth year, stating the ban was intended to maintain public order in view of sectarian attacks in the region. According to the government, no applications were submitted to hold a demonstration or protest during the year.

The law outlines the locations where public gatherings are prohibited, including areas close to hospitals, airports, commercial locations, security-related facilities, and downtown Manama. The General Directorate of the Police may prevent any public meeting it deems to threaten security or public order, or for any other “serious” reason. According to the law, the Ministry of Interior is not obligated to justify its approval or denial of permits for demonstrations.

The law prohibits mourners from turning funeral processions into political rallies and allows security officials to be present at any public gathering, including funerals.

The penal code penalizes any gathering of five or more individuals that is held for the “purpose of committing crimes or inciting others to commit crimes.” Authorities prohibit the use of vehicles in any demonstration, protest, or gathering unless organizers obtained special written permission from the head of public security.

The law states every public gathering shall have a committee consisting of a head and at least two other members who are responsible for its supervision and for preventing any illegal acts during the function. Organizers of unauthorized gatherings face prison sentences of three to six months. Sentences for participating

in an illegal gathering range from one month to two years in prison. Judicial authorities pronounced longer sentences in cases where demonstrators used violence during illegal gatherings.

The law regulates election campaigning and prohibits political activities at worship centers, universities, schools, government buildings, and public institutions. The government did not allow individuals to use mosques, *maatams* (Shia religious halls), or other religious sites for political gatherings.

On April 8, a criminal court sentenced five individuals to a 1,000 BHD (\$2,652) fine each for violating a ministerial decree banning gatherings of more than five persons in public places to mitigate the spread of COVID-19.

On October 17, the Ministry of Interior released 10 protesters arrested while protesting against normalization of relations with Israel on October 8. Social media reports suggested that as a condition of their release, the detainees were required to sign pledges to refrain from participating in any protests.

The government did not routinely prevent small, nonviolent opposition demonstrations that occurred in traditional Shia villages that protested government policies or were intended to show solidarity with prisoners. Police reportedly broke up at least one of these protests with tear gas during the year. Groups participating in these protests normally posted photographs on social media, but photographers and participants were careful to hide their faces to avoid retribution.

Freedom of Association

The constitution provides for freedom of association, but the government limited this right. The government required all civil society groups and labor unions to register with the Ministry of Labor and Social Development, and political society groups to register with the Ministry of Justice, Islamic Affairs, and Endowments. The government decided whether a group was social or political in nature, based on its proposed bylaws. The law prohibits any activity by an unlicensed society group, as well as any political activity by a licensed civil society group. Some unlicensed society groups were active in the country (see section 3).

A civil society group applying for registration must submit its bylaws signed by all

founding members, together with minutes of the founding committee's meetings containing the names, professions, places of residence, and signatures of all founding members. The law grants the Ministry of Labor and Social Development the right to reject the registration of any civil society group if it finds the group's services unnecessary, already provided by another group, contrary to state security, or aimed at reviving a previously dissolved civil society group. Associations whose applications are rejected or ignored may appeal to the High Civil Court.

NGOs and civil society activists asserted the ministry routinely exploited its oversight role to stymie the activities of NGOs and other civil society organizations. Local NGOs asserted that officials actively sought to undermine some groups' activities and imposed burdensome bureaucratic procedures on NGO board members and volunteers. The Ministries of Justice and Interior must vet funding from international sources and sometimes did not authorize it.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation. The government did not always respect these rights.

Foreign Travel: The law provides that the government may reject for "reasonable cause" applications to obtain or renew passports, but the applicant has the right to appeal such decisions before the High Civil Court. Individuals, including citizens of other countries, reported authorities blocked them from leaving over unpaid debts or other fiduciary obligations to private individuals or lending institutions, as well as for open court cases. The government maintained an online website enabling individuals to check their status before travel, although some persons claimed the website's information was unreliable. Authorities relied on determinations of "national security" when adjudicating passport applications. The government sometimes prevented civil society activists and others who publicly criticized the government from leaving the country, including for travel to Geneva

and other western capitals that host UN agencies. Reports alleged that four minor children were denied issuance of passports in retaliation for their exiled family members' activities.

Exile: There were no reports the government prohibited the return of individuals it considered citizens. The government, however, prohibited the return of those whose citizenship it had formally revoked, or those it no longer considered citizens.

