

# **BAHRAIN 2013 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution provides for freedom of conscience, the inviolability of places of worship, and the freedom to perform religious rites and other religious activities. Members of religious groups were able to carry out religious activities, with impediments for some. The Sunni citizen population enjoyed favored status. Shia reportedly suffered discrimination in employment and access to government services, and the country experienced sectarian tensions. Predominately Shia groups conducted regular demonstrations and protests calling for political reform. The government called in Sunni and Shia clerics for questioning throughout the year, particularly when security forces suspected clerics of using sermons to incite violence. The Ministry of Justice and Islamic Affairs (MOJIA) brought a lawsuit against members of the Islamic Ulema Council (the main assembly of Shia clerics in Bahrain), claiming it was an illegal organization. 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 rebuilding some of the Shia religious sites that were destroyed in 2011.

There were reports of societal abuse or discrimination based on religious affiliation, belief, or practice. Some pro-government press outlets and social media posters described well-known Shia clerics and political leaders as “terrorists.”

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 religious freedom. Embassy officials monitored the implementation of the BICI recommendations, including the reconstruction of places of worship. Embassy officials and U.S. government visitors also engaged the public on issues of religious tolerance.

## **Section I. Religious Demography**

The U.S. government estimates the population at 1.2 million (July 2013 estimate), with Bahraini citizens making up slightly less than half of the population. Citizens are 99 percent Muslim, while Christians, Hindus, Bahais, and Jews constitute the remaining 1 percent. According to Jewish community members, there are between 36-40 Jewish citizens, or six families, in the country. Muslims make up 70.2 percent of the total population of citizens and noncitizens, and Christians comprise

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9 percent of the total population. 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. Shia Muslims are believed to have a higher unemployment rate and lower socio-economic status than Sunni Muslims.

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 51 percent of the total population. A majority of these immigrants are migrant workers from South Asia and the Philippines. More than 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. In declaring Islam as the state religion and Islamic law as the source of legislation, however, the constitution implies that Muslims are forbidden to change their religion. The penal code proscribes punishment of not more than one year's imprisonment or a fine of not more than 100 Bahraini dinars (BD) (\$265) for publicly defaming "one of the official religious groups, or their religious practices." It prescribes the same penalty for

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openly defaming a religious figure, although longer sentences have been handed down.

Every Muslim religious group must obtain a license from the MOJIA to operate. If any religious group organizes functions outside of its physical space without being licensed, it can be prosecuted based on the Gathering Law. In practice, this has not occurred. 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.

The government does not designate religion or group on national identity documents. Birth certificate applications record a child's religion, but not group. 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 (Islamic law) 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. The country's 2009 personal status law 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 have successfully opposed legislation that would have applied to the Jaafari courts. The 2009 law institutionalizes some 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 prevailing evidence suggests Shia constitute the majority of citizens, Sunnis dominate political life. Of the 40 members of the Shura Council who are appointed by the king, only 18 are Shia. Six of the 29 cabinet ministers are Shia, including one of the five deputy prime ministers.

Construction of places of worship requires approvals from a number of national and municipal entities. Government entities that direct the allocation of building permits are the MOJIA, the Islamic Affairs Waqf (endowment) Board, the country's five municipalities, the Survey and Restoration Directorate, and the

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Survey Department. The king has sole legal authority to allocate public land, although he can and generally does delegate this authority to government officials, including the prime minister.

The press and publications law prohibits anti-Islamic programming or publications in the 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 Muslim public school students and are optional for non-Muslim students. The Maliki school of Sunni jurisprudence forms the basis of the curriculum, which does not include the Jaafari traditions of Shia Islam. A separate committee of Shia teachers and clerics, along with members of the curriculum directorate, is responsible for the Islamic studies curriculum for the Jaafari Institute, which was founded in 2002 and is the only publicly funded institution in which teachers can legally discuss Shia beliefs and traditions. The committee reviews and updates the curriculum on a regular basis. An estimated 1,200 students attend the institute from elementary level through high school, and receive a diploma on graduation. For adult religious education, there are five registered Jaafari hawzas (religious schools) and five registered Sunni religious schools. Many graduates of the hawzas become religious scholars.

### Government Practices

There were reports of imprisonment and detention. The country experienced ongoing unrest, including protests calling for political reform, and violence between anti-government groups and security forces. During the year police arrested individuals, overwhelmingly Shia, many of whom were engaged in violent and deadly attacks against police, and some of whom were protesting peacefully. There were reports of arbitrary arrest, excessive use of force, and mistreatment.

