

Human Rights in Bahrain

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Joe Stork

Deputy Director, Middle East & North Africa Division, Human Rights Watch

Congressman McGovern and other Distinguished Commission Members:

Thank you very much for holding this important hearing on the human rights situation in Bahrain, and for inviting me to participate.

Human rights conditions in Bahrain have grown increasingly grave since mid-March, when the government violently put down pro-democracy and anti-government street protests. Since then, we have seen an unrelenting official campaign of punitive retribution against Bahrainis who participated in or otherwise supported the protests.

This campaign has included the apparently arbitrary detention of more than a thousand persons, of whom some 630 remain in detention. Almost all have had no contact with lawyers or a brief phone call with families and their whereabouts and well-being are unknown, including elected members of parliament as well as doctors and other professionals. This pattern of incommunicado detention is all the more worrisome in that in April four persons died in custody, some apparently as a result of torture and others from medical neglect. Early this week, 14 opposition activists were brought before a special military court, at least one of them bearing unmistakable signs of torture.

More than 1200 workers and employees have been summarily dismissed from their jobs apparently because of participation in the protests, in violation of Bahrain's labor laws as well as international standards. Several professional associations, such as the Teachers Society and the Bahrain Medical Society have been suspended or effectively taken over by the authorities. The government engineered a hostile takeover of the country's only independent newspaper, expelled this week the Reuters correspondent who was Bahrain's only in-country international journalist, and have denied access to other foreign journalists wishing to report from the country. Meanwhile state-controlled Bahrain TV and pro-government print media routinely vilify pro-democracy groups as traitors operating at the behest of Iran and feature commentaries fomenting hatred against the Shia community – who comprise the majority of Bahrainis and majority of protesters.

It is important to note that this fierce and sometimes deadly repression has continued – and indeed intensified – despite the fact that since mid-March the government has been fully in control of the security situation. In Bahrain people continue to face arbitrary arrest, and effectively be “disappeared” and subjected to torture, many weeks after the protests have been suppressed. This is not Libya, where

rebel forces have taken up arms against the government, or Syria, where thousands of protesters take to the streets week after week in city after city. This repression is purely vindictive and punitive.

And unfortunately, in contrast to Syria, Libya, and other sites of unrest and repression, the United States government has had little to say about any of this, at least in public, and those few words have tended to be general in the extreme. We know, and just about every Bahraini knows, that the Obama administration weighed in forcefully, behind the scenes but with success, to persuade the Al Khalifa ruling family to pull back troops and security forces after they violently attacked protesters between February 14 and 17, killing seven and wounding many more. We also know that the administration worked very hard, though futilely, to head off Saudi Arabia's military deployment to Bahrain. At that time, and since, senior administration officials have publicly criticized the Al Khalifa family's resort to force, but these remonstrations have been for the most part quite general, stating for example that Bahrainis, like other people, should enjoy universal rights.

Quite frankly, at a time when night after night masked armed men, both uniformed and plainclothes, are breaking into homes and hauling off Bahrainis to unknown locations, to interrogation centers where torture or ill-treatment are routine, a time when people are pulled out of cars at checkpoints and beaten, a time when people suffering gunshot or other wounds inflicted by security forces fear going to medical centers where other security forces beat and arrest them – these are times when something more forceful and more specific is badly needed.

Mr. Chairman, I have been closely following the human rights situation in Bahrain since 1996, when I joined Human Rights Watch and, as one of my first assignments, documented rampant abuses during an earlier period of unrest in the country. I witnessed the sharp and substantial improvement that occurred after King Hamad took over from his father in 1999: in the early years of his reign, he abolished the State Security Courts, freed political prisoners, and invited those in political exile, in many cases having been forcibly expelled from their own country, to return.

While Human Rights Watch continued to criticize failures to institutionalize reforms in areas of free expression and freedom of association, we noted that reports of arbitrary arrests and abuse in detention declined markedly. It was with considerable dismay, then, that we received increasing reports, beginning in late 2007, of a revival of torture during interrogation, which we documented in a report we released in the capital, Manama, in February 2010. Despite official promises to investigate and hold accountable anyone found responsible, the only investigation we are aware of was superficial in the extreme, and no one, to our knowledge, has been criminally investigated or prosecuted. And, it must be said, the US government has at no point publicly commented on the problem beyond reporting in the annual State Department country report that we had made such allegations.

