



## U.S. DEPARTMENT of STATE

### Bahrain

#### Country Reports on Human Rights Practices - [2006](#)

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Bahrain is a monarchy led by King Hamad Bin Isa Al-Khalifa with a population of approximately 725,000, approximately 430,000 of whom are citizens. King Hamad is the head of state. His son, Crown Prince Sheikh Salman Bin Hamad Al-Khalifa, is heir apparent; and his uncle, Sheikh Khalifa Bin Salman Al-Khalifa, as prime minister, is the head of government. The king appoints a cabinet of ministers. Members of the Al-Khalifa royal family hold about half of the cabinet positions, including all strategic ministries. In 2002 the government adopted the current constitution that reinstated a legislative body with one elected chamber, the Council of Representatives (COR), and one appointed chamber, the Shura Council. In November and December, parliamentary and municipal elections were held and all political societies participated, including the four that boycotted the 2002 parliamentary elections. The constitution provides that the king is head of the executive, legislative, and judicial branches of the government. Civilian authorities generally maintained effective control of the security forces.

Citizens were not able to change the government and experienced restrictions on civil liberties such as the freedoms of press, speech, assembly, association, and some religious practices. Though citizens were not able to form political parties, the law authorized registered political societies to run candidates and participate in other political activities. Reported judicial abuses included lack of judicial independence and allegations of corruption. Occurrences of domestic violence against women and children were common, as well as discrimination on the basis of gender, religion, sect, and ethnicity. Trafficking in persons and restrictions on the rights of expatriate workers remained problems. The Shi'a majority population was routinely discriminated against in leadership positions.

On September 19, King Hamad granted citizenship to at least 372 children of citizen women and noncitizen spouses. On June 6, the first female judge in the country was appointed to the Higher Civil Court. The first woman was elected to the COR, after running unopposed in her district.

#### Section 1 Respect for the Integrity of the Person, Including Freedom From:

##### a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

##### b. Disappearance

There were no reports of politically motivated disappearances.

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

The constitution prohibits such practices, and unlike the previous year, there were no reports that government officials employed them.

During the year, there were no known instances of officials being punished for human rights abuses committed. Controversy continued over impunity for alleged torturers which the government maintained was granted by the 2001 general amnesty.

In May 2005 the Bahrain Human Rights Society (BHRS) and the dissolved Bahrain Center for Human Rights (BCHR), in cooperation with the National Committee for Martyrs and Victims of Torture (NCMVT), briefed the UN Committee Against Torture on their concerns. (The BCHR remained a banned organization.) They focused on impunity for acts of torture committed prior to 2001; rejection by courts of all cases lodged against alleged torturers and of all requests for compensation; and the absence of redress and rehabilitation mechanisms for victims of torture.

#### Prison and Detention Center Conditions

Prisons in the country generally met international standards. In late 2005 while the government permitted limited visits to prisons, it did not allow visits to short term detention facilities by independent human rights observers.

In late December 2005 a BHRS team, including doctors, psychologists, lawyers, and academics, made two visits to Jaw prison, the country's only men's prison. Jaw housed 450 to 500 inmates. BHRS was also scheduled to visit the country's women's prison in Isa Town on February 25, but interior ministry officials postponed the visit indefinitely for administrative reasons. The visit had not been rescheduled by year's end.

According to BHRS representatives, BHRS was given full access to the Jaw facilities, apart from the short-term detention section, and permitted interviews with both staff members and inmates, including two inmates on death row. They conducted private interviews with 56 inmates, some of whom were specified individuals and others whom they chose at random. Per the BHRS report, there was no systematic torture at the facility, but there were reports from some inmates of mistreatment in the detention section where new inmates are first held before being assigned a permanent cell.

Citing concerns about drug use at Jaw, the BHRS report carried claims by some prisoners that some prison staff members had supplied drugs to inmates. It also said that the prison provided drug abuse counseling to addicts.

On August 10, the quasi-governmental Supreme Council for Women (SCW) conducted a visit of the country's women's prison in Isa Town. Following the visit General Secretary Lulwa Al Awadhi called publicly for the Supreme Judicial Council to look into sentences that were overly severe for the crimes committed. There was no publicly released SCW report on the visit.

Juveniles were housed separately from adults until the age of 15. In 2004 the Ministry of Social Development announced plans to open a separate center for the care of juvenile delinquents, but it had not yet done so by year's end.

Although International Committee of the Red Cross (ICRC) officials visited the country during the year, they did not request prison visits. Bahrain Red Crescent Society officials confirmed that ICRC officials had not visited prisons for several years, since the release of all political prisoners in 2000.

#### d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

##### Role of the Police and Security Apparatus

The Ministry of Interior (MOI) is responsible for public security. It controls the Public Security Force and the extensive security service, which are responsible for maintaining internal order. The Bahrain Defense Force (DINARSF) is responsible for defending against external threats and also monitors internal security. There were no reports of corruption within the MOI and the DINARSF, although corruption was difficult to assess given the lack of transparency in activities and budgets.

During the year there were no known instances of police officers punished for committing human rights abuses.

Press reports carried several cases of law enforcement officials being jailed and/or fined for misconduct, most often for accepting bribes.

##### Arrest and Detention

A felony suspect must be charged and transferred to the Public Prosecutor's Office immediately. Within seven days of his arrest, a detainee must appear before a judge in the Public Prosecutor's Office to determine the viability of continued detention regarding the case. If the judge decides the suspect is a flight risk or is a danger to society, he may rule for continued detention up to a maximum of 45 days while the investigation is carried out. This process may continue through reviews by subsequent different judges, but detention may not exceed six months. However, according to the BHRS, there are occasional reports of detention for up to one year, but these cases are uncommon and were not reported during the last year.

On August 16, new counterterrorism legislation was enacted that allows for a five-day detention period of a terrorist suspect. Upon request, the public prosecutor may extend this period based on the needs of the investigation for up to an additional 10 days. At the end of this period, the detainee must be transferred to the public prosecution and questioned within three days. The public prosecutor must then decide to issue a detention order or to release the detainee. The detention order may not exceed 60 days.

Judges may grant bail to a suspect and do so regularly. Detainees were generally allowed prompt access to visiting family members.

The Ministry of Justice was responsible for the assignment and management of public prosecutors, while the MOI oversaw security and all aspects of prison administration. Detainee access to attorneys was often restricted in the early stages of detention; attorneys must seek a court order to confer with clients. The state provided counsel if the defendant could not afford to hire an attorney. After conviction attorneys required the prison director's permission to visit a client in jail.

Jaw prison housed convicted, sentenced prisoners only. According to a BHRS official who conducted visits with inmates at Jaw prison in December 2005, some prisoners described lengthy pretrial detentions up to nine months. However, the official said these were not detentions but delayed trials for additional crimes while the inmates were already serving out a sentence on an earlier conviction.

##### Amnesty

On December 15, the king granted amnesty to all those who were connected to the March Dana Mall incident and the December 2005 airport incident (see section 2.b.).

#### e. Denial of Fair Public Trial

The constitution provides for a nominally independent judiciary; however, the judiciary was not independent, and courts were subject to government pressure regarding verdicts, sentencing, and appeals. There were allegations of corruption in the judicial system. The constitution provides that the king appoint all judges by royal decree. The king also serves as chairman of the Supreme Judicial Council, the body responsible for supervising the work of the courts and the public prosecution. The constitution does not provide a legislative branch confirmation process for judicial appointees nor does it establish an impeachment process. The constitution also specifies that punishment is personal, therefore family members cannot be punished for an individual's alleged crimes.

On June 6, the first female judge, Mona al-Kawari, was appointed to the Higher Civil Court.

The legal system is based on a mix of British civil law, Common Law, Shari'a (Islamic law), and traditional laws. The judiciary is organized into two separate branches: the civil law courts and the Shari'a courts.

The civil law courts, through their two branches (criminal and civil), adjudicate all civil and commercial cases, criminal cases, and personal status cases involving non-Muslims. The Courts of Minor Causes (the Lower Courts and the Court of Execution) have one judge with jurisdiction over minor civil, commercial, and misdemeanor cases. The High Civil Courts have three judges with jurisdiction over larger civil and commercial cases, felonies, and personal status cases involving non-Muslims. The Civil High Court of Appeal has a panel of three judges and hears appeals.

