



Bahrain

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Bahrain is a hereditary emirate with few democratic institutions and no political parties. The Al-Khalifa extended family has ruled Bahrain since the late 18th century and dominates all facets of its society and government. The Constitution confirms the Amir as hereditary ruler. The Amir, Shaikh Hamad Bin Isa Al-Khalifa, governs the country with the assistance of his uncle as Prime Minister, his son as Crown Prince, and an appointed cabinet of ministers. In 1975 the Government suspended some provisions of the 1973 Constitution, including those articles relating to the National Assembly, which was disbanded and never reinstated. Citizens belong to the Shi'a and Sunni sects of Islam, with the Shi'a constituting over two-thirds of the indigenous population. However, Sunnis predominate politically and economically because the ruling family is Sunni and is supported by the armed forces, the security services, and powerful Sunni and Shi'a merchant families. The political situation generally was calm during the year; there were a few incidents of low-level political unrest, but there has not been significant unrest since 1996. There are few judicial checks on the actions of the Amir and his Government, and the courts are subject to government pressure.

The Ministry of Interior is responsible for public security. It controls the public security force (police) and the extensive security service, which are responsible for maintaining internal order. The Bahrain Defense Force (BDF) is responsible for defending against external threats. It did not play a role in internal security during the year. Security forces committed serious human rights abuses.

Bahrain has a mixed economy with government domination of many basic industries, including the important oil and aluminum sectors. Possessing limited oil and gas reserves, the Government is working to diversify its economic base, concentrating on light manufacturing and the services sectors, particularly banking, financial services, and consulting. The Government has used its modest oil revenues to build a highly advanced transportation and telecommunications infrastructure. Economic growth is highly dependent on global oil prices, but the economy remains stable. The Government encouraged private national and international investment and moved to privatize some of its state-run industries. The country is a regional financial and business center. Tourism, particularly via the causeway linking Bahrain to Saudi Arabia, is also a significant source of income. Citizens enjoy a high standard of living.

The Government generally respected its citizens' human rights in some areas and improved in other areas; however, its record was poor in some areas, particularly workers' rights. The Government denies citizens the right to change their government; however, the political situation continued to improve due to the decrease in political and civil unrest compared to last year, and an effort by the Amir to develop relations with the Shi'a community. Security forces continued to torture, beat, and otherwise abuse prisoners. Impunity remains a problem; there were no known instances of any security forces personnel being punished for human rights abuses committed either during the year or in any previous year. The Government continued to use arbitrary arrest and detention, incommunicado and prolonged detention, and involuntary exile; however, in 1999 upon assuming power, one of the Amir's first official acts was to pardon or release over 400 prisoners, detainees, and exiles. During the year, the Amir pardoned a combined total of approximately 500 prisoners and detainees, some of whom had been detained for political reasons. The judiciary remains subject to government pressure, and there are limits on the right to a fair public trial, especially in the Security Court. The Government continued to infringe on citizens' privacy rights. The Government imposed some restrictions on freedom of speech and of the press and restricted freedom of assembly and association. The Government also imposes some limits on freedom of religion and movement. Violence against women and discrimination based on sex, religion, and ethnicity remain problems. The Government restricts worker rights, and there were instances of forced labor.

In December 1999, the Amir stated that all citizens are "equal before the law" and allowed Shi'a to apply for

jobs in the BDF and the Ministry of the Interior for the first time in 4 years. These policies continued during the year.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

There were no reports of political or other extrajudicial killings.

There were no investigations or prosecutions of any security force personnel for alleged extrajudicial killings committed in previous years.

b. Disappearance

There were no reports of politically motivated disappearances.

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

Torture and other cruel, inhuman, or degrading treatment or punishment are prohibited by law; however there are credible reports that prisoners often are beaten, both on the soles of their feet and about the face and head, burned with cigarettes, deprived of sleep for long periods of time, and in some cases subjected to electrical shocks. The Government has difficulty in rebutting allegations of torture and of other cruel, inhuman, or degrading practices because it permits incommunicado detention and detention without trial. There were no known instances of officials being punished for human rights abuses committed either during the year or in any previous year, and there is an appearance of impunity.

Opposition and human rights groups allege that the security forces sometimes threaten female detainees with rape and inflict other forms of sexual abuse and harassment on them while they are in custody. Such allegations are difficult to confirm or deny. Young prisoners are housed separately until the age of 15.

Credible observers say that the prisons generally meet minimum international standards. Local defense attorneys report that their clients continued to receive improved care and treatment. In addition the release of hundreds of detainees from jail, perhaps as many as 1,200 in 1999 and 2000 (see Section 1.d.), and the reduced number of arrests during the year, eased overcrowding. At the Government's invitation, the International Committee of the Red Cross (ICRC) continued the series of visits to prisons that it started in late 1996.

d. Arbitrary Arrest, Detention, or Exile

Arbitrary arrest and detention are serious problems. The Constitution states that "no person shall be arrested, detained, imprisoned, searched or compelled to reside in a specified place...except in accordance with the provisions of the law and under the supervision of the judicial authorities." However, in practice, in matters regarding arrest, detention, or exile, the 1974 State Security Act takes precedence. Under the State Security Act, persons may be detained for up to 3 years without trial for engaging in activities or making statements regarded as a threat to the broadly defined concepts of national harmony and security, and the Government continued to arrest and detain citizens arbitrarily. The scope of the State Security Act extends to any case involving arson, explosions, or attacks on persons at their place of employment or because of the nature of their work. Detainees have the right to appeal such detentions after a period of 3 months and, if the appeal is denied, every 6 months thereafter from the date of the original detention.