Mr. Chairman, my colleagues were on the ground in Bahrain from the night of February 17 until April 20, when the authorities refused to renew a colleague's visa. On May 4, our legal consultant travelled to Bahrain in order to observe trials before the special military court, but was turned away at the airport. Although our on-the-ground access has been restricted for several weeks now, we will continue to work with Bahraini authorities to insure that we are able to return, and we hope that Bahrain will not join the

ranks of Syria, Iran, and Saudi Arabia as countries completely closed to international human rights reporting.

Based mainly on our field work – I myself was part of the team on the ground on the week of March 21 – I would like to summarize the most critical human rights issues in Bahrain and conclude with some recommendations of steps that Congress and the Obama administration should urgently take.

Suspect Deaths

Human Rights Watch confirmed the use of live ammunition against [largely] peaceful protesters, as well as the misuse of birdshot pellets and rubber bullets, between February 14 and 17, killing seven protesters and wounding many more. The government announced the formation of an investigative committee of three officials headed by a deputy prime minister to investigate the deaths, but if it has pursued this assignment it has done so with a complete absence of transparency. Committee members refused to discuss their methodology with Human Rights Watch, and other government officials have told us that they did not know what the committee had done, if anything. In mid- March another dozen or so people were killed in clashes, including several security officers and at least one South Asian worker killed by a mob. Further deaths occurred in subsequent raids on Shia villages in the week that followed.

To give just one appalling example that we investigated: on March 19, 32-year-old Hani Jumah, a cleaner from Khamis village and father of year-old twins, was outside his home when police swept through his neighborhood. According to witnesses, he was not protesting at the time or engaged in any unlawful behavior. Police chased him into an apartment building under construction. Neighbors found him unconscious, lying in a pool of blood, with massive injuries to his knees and arm caused by a shotgun firing pellets at point-blank range. Several days later my colleague found fragments of his knee-bone as well as a tooth and pieces of human tissue stuck to the wall and ceiling of the empty room, apparently the result of the force of the shots that maimed him. As far as we are aware, Jumah never regained consciousness: late on the night he was shot, security forces moved him from a private hospital to the Bahrain Defense Force hospital; when his parents went to the BDF hospital to ask about his condition, officials denied he was there. The next information they received was five days later, on March 24, when hospital officials called the parents to tell them to retrieve his body the next day.

As noted below, the hundreds of persons arrested are being held incommunicado, without access to lawyers or families, their whereabouts and well-being unknown. These are exactly the conditions that are conducive to torture or ill-treatment, and we know of four deaths in custody in April – some apparently as a result of torture and others from medical neglect. On April 28 state-run Bahrain TV aired a program that included a videotaped “confession” by Ali Isa Ibrahim Saqer – one of those who had died in custody earlier in the month and whose body – seen by Human Rights Watch at the time of his burial – bore unmistakable signs of torture.

Approximately 30 persons have been killed since February 14, most of them protesters or bystanders at the hands of security forces. We are aware of no investigations into the circumstances of what in many cases appear to be unlawful killings. While this number may appear small compared with deaths

inflicted by security forces in Libya or Syria, in just 10 weeks they exceed the total number of deaths that occurred in the five years of serious unrest in the mid and late 1990s, and they occur among a population of just 500,000 Bahrainis (and an equivalent number of expatriate workers).

Arbitrary Arrests and Detentions

The Bahraini government has provided no information about the total number of persons arrested, detainee whereabouts and well-being, or in most cases the reasons for arrest. We believe that the number of persons arrested to have been approximately 1,000, with approximately 630 presently in detention. These include leaders of legally recognized political opposition societies, like Ibrahim Sharif, a Sunni who heads the secularist National Democratic Action Society, and Matar Ibrahim Matar and Jawad Fairouz, recently elected members of parliament representing the Wifaq society, a Shia Islamic party that made up the largest opposition bloc in the parliament.