Both the civil and criminal court systems have a Supreme Court of Appeal, and a Court of Cassation, which is the final appellate court.

The Shari'a courts have jurisdiction over personal status cases involving citizen and noncitizen Muslims. There are two levels: the Senior Shari'a Court and the High Shari'a Court of Appeal. At each level is a Sunni Maliki Shari'a Court with jurisdiction over all personal status cases brought by Sunni Muslims, and a Ja'afari Shari'a Court with jurisdiction over cases brought by Shi'a Muslims. The High Shari'a Court of Appeal is composed of a minimum of two judges. In the event of a disagreement, the Ministry of Justice (MOJ) provides a third judge, and the decision is based on a majority vote. There are 11 judges in the Sunni Maliki Shari'a courts and 12 judges in the Shi'a Ja'afari Shari'a courts.

The constitution established the Constitutional Court to rule on the constitutionality of laws and statutes. The court's membership consists of a president and six members, all appointed by the king. These seven judges serve nine-year terms and cannot be removed before their terms expire. The court's determination is final and "binding on all state authorities and on everyone," according to the constitution.

The DINARSF maintains a separate court system that only tries military personnel accused of offenses under the Military Code of Justice. The MOI has a similar system for trying police officials. There were no reports of either court considering cases involving civilian, common criminal, or security cases during the year.

#### Trial Procedures

Civil and criminal trial procedures provided for an open trial, the right to counsel, question witnesses, and the right to appeal. Juries are not a part of the judicial system. Reports continued alleging lack of access to a fair trial.

Defendants may choose their own attorneys. If they are unable to afford a private attorney, defendants may ask the MOJ to appoint an attorney to represent them in court. Defendants are present during trial proceedings, and they have the right to question witnesses. According to the constitution, defendants are presumed innocent until proven guilty.

#### Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

#### Civil Judicial Procedures and Remedies

Citizens may bring civil suits before the court seeking cessation of or damages for human rights violations; however, there was impunity for alleged torturers that the government maintained was granted by the 2001 general amnesty.

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

The constitution provides for personal freedom under the law. It also provides for freedom from arbitrary interference with privacy, home, and correspondence except under the provisions of the law and under judicial supervision; however, the government continued to infringe on citizens' right to privacy. Telephone calls, email, and personal correspondence remained subject to monitoring (see section 2.a.). Police informer networks were extensive and sophisticated.

#### Section 2 Respect for Civil Liberties, Including:

##### a. Freedom of Speech and Press

The constitution provides for freedom of speech and of the press, but the government limited the exercise of these rights. The election law

prohibits speeches at most public locations and limits the areas where campaign materials can be placed.

On July 20, the king ratified amendments to the association law that forbids any speech or discussion infringing on public order or morals (Law 18 of 1973). Under the amendments, restricted locations for protests or gatherings include in the vicinity of hospitals, airports, commercial malls, and security-related installations. Possible sentences for organizing unauthorized gatherings have been increased from three months to six months in jail. The original law allows security officials to break up public meetings if any crime under the Penal Code is committed or if public security is threatened.

By year's end, according to human rights organizations, the government had blocked local access to 21 Web sites through Internet service provider Batelco. Among these sites were local Web log and chat sites, human rights Web sites, sites containing information about Arab Christians, and the Wa'ad political society's Web site.

On November 16, Mohamed al-Sahlawi and Hussein al-Habashi were arrested as they were allegedly preparing to distribute printed materials calling for a boycott of the elections and a change of the government. According to press reports, the two face charges related to the Press Law and the Penal Code for promoting change of the system of the state through illegal means and possessing publications containing false information that "would cause disruption to public security and damage the public interest." It was reported that the men planned to distribute 1,500 leaflets to mosque attendees urging people to boycott the national elections and participate in protests. At year's end the lawyer for the men confirmed that they would remain in custody until their appearance at the Lower Criminal Court, scheduled for January 7, 2007.

In 2002 the king decreed a press law. The government began implementing the law but later "froze" it due to a public outcry. Although suspended the law was enforced at the government's discretion. The suspended press law provides for restricted freedom of speech and press. The law provides for prison sentences in three general categories of offenses: criticizing the state's official religion; criticizing the king; and inciting actions that undermine state security. In addition, the law allows fines up to \$5,300 (2,000 dinars) for 14 other offenses, including publicizing statements issued by a foreign state or organization before obtaining the consent of the Minister of Information; publishing any news reports that may adversely affect the value of the national currency; reporting any offense against the head of a state that maintains diplomatic relations with the country; or publishing offensive remarks towards an accredited representative of a foreign country because of acts connected with the person's position.

In early September Dr. Salah al-Bandar distributed a report to selected individuals and political societies claiming the existence of a group of high-level individuals in the government that attempted to manipulate the election process. At the time al-Bandar, a British citizen, was an advisor to the president of the Central Informatics Organization, which originally had responsibility for conducting elections. On September 13, al-Bandar was deported, and the government confiscated his belongings. He was accused of seizing official government documents and stealing private checks.

On October 4, the High Criminal Court banned the publishing of any news, commentary, or other information related to the report or the legal case against al-Bandar. All Web sites were banned from discussing the al-Bandar report about the alleged election fraud. The law prohibits newspapers from publishing information related to any case that is under investigation or is being tried in the courts. It also levies a fine of up to \$2,650 (1,000 dinars) on any newspaper or individual who publishes news relating to crimes that the investigative authorities have decided should not be published. Bahrain News Agency reported that the decision came as a result of some newspaper coverage that harmed the public interest and incited sedition in the community.

Local press coverage and commentary on international issues was open, and discussion of local economic and commercial issues also was relatively unrestricted. Newspapers covered opposition politics in detail and also published Friday mosque sermons, both Shi'a and Sunni. However, there was both censorship and self-censorship. Representatives from the Ministry of Information actively monitored and blocked local stories on sensitive matters, especially those related to sectarianism, national security, or criticism of the royal family, the Saudi royal family, and judges.

Public demonstrations over foreign policy, unemployment, personal status laws, housing shortages, human rights abuses, and other issues were covered in the print media but not always on government-owned television. Radio and television broadcasts in Arabic and Farsi from countries in the region, including by satellite, were received without interference.

In private settings, individuals openly expressed critical opinions regarding domestic political and social issues. There was considerable freedom of discussion on the Internet (chat rooms, discussion forums, and individual Web logs), in letters to the editor, and occasionally on state-run television call-in shows.

The government owned and operated all local radio and television stations. However, satellite television systems were readily available to the public, providing access to international broadcasts. There were no reports of restrictions in access to these broadcasts. In 2004 the government lifted its ban on correspondents from the Qatar-based Al-Jazeera satellite television channel, but maintained control over the selection of the locally-based correspondent.

There was no government-owned print media, but the Ministry of Information exercised considerable control over local privately owned print media. One of the country's most prominent newspapers, *Al-Wasat*, was subject to occasional government harassment. In 2003 Dr. Mansour al-Jamry, editor in chief of *Al-Wasat*, was interrogated, fined, and sentenced for allegedly publishing sensitive information about an ongoing investigation of a locally-based terrorist cell. Al-Jamry appealed his case to the Constitutional Court, arguing that the laws under which he was charged, dealing with judicial authority, criminal procedure, and the press, were unconstitutional. In 2004 the High Criminal Court judge referred Al-Jamry's case to the Constitutional Court. The Constitutional Court upheld the constitutionality of the three laws and sent the case back to the High Criminal Court. At year's end a decision on the case was still pending.

After the government dissolved the BCHR in 2004, the BCHR appealed its dissolution in court. On February 22, following a final appeal by the BCHR to the Court of Cassation, Bahrain's highest appeals court, the court decided against the BCHR. Accompanying the March 8 public announcement of the court decision, was a warning from the Ministry of Social Development that it would recommend legal measures against members of BCHR if they continued their activities.