Government security forces used the State Security Act during the year to detain persons deemed to be engaging in antigovernment activities, including persons who attempted to exercise their rights of free speech, assembly, and association, or other rights. Activities that also may lead to detention, questioning, warning, or arrest by the security forces include: Membership in illegal organizations or those deemed subversive; painting antigovernment slogans on walls; joining antigovernment demonstrations; possessing or circulating antigovernment writings; preaching sermons considered by the Government to have an antigovernment political tone; and harboring or associating with persons who committed such acts. However, there was greater tolerance of activities such as public demonstrations during the year, and the number of persons detained was less than in 1999.

In addition to overseeing the security service and police, the Ministry of Interior also controls the Office of the Public Prosecutor, whose officers initially determine whether sufficient evidence exists to continue to hold a prisoner in investigative detention. The Ministry is responsible for all aspects of prison administration. In the early stages of detention, prisoners and their attorneys have no recourse to any authority outside the Ministry of Interior. The authorities rarely permit visits to inmates who are incarcerated for security-related offenses and such prisoners may be held incommunicado for months, or sometimes years. However, prisoners detained for criminal offenses generally may receive visits from family members, usually once a month.

At the beginning of the year, security forces were estimated to be holding over 800 persons in detention for security-related offenses. During the year, some were arrested, released, and then arrested again. At year's end, the total number of persons detained was reduced; however, as many as 750 persons still remained in detention. During the year, the Government pardoned as many as 300 persons detained in connection with antigovernment activities. One of the Amir's first official acts was to pardon or release over 400 detainees, prisoners, and exiles. In January and April, the Amir pardoned an additional 223 prisoners and detainees, some of whom had been detained for political reasons.

Several Shi'a clerics were arrested in 1996 for signing a 1994 petition to the Amir calling for the restoration of the National Assembly. Four of the clerics, Abdul Wahab Hussain, Hassan Mushaimaa, Hassan Sultan, and Haji Hassan Jarallah, remain in jail. The most prominent member of the group, Abdul Amir Al-Jamri, was pardoned in 1999, although he is still subject to government restrictions (see Section 2.c.). On March 22, the Government rearrested Abdul Wahab Hussain only hours after a judge ordered his release (see Section 2.c.).

Abdul Jahil Abdula Khadim, a shop owner, remained in detention at year's end. He was detained in 1998 after a young man who worked in his store died from police mistreatment.

While the authorities reserve the right to use exile and the revocation of citizenship to punish individuals convicted or suspected of antigovernment activity, there were no reports of exile orders issued during the year. In the past, the Government has revoked the citizenship of persons that it considered to be security threats. The Government considers such persons to have forfeited their nationality under the Citizenship Act of 1963 because they accepted foreign citizenship or passports, or engaged in antigovernment activities abroad. Bahraini emigre groups and their local contacts have challenged this practice, arguing that the Government's revocation of citizenship without due process violates the Constitution. The Amir pardoned 12 exiles during the year. According to the emigre groups, as many as 450 citizens continue to live in exile. This total includes both those prohibited from returning to Bahrain and their family members who live abroad with them voluntarily.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the courts are subject to government pressure regarding verdicts, sentencing, and appeals.

The civil and criminal legal system consists of a complex mix of courts, based on diverse legal sources, including Sunni and Shi'a Shari'a (Islamic law), tribal law, and other civil codes and regulations. The 1974 State Security Act created a separate, closed security court system, which has jurisdiction in cases of alleged antigovernment activity.

The Bahrain Defense Force maintains a separate court system for military personnel accused of offenses under the Military Code of Justice. Military courts do not review cases involving civilian, criminal, or security offenses.

Defense attorneys are appointed by the Ministry of Justice and Islamic Affairs. Some attorneys and family members involved in politically sensitive criminal cases complain that the Government interferes with court proceedings to influence the outcome or to prevent judgments from being carried out. There are also occasional allegations of corruption in the judicial system.

In past cases, the Amir, the Prime Minister, and other senior government officials have lost civil cases brought against them by private citizens; however, the court-ordered judgments are not always implemented expeditiously. Members of the ruling Al-Khalifa family are well represented in the judiciary and generally do not recuse themselves from cases involving the interests of the Government.

A person who is arrested may be tried in an ordinary criminal court or, if recommended by the prosecution, in the Security Court. Ordinary civil or criminal trial procedures provide for an open trial, the right to counsel (with legal aid available when necessary), and the right to appeal. Criminal court proceedings generally do not

appear to discriminate against women, children, or minority groups. However, there is credible evidence that persons accused of antigovernment crimes and tried in the criminal courts were denied fair trials. Those accused were not permitted to speak with an attorney until their appearance before the judge at the preliminary hearing. Trials in the criminal courts for antigovernment activities are held in secret.