As noted, the widespread use of incommunicado detention raises serious concern about torture or ill-treatment in detention. We have already mentioned several deaths in custody. On May 8, authorities brought 14 protest leaders before a special military tribunal on charges ranging from plotting to overthrow the government – apparently based on the calls of some to transform the monarchy into a republic, although most of the protesters were demanding a constitutional monarchy – and specious offenses such as spreading false news and harming the reputation of the country. One of the 14, human rights and political activist Abdulhadi al-Khawaja, bore facial fractures and head injuries, apparently the result of severe beatings he sustained since authorities detained him a month earlier, on April 9. Several defendants in the courtroom walked with distinct limps.

Attacks on Medical Professionals

Attacks by security forces on medics first occurred in the pre-dawn February 17 raid on Pearl Roundabout protesters, when police attacked a volunteer medical tent, beating and in some cases arresting nurses and doctors. As a result of this as well as allegations that the authorities had prevented the dispatch of ambulances to attend to wounded protesters, the grounds of Salmaniyya Medical Complex, the country's largest public hospital, for weeks became a protest site as well, with protest posters, blown-up photos of wounded protesters, and occasional speeches by opposition leaders.

When the authorities declared martial law on March 15 and launched a wholesale crackdown on the street protests, Salmaniyya hospital was also targeted. On March 16 armed and uniformed masked men took control of the hospital, including patient wards, and restricting entry to and exit from the complex. Persons whose injuries appeared to be as a result of confrontations with security forces were frequently arrested and beaten, with those requiring urgent medical care moved to the sixth floor, which became an improvised detention area with highly restricted access.

My colleagues had frequent and relatively unrestricted access to Salmaniyya hospital prior to March 16, and occasional access several weeks later. Government allegations that doctors refused to treat Sunni patients, or brought in weapons, or used the hospital's blood supply to simulate more grievous protester injuries – which surfaced only after the military takeover of the hospital – appear to be fictive.

Human Rights Watch wrote to the Minister of Health on April 21 requesting information about these and other allegations but we have not yet had any response.

Salmaniyya hospital remained under the direct control of security forces when the last of my colleagues departed in late April, and according to Doctors without Borders, this remains the case today.

Doctors, nurses, and other medical professionals have been among those targeted for arrest. According to Physicians for Human Rights, more than 80 doctors and other medical professionals have been arrested, of whom about 20 were since released. On May 4, officials announced that 150 doctors and nurses had been suspended pending investigations, and two days ago, on May 11, the pro-government *Gulf Daily News* carried a so-called news story headlined, "Rogue doctors seen working." The military prosecutor has brought charges against 24 doctors and 23 nurses and paramedics that include embezzling funds, possessing weapons and ammunition, inciting sectarian hatred, dissemination of false news, and participation in unauthorized rallies and meetings. Human Rights Watch has received reports in the past several days of additional arrests of doctors and medical workers from Salmaniyya and other health facilities.

Restrictions on the Right to Freedom of Information

The government has banned numerous websites and publications, including those of legally recognized political societies, arrested journalists and bloggers, and carried out a hostile takeover of the country's one independent newspaper, *Al Wasat*. In mid-March, unknown assailants attacked and partially destroyed the newspaper's printing press. The founding editor of *Al Wasat*, Mansoor al-Jamri, along with two other former editors, are being tried next week – the first session is scheduled for May 18 – on charges of "publishing fabricated news and made up stories...that may harm public safety and national interests." According to the editors, the six fabricated stories had been sent as e-mails from different addresses but a single external internet protocol (IP) source based in a neighboring Arab country. All the stories dealt with alleged incidents, such as nighttime raids on homes by riot police, that have been frequent and routine in Bahrain since March 15. The emails appeared to have been sent to other Bahraini papers, making them appear more authentic, but with small mistakes in the addresses so that in fact *Al Wasat* was the only recipient. Two Iraqi journalists working with *Al Wasat* since 2005 were summoned for questioning and summarily deported, along with their families, when they refused to support official claims that al-Jamri had knowingly fabricated the stories in question. In other words, not only the stories but the criminal charges appear to have been fabricated. Human Rights Watch monitored *Al Wasat's* content before and since al-Jamri's removal, and found that it had largely – although not completely – ceased publishing news and analysis differing from that of the rest of Bahrain's mass media.

Two other points of note with regard to freedom of information.

First, while some international journalists have been permitted to report from Bahrain since March 15, others have been refused entry. This week the government ordered Frederik Richter, who for the past three years has been the only international journalist based in Bahrain, to leave the country within the week.