The BCHR was dissolved after the arrest of Adinarsulhadi al-Khawaja, former president of the BCHR, for criticizing and insulting Prime Minister Sheikh al-Khalifa at the Al-Aruba Club during a presentation on poverty in 2004. Shortly thereafter, the government temporarily closed Al-Aruba Club and dissolved the BCHR for engaging in activities beyond the scope of the society's bylaws. In 2004 al-Khawaja was sentenced to one year in prison for violating the Penal Code by inciting hatred against the regime and spreading rumors that could undermine state security, but was ordered released by the king hours after sentencing.

#### Internet Freedom

The government restricted use of the Internet. The only Internet service provider in the country is government-owned Batelco which prohibited user access to Internet sites considered to be antigovernment or anti-Islamic.

At year's end a human rights organization reported that there were at least 21 Web sites blocked to resident users. During the year users were reportedly prevented from accessing Web logs, chat sites, and various Web sites, including the Arab Network for Human Rights Information, and the National Committee for Martyrs and Victims of Torture, among others. Access to Google Earth and Google Video was blocked for several days in August and then reinstated. Some users were able to access the sites using alternate servers. The Internet (chat rooms, discussion forums, and individual Web logs) allowed for generally candid discussions and expression.

The country has experienced an overall growth in the readership and contribution to Web logs. Web logs carried information about the al-Bandar report before and in greater depth than the mainstream press. Discussions on Web logs had been particularly active about the report, although the government blocked some Web logs until they removed any references to the al-Bandar case. During the year, a number of local bloggers were blocked on the Internet for commenting upon election irregularities.

Email use was reportedly monitored (see section 1.f.). Batelco estimates that more than 135,000 persons used the Internet, with approximately 45,000 local e-mail accounts.

In February and March 2005 authorities arrested three Web site administrators on charges of inciting hatred against the regime and spreading false rumors that could undermine state security. Their Web site had been blocked by the government for several years and these administrators were detained for 17 days. Supporters of the administrators held a number of demonstrations against the detentions and the detainees went on a hunger strike for several days. Immediately following their release the three men were prohibited from traveling, but this travel ban was lifted after two weeks. At year's end charges remained pending with the Public Prosecution and had not been transferred to the courts to go to trial.

In April 2005 the Ministry of Information launched a six-month campaign to register all Web sites in the country. Reportedly only approximately 80 sites registered, many of which were government sites. Estimates of the number of Web sites residing on servers in the country range into the thousands. Under the new government regulations, Web site administrators face the same libel laws that apply to print journalists, and Web masters are held jointly responsible for all of the content posted on their Web sites or chat rooms.

#### Academic Freedom and Cultural Events

Academic freedom was limited, although there were no formal regulations. Academics avoided contentious political issues, and the University of Bahrain did not have a political science program. The university's hiring and admissions policies favored Sunnis and others who were assumed to support the government. The proportion of Shi'a students was estimated to be close to the approximately 70 percent of Shi'a in the general population, although there are proportionately fewer Shi'a professors.

There were some restrictions on popular music events, reportedly for reasons of public order with large audiences. For example, on February 27 the Ministry of Information denied a request by a Lebanese radio station to organize a concert featuring Lebanese singer Nancy Ajram during Formula One events. However, a subsequent request for Ajram to perform was approved for a May 18 concert. Ajram performed again at the end of the year during the Eid al-Adha holidays.

#### b. Freedom of Peaceful Assembly and Association

##### Freedom of Assembly

Although the constitution provides for the right of free assembly, the law restricts the exercise of this right. On July 26, the government implemented new legislation governing demonstrations and rallies and codified restrictions on where and when public gatherings or demonstrations can be held. Organizers must submit the request to the MOI with at least 72 hours advance notice. The request must be signed by three individuals from the area in which the demonstration will take place and who are known to be law-abiding citizens. The new law prohibits any public gatherings or demonstrations near hospitals, airports, commercial centers, or facilities designated to be security-related by the MOI. Public gatherings and demonstrations are not permitted after 11:00 p.m. or before 7:00 a.m. without written permission from the head of public security or his deputy.

According to the new legislation, the head of public security is required to notify the organizers of any public gathering about any changes to

the request (such as location, time, or route) at least 48 hours prior to the event. If there is no response to the request, the gathering may proceed as requested. Organizers of an unauthorized gathering may be held responsible for any damage to public or private property. Under this legislation funeral processions may not be turned into political rallies and security officials may be present at any public gathering.

Organized groups in the country are either civil society groups registered by the Ministry of Social Development, political societies registered by the MOJ, or labor unions registered with the Ministry of Labor. Based on the proposed by-laws a new group submits, the government decides whether its proposed activities are social or political in nature. The Ministry of Social Development has not allowed the National Committee for the Unemployed to register as a civil society group because of the political nature of its activities.

Scores of demonstrations occurred throughout the year. Many related to local issues, such as housing, unemployment, and political naturalization, and there were occasional demonstrations related to international events, such as the Israel-Hizballah conflict. Some of these demonstrations were not approved by the government, but government intervened only on occasion. A local human rights organization reported that efforts by the Haq Movement, an organization advocating constitutional changes and a continued boycott of the elections and political system, to hold an unauthorized seminar on September 22 was prevented from meeting. No arrests were reported.

The MOI reportedly told the owners of some venues to close their premises to prevent meetings from occurring, but it was not possible to determine the number of times this happened.

On September 29, political societies held a rally to focus attention on the issue of the government's alleged naturalization of persons for political purposes. Although the government permitted the rally to proceed, it cited the new legislation as the basis for preventing participants from taking the rally to the main highway through the commercial district. Several demonstrators reportedly threw rocks at police and at least one Molotov cocktail that set alight a traditional Bahraini boat on decorative display next to the road. Police dispersed the demonstrators with tear gas. There were no arrests.

The government limited and controlled political gatherings. The Political Rights Law of 2002 regulates election campaigns and prohibits "election meetings" at worship centers, universities, schools, government buildings, and public institutions (see sections 2.c. and 3). On July 30, amendments to this legislation lowered the voting age to 20 years of age and provided for a 10 year loss of the right to vote or stand as a candidate for any person sentenced to more than six months in prison for any crime. The electoral restriction was not enforced during the year, as the names of citizens sentenced for more than six months appeared on the voter registration lists.

In December 2005 Shaikh Mohamed al-Sanad was detained upon his return from Qom, Iran. Approximately three weeks earlier, his office in Qom released a statement questioning the legitimacy of the government, and calling for a repeat of a UN referendum conducted in 1971 concerning independence. As Shaikh al-Sanad was being detained at the airport, a group of 100 to 300 protesters gathered in the airport arrival lounge. Riot police were deployed and clashed with protesters. Several days later 21 individuals previously released were rearrested and charged for their alleged involvement in the events at the airport. One of the 21 protesters was later released.

As court proceedings began for the 20 detainees, demonstrators gathered near the Public Prosecutor's Office to protest the detention. Over the course of the next couple of weeks, several of these demonstrators were arrested for their participation in unlawful gatherings at the Public Prosecutor's Office. On February 7, 12 of the airport detainees were sentenced to two years in jail and one detainee was cleared of all charges and released. Although the 12 were cleared of the charges of assaulting police and damaging public property, each was convicted of participating in an illegal gathering.

On February 15, of the remaining seven airport detainees, four were sentenced to one year in prison for participating in an unlawful gathering, and the remaining three were cleared of all charges and released. On April 11, the court heard an appeal for 13 of those sentenced; eight of the two-year sentences were reduced to one year and four of the two-year sentences were upheld. The thirteenth prisoner was cleared of all charges and was released.

On March 10, demonstrators gathered near Dana Mall for an authorized peaceful demonstration to protest the sentences of those involved in the events at the airport and the detention of protesters. When confronted by police, many of the youth entered the mall and caused damage to the shops inside. Nineteen individuals were arrested. Charges consisted of damaging property, assaulting police officers, and participating in an unlawful demonstration. There were convictions on all three charges, and the court sentenced those found guilty to jail time.

Meanwhile, over the course of several evenings at the end of March and the beginning of April, groups of masked youths burned tires on the outskirts of several villages. Police made eight arrests and, on April 16, revealed the identity of seven of the individuals, with photos, through the media. The eighth detainee was a minor.