Citizenship: The government may revoke citizenship in both criminal and political cases, including for natural-born citizens. Authorities maintained the revocation of citizenship of some opposition political and religious figures. The government did not consider whether individuals may become stateless by these actions. At times it threatened to halt payments of pensions or remove families from government-assisted housing if the head of household lost his citizenship. Some family members, especially women and adult and minor children, reported difficulties renewing or obtaining their own passports, residence cards, and birth certificates. The government did not report how many persons had their citizenship revoked during the year; international human rights NGOs placed the total number at more than 900 since 2012, with the government reinstating more than 55 percent of revoked citizenships as of 2019.

e. Status and Treatment of Internally Displaced Persons

Not applicable.

f. Protection of Refugees

The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: The law does not provide for the granting of asylum or refugee status, and the government has not established a system for providing protection to refugees. The government at times provided protection against the expulsion or return of refugees to countries where their lives or freedom would be

threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. Such protection was mostly limited to those who were able to obtain and maintain employment in the country. Such individuals generally had access to health care and education services while employed but were at risk of deportation if they became unemployed or their country of origin revoked their passports. UNHCR reported that as of October, there were 255 refugees and 123 asylum-seekers registered with the agency.

g. Stateless Persons

Individuals generally derive citizenship from the father, but the king may also confer or revoke citizenship. The government considers only the father's citizenship; it does not generally grant citizenship to children born to citizen mothers and foreign fathers, even if they were born within the country (see section 6, Children). Similarly, the government does not provide a path to citizenship for foreign men married to citizen women, while allowing foreign women married to citizen men to become citizens. Human rights organizations reported these laws resulted in stateless children, particularly when the foreign father was unable or unwilling to secure citizenship for the child from the father's country of nationality, or when the father was stateless, deceased, or unknown. The number of stateless persons residing in the country was unknown. Stateless persons had limited access to social services, education, and employment.

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 or if their father's citizenship had been revoked (see section 6, Children).

The government charged individuals whose citizenship it revoked with violating immigration law if they remained in the country.

Section 3. Freedom to Participate in the Political Process

Citizens have limited ability to choose their government and do not have the ability to choose their political system. The constitution provides for an elected Council of Representatives, the lower house of parliament. The constitution permits the

king to dissolve the Council of Representatives after consulting the chairpersons of the upper and lower houses of parliament and head of the Constitutional Court. The king may not dissolve the Council of Representatives for the same reasons more than once. The king has the power to amend the constitution and to propose, ratify, and promulgate laws.

Elections and Political Participation

Recent Elections: The government did not permit international election monitors for the 2018 parliamentary elections. Domestic monitors generally concluded that authorities administered the elections without significant irregularities. Some observers expressed broader concerns regarding limitations on freedom of expression and association, as well as continued concerns over voting district boundaries. According to Human Rights Watch, a number of measures created a political environment that was not conducive to free elections, including the dissolution of the country's principal opposition political groups and laws restricting their former members from running for office; the absence of an independent press; and the criminalization of online criticism.

Political Parties and Political Participation: The government did not allow the formation of political parties, but some existing "political societies" developed political platforms, held internal elections, and hosted political gatherings. In 2016 and 2017 the government dissolved the two most prominent opposition political societies, al-Wifaq and Wa'ad, through legal actions.

To apply for registration, a political society must submit its bylaws signed by all founding members, a list of all members and copies of their residency cards, and a financial statement identifying the society's sources of funding and bank information. The society's principles, goals, and programs must not run counter to sharia or national interest, as interpreted by the judiciary, nor may the society base itself on sectarian, geographic, or class identity.

The government authorized registered political societies to nominate candidates for office and to participate in other political activities. The law bans practicing clerics from membership in political societies (including in leadership positions) and involvement in political activities, even on a voluntary basis.

Political societies are required to coordinate their contacts with foreign diplomatic or consular missions, foreign governmental organizations, or representatives of foreign governments with the Ministry of Foreign Affairs, which may send a representative to the meeting. Although this requirement was enforced in the past, there were no reports of the government enforcing the order during the year.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of minority groups in the political process. In the 2018 elections, six women won seats in the 40-member Council of Representatives, doubling the number of women, and the body elected its first female speaker in that year. The royal court appointed nine women that same year to the Shura Council, the appointed 40-member upper house, and the prime minister appointed a woman to the 26-seat cabinet. Approximately 9 percent of judges were women, including the deputy chief of the Court of Cassation. Two women in the police force held the rank of brigadier general and general director.

Shia and Sunni citizens have equal rights before the law, but Sunnis dominated political life, although the majority of citizens were Shia. In 2018 11 Shia candidates were elected to the Council of Representatives. The appointed Shura Council included 19 Shia members, one Jewish member, and one Christian member. Four of the 22 appointed cabinet ministers were Shia citizens, including one of four deputy prime ministers.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were numerous reports of government corruption during the year.

Corruption: The law subjects government employees at all levels to prosecution if they use their positions to engage in embezzlement or bribery, either directly or indirectly. Penalties range up to 10 years' imprisonment.

The National Audit Office, an arm of the prime minister's office, is responsible for combating government corruption. The Government Executive Committee,

chaired by the prime minister, reviews any offenses cited in the office's annual report, released in October.

