

BAHRAIN 2020 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Bahrain is a constitutional, hereditary monarchy. King Hamad Bin Isa Al Khalifa, the head of state, appoints the cabinet, consisting of 24 ministers; 12 of the ministers were members of the al-Khalifa ruling family. The king, who holds ultimate authority over most government decisions, also appoints the prime minister--the head of government--who does not have to be a member of parliament. Parliament consists of an appointed upper house, the Shura (Consultative) Council, and the elected Council of Representatives, each with 40 seats. The country holds parliamentary elections every four years, and according to the government, 67 percent of eligible voters participated in the most recent elections, held in 2018. Two formerly prominent opposition political societies, al-Wifaq and Wa'ad, did not participate in the elections due to their dissolution by the courts in 2016 and 2017, respectively. The government did not permit international election monitors. Domestic monitors generally concluded authorities administered the elections without significant procedural irregularities.

The Ministry of Interior is responsible for internal security and oversees the civilian security force and specialized security units responsible for maintaining internal order. The Coast Guard is also under its jurisdiction. The Bahrain Defense Force is primarily responsible for defending against external threats, while the Bahrain National Guard is responsible for both external and internal threats. Civilian authorities maintained effective control over the security forces. Members of the security forces committed some abuses.

Significant human rights issues included: torture and cases of cruel, inhuman, or degrading treatment or punishment; harsh prison conditions, including lack of sufficient access to medical care in prisons; arbitrary detention; political prisoners; arbitrary or unlawful interference with privacy; restrictions on freedom of expression, the press, and the internet, including censorship, site blocking, criminal libel, and arrests stemming from social media activity; substantial interference with the rights of peaceful assembly and freedom of association; overly restrictive laws on independent nongovernmental organizations; restrictions on freedom of movement, including revocation of citizenship; restrictions on political participation; and significant restrictions on workers' freedom of association.

The government prosecuted low-level security force members responsible for human rights violations, following investigations by government institutions.

Nongovernmental human rights organizations claimed investigations were slow and lacked transparency.

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

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that government security forces committed arbitrary or unlawful killings during the year.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

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

The constitution prohibits “harm[ing] an accused person physically or mentally.” Domestic and international human rights organizations, as well as detainees and former detainees, maintained that torture, abuse, and other cruel, inhuman, or degrading treatment or punishment by government security officials continued during the year.

Human rights groups reported accounts alleging security officials beat detainees, placed detainees in stress positions, humiliated detainees in front of other prisoners, deprived detainees of time for prayers, and insulted detainees based on their religious beliefs.

Detainees reported that security forces committed abuses during searches, arrests at private residences, and during transportation. Detainees reported intimidation, such as threats of violence, took place at the Criminal Investigation Directorate (CID) headquarters facility. Some detainees at the CID reported security officials used physical and psychological mistreatment to extract confessions and statements under duress or to inflict retribution and punishment.

Human rights groups reported authorities subjected children, sometimes younger than age 15, to various forms of mistreatment, including beating, slapping, kicking, and verbal abuse. The law considers all persons older than 15 to be adults.

Human rights organizations and families of inmates also reported authorities denied medical treatment to injured or ill detainees and prisoners. In November the family of 70-year-old Hasan Mushaima, a prominent leader of a dissolved political society serving a life sentence in prison since 2011, reported that his health was deteriorating and was transferred to a Bahrain military hospital for treatment and then returned to prison after six hours. International human rights organizations reported Professor Khalil al-Halwachi, who has been serving a 10-year sentence since 2014 on weapons charges, was not receiving adequate medical treatment in Jaw Prison.

The Ministry of Interior denied torture and abuse were systemic. In response to a family's claim that their father was not receiving medical attention, the Ministry of Interior stated that inmates receive full health-care services and medication under the law and in line with humanitarian standards. The government reported all prisons, detention facilities, and interrogation rooms at local police stations and the CID were equipped with closed-circuit television cameras that monitored the facilities at all times.

The Special Investigation Unit (SIU), part of the Public Prosecutor's Office in the Ministry of Justice, Islamic Affairs, and Endowments, reported receiving 33 complaints in the first quarter of the year and 10 complaints during the second quarter of the year alleging torture, mistreatment, and excessive force used by members of the police. As of May the SIU referred one officer to the Military Court for unknown charges of abuse. The officer received a disciplinary action as a result.

The Ministry of Interior's Ombudsman's Office reported it investigated all complaints and made recommendations to the government to address concerns. In the first quarter of the year, the office had four investigations underway into complaints against police directorates and had referred eight cases to criminal or to disciplinary proceedings. Fifteen complaints were submitted against the CID; 12 were under investigation. Two complaints each were submitted against the Traffic Directorate and the Customs Affairs. One complaint was submitted against the Coast Guard and was referred for criminal or disciplinary proceedings.