On September 20, King Hamad announced by decree that all detainees and sentenced prisoners related to the December 2005 airport incident and related disturbances, including the masked youths, were to be pardoned and released before the start of the Muslim month of Ramadan. On September 22, 43 were released to their families and another 18 two days later.

Throughout 2005 the National Committee for the Unemployed staged numerous rallies calling on the government to find solutions to the country's unemployment problem. As the committee is not registered with the government, it cannot legally organize activities. Although the committee submitted an application for registration with the Ministry of Social Development (MOSD), it did not receive a response. The ministry did not release reasons for its lack of action. The government warned the committee on several occasions against holding unauthorized events, and police and protestors clashed at two of its demonstrations. There were no charges placed against demonstrators or against police who were alleged to have used excessive force.

The constitution provides for the right of freedom of association; however, the government limited this right in practice. Though the government does not allow the formation of political parties, it has authorized registered political societies to run candidates and participate in other political activities (see section 3).

The 1989 Civil Societies Law prohibits any activity by an unlicensed society and any political activity by a licensed civil society. The law provides the Ministry of Social Development the right to reject the registration of any society if its services are deemed unnecessary, are already being provided by another society, are contrary to state security, or are aimed at reviving a previously dissolved society.

During the year the government permitted several NGOs, including the Bahrain Transparency Society, the Bahrain Human Rights Society, the Bahrain Human Rights Watch Society, and the Bahrain Society for Public Freedoms, among others, to conduct some political activities such as election monitoring and promotion of election-related codes of conduct.

In June 2005 the Bahrain Youth Human Rights Society attempted to register as a civil society group, but the Ministry of Social Development did not respond to the application. Unofficial sources claimed that the society contained an insufficient number of members over the legal age of 18 and, therefore, could not legally register. Members of the society speculate that they have not been allowed to register due to their relationship with members of the now dissolved BCHR.

In 2004 the MOSD dissolved the BCHR after the BCHR president criticized the prime minister during a seminar (see section 2.a.). BCHR members continue to issue reports on alleged human rights abuses and participate in international human rights events. Members keep the BCHR web site updated, although access to the Web site was blocked. BCHR are consulted by journalists and appear in press pieces on human rights issues.

### c. Freedom of Religion

The constitution provides for freedom of religion; however, the government placed limitations on the exercise of this right. The constitution declares Islam as the official religion, and all other religious groups must obtain a permit from the Ministry of Islamic Affairs to operate and hold religious meetings. Depending on a group's activities, it may also need approvals from the Ministry of Social Development, the Ministry of Information, and/or the Ministry of Education.

The Muslim population is approximately 70 percent Shi'a and 30 percent Sunni. There are numerous Christian churches of different denominations, four Sikh temples, and several official and unofficial Hindu temples located in Manama and its suburbs. The only synagogue has been closed since 1948.

The government funds, monitors, and subjects all official religious institutions to some control. The government may appropriate or withhold funding to reward or punish particular individuals or places of worship although reports of this were not common. There were no reported closures of mosques or *ma'tams* (congregation hall for religious ceremonies) during the year.

Sunni and Shi'a *waqfs* made funding decisions for new mosque construction. Although both Sunni and Shi'a *waqfs* were reportedly well-endowed and were able to fund mosque construction, new mosques were dependent upon government approval of land allocation. The government's approval of land allocation for mosques was not transparent and reportedly not proportionate to the Shi'a community relative to its population in the country.

The government rarely interfered with what it considered to be legitimate religious observances. During the year, the government permitted public religious events, most notably the large annual Shi'a holiday of Ashura, but police closely monitored these gatherings. The MOI's policy of providing full media coverage of Ashura events continued this year. There were no restrictions on the number of citizens permitted to make pilgrimages to Shi'a shrines and to holy sites in Iran, Iraq, and Syria. The government monitored travel to Iran and scrutinized carefully those who chose to pursue religious study there.

The vast majority of those who attended Christian churches were expatriates. Events at churches occurred frequently and were advertised regularly in the English press, including the hosting of guest speakers from many countries.

The Political Rights Law of 2002 forbids election speeches in worship centers, but political sermons continued (see sections 2.b. and 3). Proselytizing by non-Muslims is illegal and the government prohibited anti-Islamic writings; however, Christian publications, including Bibles, were sold openly. Religious tracts of all branches of Islam, cassettes of sermons delivered by sheikhs from other countries, and publications of other religions were readily available. Christian pastors were permitted to provide literature to Christian inmates and to prison libraries.

In 2004 the Royal Court denied an application for a Shi'a mosque and *ma'tam* to be established in Rifa'a declaring that land, cannot be allocated for commercial enterprises.

Christian congregations and churches were registered with the government and operated freely.

The Ministry of Islamic Affairs has repeatedly denied a Baha'i congregation a license to function. The ministry views Baha'ism as an inauthentic offshoot of Islam and blasphemous, and it refuses to recognize the congregation, which continued to practice its faith without government interference.

### Societal Abuses and Discrimination

Discrimination against the majority Shi'a population remained a problem. Sunnis received preference for employment in sensitive government positions and in the managerial ranks of the civil service. The royal family is Sunni, and the defense and internal security forces were predominantly Sunni. Shi'a citizens held posts in these forces, though not positions of significance. In the private sector, Shi'a tended to be employed in lower paid, less skilled jobs. Educational, social, and municipal services in most Shi'a neighborhoods were inferior to those found in Sunni communities.

In private conversations and in Internet forums, Shi'a consistently complained of discrimination, especially in public sector jobs and positions at the university. Although the percentage of Shi'a students was close to the approximately 70 percent Shi'a population in the country, only about 40 percent of university faculty was Shi'a. Shi'a compose a high percentage of the country's unemployed.

The government has not enacted any laws protecting the rights of Jews to religious freedom; however, it has not interfered with their freedom to practice their religion. One Jewish citizen served in the Shura Council. Some anti-Semitic political commentary and editorial cartoons appeared, usually linked to the Israeli-Palestinian conflict. These anti-Semitic articles and depictions occurred without government response. Examples of this were also seen during the July-August conflict between Israel and Hizballah, when Israel was regularly referred to as the "Zionist entity" in the press. Although the one synagogue is not open due to the small size of the Jewish community in the country, Jews practiced their faith privately without interference from the government.

For a more detailed discussion, see the [2006 International Religious Freedom Report](#).

#### d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The constitution provides for freedom of movement, except as modified by law and judicial decisions. Banishment and prevention of return are prohibited. Citizens were free to move within the country and change their place of residence or work.

The 1963 Citizenship Law provides that the government may reject applications to obtain or renew passports for reasonable cause, but the applicant has the right to appeal such decisions before the High Civil Court.

The constitution permits the government to revoke citizenship only in the cases of treason and other such cases "according to the law." The government has not revoked the citizenship of any person under the 2002 constitution.

Opposition groups claimed that the naturalization process was politically driven to manipulate demographics for voting purposes and to keep Shi'a out of the police and defense forces, which are allegedly dominated by naturalized Sunnis from foreign countries. Although naturalization requirements are clearly defined, they were not applied impartially, and adjudication of naturalization applications was not transparent. The government reportedly was more lenient with naturalization requests from expatriates in the security forces. Shi'a and non-Arab applicants reportedly experienced longer delays in the processing of their cases. The government occasionally granted citizenship to Sunni residents from neighboring countries. The government stated that some of the Saudis who had received citizenship were the grandchildren of Bahraini citizens who had immigrated to Saudi Arabia. According to the country's nationality law, these persons have a legal right to citizenship.

On September 19, King Hamad by royal decree granted citizenship to at least 372 children of citizen mothers and noncitizen fathers. Although most were born and resided in the country most of their lives, they had not been granted citizenship because according to law, citizenship derives from one's father and not one's mother. Previously, these children were required to obtain resident permits, were not eligible for some social services, or had to pay for some other services (see section 5).

The constitution prohibits forced exile, and there were no reports of forced exile during the year. In 2004 the Royal Court granted 34 citizens living in exile the right to return to the country. Since that time there have been no reports of citizens returned from exile to the country. In January, the cabinet discussed the matter of government assistance to over 500 former exiles and their families. Assistance of approximately \$660 (250 dinars) monthly was provided to 250 families with either unemployed or elderly former exiles.