The Interior Ministry's General Directorate of Anticorruption and Economic and Electronic Security held workshops for various ministries throughout the year.

There were numerous reports of government corruption during the year. According to the Ministry of Interior, the General Directorate of Anti-Corruption and Economic and Electronic Security investigated 96 embezzlement, bribery, and abuse of power cases, in addition to three offenses stemming from the National Audit Office report to the cabinet.

On November 23, the High Criminal Court referred two government employees, suspected of embezzlement charges related to renovating mosques, to a court specialized in trying cases linked to financial corruption. Separately, two Ministry of Interior employees appeared before the High Criminal Court on December 9 on corruption charges.

Significant areas of government activity, including the security services, the Bahrain Defense Force, and other off-budget government expenditures, lacked transparency, and the privatization of public land for profit remained a concern among opposition groups.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Government officials sometimes met with local human rights NGOs but generally were not responsive to the views of NGOs they believed were politicized and unfairly critical of the government.

Domestic human rights groups were restricted by the government, with some activists imprisoned, exiled, or coerced into silence, according to international human rights organizations. Domestic human rights groups included: the Bahrain Human Rights Society, a licensed human rights organization in the country; the Bahrain Center for Human Rights which, although dissolved by the government in

2004, continued to operate and maintain an online presence; and the unlicensed Bahrain Youth Society for Human Rights. The unlicensed umbrella human rights organization, Bahrain Human Rights Observatory, issued numerous reports and had strong ties to international human rights NGOs.

The government imposed restrictions on domestic human rights groups, and they faced significant difficulties operating freely and interacting with international human rights organizations. Although there were no reports of the government depriving local NGO leaders of due process, local leaders and activists did report other types of harassment, including police surveillance, delayed processing of civil documents, “inappropriate questioning” of their children during interviews for government scholarships, and restricting their ability to travel internationally. Activists reported forgoing travel, in particular to international human rights events, fearing a reimposition of international travel bans.

Individuals affiliated with international human rights and labor organizations, or who were critical of the government, reported authorities indefinitely delayed or refused their visa applications, or at times refused entry to the country for individuals who possessed a valid visa or qualified for the country’s visa-free entry program.

Government Human Rights Bodies: The Ombudsman’s Office within the Ministry of Interior, the SIU within the PPO, and the PDRC worked with each other throughout the year. The Ombudsman’s Office maintained a hotline for citizens to report police abuse via telephone, email, WhatsApp, or in person. The National Intelligence Agency Office of the Inspector General, created as a result of the Bahrain Independent Commission of Inquiry, worked with the Ombudsman’s Office. While both offices were responsible for addressing allegations of mistreatment and abuses by the security forces, there was little public information available regarding the activities of the agency’s parent Office of the Inspector General.

The PDRC monitored prisons, detention centers, and other places where persons may be detained, such as hospital and psychiatric facilities. The PDRC was empowered to conduct inspections of facilities, interview inmates or detainees, and refer cases to the Ombudsman’s Office or SIU. The Ombudsman also concurrently

served as the PDRC chair. The NIHR conducted human rights workshops, seminars, and training sessions, as well as prison visits, and referred complaints to the PPO. It also operated a hotline for citizens and residents to file human rights-related complaints and offered a walk-in option for filing complaints.

On February 22, NIHR launched an online introductory meeting regarding its human rights training program, *Foras* (opportunities). The training was open to citizen students in local universities and abroad.

Many human rights groups asserted that investigations into police abuse were slow and ineffective, and they questioned the independence and credibility of investigations by government-sponsored organizations.

Local and international observers and human rights organizations continued to express concern the government had not fully implemented recommendations from the 2011 Bahrain Independent Commission of Inquiry, including dropping charges against individuals engaged in nonviolent political expression, criminally charging security officers accused of abuse or torture, integrating Shia citizens into security forces, and creating an environment conducive to national reconciliation.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Rape is illegal, although the penal code allows men accused of rape to marry female survivors to avoid punishment. The law does not address spousal rape. Penalties for rape include life imprisonment or execution when the survivor is younger than age 16, the rapist is the survivor's custodian or guardian, or the rape causes death.

The law states violence against women is a crime. Nevertheless, domestic violence against women was common, according to several women's rights organizations. Although government leaders and some members of parliament participated in awareness-raising activities during the year, including debates on additional legislation, authorities devoted little attention to supporting public campaigns aimed at the problem. The government maintained a shelter for women and children who were survivors of domestic violence. The law provides that local

police officials should be contacted in cases of domestic violence and that the public prosecutor may investigate if information is passed from police to them. Survivors of domestic violence, however, reported difficulty knowing whom to contact or how to proceed when filing a complaint.

The government did not provide statistics on documented instances or prosecutions physical or sexual abuse of women.

