

# **BAHRAIN 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution does not explicitly protect freedom of religion, but does provide for freedom of worship, and the government generally respected the right of citizens and foreign residents to practice their religion. The trend in the government's respect for religious freedom did not change significantly during the year. The Sunni Muslim citizen population enjoyed favored status. The country experienced some sectarian violence and predominately Shia groups conducted regular demonstrations and protests calling for political reform. The government increasingly scrutinized clerics' sermons, arrested members of the Shia community, including clerics, and stripped the citizenship of 31 Shia citizens, including three clerics, it deemed posed a security threat to the country. There were allegations of excessive use of force, torture, and mistreatment of detainees arrested during protests. The government took steps to implement the Bahrain Independent Commission of Inquiry (BICI) recommendations related to the Shia community, such as reinstating many Shia governmental and parastatal employees who were dismissed in 2011, and rebuilding some of the Shia religious sites that were destroyed in 2011. The government welcomed the transfer of the Roman Catholic Vicariate of Northern Arabia from Kuwait to Bahrain, and donated land for its complex.

There were some reports of societal abuse or discrimination based on religious affiliation, belief, or practice, including incidents of sectarian violence, especially between the Sunni and Shia communities. Some pro-government press outlets and social media posters employed anti-Shia rhetoric and epithets. When the Roman Catholic Vicariate of Northern Arabia moved to the country, some clerics protested, saying that it was forbidden to build churches in the Arabian Peninsula region.

Senior U.S. government officials, including U.S. embassy representatives, raised with the government, political societies, civil society organizations, and the broader public U.S. concerns about government restrictions on and abuses of religious freedom. Embassy officials monitored the implementation of the BICI recommendations, including the reconstruction of places of worship. Embassy officials and visitors from the United States also engaged the public on issues of religious tolerance.

## **Section I. Religious Demography**

## BAHRAIN

The 2010 census lists the overall population as 1.2 million, with citizens making up slightly less than half of the population. Citizens are 99 percent Muslim, while Jews, Christians, Hindus, and Bahais constitute the remaining 1 percent. Muslims comprise 70.2 percent of the total population of citizens and noncitizens. The government does not publish statistics regarding the sectarian breakdown between Shia and Sunni citizens; however, Shia are widely believed to represent a majority of the country's citizen population.

There are approximately 350 licensed Sunni mosques, while the number of licensed Shia places of worship includes 863 mosques and 589 matams (religious cultural centers). In newer residential developments such as Hamad Town and Isa Town, which often have mixed Shia and Sunni populations, there tends to be a disproportionate number of Sunni mosques.

Foreigners, mostly from South Asia and from other Arab countries, constitute an estimated 54 percent of the population. Approximately half of resident foreigners are non-Muslim, including Hindus, Buddhists, Christians (primarily Roman Catholic, Protestant, Syrian Orthodox, and Mar Thoma from South India), Bahais, and Sikhs.

### **Section II. Status of Government Respect for Religious Freedom**

#### **Legal/Policy Framework**

The constitution does not explicitly protect freedom of religion. The constitution provides for freedom of conscience, the inviolability of places of worship, and the freedom to perform religious rites and hold religious parades and meetings, in accordance with the customs observed in the country. The constitution states that Islam is the official religion and Islamic law is a principal source for legislation. The constitution prohibits discrimination in the rights and duties of citizens on the basis of religion or creed; however, there are no further laws to prevent discrimination, nor procedures to file a grievance.

The constitution does not explicitly impose restrictions on non-Muslims' right to choose, change, or practice their religion of choice, including the study, discussion, and promulgation of those beliefs. However, in declaring Islam as the state religion and Islamic law as the source of legislation, the constitution implies that Muslims are forbidden to change their religion. The penal code proscribes punishment of not more than one year imprisonment, or a fine of not more than

## BAHRAIN

100 dinars (approximately \$260) for publicly defaming “one of the official religious groups, or their religious practices.” It outlines the same penalty for openly defaming a religious figure.

Every Muslim religious group must obtain a license from the Ministry of Justice and Islamic Affairs (MOJIA) to operate. If any religious group organizes functions outside of its organization without being licensed, it can be prosecuted based on the Gathering Law. In practice, this does not happen. Non-Muslim religious groups must register with the Ministry of Social Development (MOSD) to operate. Religious groups also may need approval from the Ministry of Education, the Ministry of Culture, the Information Authority, or the Ministry of Interior, depending on the nature of the group’s intended activities. Altogether 19 non-Muslim religious groups are registered with the MOSD, including Christian churches and a Hindu temple. A number of non-Muslim religious groups do not seek to register because they believe the MOSD would refuse the application of any new non-Muslim religious groups.