Security cases are tried in secret by judges on the Supreme Court of Appeals, sitting as the Security Court. Family members usually are not permitted in the court until the final verdict is rendered. Procedures in the Security Court do not provide for even the most basic safeguards. The Security Court is exempt from adhering to the procedural protections of the Penal Code. Defendants may be represented by counsel, but they seldom see their attorneys before the actual day of arraignment. Convictions may be based solely on confessions, including confessions that may have been elicited under torture, and police evidence or testimony that may be introduced in secret. The defense may not review the evidence against the defendant prior to trial proceedings. Defense lawyers complain that they rarely are given sufficient time to find witnesses. There is no right to judicial review of the legality of arrests. There is no judicial appeal of a Security Court verdict, but the defendant may request clemency from the Amir. The Security Court tried one individual, Abdul Wahab Hussain, during the year (see Sections 1.d. and 2.c.).

The number of political prisoners is difficult to determine because the Government does not release data on security cases; however, the total is believed to be less than 100. Such cases are not tried in open court, and visits to prisoners convicted of security offenses are restricted strictly. The Government denies that there are any political prisoners and claims that all inmates incarcerated for committing security offenses were convicted properly of subversive acts such as espionage, espousing or committing violence, or belonging to terrorist organizations.

In accordance with tradition, the Government releases and grants amnesty to some prisoners, including individuals imprisoned for political activities, on major holidays. The Government reported that the Amir pardoned over 288 prisoners and detainees during the year, although it was uncertain how many such persons were political prisoners rather than common criminals (see Section 1.d.). The prisoners were expected to be released in small groups over the course of several months.

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

During the year the Government infringed on citizens' right to privacy, using illegal searches and arbitrary arrests as tactics to control political unrest, although reports of such violations of citizens' rights to privacy continued to decline. Under the State Security Law, the Ministry of Interior is empowered to authorize entry into private premises without specific judicial intervention. Telephone calls and personal correspondence are subject to monitoring. Police informer networks are extensive and sophisticated.

There were reports that security forces entered private homes without warrants and took into custody residents who were suspected of either participating in, or having information regarding, antigovernment activities. While conducting these raids, security forces confiscated, damaged, or destroyed personal property for which owners were not compensated by the Government. Security forces also set up checkpoints at the entrances to villages, requiring vehicle searches and proof of identity from anyone seeking to enter or exit. Whenever possible the Government jams, either in whole or in part, foreign broadcasts that carry antigovernment programming or commentary (see Section 2.a.). A government-controlled proxy prohibits user access to Internet sites considered to be antigovernment or anti-Islamic (see Section 2.a.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for the right "to express and propagate" opinions; however, citizens in practice are not free to express their public opposition to the Government in speech or writing. Press criticism of ruling family personalities and of government policy regarding certain sensitive subjects--such as sectarian unrest and the dispute with Qatar over the Hawar islands--is strictly prohibited. However, when the Amir assumed power in 1999, the Government allowed the press somewhat greater latitude. The Amir stated in his December 1999 National Day speech that the press and public have a duty to question the Government about developments in the country, and he repeated that sentiment on several occasions during the year in press interviews and in a meeting with the Bahrain Journalists Association (BJA) Board. Columnists and reporters wrote about several sensitive issues, criticizing the services offered by the Ministries of Interior and Defense and discussing the state budget, subjects that were off-limits in the past. However, later in the year, when some journalists tried to expand the scope of their criticisms to include political reform and reactivation of the Constitution, they were warned by the authorities to either support the government position or avoid the issues altogether.

Local press coverage and commentary on international issues is open, and discussion of local economic and commercial issues also is relatively unrestricted. Many individuals express critical opinions openly on domestic political and social issues in private settings but do not do so to leading government officials or in public forums.

The Information Ministry exercises extensive control over all local media. Newspapers are owned privately, but they routinely exercise self-censorship of stories on sensitive topics, and defer to Information Ministry demands. In some cases, editors of privately owned newspapers also hold government positions. The Government does not condone unfavorable coverage of its domestic policies by the international media and occasionally has revoked the press credentials of offending journalists. Because the Ministry controls foreign journalists' residence permits, unfavorable coverage in some cases has led to deportation. However, there were no reports that the Government revoked press credentials during the year. The Government generally afforded foreign journalists access to the country and did not limit their contacts.

In late September, the newly formed BJA elected its first board of directors. Some journalists view the lack of competition for the chairmanship of the board, and the preponderance of government employees accepted as BJA members, as a signal that it will not be a truly independent organization.

The State owns and operates all radio and television stations. Radio and television broadcasts in Arabic and Farsi from neighboring countries and Egypt may be received without interference. However, international news services, including the Associated Press, United Press International, and Agence France Presse, sometimes complain about press restrictions. The Cable News Network is available on a 24-hour basis by subscription, and the British Broadcasting Corporation World News Service is carried on a local channel 24 hours a day free of charge. However, the Government generally jams, wholly or partially, foreign broadcasts that carry antigovernment programming or commentary (see Section 1.f.).

Most senior government officials, ruling family members, and major hotels, as well as affluent private citizens, use satellite dishes to receive international broadcasts. Prior government approval to access satellite dishes and for the importation or installation of dishes is no longer required (see Section 3). Bahrain Television's satellite subscription service does not offer access to the Qatar-based Al-Jazira channel, which otherwise broadcasts widely throughout the Middle East and North Africa. Government officials believe Al-Jazira's news and talk shows are biased against the country.