Female Genital Mutilation/Cutting (FGM/C): FGM/C was rarely practiced. No specific law prohibits the practice, although legal experts previously indicated the act falls under criminal code provisions that prohibit “permanent disability to another person.”

Other Harmful Traditional Practices: By law “honor” killings are charged as a homicide and punishable with life in prison or a death sentence. The penal code provides a prison sentence for killing a spouse caught in an act of adultery, whether male or female. There were no cases of honor killings reported during the year.

Sexual Harassment: The law prohibits sexual harassment, including insulting or committing an indecent act towards a woman in public, with penalties of imprisonment and fines. Although the government sometimes enforced the law, sexual harassment remained a widespread problem for women, especially foreign female domestic workers.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

There are no known legal barriers or penalties for accessing contraception. Health centers did not require women to obtain spousal consent for provision of most family planning services but did require such consent for women seeking sterilization procedures. Mothers giving birth out of wedlock in public or government-run hospitals often faced challenges in obtaining birth certificates for their children.

Contraceptives were available without prescription throughout the country regardless of nationality, gender, age, or marital status. The government provided access to sexual and reproductive health services for survivors of sexual violence,

although emergency contraception was not available.

Discrimination: Women have the right to initiate divorce proceedings in family courts, but unlike for men, both Shia and Sunni religious courts may refuse the request. In divorce cases the courts routinely granted custody of daughters younger than age nine and sons younger than age seven to Shia mothers, with Shia fathers typically gaining custody once girls and boys reached the ages of nine and seven, respectively. Sunni women were able to retain custody of daughters until age 17 and sons until age 15. Regardless of custody decisions, the father retains guardianship, or the right to make all legal decisions for the child, until age 21. A noncitizen woman automatically loses custody of her children if she divorces their citizen father “without just cause.” Any divorced woman who remarries loses custody of her children from a prior marriage.

The basis for family law is sharia, as interpreted by Sunni and Shia religious experts. In 2017 King Hamad ratified the Shia portion of the Unified Family Law codifying the rights of Shia citizens, in particular women, according to the civil code on issues such as marriage, divorce, child custody, and inheritance. Shia and Sunni family law is enforced by separate judicial bodies composed of religious authorities charged with interpreting sharia. The revised civil law provides access to family courts for all women, providing the standardized application of the law and further legal recourse, since decisions made by family court judges are subject to review by the Supreme Judicial Council. In instances of mixed Sunni-Shia marriages, families may choose which court hears the issue.

Lawyers expressed concern regarding the long waiting periods for final judgments in Shia courts, particularly in divorce cases.

Women may own and inherit property and represent themselves in all public and legal matters. In the absence of a direct male heir, Shia women may inherit all of their husband’s property, while Sunni women inherit only a portion, with the brothers or other male relatives of the deceased also receiving a share. The government respected wills directing the division of assets according to the deceased.

Systemic Racial or Ethnic Violence and Discrimination

The law grants citizenship to ethnic Arab applicants who have resided in the country for 15 years and non-Arab applicants who have resided in the country for 25 years. There were numerous reports that authorities did not apply the citizenship law uniformly. NGOs stated the government allowed foreign Sunni employees of the security services who had lived in the country fewer than 15 years to apply for citizenship, while there were reports authorities had not granted citizenship to Arab Shia residents who had resided in the country for more than 15 years and non-Arab foreign residents who had resided for more than 25 years.

Children

Birth Registration: Individuals derive citizenship from their father or by decree from the king. Women do not transmit their nationality to their children, rendering stateless some children of citizen mothers and noncitizen fathers (see section 2.d.).

Authorities do not register births immediately. From birth to the age of three months, the mother's primary health-care provider holds registration for the children. When a child reaches three months, authorities register the birth with the Ministry of Health's Birth Registration Unit, which then issues the official birth certificate. Children not registered before reaching their first birthday must obtain a registration by court order. The government does not provide public services to a child without a birth certificate.

Education: Schooling is compulsory for children until age 15 and is provided free of charge to citizens and legal residents through grade 12. Authorities segregated government-run schools by gender, although girls and boys used the same curricula and textbooks. Islamic studies based on Sunni doctrine are mandatory for all Muslim public school students and are optional for non-Muslim students.

Child Abuse: The Family Courts have jurisdiction over child abuse matters.

There were reports police approached children outside schools and threatened or coerced them into becoming police informants.

In February the king issued the Restorative Justice Law for Children and

Protection from Mistreatment, which came into effect August 18 (see sections 1.d., Prison and Detention Center Conditions and 1.e., Civil Judicial Procedures and Remedies). The law raised the criminal age of majority from 15 to 18 and established children's courts, a child protection center, and a special children's judicial committee to review criminal cases involving juveniles. The law also mandates alternative noncustodial sentences for juvenile offenders.