There is no official requirement for women and children to have their husband's/father's permission to travel abroad and there were no reports of women and children facing any restrictions on travel.

#### Protection of Refugees

The law does not provide for the granting of asylum or refugee status to persons who meet the definition in the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has not established a system for providing protection to refugees. In practice, the government provided protection against *refoulement*, the return of persons to a country where they fear persecution.

#### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government or their political system; however, the constitution provides for a democratically elected Council of Representatives, the lower house of parliament. The king appoints the prime minister, who then proposes cabinet ministers who are appointed by the king. Members of the royal family held all strategic cabinet ministry positions and approximately half of all ministerial slots.

The bicameral National Assembly consists of the 40-member popularly elected COR and the 40-member appointed Shura (Consultative) Council. The Office of Legal Affairs drafts the text of laws, not the COR or the Shura Council. This office had been part of the prime minister's

cabinet until July when it was made a quasi-independent body linked to the MOJ. The king may veto laws passed by the National Assembly, which in turn may override a veto by a two-thirds majority vote. If the legislature overrides a veto, the king must promulgate the law within one month. No veto has been exercised and no law has been enacted that was proposed by a member of the legislature since the constitution was adopted.

The king may dissolve the COR at his discretion, and he retains the power to amend the constitution and to propose, ratify, and promulgate laws. Either council may question government ministers, and the COR may pass a two-thirds majority vote of no confidence requiring a minister's resignation. The COR may also introduce a resolution indicating it cannot cooperate with the prime minister. Both the elected and the appointed chambers of the National Assembly would then have the option to pass the resolution by a two-thirds majority that would require the king to either dismiss the prime minister or dissolve the COR. The situation of a no-confidence vote has never arisen.

#### Elections and Political Participation

Bahrain held parliamentary and municipal council elections in two rounds on November 25 and December 2. Voter participation in the first round was 73 percent of all registered voters. In second round runoff races 69 percent of those eligible to vote cast ballots. Although there was a small group of eligible voters who maintained a boycott of the elections, all political societies, including the four that boycotted the 2002 elections, participated in the elections.

Although no international observers participated, nine local civil society groups were permitted access to poll stations to observe voting, including Bahrain Human Rights Watch Society and Bahrain Society for Public Freedoms. Bahrain Transparency Society and Bahrain Human Rights Society joined efforts to form the Election Monitoring Joint Committee (EMJC).

Although by year's end it had not issued its final report, in an initial assessment EMJC reported that there were no reports of widespread attempts to influence the outcome of the elections. In addition to the country's 40 district polling centers, voters of any district could cast their votes at one of ten general polling stations. Prior to the elections, the general stations had received attention as an area possibly vulnerable to manipulation. Official polling station observers did not report significant problems during the voting process, although there were allegations that general poll center vote counts were manipulated in some cases against opposition candidates in close races.

At district polling stations, results were announced to observers and candidate representatives following the counting of ballots. However, at many general poll centers during the first round this did not happen. Votes from general polling stations were taken to central facilities and folded in with those of other general stations before vote counts were made public. After the first round, EMJC presented this lapse in transparency to the High Commission for Elections, and adjustments were made for the runoff elections. Prior to moving ballot boxes following the vote in the runoff races, election officials announced vote counts to observers.

EMJC reported a series of other violations, the most serious being that candidates did not cease campaign activities 24 hours prior to the polls as required by law. Campaign volunteers continued to pass out fliers and lobby voters in the vicinity of polling stations on election day. In addition observers reported many violations of campaign posters and billboards moved closer to polling stations than allowed by law just prior to the election. Most other violations were minor and procedural.

On August 11 Minister of Social Development Dr. Fatima al-Balushi declared that the administrative and financial procedures of NGOs would come under direct control of a new department in the ministry. The purpose of this regulation was to prevent charitable organizations' financial support of candidates during elections.

On July 30, the government implemented an amendment to the Political Rights Law lowering the voting age from 21 to 20 years of age.

The government drew the unified electoral districts for both the municipal council and the legislative elections to protect Sunni interests by creating several districts with small populations likely to elect a Sunni candidate. In contrast districts where a Shi'a candidate was likely to win were drawn to include large numbers of voters, a formula that diluted the voting strength of the Shi'a community. Observers commented that this gerrymandering generally violated the one-man, one-vote principle common to most democracies. According to voter lists for the elections, divergence in the electoral population per district is significant-- the number of eligible voters per elected representative can vary by as much as a factor of 13.

In July 2005 a Political Societies Law replaced the 1989 law as the governing law for organized political activity. The law gives political societies legal authority to exist and defines guidelines within which they can operate. Political societies were highly critical of provisions in the law that require them to notify the MOJ before contacting political groups abroad. The law also prohibits foreign funding or training, raised the minimum membership age from 18 to 21; and gives the MOJ the authority to reject an application for registration.

The government did not allow the formation of political parties, but 15 political societies, which received some government funding and operated somewhat like political parties, chose candidates for parliamentary and municipal elections, campaigned for political office, developed political platforms, held internal elections, and hosted political gatherings (see section 2.b.). The government began recognizing political societies in 2002 and placed them under the jurisdiction of the 1989 Civil Societies Law. Although the 1989 law prohibits civil society groups from engaging in political matters, the government permitted such activity at its discretion.

Al-Wifaq, the country's largest political society (Shi'a), and three other political societies, boycotted the 2002 parliamentary elections, citing grievances over the constitutional provisions that equalized the powers of the elected COR and the royally-appointed Shura Council. During 2005 all political societies except one, including three of the four boycotting societies, registered under the new Political Societies Law, a required first step toward participation in the November and December legislative elections. The remaining boycotting political society registered in spring of the reporting period. As of the end of the year, 15 political societies were registered with the Ministry of Justice. The

ministry did not refuse or defer the application of any political society.

The Ministry of Social Development suspended the opposition Islamic Action Society (IAS) for 45 days after a June 2005 seminar in which members of the IAS allegedly praised 73 persons convicted of a 1980's coup attempt. The ministry accused the IAS of "defaming the constitution, national symbols, and the political leadership; tolerating incitement; and distributing pamphlets not licensed by the Ministry of Information."

Women have the right to vote and run for public office. In the legislative elections, 18 women ran in the legislative and five ran in the municipal elections. One woman, Latifa al-Qa'oud, was unopposed in her district and became the first female member of parliament. None of the other women candidates were elected. Percentages of the voting by gender were not released by the government.

On June 6, King Hamad appointed Mona al-Kawari the first female judge. On June 8, the UN General Assembly elected attorney Shaikha Haya Bint Rashid Al Khalifa as president, the assembly's first Muslim woman president.

In December the king appointed 10 women to the 40-member Shura Council. This represents an increase of four from the previous Shura Council that served from 2002 to this past year. One of these women, Alice Samaan, a Christian, was elected to be the second deputy speaker of the council.

In 2004 the Ministry of Cabinet Affairs reported that women held 9 percent of senior civil service posts. Minister of Health Dr. Nada Haffadh and Minister of Social Development Dr. Fatima al-Belooshi continued to serve in the parliament.

The Shi'a constitute approximately 70 percent of resident citizens, and both Shi'a and Sunni citizens have equal rights before the law. However, the royal family is Sunni, and Sunnis dominate politically and economically.

The king appointed one Christian and one Jewish member to the new Shura Council in December. Eighteen Shura Council members were Shi'a Muslims and 17 were Sunni. Five of the 23 cabinet ministers were Shi'a, including a deputy prime minister.

#### Government Corruption and Transparency

Significant areas of government activity continued to lack transparency. New legislation increased transparency in Central Bank transactions and activities and increased disclosure responsibilities for the 39 companies listed on the local stock exchange. The annual National Audit Bureau report analyzed the accounts of state-owned entities and was made available to the public. The COR called ministers to appear at public sessions to respond to questions from members of parliament.