Second, the role of the state-run Bahrain television, and the remaining print media which are all friendly to the government and mainly function as its mouthpieces, have actively promoted government allegations against *Al Wasat*, against the medical professionals, and more broadly against Shia Bahrainis as traitors and worse. The Gulf Daily News on May 1 published a “letter,” signed “Sana P.S.,” riffing on termites and white ants as an “intelligent type of pest” that periodically swam and destroy buildings and crops, and concluding that “to me they are very similar to the February 14 group that tried to destroy our precious, beautiful country. The moral is: to get rid of white ants so they don’t come back is to get rid of the mother (the head) responsible for these destructions. There is no point in capturing and getting rid of baby ants when the mother is still reproducing!”

Summary Workplace Dismissals

Since late March, according to the independent General Federation of Bahraini Trade Unions (GFBTU), more than 1200 workers have been summarily dismissed from their jobs. In most cases the stated reason for dismissal has been absence from work during and immediately after street protests, but the dismissals were carried out in violation of Bahraini law, which requires that such absences be for at least 10 consecutive days and that workers receive written warnings after five consecutive absences. Human Rights Watch interviewed 18 workers fired from six companies. All said they were given no advance warning and the companies did not conduct independent investigations to determine that they had violated company or government regulations before they were dismissed. Those fired include 22 local union leaders and six members of the GFBTU executive board. We note that the AFL-CIO has petitioned the US government to notify Bahrain of its intent to suspend the Bahraini-US Free Trade Agreement for violation of ILO conventions prohibiting violations of freedom of association. The International Trade Union Confederation, for its part, has called for the establishment of an ILO Commission of Inquiry into Bahraini violations of ILO Convention No. 111, prohibiting discrimination in hiring and firing for reasons of, among other things, political opinions. The government itself has fired or suspended hundreds of employees from ministries and other official institutions.

Recommendations

Human Rights Watch strongly urges the US Congress and the Obama administration to speak out vigorously and publicly about rampant and continuing serious human rights violations in Bahrain. The United States should not be seen as complicit in a campaign by an autocratic government to stifle popular demands for democratic rights, a dynamic that has an especially dangerous sectarian dimension in Bahrain, where the ruling family and its close allies are mainly Sunni and Shia make up the majority of the citizenry.

First, particularly given the close and longstanding security relationship between the United States and Bahrain, the US should announce a comprehensive **ban on security assistance** to Bahrain, **including the commercial sale of riot control as well as military hardware**, until authorities there take measurable steps to halt the violent suppression of peaceful protesters and to hold accountable those responsible for the unlawful use of force, the use of torture or ill-treatment, and arbitrary arrests and detention. Because Bahrain values its military and security relationship with the United States, and seems less

concerned with its civilian relations with Washington, it is crucial that US military officials stress to their Bahraini counterparts, including Marshal Khalifa bin Ahmad Al Khalifa, the head of the current martial law government, that continued close military relations, including the presence of the US Fifth Fleet headquarters, require a prompt and comprehensive halt in serious human rights violations.

We further urge the Congress and the Obama administration to criticize by name the most flagrant abuses, such as unlawful killings and torture, and the wholesale impunity for serious crimes in violation of international law – and to do so publicly. Administration officials have told us that they have not done so because they do not think it will be any more effective than private demarches for reversing the deteriorating human rights situation. While we cannot guarantee that public diplomacy will have the desired effect, the time for relying only on “quiet” diplomacy is long past, given the current state of affairs. It is also important to realize that what is at stake is not only the situation in Bahrain, but US credibility regarding human rights issues throughout the region. As long as the US speaks forcefully regarding violations in Iran, Syria, and Libya, as it should, but is publicly silent when it comes to Bahrain, it undermines the efforts and credibility of the US to promote human rights in all countries, whether allies or adversaries.

Finally, it is crucial for the Obama administration to take the lead in calling for the UN Human Rights Council to address, by name, Bahrain’s human rights crisis. This need not take the form of a special session, such as those held recently on Syria and Libya, but it should clearly and specifically be directed at Bahrain, perhaps along with other serial abusers such as Yemen. The efforts of the Obama administration to transform and rehabilitate the role of the Human Rights Council are badly undermined by its deafening silence when it comes to Bahrain.