Access to the Internet is provided through the National Telephone Company (BATELCO). A government-controlled proxy prohibits user access to sites considered to be antigovernment or anti-Islamic. The software used is unreliable and often inhibits access to uncontroversial sites as well. E-mail access to information is unimpeded, although it may be subject to monitoring (see Section 1.f.).

Although there are no formal regulations limiting academic freedom, in practice academics try to avoid contentious political issues. University hiring and admissions policies appear to favor Sunnis and others who are assumed to support the Government rather than focusing on professional experience and academic qualifications. However, there continued to be some improvement in the hiring of qualified individuals in a nondiscriminatory manner during the year, and a few Shi'a professors, including women, were hired.

b. Freedom of Peaceful Assembly and Association

Despite the Constitution's provision for the right of free assembly, the Government prohibits all public political demonstrations and meetings and controls religious gatherings that may take on political overtones. Permits are required for most other public gatherings, and permission is not granted routinely. Unauthorized public gatherings of more than five persons are prohibited by law. The Government monitors any gatherings that might take on a political tone and frequently disperses such meetings. During the year, the Government authorized two demonstrations, one in Manama on October 6 and one at the University on October 7, to protest Israeli government actions against Palestinians in Israel, the West Bank, and Gaza in the fall. Demonstrations were held on October 13 without government approval.

The Constitution provides for the right of free association; however, the Government restricts this right. The Government prohibits political parties and organizations. Some professional societies and social and sports clubs traditionally have served as forums for discreet political discussion, but they are restricted by law from engaging in political activity. Only the Bahraini Bar Association is exempt from the regulations that require that the charters of all associations include a commitment to refrain from political activity. The Bar Association successfully had argued that a lawyer's professional duties may require certain political actions, such as interpreting legislation or participating in a politically sensitive trial. In January 1998, after the Bar Association sponsored a lecture in which prodemocracy speakers publicly attacked the Government, the Government told current board members that they would not be allowed to stand for reelection. Although the decision has not

been reversed, the Bar Association continues to operate without hindrance. Other organized discussions and meetings by the Bar Association no longer are discouraged actively.

c. Freedom of Religion

The Constitution states that Islam is the official religion and also provides for freedom of religion; however, the Government does not tolerate political dissent, including from religious groups or leaders. The Government subjects both Sunni and Shi'a Muslims to control and monitoring. Members of other religions who practice their faith privately do so without interference from the Government. The Government funds, monitors, and closely controls all official religious institutions. These include Shi'a and Sunni mosques, Shi'a Ma'tams (ceremonial centers), Shi'a and Sunni Waqfs (charitable foundations), and the religious courts, which represent both the Ja'afari (Shi'a) and Maliki (Sunni) schools of Islamic jurisprudence. While the Government rarely interferes with what it considers legitimate religious observations, it actively suppresses any activity deemed overtly political in nature. In the past, the Government occasionally has closed mosques and Ma'tams for allowing political demonstrations to take place on or near their premises and has detained religious leaders for delivering political sermons or for allowing such sermons to be delivered in their mosques. The Government also may appropriate or withhold funding in order to reward or punish particular individuals or places of worship. There were no reported closures of Ma'tams or mosques during the year.

The High Council for Islamic Affairs is charged with the review and approval of all clerical appointments within both the Sunni and Shi'a communities, and it maintains program oversight for all citizens studying religion abroad. Public religious events, most notably the large annual commemorative marches by Shi'a, are permitted but are monitored closely by the police. There are no restrictions on the number of citizens permitted to make pilgrimages to Shi'a shrines and holy sites in Iran, Iraq, and Syria. However, stateless residents who do not possess Bahraini passports often have difficulties arranging travel to religious sites abroad. The Government monitors travel to Iran and scrutinizes carefully those who choose to pursue religious study there.

Proselytizing by non-Muslims is discouraged, anti-Islamic writings are prohibited, and conversions from Islam to other religions, while not illegal, are not tolerated well by society. However, Bibles and other Christian publications are displayed and sold openly in local bookstores that also sell Islamic and other religious literature. Some small groups worship in their homes. Notable dignitaries from virtually every religion and denomination visit the country and frequently meet with the Government and civic leaders. Religious tracts of all branches of Islam, cassettes of sermons delivered by Muslim preachers from other countries, and publications of other religions are readily available.

In early July 1999, the Amir pardoned prominent Shi'a cleric Abdul Amir Al-Jamri, who had been in prison since 1996. Since his release, the Government has monitored Al-Jamri's movements. It also has denied him the right to issue marital status certificates, a lucrative source of income for many clerics. Several other clerics associated with Al-Jamri remain in jail. On March 22, the Government rearrested Shi'a cleric leader Abdul Wahab Hussain only hours after a judge released him following more than 4 years in detention without charge. The authorities neither brought charges against Hussain nor provided an explanation for his rearrest. Hussain remained incarcerated in a Manama jail at year's end (see Section 1.d.).

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

The Government imposes some limits on these rights. Citizens are free to move within the country and change their place of residence or work. However, passports may be denied on political grounds. Approximately 3 percent of the indigenous population, the bidoon, mostly stateless Shi'a of Persian-origin, do not have passports and are unable to obtain them readily, although they may be given travel documents as Bahraini residents (see Section 5). The Government occasionally grants citizenship to Sunni residents, most of whom are from the Arabian Peninsula and Egypt.