Child, Early, and Forced Marriage: According to the law, the minimum age of marriage is 16 years for girls and 18 years for boys, but special circumstances allow marriages before reaching these ages with approval from a sharia court.

Sexual Exploitation of Children: The law prohibits exploitation of a child for various crimes, including in commercial sex and child pornography. The Restorative Justice Law for Children and Protection from Mistreatment, which came into effect August 18, imposes harsher penalties on adults who sexually exploit children or incite or coerce children to commit crimes, including increasing the mandatory minimum prison sentence for child pornography crimes to two years.

The age of consent is age 21 and there is no close-in-age exemption.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

According to community members, there were between 36 and 40 Jewish citizens (six families) in the country. On August 22, a former ambassador announced the celebration of the first Shabbat minyan (traditional service with a quorum of 10 adult Jewish males) in the country since 1947. Diplomats, members of Jewish communities throughout the Gulf, and local and Emirati Muslims also attended.

In October the Association of Gulf Jewish Communities organized the first Jewish wedding in the country in 52 years. The event, done under the auspices of the

Orthodox Union, the world's largest kosher certification agency, was the first strictly kosher wedding in the kingdom's history.

In response to Israeli Foreign Minister Lapid's September 30 visit to inaugurate Israel's new embassy and sign memoranda of understanding on expanding bilateral cooperation, opposition and pro-Iran factions posted antinormalization statements on social media and organized several small street protests. Protesters burned an Israeli flag, chanted "Death to Israel," and carried posters of the Palestinian flag.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

Persons with disabilities could not access education, health services, public buildings, and transportation on an equal basis with others. The law prohibits discrimination against persons with disabilities. The constitution provides for social security, social insurance, and health care for persons with disabilities. The government administered a committee to oversee the provision of care for persons with disabilities that included representatives from all relevant ministries, NGOs, and the private sector. The committee was responsible for monitoring abuses against persons with disabilities. During the year the government did not prosecute any cases for offenses against persons with disabilities.

Building codes require accessible facilities in all new government and public buildings in the central municipality. The law does not mandate access to private, nonresidential buildings for persons with disabilities.

No information was available on the responsibilities of government agencies to protect the rights of persons with disabilities. According to anecdotal evidence, persons with disabilities routinely lacked access to education, accessible housing, and employment. The sole government school for children with hearing disabilities did not operate past the 10th grade. Some public schools had specialized education programs for children with learning disabilities, physical disabilities, speech disabilities, and intellectual and developmental disabilities,

including Down syndrome. The law stipulates equal treatment for persons with disabilities with regard to employment, and abuses of the law are punishable with fines.

Eligible voters may vote either in their regular precincts or in a general polling station. Local precincts, which are mostly in schools, sometimes posed problems to voters with mobility disabilities due to lack of physical accessibility. General polling stations in public spaces such as malls allowed for assistive devices. There was no absentee ballot system.

The Ministry of Labor and Social Development continued to work with the UN Committee on the Rights of Persons with Disabilities, in cooperation with the UN Development Program.

HIV and AIDS Social Stigma

There were no known cases involving societal violence or discrimination against persons based on HIV or AIDS status, but medical experts acknowledged that discrimination existed. The government mandated screening of newly arrived migrant workers for infectious diseases, including HIV and AIDS. In prior years the government deported migrant workers found to be HIV-positive; the status of deportations during the year was unclear.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

The law does not criminalize same-sex sexual conduct between consenting adults at least age 21, but it allots fines, imprisonment, deportation, or any of them for persons engaging in “immoral behavior,” and this provision has been used against individuals suspected of being LGBTQI+ or cross-dressing.

The law does not extend antidiscrimination protections to LGBTQI+ individuals on the basis of their sexual orientation or gender identity. Discrimination based on sexual orientation or gender identity occurred, including in employment and obtaining legal identity documents. In some cases, however, courts permitted transgender individuals to update identity documents if they had undergone sex reassignment surgery.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The constitution and labor code recognize the right to form and join independent trade unions, as well as the right to strike, but with significant restrictions. The law does not provide for the right to collective bargaining. The government did not effectively enforce all applicable laws, including prohibitions on antiunion discrimination. Penalties were not commensurate with those for other laws involving denials of civil rights, such as discrimination.

The law prohibits trade unions in the public sector. Public sector workers may join private sector trade unions and professional associations, although these entities may not bargain on their behalf. The law also prohibits members of the military services and domestic workers from joining unions. Foreign workers, composing nearly 80 percent of the civilian workforce, may join unions if they work in a sector that allows unions, although the law reserves union leadership roles for citizens. The law prohibits unions from engaging in political activities.