Ayatollah Hussein Najati, one of three clerics among 31 Shia whose citizenship was revoked in November 2012, reportedly was pressured since June to leave the country. Local press reported that Ayatollah Najati was given a timetable to leave, but at year’s end he continued to reside in the country.

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Several prominent Shia clerics arrested in 2011 and associated with the political opposition protest movement remained in prison at year's end.

Religious chanter Mahdi Salwan, arrested during a July 5 opposition march, was sentenced in September to 15 months in prison for insulting the king and calling for an illegal gathering.

In September Khalil Al Marzooq, a senior leader of Shia opposition political society Al Wifaq, was arrested, detained, and later released on charges of inciting terrorism. The charges stemmed from comments he made in support of the violent opposition group 14 February Youth Coalition.

Local activists and political opposition groups accused security forces of engaging in "collective punishment" against Al-Daih, a predominantly Shia neighborhood, after protests marking the second anniversary of the intervention of Gulf Cooperation Council Peninsula Shield Forces in Bahrain on March 14. Opposition sources said security forces fired tear gas into Shaikh Ebrahim Mosque, preventing worshipers from holding prayers. Reports also indicated that security forces employed teargas in the vicinity of hundreds of houses near the mosque in Al-Daih. Fifty houses in Sitra, another predominantly Shia neighborhood, were reportedly raided by security forces in July. Local activists stated residents were insulted and many of their doors and windows broken. During the same raid, activists stated security forces prevented residents from leaving and entering the neighboring village of Al Ma'ameer for approximately five hours.

Although the government generally respected freedom of conscience and the right of citizens and foreign residents to participate in religious rites and other religious activities, it continued to exert a limited level of control over religious practices when it perceived religious authorities as political opponents or as encouraging political violence. At times of unrest, the government occasionally monitored both Sunni and Shia Muslims, censoring sermons, and in one instance preventing congregants from attending religious services. On June 23, local press reported security forces prohibited citizens from praying at the location of the Shia Abu Thar Mosque, which had been demolished during the 2011 unrest. According to the press report, police cordoned off the location to ensure worshipers could not reach it. On two occasions in December, according to local press, security forces blocked roads leading to the site of the Shia Al Barbaghi Mosque, preventing citizens from performing prayers. Al Barbaghi was also demolished during the 2011 unrest.

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In January the MOJIA delivered written warnings to 19 Shia and Sunni clergy who allegedly used sermons to incite violence, hatred, and sectarianism. The MOJIA threatened clerics with suspension if they did not renounce violence.

During the Islamic holy month of Muharram and leading up to the Shia commemoration of Ashura, the government summoned *matam* managers for questioning about their administrative activities in planning for Ashura. Some religious chanters and clerics were reportedly summoned to their local police stations for questioning about their sermons, religious beliefs, and personal views. The Bahrain Human Rights Observatory detailed many instances of Ministry of Interior personnel removing Ashura flags, banners, and decorations from streets and houses. The government condemned “terrorist political organizations” for using Ashura to spread political messages.

In September the MOJIA brought a lawsuit against members of the Islamic Ulema Council, claiming it was an illegal organization. The lawsuit sought to halt the organization’s activities, close its headquarters, and liquidate its assets.

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 Muharram, and others throughout the year. In July the National Assembly met in an extraordinary session and decreed a temporary ban on “sit-ins, rallies, and gatherings in the capital city of Manama.” The decree did not affect the observances of Ashura.

The 2011 BICI report documented the government’s demolition of 28 mosques, one *matam*, and one shrine, of a total of 53 damaged Shia religious structures identified by opposition society Al Wifaq. By the end of 2013, the government had completed the reconstruction of three of the five mosques that had deeds and building permits: the Imam Ali Mosque in Zayed Town, the Um Al-Baneen Mosque in Hamad Town, and the Imam Ali Mosque in Sadad. The Fatima Al-Zahraa Mosque in Zayed Town and the Al-Rasool Al-Adam Mosque in Hamad Town were close to completion. The BICI follow-up report outlined the government’s plans to rebuild 18 additional mosques of those destroyed. The government coordinated with stakeholders and transferred management of the construction to the Jaafari Endowments Administration, secured and registered

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titles to previously untitled land, allocated a budget of BD 3.3 million (\$87.5 million) for new construction, and ordered the issuance of building permits. Construction reportedly began on 10 of the remaining 18 sites. The government announced a new timeline for construction, with a projected completion date of December 2014.

Members of the Shia community built simple structures for worship or rebuilt mosques on the sites of some religious structures the government had demolished in 2011. This was done without government financial support and without acquiring property deeds or building permits. During the year citizens of Nuwaidrat village completed reconstruction of six of the nine mosques destroyed in 2011, without government funds or assistance. The communities used permanent materials but kept the mosques off the power and water grids, instead using generators and water tanks.