Citizens living abroad who are suspected of political or criminal offenses may face arrest and trial upon return to the country. Under the 1963 Citizenship Law, 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 Government also has issued temporary passports, valid for one trip a year, to individuals whose travel it wishes to control or whose claim to citizenship is questionable. A noncitizen resident, including a bidoon of Iranian origin, also may obtain a laissez-passer (travel document), usually valid for 2 years and renewable at Bahraini embassies overseas. The holder of a laissez-passer also requires a visa to reenter the country.

Although the Government cooperates with the U.N. High Commissioner for Refugees, it has not formulated a formal policy regarding refugees, asylees, or first asylum. The Government usually does not accept refugees

due to the country's small size and limited resources. However, in practice refugees who arrive are not repatriated to countries from which they have fled. Many Iranian emigres who fled Iran after the Iranian revolution have been granted permission to remain in the country, but they have not been granted citizenship.

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 peacefully, and the Government controls political activity. Since the dissolution of the National Assembly in 1975, there have been no formal democratic political institutions. The Prime Minister makes all appointments to the Cabinet. The relevant ministries fill all other government positions. About one-third of the cabinet ministers are Shi'a Muslim, although they do not hold security-related offices. The Government continues to view most substantive reform as a threat to stability and has taken only halting steps to expand political participation. The ordinary citizen may attempt to influence government decisions through submission of personal written petitions and informal contact with senior officials, including appeals to the Amir, the Prime Minister, and other officials at their regularly scheduled public audiences, called majlis.

In 1992 the Amir established by decree a Consultative Council (Majlis Al-Shura). Its 40 members are divided mainly between Sunni and Shi'a (20 Sunni and 18 Shi'a) who are appointed by the Amir. Majlis members are selected to represent major constituent groups, including representatives from the business, labor, professional, and religious communities. There are no members of the ruling Al-Khalifa family or religious extremists in the Majlis. In addition to legislation submitted for its review by the Cabinet, the Majlis may initiate debate independently on nonpolitical issues. The Majlis also may summon cabinet ministers to answer questions; however, its recommendations are not binding on the Government. The Majlis held its eighth session from October 1999 to May, and began a new session on October 3.

During the year, the Majlis debated a number of contentious social and economic issues, including unemployment, privatization, child care, and education reform, and drafted proposals on these and other subjects for government consideration. In 1999 a Majlis Human Rights Committee was formed. The Committee's deliberations and its first report, which was presented to the Amir in a well-publicized event, have been closely held. According to the Speaker of the Majlis, the Government responded favorably to all of the Majlis's recommendations by incorporating them into legislation or by taking other appropriate actions.

Women are greatly underrepresented in government and politics; however, there are now four women in the Majlis, whereas there had been none before. There still are no women at the ministerial levels of Government. The majority of women who choose to work in government do so in a support capacity, and only a few have attained senior positions within their respective ministries or agencies.

In September the Amir appointed the first Christian and Jewish members to the Consultative Council; an ethnic Iranian Bahraini also was appointed.

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

There are no local human rights organizations. Because of the restrictions on freedom of association and expression, any independent, domestically based investigation or public criticism of the Government's human rights policies faces major obstacles. Several political opposition groups in exile report on the human rights situation. Such groups include the Damascus-based Committee for the Defense of Human Rights in Bahrain, the London-based Bahrain Freedom Movement, the Beirut-based Islamic Front for the Liberation of Bahrain, and the Copenhagen-based Bahrain Human Rights Organization. These groups are composed of small numbers of emigres living in self-imposed exile and reportedly receive funding from sources hostile to the Government.

The Government maintains that it is not opposed to visits by bona fide human rights organizations. In recent years, the Government has allowed increased access by international human rights organizations. In June 1999, the Government received a delegation from Amnesty International, which issued a brief statement that noted that it was invited by the Government but was not allowed to meet with all persons to whom it requested access. Middle East Watch and Human Rights Watch representatives also visited the country in 1999. In 1996 the Government invited the ICRC to undertake visits to the country's prisons. The ICRC continued to visit the country's prisons throughout the year (see Section 1.c.).

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equality, equal opportunity, and the right to medical care, welfare, education,

property, capital, and work for all citizens. However, in practice these rights are protected unevenly, depending on the individual's social status, ethnicity, or sex.

Women

Violence against women occurs, but incidents usually are kept within the family. In general there is little public attention to, or discussion of, the problem. During the year, a few articles appeared in the local press discussing violence against women and the need for laws to defend women who are abused. No government policies explicitly address violence against women. Women's groups and health care professionals state that spouse abuse is common, particularly in poorer communities. There are very few known instances of women seeking legal redress for violence. Anecdotal evidence suggests that the courts are not receptive to such cases.

It is not uncommon for foreign women working as domestic workers to be beaten or sexually abused (see Sections 6.c. and 6.e.). Numerous cases have been reported to local embassies and the police. However, most victims are too intimidated to sue their employers. Courts reportedly have allowed victims who do appear to sue for damages, return home, or both.

Shari'a governs the legal rights of women. Specific 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, have been made.