The law specifies that only an official trade union may organize or declare a strike, and it imposes requirements for legal strikes. The law prohibits strikes in 12 “vital” sectors, the scope of which exceeds international standards, including the oil, gas, education, telecommunications, transportation, and health sectors, as well as pharmacies and bakeries. The law makes no distinction between “vital” and “nonvital” employees within these sectors. Workers must approve a strike with a simple majority and provide 15 days’ notification to the employer before conducting a strike.

The law allows multiple trade union federations but prohibits multisector labor federations. The law bars individuals convicted of violating criminal laws that lead to trade union or executive council dissolution from holding union leadership posts. The law gives the labor minister, rather than the unions, the right to select the federation to represent workers in national-level bargaining and international forums. The law prohibits antiunion discrimination; however, independent unions faced government resistance. The law does not require reinstatement of workers fired for union activity.

Some workers and union affiliates complained union pluralism resulted in company management interfering in union dues collection and workers' chosen union affiliation. They stated that management chose to negotiate with the union it found most favorable to the detriment of collective bargaining agreements and the legitimate voice of workers.

In 2020 the government reported that it considered completed efforts at reinstatement, which had been required by a 2014 tripartite agreement with the International Labor Organization (ILO). Union representatives reported that nearly all the roughly 5,000 cases of arbitrary dismissal or labor discrimination had been resolved through either reinstatement or by financial compensation. Human rights organizations and activists questioned the government's claims and reported continuing, systemic labor discrimination.

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminalizes all forms of forced or compulsory labor except in national emergencies; however, the government did not enforce the law effectively. The antitrafficking law prescribes penalties ranging from three to 15 years' imprisonment, a significant fine, and the cost of repatriating the victim(s), which were sufficiently stringent, and commensurate with penalties prescribed for other serious crimes, such as kidnapping.

There were reports of forced labor in the construction and service sectors. The labor law covers foreign workers other than domestic workers. Enforcement was lax, and cases of debt bondage were common. There were also reports of forced labor practices among domestic workers and others working in the informal sector; labor laws did not protect most of these workers. Domestic workers from third countries have the right to see the terms of their employment contract before leaving their home countries or upon arrival. The law requires domestic workers hired through employment offices to have a tripartite contract, with the signature of the employer, recruitment office, and employee. In the case of direct hiring of a domestic worker, the employer must submit a pledge of the employer's obligations to the Ministry of Labor and Social Development.

According to reports by third-country labor officials and human rights

organizations, employers withheld passports illegally, restricted movement and communication, substituted contracts, or did not pay wages. Some employers also threatened workers and subjected them to physical, psychological, and sexual abuse.

In 2016 the ministry instituted procedures that allow workers to change the employer associated with their visa without permission from their former employer or without their passport, under certain conditions including abuse or withheld wages. The ministry threatened employers who withheld passports with criminal and administrative violations and prohibited at-fault employers from hiring new workers. The PPO did not prosecute any individuals for withholding their employees' passports. During the year the government shut down recruitment agencies and revoked licenses of others for infringing on workers' rights. Recruitment agencies complicit in illegal practices may be subject to license revocation, legal action, shutdown of business operations, or a forfeit of license deposits.

The ministry's Protective Inspection Directorate (PID) employed 70 inspectors who were responsible for enforcement of employment violations, immigration violations, and worksite inspections. The PID reported conducting 2,264 inspections during the reporting year, 152 of those for recruitment agencies. Through these inspections the government permanently shut down six companies and suspended one recruitment agency. It also suspended 15 additional companies due to noncompliance with regulations and having workers without legal status employed in the establishments.

The ministry employed inspectors who were sworn officers of the court, with the authority to conduct official investigations. Inspector reports may result in fines, court cases, loss of work permits, and termination of businesses. These inspectors focus on the legal and administrative provisions under which individuals fall, including work permits, employer records, and licenses.

In July the Ministry of Interior launched two new hotlines – one to report human trafficking cases and another to report sponsors who demand money from workers before transferring sponsorship. Complaints from both hotlines fed into the National Referral Mechanism for trafficking victims.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

Laws and regulations related to child labor generally meet international standards. After thorough consultations with local government officials, diplomats of labor-sending countries, representatives from local civil society organizations, and the International Organization for Migration, experts determined that child labor occurred but was not a prevalent problem in the country. The government generally enforced the law. Penalties for violations were commensurate with those for other analogous serious crimes, such as kidnapping.

The minimum age for employment is 15, and the minimum age for hazardous work is 18. Children younger than 18 may not work in industries the Ministry of Health deems hazardous or unhealthy, including construction, mining, and oil refining. They may work no more than six hours a day and no more than four consecutive workdays and may not be present on the employment premises more than seven hours a day. Child labor regulations do not apply to family-operated businesses in which the only other employees are family members.