There was no law providing citizens with access to information held by the government.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Restrictions on freedom of association and expression hindered investigation or public criticism of the government's human rights policies. There were approximately 400 NGOs registered in the country, most of which were sports clubs and charitable organizations. NGOs must report to the Ministry of Social Affairs when their members participate in international NGO events. There were three major human rights NGOs that reported on issues of concern: Bahrain Human Rights Society, Bahrain Human Rights Watch Society (BHRWS), and Bahrain Center for Human Rights (dissolved in 2004 but former members continue to report, see section 2.b.). BHRWS was independent from the government. BHRWS considers itself independent while members of its leadership were also members of the king-appointed Shura Council.

In recent years the government has allowed increased interaction between local civil society groups and international human rights organizations. During the year citizen members of Amnesty International, who have not registered as an NGO with the Ministry of Social Development, carried out several activities without interference by the government. In December they organized a letter writing campaign for International Human Rights Day. Members coordinated with the Bahrain Society for Public Freedoms to observe the elections and monitor media coverage during the election campaign. In May, the group organized free public screenings of the film The Road to Guantanamo. However, on June 23, they were prevented from staging a mock soccer game to focus attention on Guantanamo Bay detainees.

In December 2005 BHRWS and a foreign human rights organization organized a conference on family law issues. In October and November 2005 members of some domestic NGOs participated with international NGOs in conferences leading to the Forum for the Future conference. A local human rights activist organized a "parallel" Forum for the Future conference for regional NGOs, which was funded by the government. Bahrain Transparency Society had regular contact with Transparency International.

The Bahrain Center for Human Rights (BCHR) was active from 2002 to 2004. The group produced reports, supported victims of trafficking, and organized other events. From 2003 government ministries warned the center against conducting activities that were outside its bylaws such as criticizing the government or specific government officials. In 2004 the Ministry of Social Development dissolved the BCHR. The government locked the center's rented office space and froze its bank accounts. The BCHR challenged its closure in court, but lost the case and its subsequent appeals (see section 2.a.). Individual members continued to conduct activities and write reports about issues of concern in the name of the center.

In August 2005 the government released the locked BCHR office space to the Migrant Worker Protection Society. MWPS had been working under the BCHR umbrella but became an independent NGO after BCHR was dissolved.

The BHRWS, established in December 2004 and led by a member of the Shura Council, conducted a number of human rights activities throughout the year, including organizing conferences and awareness campaigns on women's rights, children's rights, and labor rights. In December 2005 BHRWS announced the establishment of a new coalition called "Respect" to focus on the twin issues of the need for a family law and the protection of abused domestic workers. In July BHRWS was forced to disband the coalition because the MOSD required that the new coalition be registered with the ministry. Rather than register as a new society, BHRWS took on the full campaign independent of the other members of the coalition.

On December 19, the BHRS released its fourth annual report covering events in 2005. The report highlighted that authority granted to public security officials in the gathering law (even before the recent amendments) to break up meetings contradicts the constitution.

In May the project director of a foreign organization was asked by immigration authorities to leave the country. The formal reason for his departure was that his residency status had lapsed and he was without an official sponsor. However, observer speculation focused on the probability that the government perceived the organization's activities to have violated the Political Societies Law that prevents political societies from receiving direct funding from foreign sources. Although the organization did not provide direct funding to political societies, the organization offered training courses for elections officials and political leaders.

## Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution provides for equality; equal opportunity; and the right to medical care, welfare, education, property, capital, and work for all citizens. However, these rights were protected unevenly, depending on the individual's social status, sect, or gender.

### Women

No government policies or laws explicitly addressed violence against women. Spousal abuse of women was widespread, particularly in poorer communities. Since June 2005 the Batelco Care Center for Family Violence has offered free medical, psychological, legal, and social assistance to victims of violence, primarily women and children. The center runs a hotline that abused persons can call for assistance. This center recorded 586 cases involving domestic abuse during the year: nearly two-thirds from women, just less than one-quarter from children, and the remainder from men.

On November 23, the government opened a shelter for women. Its facilities accommodated victims of both domestic abuse and trafficking crimes.

A 2004 study of 605 women of varying age, social status, and educational background concluded that 30 percent of the country's married women had been subjected more than once to verbal, physical, or psychological spousal violence. There were very few instances of women seeking legal redress for violence, and there was little public attention towards or discussion of the problem. Incidents usually were not brought to the attention of authorities.

Rape is illegal and the press reported cases of men being arrested for rape. The law does not address spousal rape. Although the number of convictions was not available, during the year there were 45 cases of rape and 212 cases of sexual assault referred to the public prosecutor.

Reports of foreign women working in domestic positions being beaten or sexually abused by their employers and recruiting agents were common. Numerous cases were reported to local embassies, the press, and the police; however, most victims were too intimidated to sue their employers, although they had the right to do so. Courts reportedly allowed victims who registered complaints to sue for damages or return home. If the victim brings a suit against the employer, the plaintiff cannot leave the country for the duration of the case.

Since its inception in 2002, the Migrant Worker Protection Society (MWPS) has supported several victims who have taken their cases to court, but compensation to victims was reportedly very low. In 2003 Anita Verma, a 28-year-old Indian domestic worker, was hospitalized after being abused by her employer for three months. She had received less than one month's full pay. She sued her employer for damages and back pay. Although Anita repeatedly indicated her desire to return to her family in India, she was not permitted to travel unless her former employer signed her exit papers, which she would only agree to do if Anita dropped the charges. After pursuing the case for over two years, a family illness prompted Anita to drop the charges. She returned to her home country on February 18.

There is no specific law that prohibits female genital mutilation (FGM). According to the Batelco Care Center for Family Violence Cases, there have been no cases of FGM for many years.

Women's legal rights vary according to Shi'a or Sunni interpretations of Islamic law (as determined by the individual's faith or by the court in which various contracts, including marriage, were made). In 2004 the MOJ suspended six Shari'a court judges indefinitely, following complaints from women of unfair treatment. According to the ministry, the judges reportedly had lost the trust of the community due to their misconduct (see section 1.e.).

Shi'a and Sunni women have the right to initiate a divorce; however, religious courts may refuse the request. Women of either sect may own and inherit property and may represent themselves in all public and legal matters. In the absence of a direct male heir, Shi'a women may inherit all property. Sunni women without a direct male heir inherit only a portion as governed by Shari'a; the balance is divided among the brothers or male relatives of the deceased. In practice, better-educated families used wills and other legal maneuvers to ameliorate the negative effect of these rules.

In divorce cases, the courts routinely grant mothers custody of daughters under age nine and sons under age seven. Custody usually reverts to the father once the children reach those ages. Regardless of custody decisions, the father retains guardianship, or the right to make all

legal decisions for the child, until the child reaches the legal age of 21. A noncitizen woman automatically loses custody of her children if she divorces their citizen father. A Muslim woman legally can marry a non-Muslim man if the man converts to Islam.

Married women have the right to apply for a passport without their husband's consent. Women have the right to travel abroad without gaining prior consent.

By law foreign women who marry citizens are eligible for citizenship after five years of marriage. Foreign men who marry citizens, however, are not entitled to citizenship, and neither are their children. In July 2005 the Bahrain Women's Society launched a campaign to promote full citizenship rights for foreign husbands and their children. Over the past three years, the society has run a registration campaign to record the personal information of the more than 1,800 children (infant to age 21) who were born to citizen mothers and do not have citizenship. On September 19, King Hamad by royal decree granted citizenship to at least 372 children of citizen mothers and noncitizen fathers. However, this action did not change the legislation, so any such children will still face citizenship difficulties.

According to November government data, women constituted 11 percent of the private sector workforce and 42 percent of the government workforce. The government was a leading employer of women.

Labor laws prohibit discrimination against women; however, discrimination existed in the workplace. The influence of religious traditionalists sometimes hampered women's rights. In January 2005 a new law granted women working in the public sector 42 days maternity leave, not including weekends. Women in the private sector are entitled to 45 days maternity leave, including weekends.

Prostitution is illegal and throughout the year there were press reports of arrests of prostitutes and their managers. During the year 68 cases of prostitution were referred to the public prosecution for investigation. In calendar year 2005, the most recent statistics that were available, the state won 20 prostitution-related cases. Sentences for individuals who "encouraged the practice of prostitution" varied between 10 days and two years in prison. Sentences for those who "managed an establishment for the practice of prostitution", ranged from prison sentences of three months to three years.