While both Shi'a and Sunni women have the right to initiate a divorce, religious courts may refuse the request. Although local religious courts may grant a divorce to Shi'a women in routine cases, occasionally Shi'a women seeking divorce under unusual circumstances must travel abroad to seek a higher ranking opinion than that available in the country. Women of either branch 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. In contrast, Sunni women--in the absence of a direct male heir--inherit only a portion as governed by Shari'a; the balance is divided among brothers, uncles, and male cousins of the deceased.

In divorce cases, the courts routinely grant Shi'a and Sunni women custody of daughters under the age of 9 and sons under age 7, although custody usually reverts to the father once the children reach those ages. In all circumstances except mental incapacitation, the father, regardless of custody decisions, retains the right to make certain legal decisions for his children, such as guardianship of any property belonging to the child, until the child reaches legal age. A noncitizen woman automatically loses custody of her children if she divorces their citizen father.

Women may obtain passports and leave the country without the permission of the male head of the household. Women are free to work outside the home, to drive cars without escorts, and to wear the clothing of their choice. Women increasingly have taken jobs previously reserved for men. The Labor Law does not discriminate against women; however, in practice, there is discrimination in the workplace, including inequality of wages and denial of opportunity for advancement. Women constitute about 20 percent of the work force. The Government has encouraged the hiring of women, enacted special laws to promote female entry into the work force, and is a leading employer of women. The Labor Law does not recognize the concept of equal pay for equal work, and women frequently are paid less than men. Generally women work outside the home during the years between secondary school or university and marriage. Some women complain that admissions policies at the National University are aimed at increasing the number of male students at the expense of qualified female applicants, especially Shi'a women. Nevertheless, women make up the majority of students at the country's universities.

There are women's organizations that seek to improve the status of women under both civil and Islamic law. Some women have expressed the view that, despite their participation in the work force, women's rights are not advancing significantly and that much of the lack of progress is due to the influence of Islamic religious traditionalists. However, other women desire a return to more traditional values and support calls for a return to traditional Islamic patterns of social behavior.

Children

The Government has stated often its commitment to the protection of children's rights and welfare within the social and religious framework of this traditional society. It generally honors this commitment through enforcement of its civil and criminal laws and extensive social welfare network. Public education for citizen children below the age of 15 is free; it is not available for the children of foreign workers. While the Constitution provides for compulsory education at the primary levels (usually 12 or 13 years of age), authorities

do not enforce attendance. Limited medical services for infants and preadolescents are provided free of charge.

The social status of children is shaped by tradition and religion to a greater extent than by civil law. Child abuse is rare, as is public discussion of it; the preference of the authorities always has been to leave such matters within the purview of the family or religious groups. The authorities actively enforce the laws against prostitution, including child prostitution, procuring, and pimping. Violators are dealt with harshly and can be imprisoned, or, if a noncitizen, deported. In the past, the authorities reportedly returned children arrested for prostitution and other nonpolitical crimes to their families rather than prosecute them, especially for first offenses. There were no reports of child prostitution during the year. Some legal experts have called on the Government to establish a separate juvenile court. However, other citizens insist that the protection of children is a religious, not a secular, function and oppose greater government involvement. Independent and quasi-governmental organizations such as the Bahraini Society for the Protection of Children and the Mother and Child Welfare Society play an active part in protecting children by providing counseling, legal assistance, advice, and, in some cases, shelter and financial support to distressed children and families.

In 1998 there were numerous arrests and detentions of juveniles in connection with the political unrest. These children generally were released without charges within several days of their arrests. However, those juveniles charged with security offenses received the same treatment as adult prisoners, that is, incommunicado detention and trial before a State Security Court. There were very few reports of arrests and detentions of juveniles during the year, and apparently those who were arrested were released

People with Disabilities

The law protects the rights of the disabled and a variety of governmental, quasi-governmental, and religious institutions are mandated to support and protect disabled persons. The regional (Persian Gulf) Center for the Treatment of the Blind is headquartered in the country, and a similar Center for the Education of Deaf Children was established in 1994. Society tends to view the disabled as special cases in need of protection rather than as fully functioning members of society. Nonetheless, the Government is required by law to provide vocational training for disabled persons who wish to work and maintains a list of certified, trained disabled persons. The Labor Law of 1976 also requires that any employer of over 100 persons must engage at least 2 percent of its employees from the Government's list of disabled workers; however, the Government does not monitor compliance. The Ministry of Labor and Social Affairs works actively to place the disabled in public sector jobs, such as in the public telephone exchanges. The Government's housing regulations require that access be provided to disabled persons. Greater emphasis has been given in recent years to public building design that incorporates access for the disabled; however, the law does not mandate access to buildings for persons with disabilities.

Religious Minorities

Although there are notable exceptions, the Sunni Muslim minority enjoys a favored status. Sunnis receive preference for employment in sensitive government positions and in the managerial ranks of the civil service. While the defense and internal security forces are predominantly Sunni, Shi'a citizens now are allowed to hold posts in these forces; however, they do not hold significant positions. In the private sector, Shi'a citizens tend to be employed in lower paid, less skilled jobs.

Educational, social, and municipal services in most Shi'a neighborhoods, particularly in rural villages, are inferior to those found in Sunni urban communities. In an effort to remedy societal discrimination, the Government has built numerous subsidized housing complexes that are open to all citizens on the basis of financial need. In order to ease both the housing shortage and strains on the national budget, in 1997 the Government revised its policy in order to permit lending institutions to finance mortgages on apartment units. After demonstrations in support of Palestinians on October 13 (see Section 2.b.), several youths and men reportedly boarded a bus carrying Catholic parishioners and took Bibles from the parishioners throwing some of the Bibles out of bus windows.