The government does not designate religion or sect on national identity documents. Birth certificate applications record a child’s religion, but not sect. The birth certificate itself does not include the child’s religion.

The civil and criminal legal systems consist of a complex mix of courts based on diverse legal sources, including both the Jaafari (Shia) and Maliki (Sunni) schools of Islamic jurisprudence, tribal law, and other civil codes and regulations.

Sharia governs personal status, and a person’s rights can vary according to Shia or Sunni interpretation, as determined by the individual’s faith or by the courts. In May 2009, the government adopted the country’s first personal status law, which regulates family matters such as inheritance, child custody, marriage, and divorce. The law is only applicable to the Sunni population, as Shia clerics and lawmakers opposed legislation that would have applied to the Jaafari courts. The passage of this law institutionalized protections for women, such as requiring consent for marriage and permitting women to include conditions in the marriage contract.

Shia and Sunni citizens have equal rights before the law. Although Shia are believed to constitute the majority of citizens, Sunnis dominate political life. Of the 40 members of the Shura Council who are appointed by the king, 18 are Shia. Five of the 29 cabinet ministers are Shia, including one of the four deputy prime ministers.

## BAHRAIN

Construction of places of worship requires approvals from a number of national and municipal entities. The king has sole legal authority to allocate public land. Other government entities that direct the allocation of building permits are the MOJIA, the Islamic Affairs Waqf Board, the country's five municipalities, the Survey and Restoration Directorate, and the Survey Department.

The press and publications law prohibits anti-Islamic media and mandates imprisonment for “exposing the state’s official religion for offense and criticism.” The law states that “any publication that prejudices the ruling system of the country and its official religion can be banned from publication by a ministerial order.” Minority religious groups may produce and distribute religious media and publications, provided they do not criticize Islam. The law does not further prohibit, restrict, or punish the importation, possession, or distribution of religious literature, clothing, or symbols.

Islamic studies are mandatory for all public school students. The Maliki school of Sunni jurisprudence forms the basis of the curriculum, which does not include the Jaafari traditions of Shia Islam.

The government observes the following religious holidays as national holidays: the Birth of the Prophet Muhammad, Eid al-Fitr, Eid al-Adha, Islamic New Year, and Ashura.

### Government Practices

There were reports of abuses of religious freedom, including reports of imprisonment and detention. The country experienced ongoing unrest, including protests calling for political reform, and violence between protestors and security forces. During the year, police arrested individuals, overwhelmingly from the Shia sect, for activities that were both political and religious in nature. There were reports of arbitrary arrest, excessive use of force, and detainee torture and mistreatment.

Domestic and international human rights organizations reported numerous instances of torture; the victims were overwhelmingly Shia. According to reports from victims, security officials used physical and psychological mistreatment to extract confessions and statements under duress or for retribution and punishment. In addition to physical abuse, detainees reported officials prevented them from praying and insulted their religious sect.

## BAHRAIN

In the lead-up to Ashura in November, the Ministry of Interior briefly summoned and interrogated religious procession chanters Abdul Amir Al Biladi and Hussain Sahwan about their activities, allegedly accusing them of politicizing religious ceremonies by chanting political slogans. Also in November, Shia clerics Sayed Kamel Al Hashimi and Sayed Ahmed Al Majed were detained for investigation following allegations that they politicized their sermons. Al Hashimi was released November 29, while Al Majed was charged with establishing a terrorist organization, and at year's end was in custody with four other defendants, pending trial.

On December 8, a court sentenced a 19-year-old blogger to two years in prison on charges of “abusing the Prophet’s wife and leveling highly derogatory insults against her character.” He was serving his sentence at year’s end, and his case will be heard by the Appeals Court.

In November the government revoked the citizenship of 31 Shias, including three clerics, citing a legal provision in the Citizenship Law that allows such revocations for individuals “causing damage to state security.” At year’s end, it was unclear if the 31 Bahrainis could appeal the decision or how the loss of citizenship would impact their dependents.

A number of prominent Shia clerics arrested in 2011 and associated with the political opposition protest movement remained in prison at year’s end, after their sentences were upheld. They include Secretary General Shaikh Mohammed Al Mahfoodh of the Amal political society; Abduljalil Al Miqdad, the leader of the unregistered Al-Wafa’a movement; and Shaikh Mohammed Al Safaf (also known as Mohammed Habib Al Miqdad), a prominent independent Shia cleric. A civilian appeals court overturned the sentence of Shaikh Abdul Atheem Al Mohtedi, a former member of the Supreme Council for Islamic Affairs, and he was released from prison.

There were several accusations of security forces engaging in “collective punishment” against predominantly Shia neighborhoods. This included claims of security forces temporarily restricting the movement of people and goods to and from villages, widespread accusations of excessive use of tear gas, and incidents of multiple arrests.