The government-run television station did not broadcast Friday sermons from Shia mosques, while broadcasts from Sunni mosques appeared regularly on this channel.

Public officials frequently alleged Shia opposition members were supporters of terrorism. Parliamentarian Jassim Al-Saeedi gave a speech in July referring to the Shia opposition as “Iranians” and “traitors.” During an extraordinary session of the National Assembly in July, Parliamentarian Adel Al Maawdah described the Shia opposition as “dogs,” and others described them as “terrorists.”

Following the 2011 dismissals of 2,200 public and private sector Shia workers during the period of unrest, the government said its efforts to reinstate these workers in accordance with the BICI recommendations were successful, and that, as of November 2013, more than 99 percent of dismissal cases had been resolved. The General Federation of Bahrain Trade Unions (GFBTU), however, stated that several hundred cases remained unresolved; but it was unable to provide thorough documentation of those claims. The government continued working with a tripartite committee, formed in December 2011 and consisting of a representative from the Ministry of Labor, the Bahrain Chamber of Commerce and Industry (BCCI), and the GFBTU, to address dismissals and reinstatements. At year’s end the GFBTU and BCCI were ready to settle the case with the International Labor Organization (ILO), but the government asked for time to conduct an additional legal review of the agreement.

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Sunni citizens often received preference for employment in sensitive government positions, in the managerial ranks of the civil service, and in the military. Shia continued to assert 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. Shia politicians and activists asserted 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 widely viewed as inferior to those in Sunni communities.

Shia politicians and activists stated that the government's naturalization and citizenship processes favored Sunni applicants over Shia applicants. According to the law, Arab applicants with 15 years residence and non-Arab applicants with 25 years residence are eligible to apply for citizenship, and the king also has the authority to grant and revoke citizenship. There was a lack of transparency in the naturalization process, and there were numerous reports the citizenship law was not applied uniformly. Political societies and human rights groups alleged the government allowed foreign Sunni employees of the security services who had lived in the country for fewer than 15 years to apply for citizenship.

Shia were employed in some branches of the police, such as the traffic police, but did not occupy more senior supervisory positions. According to the government's November 2012 BICI follow-up report, the Ministry of Interior promised to recruit at least 500 citizens from all governorates and groups. According to the ministry, in June 577 new police officers graduated under this recruitment initiative. They were to perform police work in all ministry departments. The fair implementation of this initiative could not be verified, however, because the ministry did not make available a statistical breakdown of new recruits by group.

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

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There were reports of societal abuse or discrimination based on religious affiliation, belief, or practice. Because ethnicity and religion are often closely linked, and religious affiliation was often seen as determinative of political loyalties, it was difficult to categorize many incidents specifically as ethnic, political, or religious intolerance.

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.

The Shia Amir Barbaghi Mosque in A'ali village was repeatedly vandalized with defamatory words, such as "The mosque of the traitors, the Jews." Local human rights offices detailed vandalism at other Shia mosques, including evidence of shots fired at them, presumably from firearms.

In December the Bahraini ambassador to France paid an official visit to a Holocaust memorial in France, becoming the first ambassador from an Arab country to visit the site. His visit prompted criticism from one member of parliament, Khalid Al-Malood of the Al-Asla Islamic bloc, who said, "in our world today, it is well known that the so-called Jewish Holocaust is just a big lie and deception just to seize Palestinian rights and lands."

Anti-Shia commentary appeared regularly in pro-government broadcasts and publications. Columnists for the newspaper *Al Watan* such as Sawsan Al Shair and Ibrahim Al Shaikh described the Shia opposition as terrorists and agents of Iran.

Protests by residents in predominantly Shia neighborhoods sometimes turned violent, with protesters burning tires, blocking roadways, throwing incendiary devices, and employing improvised explosive devices and homemade weapons, which resulted in three reported police deaths during the year. 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 security services' use of excessive force in some cases. Some protesters actively encouraged violence, rioting, and other illegal activity.

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### 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, conduct a dialogue with opposition groups, and implement the BICI's recommendations, including reconstruction of places of worship.

Embassy officials also engaged the public on religious freedom. The embassy used its website to publish an essay on religious tolerance during Ramadan written by the State Department's Special Envoy to the Organization of Islamic Cooperation, who visited twice during the year. The special envoy stressed the importance of religious diversity and tolerance to maintaining a prosperous society. He met with government officials; Bahrain's leading Shia cleric, Shaikh Isa Qassim; members of Ta' Ayoush, the Bahrain Association for Religious Coexistence and Tolerance; and members of the Supreme Council for Islamic Affairs.