National/Racial/Ethnic Minorities

A group of approximately 9,000 to 15,000 persons, mostly Shi'a of Persian-origin but including some Christians, are stateless. Many are second- or third-generation residents whose ancestors emigrated from Iran. Although they no longer claim Iranian citizenship, most have not been granted Bahraini citizenship. Without citizenship, bidoon legally are unable to buy land, start a business, or obtain government loans, although in practice many do. The law does not address the citizenship rights of persons who were not registered with the authorities prior to 1959, which creates a legal problem for such persons and their descendants, and results in economic and other hardships. The Government maintains that many of those

who claim to be bidoon actually are citizens of Iran or other Gulf states who have chosen voluntarily not to renew their foreign passports. Bidoon and citizens who speak Farsi rather than Arabic as their first language also face significant social and economic obstacles, including difficulty finding employment. There were unconfirmed reports that over 200 bidoon families received citizenship during the year.

Section 6 Worker Rights

a. The Right of Association

The partially suspended 1973 Constitution recognizes the right of workers to organize; however, independent trade unions do not exist. The Constitution provides for "freedom to form associations and trade unions on national bases and for lawful objectives and by peaceful means," in accordance with the law, and states that "no person shall be compelled to join or remain in any association or union."

Labor regulations permit the formation of elected workers' committees in larger companies. Worker representation is based on a system of Joint Labor-Management Committees (JLC's) that are established by ministerial decree. One JLC was established in November, bringing the total to 20.

The JLC's are composed of equal numbers of appointed management representatives and worker representatives who are elected from and by company employees in elections organized by management. Each committee is chaired alternately by a management and worker representative. The selection of worker representatives appears to be fair. Under the law, the Ministry of Interior may exclude worker candidates with criminal records or those deemed a threat to national security, but the Government has not taken such action in recent years.

The elected worker representatives of the JLC's select the 11 members of the General Committee of Bahrain workers (GCBW), which was established by law in 1983, and which oversees and coordinates the work of the JLC's. The GCBW also hears complaints from Bahraini and foreign workers and assists them in bringing their complaints to the attention of the Ministry of Labor or the courts. In 1998 elections were held for 3-year terms for representatives to the GCBW. Workers from a variety of occupations were elected to the body, including Sunni and Shi'a Muslims, foreign workers, and one woman. The elections, which were by secret ballot, appeared to be free and fair.

Although the Government and company management are not represented on the GCBW, the Ministry of Labor closely monitors the body's activities and a Ministry representative attends and supervises GCBW general meetings. It approves the GCBW's rules and the distribution of the GCBW's funds. Some senior JLC and GCBW officials have been harassed. The JLC-GCBW system represents nearly 70 percent of the country's indigenous industrial workers. Both the Government and labor representatives readily admit that nonindustrial workers and foreign workers clearly are underrepresented in the system. The Ministry of Labor and Social Affairs supports the formation of JLC's in all public and private sector companies that employ more than 200 workers, and a JLC was established in the textile sector in 1999.

Although foreign workers constitute 67 percent of the work force, they are underrepresented in the GCBW. Foreign workers participate in the JLC elections, and five foreign workers currently serve on JLC's. However, none sits on the board of the GCBW. It is a long-term goal of both the Government and the GCBW to replace foreign workers with citizens throughout all sectors of the economy and to create new jobs for citizens seeking employment.

The Labor Law is silent on the right to strike, and there were no strikes during the year. Actions perceived to be detrimental to the "existing relationship" between employers and employees or to the economic health of the State are forbidden by the 1974 Security Act. There were no recent examples of major strikes, but walkouts and other job actions have been known to occur in the past without governmental intervention and with positive results for the workers.

Internationally affiliated trade unions do not exist. The GCBW represents workers in the Arab Labor Organization, but does not belong to any international trade union organizations.

b. The Right to Organize and Bargain Collectively

As in the case of strikes, the Labor Law neither grants nor denies workers the right to organize and bargain collectively outside the JLC system. While the JLC's are empowered to discuss labor disputes, organize workers' services, and discuss wages, working conditions, and productivity, workers have no independent, recognized vehicle for representing their interests on these or other labor-related issues. Minimum wage rates

for public sector employees are established by Council of Ministers' decrees. Private businesses generally follow the Government's lead in establishing their wage rates.

There are two export processing zones. Labor law and practice are the same in these zones as in the rest of the country.

c. Prohibition of Forced or Compulsory Labor

Forced or compulsory labor is prohibited by law; however, in practice the labor laws apply for the most part only to citizens, and abuses occur, particularly in the cases of domestic workers and those working illegally. The law also prohibits forced and bonded child labor, and the Government enforces this prohibition effectively.

Foreign workers, who make up at least 67 percent of the workforce, in many cases arrive in the country under the sponsorship of an employer and then switch jobs while continuing to pay a fee to their original sponsor. This practice makes it difficult to monitor and control the employment conditions of domestic and other workers; the Government took no substantive action during the year to stop the practice.