Although the government generally respected the right of citizens and foreign residents to practice their religion, it continued to exert a level of control over religious practices, including by monitoring both Sunni and Shia Muslims,

## BAHRAIN

censoring sermons, and preventing congregants from attending religious services. MOJIA announced on December 2 that it sent 18 written warnings to seven clerics, and that within a five-month period it had reviewed 221 religious speeches for phrases and sentences that “politicize” places of worship.

During the holy month of Muharram and leading up to Ashura, the government arrested or summoned religious scholars, matam managers, and clerics to question them about the topics of their lectures and chants during Ashura processions.

In August Minister of Justice and Islamic Affairs Shaikh Khalid bin Ali Al Khalifa announced a decision to suspend Sayed Kamel Al Hashimi. Al Hashimi continued to lead Friday sermons in violation of the suspension. In August the MOJIA temporarily transferred Sunni cleric Shaikh Adel Hassan Al Hamad out of his mosque after expressing opposition to the government’s donation of land for a new Catholic church complex.

In November Ministry of Interior personnel set up blockades to prevent worshippers from attending a Friday sermon led by prominent Shia cleric Shaikh Isa Qassem. In the ensuing clashes, one young Shia died and several members of the security forces were injured.

The government did not usually interfere with what it considered “legitimate” religious observances, and permitted non-Muslim communities to maintain places of worship and display religious symbols. During periods of unrest, including those of a sectarian nature, security forces occasionally intervened in religious processions and funerals. The government permitted public religious events, most notably the large annual commemorative march by Shia Muslims during the Islamic month of Muharram, and others throughout the year.

In August the government donated land for a new church complex, making way for the transfer of the Catholic Vicariate of Northern Arabia from Kuwait to Bahrain.

The 2011 BICI report documented the government’s demolition of 28 mosques, one matam, and one shrine, out of a total of 53 damaged Shia religious structures identified by the Al Wefaq National Islamic Society. By the end of 2012, the government had neared completion of the reconstruction of five: the Imam Ali Mosque in Zayed Town, Um Al-Baneen Mosque in Hamad Town, Imam Ali Mosque in Sadad, Fatima Al-Zahraa Mosque in Zayed Town, and Al-Rasool Al-Adam Mosque in Hamad Town. The BICI Follow-up report outlined the government’s plans to rebuild 18 additional mosques. Construction did not yet

## BAHRAIN

begin at year's end, but the government coordinated with stakeholders and the Jaafari Endowments Administration, secured and registered titles to previously untitled land, allocated the budget for new construction, and ordered building permits. Nine of the additional demolished mosques, all in the village of Nawaidrat, will be consolidated into four new mosques.

Members of the Shia community independently built simple structures for worship or rebuilt mosques in some locations without acquiring a property deed or building permit at the sites of some religious structures the government demolished in 2011. The government demolished some of these unlicensed structures, including privately-reconstructed structures of the Abu Talib Mosque in Hamad Town. Local media reported that authorities demolished buildings under construction at the sites of the Fadak al-Zahra and Imam Hassan al-Askari mosques in Hamad Town and Al- Sajjad mosque in Karzakan. Citizens of Nawaidrat village reconstructed the Moa'amen Mosque without government interference.

Bahrain TV did not broadcast Friday sermons from Shia mosques, while broadcasts from Sunni mosques appeared regularly on Bahrain TV.

Public officials such as parliamentarian Jassim Al-Saeedi repeatedly insulted Shias. In November he described Shia religious cleric Isa Qassim as a "terrorist and terrorism sponsor" and verbally attacked Shia Ashura religious practices. The parliamentary legislative committee met in November at the request of the public prosecutor to discuss lifting Al-Saeedi's parliamentary immunity; the committee voted down the request.

Following the 2011 dismissals of 2,200 public and private sector Shia workers during the period of unrest, the government undertook efforts to reinstate these workers to their former positions in accordance with the BICI recommendations. The government claimed that as of December 2012, 98 percent of dismissal cases were resolved. Labor organizations disputed this, arguing that many reinstatements were not to equivalent positions.

Sunni citizens often received preference for employment in sensitive government positions, in the managerial ranks of the civil service, and in the military. Shia politicians and activists asserted that the government and certain business elites discriminated against Shia citizens in employment and promotions. Senior civil service recruitment and promotion processes often favored Sunni candidates. Educational, social, and municipal services in most Shia neighborhoods were inferior to those in Sunni communities. Shia politicians and activists asserted that

## BAHRAIN

the government's naturalization and citizenship processes favored Sunni applicants over Shia applicants.