The law requires that before the Ministry of Labor makes a final decision on allowing a minor to work, the prospective employer must present: documentation from the minor's guardian giving the minor permission to work; proof the minor underwent a physical fitness examination to determine suitability; and assurance from the employer the minor would not work in an environment the ministry deemed hazardous.

There was evidence that children continued to engage in domestic work and sell items on the street. The government did not conduct research to determine the nature and extent of child labor in the country.

The law does not allow expatriate workers younger than 18 to work in the country.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

d. Discrimination with Respect for Employment and Occupation

The constitution provides for equality between men and women in political, social, cultural, and economic spheres without breaching the provisions of Islamic law. In 2018 the government amended its labor law to ban discrimination on the basis of gender, national origin, language, or creed, and it banned sexual harassment in the workplace. The government did not effectively enforce the law. Penalties were not commensurate to laws related to civil rights, such as election interference.

The labor law deems dismissal for sex, color, religion, ideology, marital status, family responsibilities, and pregnancy to be arbitrary and illegal but provides for no right to reinstatement. The law also prohibits wage discrimination based on sex, national origin, language, religion, or ideology. Labor laws prohibit discrimination against women at the workplace. According to government data released in 2020, 47 percent of business owners are women.

The law stipulates equal treatment for persons with disabilities with regard to employment, and violations of the law are punishable with fines (see section 6, Persons with Disabilities). The constitution provides for social security, social insurance, and health care for persons with disabilities. The Ministry of Labor requires that workers with significant disabilities and their first-degree relative caregivers receive two hours of daily paid rest. A government committee monitored provision of care for persons with disabilities and violations against them that included representatives from all relevant ministries, NGOs, and the private sector. During the year the government did not prosecute any cases for violations against persons with disabilities.

No information was available on the responsibilities of government agencies to protect the rights of persons with disabilities, although building codes required all new government buildings to be accessible. According to anecdotal evidence, persons with disabilities routinely lacked access to employment, particularly in positions of responsibility. The law requires the government to provide vocational training for persons with disabilities who wish to work. The Ministry of Labor continued to fund a center offering employment and training services for citizens with disabilities. Some persons with disabilities were employed in the public sector. The law also requires employers of more than 100 persons to hire at least 2

percent of its employees from the government's list of workers with disabilities. The government did not monitor compliance. Many workplaces remained difficult to access for those needing assistance due to a lack of ramps, narrow doorways, and unpaved parking lots.

Foreigners account for approximately half of the country's population. Although the government asserts the labor code for the private sector applies to all workers, the ILO and international NGOs noted foreign workers faced discrimination in the workplace. There are no laws providing for equality in the hiring process. It was common for employers to advertise positions for specific nationalities or languages without justifying why only persons from that specific nationality or language group would be acceptable.

Lack of transparency in hiring processes, especially for government positions, led to many complaints of discrimination based on sect or ethnicity. Human rights organizations reported that Shia citizens faced widespread employment discrimination in both the public and private sectors and that Sunni citizens often received preference for employment in sensitive government positions, notably in the managerial ranks of the civil service, the security services, police, and the military.

e. Acceptable Conditions of Work

Wage and Hour Laws: There is no national private sector minimum wage law. A standardized government pay scale covers public sector workers, with a set minimum monthly wage. While the minimum wage for citizens is generally considered a living wage, there is no minimum wage for foreign workers in the public sector; however, the government issued "guidelines" advising employers in the public and private sectors to pay a minimum monthly wage. There was no official poverty level.

Subject to the provisions of the private-sector law, employers may not employ a worker for more than 48 hours per week without including contract provisions for overtime pay. Employers may not employ Muslim workers during the month of Ramadan for more than six hours per day or 36 hours per week. Penalties for violations were not commensurate with those for similar crimes, such as fraud.

On May 1, the government launched the Wage Protection System (WPS) for employees working in the private sector. The government implemented WPS in phases, which required wages be paid through licensed commercial banks, based on the number of workers employed by businesses. According to the Ministry of Labor and Social Development, WPS secures workers' rights, combats trafficking in persons, protects employers' rights by documenting money transfers, and provides documentation to settle labor disputes. The ministry stated it would penalize employers who fail to pay monthly salaries on time and per contractual obligations.

Occupational Safety and Health: Occupational safety and health (OSH) standards were not appropriate for the main industries in the country; the government did not effectively enforce existing OSH standards. Workers risked jeopardizing their employment for refusal to work in hazardous conditions or if they took legal action against employers who retaliated against them for exercising their right to remove themselves from such conditions.

The Ministry of Labor sets occupational safety and health standards. The labor law and relevant protections apply to citizens and noncitizens alike, with the exception of domestic workers. The law stipulates that companies in violation of occupational safety standards may be subject to fines. Penalties for violations of occupational, safety, and health laws were not commensurate with those for similar crimes such as negligence.