Labor Law amendments passed in 1993 stiffened the penalties for job switching to include jail sentences of up to 6 months for the sponsor of every illegally sponsored worker; however, sponsors have not received jail sentences. In such cases, the workers involved usually are deported as illegal immigrants after the case is concluded. During the summer and fall of 1998, the Government conducted an amnesty program under which undocumented foreign workers were permitted either to legalize their status or leave the country without penalty. On October 1, the Government again gave illegal immigrants 3 months (until December 31) to legalize their status or leave the country.

The sponsorship system leads to additional abuses. There are numerous credible reports that employers withhold salaries from their foreign workers for months, even years, at a time, and may refuse to grant them the necessary permission to leave the country. The Government and the courts generally work to rectify abuses brought to their attention, but they otherwise focus little attention on the problem, and the fear of deportation or employer retaliation prevents many foreign workers from making complaints to the authorities (see Section 6.e.).

Labor Laws do not apply to domestic servants. There are numerous credible reports that domestic servants, especially women, are forced to work 12- or 16-hour days, given little time off, and subjected to malnutrition, and verbal and physical abuse, including sexual molestation and rape. Between 30 to 40 percent of the suicide cases handled by the Government's psychiatric hospitals are foreign maids (see Section 6.e.).

Foreign women employed as hotel and restaurant staff typically are locked in a communal house when not working and driven to work in a van. Many are involved in prostitution and reportedly trade sexual favors with hotel managers in exchange for time off from work (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

The minimum age for employment is 14 years of age. Juveniles between the ages of 14 and 16 may not be employed in hazardous conditions or at night and may not work more than 6 hours per day or on a piecework basis. Child labor laws are enforced effectively by Ministry of Labor inspectors in the industrial sector; child labor outside that sector is monitored less effectively, but it is not believed to be significant outside family-operated businesses, and even in that sector it is not widespread. Some children work in the market areas as car washers and porters. While the Constitution calls for compulsory education at the primary levels, authorities do not enforce attendance (see Section 5). The law prohibits forced and bonded child labor, and the Government enforces this prohibition effectively (see Section 6.c.).

e. Acceptable Conditions of Work

Minimum wage scales, set by government decree, exist for public sector employees and generally provide a decent standard of living for a worker and family. The minimum wage for the public sector is \$278.25 (105 dinars) a month. Wages in the private sector are determined on a contract basis. For foreign workers, employers consider benefits such as annual trips home, housing, and education bonuses as part of the salary.

The Labor Law, enforced by the Ministry of Labor and Social Affairs, mandates acceptable conditions of work for all adult workers, including adequate standards regarding hours of work (maximum 48 hours per week) and occupational safety and health.

The Ministry enforces the law with periodic inspections and routine fines for violators. The press often performs an ombudsman function on labor problems, reporting job disputes and the results of labor cases brought before the courts. Once a worker has lodged a complaint, the Ministry of Labor and Social Affairs opens an investigation and often takes remedial action. The Fourth High Court has jurisdiction over cases involving alleged violations of the Labor Law. Complaints brought before the Ministry of Labor and Social Affairs that cannot be settled through arbitration by law must be referred to the Court within 15 days. In practice most employers prefer to settle such disputes through arbitration, particularly since the court and labor law generally are considered to favor the employee.

The Labor Law specifically favors citizens over foreign workers and Arab foreigners over other foreign workers in hiring and firing. Because employers include housing and other allowances in their salary scales, foreign workers legally can be paid lower regular wages than their citizen counterparts, although they sometimes receive the same or a greater total compensation package because of home leave and holiday allowances. Western foreign workers and citizen workers are paid comparable wages, with total compensation packages often significantly greater for the former. Women are entitled to 60 days of paid maternity leave and nursing periods during the day. However, women generally are paid less than men.

In 1993 the Government strengthened the Labor Law by decree of the Amir, announcing that significant fines and jail sentences would be imposed upon private sector employers who fail to pay wages required by law. This law applies equally to employers of citizens and foreign workers and was intended to reduce abuses against foreign workers, who sometimes are denied the required salaries (see Section 6.c.). The law provides equal protection to citizen and foreign workers, but all foreign workers still require sponsorship by citizens or locally based institutions and companies. According to representatives of several embassies with large numbers of workers in the country, the Government generally is responsive to embassy requests to investigate foreign worker complaints about unpaid wages and mistreatment. However, foreign workers, particularly those from developing countries, often are unwilling to report abuses for fear of losing residence rights and having to return to their native countries. Sponsors are able to cancel the residence permit of any person under their sponsorship and thereby block them for a year from obtaining entry or residence visas from another sponsor, although the sponsor may be subject to sanctions for wrongful dismissal. Foreign women who work as domestic workers often are beaten or sexually abused (see Section 5). Between 30 to 40 percent of suicide cases handled by the Government's psychiatric hospitals are foreign maids (see Section 6.c.).

Under the Labor Law, workers have the right to remove themselves from dangerous work situations without jeopardy to their continued employment.

f. Trafficking in Persons

The law prohibits trafficking in persons; however, many foreign workers become in essence indentured workers, and are unable to change employment or leave the country without their sponsors' consent (see Section 6.c.).

Prostitution is pervasive among foreign women, especially among hotel and restaurant staff. Such women typically are locked in a communal house when not working and driven to work in a van. Many female hotel employees reportedly trade sexual favors with hotel managers in exchange for time off from work (see Section 6.c.).

[End.]