Sexual harassment is prohibited; however, harassment was a widespread problem for women, especially foreigners working as domestics and other low-level service jobs. The press reported a number of cases of men being arrested for sexually harassing women. During the year 420 cases of sexual harassment were referred to the public prosecution.

The president of the University of Bahrain is a woman and 60 percent of the students are women.

Several women's organizations seek to improve the status of women under both civil and Islamic law. Throughout the year, the government and NGOs sponsored a number of conferences related to women's rights.

Women activists had been trying since 2001 to establish a Bahrain Women's Union and were finally granted the permission to register and hold elections for members of their board following a March court decision in their favor. The MOSD had refused to allow the union to register, stating that the union's activities were political in nature. The union seeks to bring together numerous societies to advocate for women's rights.

#### Children

The government has often stated its commitment to the protection of children's rights and welfare. It generally honored this commitment through enforcement of related civil and criminal laws and through an extensive social welfare network.

Children born to citizen mothers and noncitizen fathers are not entitled to citizenship and are not eligible for certain social services, including public education.

According to the Education Act of 2005, education is free and compulsory for all children, including noncitizens, ages six to 15. In recent years, authorities did not enforce compulsory education rules. However, the Education Act imposed fines on parents whose children failed to attend school and outlined other measures to encourage school attendance. According to the World Development Indicators from the World Bank in 2001, 98.4 percent of children were enrolled in school. In 2001, 98.4 percent of boys were enrolled in basic education and 97.5 percent of girls were enrolled in basic education. Most students finished secondary school. No new statistics were available.

Limited medical services for infant and preadolescent citizens were provided for free. Noncitizen adults and children paid a fee for each visit for care at public health centers.

According to the Bahrain Women's Society (BWS), child abuse was common, although public discussion of it was rare. The BWS "Be Free" Campaign, which has posted a Web site for victims of child abuse since 2002, reported that during the year it received on average over 300 emails per month mostly from youth and adults, from inside and outside the country, reporting to have been victims of child abuse. The newly established Be Free Center reportedly serviced over 3,000 individuals over the year through trainings and lectures conducted for children and parents at the center, at schools, and at other public venues.

Child prostitution is illegal and there were no reported cases during the year.

#### Trafficking in Persons

The law does not specifically prohibit trafficking in persons. Workers from Southeast Asia, South Asia, the Horn of Africa, and the former Soviet Union reported experiencing conditions that amounted to trafficking (see section 6.c.), such as withholding of passports, restrictions on their movements, and physical or psychological intimidation to work. Some of these victims reported being forced into commercial sexual exploitation; however, the most common forms of trafficking in persons involved unskilled construction laborers and domestic workers. There are approximately 50,000 foreign housemaids working in the country, and labor laws do not fully cover domestic workers. According to government statistics, foreigners make up 57 percent of the workforce.

Up to half of low and unskilled expatriate workers were subjected to illegal contract substitution, whereby workers agreed to a contract in their home country, but were required to agree to and sign a different contract upon arrival, nearly always for less pay and often for different work. Victims of trafficking experienced nonpayment of salaries; inadequate meals; physical, sexual, and psychological abuse; absence of rest days, and/or extremely long working hours.

Frequently, traffickers—including some from influential families—tricked new workers into paying up to \$1,200 (450 DINARS) for fraudulent visas and nonexistent jobs, leaving stranded workers vulnerable to trafficking due to their illegal immigration status in the country and high debt in their home country. The Ministry of Labor (MOL) nearly doubled its number of labor inspectors to approximately 40 to investigate reports of visa abuse.

Prostitution is illegal, but during the year there was evidence that a number of foreign women were forced into commercial sexual exploitation through deception or intimidation. The problem was especially problematic for Thai women coming to the country. Although many Thai women traveled to the country voluntarily, there were indications of the use of false job offers and physical force to traffic some of them into commercial sexual exploitation. During the year the Thai Embassy repatriated 385 women.

In cases of forced prostitution, the government reportedly prosecuted the offender and often the victim's sponsor or employer, but did not provide any information on cases it pursued this year. (See section 5).

The fear of deportation or employer retaliation prevented many foreign workers from making complaints to the authorities. Many foreign workers were unaware of their rights under the law, such as the right to change employers without the consent of the original employer after working two years in a position.

Throughout the year the press carried stories of expatriate workers committing or attempting suicide. Exact statistics of attempts and deaths were unavailable.

The government can fine employers guilty of forced labor up to \$2,650 (1,000 dinars). The rules require sponsors to put up a deposit of \$265 (100 dinars) for each runaway worker. The government published pamphlets on expatriate workers' rights in several languages, provided manuals on these rights to local diplomatic missions, and operated a telephone hotline for victims. The government does not provide direct assistance to victims. Through August there were approximately 500 labor cases involving a total of over 650 expatriate workers sent from the MOL to the Public Prosecution for investigation and prosecution.

In June 2005 Meena Raj Kumar Dolare was sentenced to three months in jail and fined \$1,325 (500 dinars) for severely assaulting her maid in 2003. Though Dolare reportedly admitted to the abuse, she was released on \$1,325 bail (500 dinars) and vowed to appeal the ruling. Rights activists praised the ruling, but reported that it was the only conviction in more than 20 rape and physical abuses cases filed by foreign housemaids in the past two-and-a-half years. The MWPS reported that since it began its work in 2002, at least a dozen foreign women have dropped abuse cases against their employers because the courts delayed proceedings for months or even years and they wanted to return to their home countries. Due to the hardship on the worker presented by these court proceedings, MWPS has ceased advising women to seek court rulings against their sponsors. Instead, cases have been resolved favorably through intervention by foreign embassies and mediation between embassy staff and sponsors.

In August, a sponsor attempted to send Sangita, a domestic worker, home to India involuntarily without paying her the 22 months of back pay she was due. Before the sponsor took her to the airport, however, she was able to contact the MWPS for help. Through MWPS and Indian Embassy intervention on her behalf, the sponsor agreed to pay her \$1,325 (500 dinars) of the \$2,330 (880 dinars) she was owed. On November 12 Sangita returned home.

During the year the Embassy of the Philippines reported that 446 distressed Filipino workers were repatriated, 89 percent of whom were women. Nearly all of these women were domestic workers. This compares to 210 repatriations in 2005. The workers claimed that they faced a range of problems including maltreatment, physical and sexual abuse, and non-payment of salary. The Philippine Embassy's shelter for victims of abuse reported that 749 workers over the year, compared with 466 in 2005, ran away from their sponsors for reasons of alleged abuse. Statistics on other nationalities were not available.

Several NGOs provided assistance to trafficking victims with the government's approval. They include the MWPS, The Art of Living Foundation, the Indian Community Relief Fund, and the BHRWS. The MWPS, which operated a shelter for victims, reported that it received up to 20 pleas of help from expatriate workers in distress every month. On average the MWPS said that 40 percent of the cases constituted severe abuse.

#### Persons with Disabilities

The law protects the rights of persons with disabilities and a variety of governmental, quasi-governmental, and religious institutions are mandated to support and protect persons with disabilities.

There were no reports of discrimination against persons with disabilities in employment, education, or access to health care. Children with learning disabilities, physical handicaps, speech impediments, and Down syndrome were enrolled in specialized education programs in public schools.

Greater emphasis has been given in recent years to public building designs that incorporate access for persons with disabilities; however, the law does not mandate access to nonresidential buildings for persons with disabilities.

Since January 2005, new public buildings in the central municipality must include facilities for persons with disabilities.

Society tended to view persons with disabilities as persons in need of protection rather than as fully functioning members of society. Nonetheless, the government is required by law to provide vocational training for persons with disabilities who wish to work. The 1976 Labor Law requires any employer of more than 100 persons to hire at least 2 percent of its employees from the government's list of workers with disabilities. However, the government does not monitor compliance. The government placed persons with disabilities in some public sector jobs.

#### National/Racial/Ethnic Minorities

The 1963 Citizenship Law grants citizenship to 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 reports that the citizenship law was not applied uniformly, and that the government allowed expatriate Sunni Arabs who had served less than 15 years in the security services to apply for citizenship. There were also reports of Arab Shi'a who had resided in-country for more than 15 years and non-Arab expatriates who had resided more than 25 years who had not been granted citizenship.