The Ministry of Labor employed general inspectors and occupational safety inspectors. Their roles are to inspect workplaces, occupational health and safety conditions, and the employer/employee work relationship. The ministry used a team of engineers from multiple specialties primarily to investigate risks and standards at construction sites, which were the vast majority of worksites. Inspectors have the authority to levy fines and close worksites if employers do not improve conditions by specified deadlines. A judge determines fines per violation, per worker affected, or both. A judge may also sentence violators to prison. For repeat violators, the court may double the penalties. NGOs expressed concern that resources for enforcement of the laws would be inadequate for the number of worksites and workers, that worksites would not be inspected, and that violations would continue despite the new regulations.

A ministerial decree prohibits outdoor work between noon and 4 p.m. during July and August because of heat conditions. Authorities enforced the ban with regard to large firms, but according to local observers, violations by smaller businesses were common and without consequences. Employers who violate the ban are subject to up to three months' imprisonment, fines, or both, but enforcement was inconsistent. The ministry documented 27 companies that violated the summer heat ban during the year.

On February 25, a criminal court sentenced an official found guilty of causing the death of construction workers at a sewage treatment plant to three years in prison and a fine.

The government and courts generally worked to rectify labor abuses brought to their attention. The government published pamphlets on foreign workers' rights in several languages and provided manuals on these rights to local diplomatic missions. Workers could file complaints with the government via email, in person, or through government hotlines. The Ministry of Interior reported it received 450 calls to its hotline since its establishment in July. There were 6,769 combined and individual labor-related complaints during the year, including complaints filed by domestic workers. The vast majority of cases involving abused domestic workers, however, did not reach the ministry or the public prosecutor. The government provided victims with a range of services, including shelter, food, clothing, medical and psychological care, legal counsel, and grants from the Victim Assistance Fund. The National Committee for Combating Trafficking in Persons provided shelter and services to victims and potential victims on a case-by-case basis.

Local organizations reported that they visited unregistered camps and accommodations, including accommodations of irregular "free visa" workers, who they observed often lived in overcrowded apartments with poor safety standards.

Informal Sector: Violations of wage, overtime, and occupational safety and health standards were common in sectors employing informal foreign workers, such as construction, automotive repair, and domestic service. Unskilled foreign workers, mostly from South and Southeast Asia, constituted approximately 60 percent of the total workforce, and many were employed informally. These

workers were vulnerable to dangerous or exploitive working conditions. According to NGOs workplace safety inspection and compliance were substandard.

The labor law does not fully protect domestic workers, and this group was particularly vulnerable to exploitation due to the difficulties of oversight and access to private residences. Additionally, NGOs report employers and recruitment agencies provided employees contracts with differing terms in different languages.

The Ministries of Labor and Interior acknowledge severe underreporting of abuse and labor exploitation. NGOs and activists provided credible reports that employers forced many of the country's 86,000 domestic workers, most of them women, to work 12- to 16-hour days, and illegally seized their passports and cell phones. Some domestic workers reported that their employers permitted very little time off, left female workers malnourished, and subjected them to verbal and physical abuse, including sexual molestation and rape. The press, embassies, and police received numerous reports of abuse of domestic workers. As a response the National Committee for Combating Trafficking in Persons provided workers with shelter. Most women in these cases sought assistance with unpaid wages and complaints of physical abuse.

On October 11, the Philippines Department of Foreign Affairs reported that 91 distressed Filipino workers had been repatriated, including minors, pardoned prisoners, individuals without residency status, pregnant women, medical patients, and others who had sought refuge in the Philippines Embassy.

The Flexi Permit, a renewable one- or two-year permit that allows foreign workers to remain in the country and work without a sponsor, authorizes previously out-of-status workers to legalize their residency; the government issues these permits as an alternative to the *kafala* work sponsorship system. In December an NGO noted that its high cost precludes many from enrolling in the program.

According to NGOs the construction sector employed more Indians, Bangladeshis, and Pakistanis than other nationalities. Worker deaths generally were due to a combination of inadequate enforcement of standards, violations of standards,

inadequate safety procedures, worker ignorance of safety procedures, and inadequate safety standards for equipment. The level of freedom foreign workers enjoyed directly related to the type of work they performed.

A Ministry of Labor order requires employers to register any living accommodations provided to employees. The order also mandates minimum housing standards for employer-provided accommodations. Of the 14,000 labor accommodations, 62 percent of them were in unauthorized areas. Many migrant workers lived in unregistered accommodations that included makeshift housing in parking garages, apartments rented by employers from private owners, family houses modified to accommodate many persons, and single beds for rent. Conditions in the many unregistered or irregular worker camps were often squalid and overcrowded. Inspectors do not have the right to enter houses or apartment buildings not registered as work camps to inspect conditions.