Shia continued to assert that they were unable to obtain government positions, especially in the security services, because of their religious affiliation. Only a few Shia citizens held significant posts in the defense and internal security forces, although more were in the enlisted ranks. There were allegations that the government allowed foreign Sunni employees of the security services that had lived in the country for fewer than 15 years to apply for citizenship. Arab applicants who have resided in the country for 15 years and non-Arab applicants who have resided in the country for 25 years are eligible to apply for citizenship. There was a lack of transparency in the naturalization process, and there were numerous reports that the citizenship law was not applied uniformly.

Shia were employed in some branches of the police, such as the traffic police, but were not in the riot police responsible for responding to demonstrations and civil unrest. According to the government's November 2012 BICI Follow-Up report, the Ministry of Interior developed an employment plan to recruit Bahraini citizens from all governorates and sects. According to the Follow-Up Report, the ministry hired 100 female and 255 male employees in the first round of community policing recruitment. They will perform police work in all ministry departments. However, the fair implementation of this initiative could not be verified because a statistical breakdown of new recruits by sect was not made available.

Shia citizens were underrepresented in the Ministry of Education in both the leadership and the ranks of head Islamic studies teachers who supervise and mentor other teachers. Although there were many Shia Islamic studies teachers, school authorities discouraged them from introducing content about Shia traditions and practices and instructed them to follow the curriculum.

Curriculum specialists in the Islamic Studies Department at the Ministry of Education's Curriculum Directorate were all Sunni. The curriculum directorate formed a separate committee of Shia teachers and clerics, along with members of the curriculum directorate, to develop the Islamic studies curriculum for the Jaafari Institute, which is the only publicly funded institution in which teachers can legally discuss Shia beliefs and traditions. There were five registered Jaafari hawzas (religious schools) and five registered Sunni religious schools.

The government funded, monitored, and exercised control over official Muslim religious institutions, including Shia and Sunni mosques; religious community

## BAHRAIN

centers; Shia and Sunni religious endowments; and the religious courts, which represent both the Shia and Sunni-affiliated schools of Islamic jurisprudence. The Supreme Council for Islamic Affairs reviewed and approved clerical appointments within both the Sunni and Shia communities.

### **Section III. Status of Societal Respect for Religious Freedom**

Societal pressure reinforced the constitution's implication that Muslims are forbidden to change their religion.

Regional Sunni-Shia tensions and historical political divisions continued to affect intra-Muslim relations. Some of the tensions between Shia and Sunni Muslims stemmed from social and economic factors. Shia Muslims constituted the majority of citizens of low socio-economic status and were widely believed to have a higher unemployment rate than Sunni Muslims.

Anti-Shia commentary appeared regularly in pro-government broadcasts and publications. In January former parliamentarian Mohammed Khalid called for the killing of Shia protestors, labeling them "traitors."

In August, following an announcement that the government had donated land to the Roman Catholic Church and that the Church would move its Northern Arabian apostolic headquarters to Bahrain, 70 clerics signed a petition saying it was forbidden to build churches on the Arabian Peninsula.

Protests in predominantly Shia villages sometimes turned violent, with protesters burning tires, blocking roadways, and throwing incendiary devices. The protests stemmed in large part from the perception among many in the Shia community of unequal treatment by the government under the law and in other areas, such as employment, as well as anger over the police's use of excessive force in some cases. Some protestors actively encouraged rioting and other illegal activity. There were reported instances of inter-sectarian clashes, including in April at the Alba intersection near Nawaidrat.

There were multiple incidents of vandalism against stores owned by prominent Shia businessman Faisal Jawad. In April a mob ransacked one of Jawad's food stores using iron rods and sticks. This attack, filmed on closed circuit TV, was one of a series of attacks, threats, and vandalism against the company.

## **BAHRAIN**

Some anti-Semitic commentary and editorial cartoons appeared in print and electronic media, usually linked to the Israeli-Palestinian conflict, without government response.

### **Section IV. U.S. Government Policy**

U.S. embassy officials continued to meet regularly with religious leaders, representatives of nongovernmental organizations, and political groups to discuss matters of religious freedom. Embassy and visiting U.S. officials regularly raised concerns about religious freedom with a range of government officials, including the ministers of justice, interior, human rights and social development; members of parliament; and the Shura Council. The embassy continued to press the government to protect religious sites and religious freedom, to conduct a dialogue with opposition groups, and to implement the BICI's recommendations, including reconstruction of places of worship.

Embassy officials also engaged the public in dialogue. They hosted the head of a prominent Muslim-American organization for a week-long visit at the start of Ramadan. The visitor engaged guests in an interactive session to highlight the importance of respect, co-existence, and tolerance in any society; led prayers at Al Fateh Grand Mosque; and, attended several Ramadan majalis (gatherings), during which he met with Bahraini clerics, businessmen, media representatives, and academics. At all of these venues, he spoke about the Muslim American experience in overcoming religious differences through reconciliation.