In September, in the wake of allegations from the public of a wave of naturalization for political purposes, the minister of interior denied that such naturalization had taken place and announced that 5,000 people had been naturalized according to the law over the previous three years.

#### Other Societal Abuses and Discrimination

The law does not criminalize homosexual relationships between consenting adults of at least 21 years of age. According to BHRS reports of violence or discrimination against homosexuals were not common. Also, persons with HIV/AIDS did not commonly experience discrimination. However, reports of crimes in the media did not regularly specify if a victim of a crime was an alleged homosexual or had HIV/AIDS. While discrimination was not common or apparent, both attributes are socially taboo and not widely covered in the media.

#### Section 6 Worker Rights

##### a. The Right of Association

The 2002 Workers Trade Union Law grants workers, including non citizens, the right to form and join unions. Public sector workers may join trade unions, but their unions are not officially recognized by the government. Twenty-two percent of the private-sector labor force belonged to unions. The trade union law of 2002 established a union federation, the General Federation of Bahrain Trade Unions (GFBTU), which all unions had been required to join, until new legislation this year allowed for the establishment of additional federations.

The law prohibits unions from engaging in political activities.

New labor legislation enacted during the year provided protection to workers terminated for their union activities and required extra compensation for workers who are not paid their salaries on time.

Members of the military are prohibited from joining unions. The law allows union membership for private sector, civil service, and maritime workers. Seven public sector unions have been formed and have registered with the federation, but they are still not recognized by the government. In February 2005 the High Civil Court rejected a case filed by the Federation on the right of civil servants to organize.

##### b. The Right to Organize and Bargain Collectively

The law provides for the right to organize and bargain collectively. Unions can be formed at establishments of any size. Employers and the government are required to treat unions as independent judicial entities.

The law states that "the right to strike is a legitimate means for workers to defend their rights and interests;" however, the law also restricts this right. The law requires arbitration before a vote to strike and a two-week notification that a union intends to strike. A new law lowered the vote threshold from 75 percent to a simple majority vote of a union's members.

Although government sources say the arbitration provision will not preempt the right to strike, the text of the law does not clearly specify that a union may proceed to a strike vote if it disagrees with the arbitrator's decision.

On November 20, the prime minister issued an executive order with language expanding the 2002 Labor Union Law vital sector definition.

Under the new order, additional sectors in which strikes are not allowed include the oil, gas, and education sectors. Health centers, pharmacies, and bakeries are also specified under the new order.

Expatriate workers from several companies carried out unauthorized strikes throughout the year. In nearly all cases, the workers were not members of unions, but joined in a show of strength. Even though the workers were not union members, and therefore, the strikes were illegal, employers negotiated over worker demands rather than dismiss large numbers of workers.

There are no special laws or exemptions from regular labor laws in export processing zones.

#### c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor. There were reports that such practices occurred, particularly in cases of domestic workers and those working illegally (see section 5). There were no reports of forced or compulsory child labor.

Foreign workers, who make up 57 percent of the workforce (76 percent of the private sector workforce), in some cases arrived in the country under the sponsorship of an employer and then switched jobs while continuing to pay a fee to their original sponsor. This practice made it difficult to monitor and control the employment conditions of domestic and other workers.

In numerous instances employers withheld salaries from their foreign workers for months and even for years, and refused to grant them the necessary permission to leave the country. The government and the courts generally worked to rectify abuses if they were brought to their attention, but they otherwise focused little attention on the problem. The fear of deportation or employer retaliation prevented many foreign workers from making complaints to the authorities (see section 6.e.).

Labor laws do not fully cover domestic workers. There were numerous credible reports that domestic workers, especially women, were forced to work 12 to 16 hour days, given little time off, were malnourished, and were subjected to verbal and physical abuse, including sexual molestation and rape. Between 30 to 40 percent of the attempted suicide cases handled by the government's psychiatric hospitals were foreign domestic workers (see section 6.e.).

According to foreign embassies and NGOs, it was estimated that there were 50,000 foreign domestic workers in the country who are predominantly of Sri Lankan, Indonesian, Indian, and Filipino origins. During the year, there were several incidents of seriously abused domestic workers reported in the press.

Domestic workers who have no embassy representation in the country (e.g. Sri Lanka) were often subjected to the worst types of physical and sexual abuse. With no diplomatic mission to represent them, runaway domestic workers had few places to turn for support.

On November 23, the government officially opened a shelter to protect female victims of trafficking and victims of domestic abuse. The shelter can accommodate 60 to 80 women and their children.

#### d. Prohibition of Child Labor and Minimum Age for Employment

The law protects children from exploitation in the workplace and prohibits forced and compulsory child labor. The government enforced this prohibition effectively (see section 6.c.).

The minimum age for employment is 16 years of age. Rare exceptions can be made for juveniles between the ages of 14 and 16, who have an urgent need to assist in providing for their families. MOL inspectors enforced child labor laws effectively in the industrial sector; child labor outside that sector was monitored less effectively, but it was not believed to be significant outside family-operated businesses. Even in such businesses, it was not widespread.

#### e. Acceptable Conditions of Work

There is no national minimum wage. Unskilled foreign laborers in particular did not earn as much as the guidelines suggested. The Labor Law allows employers to consider benefits for foreign workers such as annual trips home, housing, and education bonuses as part of the salary.

The Labor Law is enforced by the MOL and mandates acceptable conditions of work for all adult workers, including a maximum of 48 hours per week. Except for Muslims during Ramadan when work should not exceed six hours per day and 36 hours per week, workers are entitled to one day of rest after six consecutive days of work and to annual paid vacations of 21 days after one year of service. The Labor Law for the Private Sector permits 12 hours of overtime per week that is to be paid at a rate of 25 percent above the normal wage if conducted during the day and 50 percent if completed at night. Special MOL permission is required for anyone working over 60 hours per week. The Labor Inspectorate conducts periodic, comprehensive inspections of private sector enterprises, including verification of employee hours and wages.

The MOL set occupational safety and health standards and effectively enforced them by performing workplace inspections. A team of 15 inspectors in conjunction with ministry officials had the authority to levy fines and close work sites if employers did not improve conditions by specified deadlines. During the year the press reported on several workplace deaths, but exact figures were not available.

The ministry enforced the Labor Law with periodic inspections and routine fines for violators. In 2005 ten safety and health inspectors

covered approximately 34,000 active work places. During the year the ministry increased the number of safety and health inspectors to 15. Trained inspectors visited labor camps to verify if workers' accommodations met required safety and hygiene standards. The inspectors were only authorized to inspect premises that have a commercial registration. Inspectors were not authorized to inspect private homes where most domestic workers reside and work.

When a worker lodges a complaint, the MOL opens an investigation and often takes remedial action. The MOL reportedly received 3,059 complaints during the year, including those from domestic workers. On average there were six complaints from domestic workers per month. Ministry officials said that they were able to resolve approximately half of these cases through mediation in the ministry. The remaining cases were taken up by the Public Prosecution for investigation. The Fourth High Civil Court consists of three labor courts and has jurisdiction over cases involving alleged violations of the Labor Law. Complaints brought before the MOL that cannot be settled through arbitration must be referred to the court within 15 days.

The Labor Law provides for fines and jail sentences for private sector employers who failed to pay wages as required by the law. The law applies equally to employers of citizens and of foreign workers.

Although the practice is illegal, many companies transported expatriate workers in open trucks on benches, and accidents, sometime fatal, resulted. On September 16, two trucks, one transporting 23 workers and the second carrying seven, collided resulting in the injury of 28 workers, six of them seriously. Three weeks later, a truck carrying over 30 laborers collided with a tractor trailer killing three of the workers and injuring another 28. On December 19, MOL officials announced that a ban on the transport of workers in open trucks would be enforced within one month.

The press reported the deaths of several workers at construction sites during the year. Numerous workers reportedly suffered injuries on the job. The MOL routinely recommended that construction companies give their workers a midday break during the summer months. The ministry's recommendations were not binding, however, and numerous workers reportedly suffered heatstroke.