The Office of the Ombudsman's sixth annual report, released in October 2019, reported 289 complaints and 778 assistance requests between May 2018 and April 2019 from alleged victims of mistreatment by police and civilian staff, or from victims' families or organizations representing their interests. Of these complaints, 70 were referred to the relevant disciplinary body, including police administrative

hearing “courts” and the Public Prosecutor’s Office, 28 were under investigation, and 50 were resolved or not upheld. The ombudsman reported receipt of 43 complaints against the CID, of which seven cases were referred for criminal or disciplinary proceedings, and 86 complaints against Jaw Prison, of which 40 cases were referred for criminal or disciplinary action. The ombudsman referred seven of the cases against the CID and 40 against Jaw Prison for criminal or disciplinary procedures; 12 and 15 additional cases were under investigation, respectively.

Zakeya al-Barboori, one of the only remaining female political prisoners who was arrested in 2018, and her family formally submitted complaints to NIHR and the Ombudsman’s Office about her treatment in prison, after the king’s 2019 royal decree restored Bahraini citizenship to al-Barboori and 550 other individuals.

Impunity was not a significant problem in the security forces. The Ministry of Interior police code of conduct requires officers to abide by 10 principles, including limited use of force and zero tolerance for torture and mistreatment. The Royal Police Academy included the police code of conduct in its curriculum, required all recruits to take a course on human rights, and provided recruits with copies of the police code of conduct in English and Arabic. The ministry reported it took disciplinary action against officers who did not comply with the code, although it did not publish details of such steps.

Prison and Detention Center Conditions

Human rights activists reported conditions in prisons and detention centers were harsh and sometimes life threatening, due to overcrowding, physical abuse, and inadequate sanitary conditions and medical care.

Physical Conditions: Human rights organizations and prisoners reported gross overcrowding in detention facilities, which placed a strain on prison administration and led to a high prisoner-to-staff ratio. The Bahrain Institute for Rights and Democracy (BIRD) reported Building 13 of Jaw Prison housed inmates at 30 percent over capacity. Prisoners complained of limited time for outdoor activities, which did not exceed one hour and a half per day. In August inmates in Building 14 undertook a hunger strike to protest religious discrimination, lack of access to medical facilities, and limits on family visitation due to COVID-19-related restrictions.

For humanitarian reasons in response to the COVID-19 pandemic, on March 12, the king pardoned 901 prisoners, and on May 23, he pardoned and released 154

more to mark Ramadan; these releases followed a December 2019 pardon of 268 prisoners. Most of those were juveniles, patients who needed special care, and foreigners. The remaining 585 inmates, who had served half of their jail terms, reportedly received noncustodial sentences.

In December the minister of justice, Islamic affairs, and endowments announced that 4,208 prisoners had either been pardoned and released or granted noncustodial sentences under the country's alternative sentencing law since 2017 and all juvenile inmates were released, in part due to concerns about overcrowding and COVID-19.

Although the government reported potable water was available for all detainees, there were reports of lack of access to water for washing, lack of shower facilities and soap, and unhygienic toilet facilities. On August 10, BIRD reported that Jaw Prison and Dry Dock detected a scabies outbreak due to poor hygiene practices during the COVID-19 pandemic.

Human rights organizations reported food was adequate for most prisoners; however, prisoners needing dietary accommodations due to medical conditions had difficulty receiving special dietary provisions.

Authorities held detainees younger than age 15 at the Juvenile Care Center; criminal records are expunged after detainees younger than 15 are released.

The government housed convicted male inmates between ages 15 and 21 in separate buildings located on the grounds of the Dry Dock Facility. The Ministry of Interior separated prisoners younger than 18 from those between the ages of 18 and 21. Upon reaching 21, prisoners enter the general population at Jaw Prison.

The Ministry of Interior reserved one ward in the pretrial detention center for the elderly and special needs detainees. Officials reported they offered these detainees special food, health care, and personal services to meet their needs.

The ministry operated a center for rehabilitation and vocational training, including various educational, drug addiction, and behavioral programs. Activists said that the programs lacked trained teachers and adequate supplies and that the government did not allow some inmates to take national exams. According to the minister of justice, Islamic affairs, and endowments, inmates released provisionally under the country's alternative sentencing law were allowed to work at government offices, both in service and administrative positions, to complete the remainder of

their prison sentences. In December the minister confirmed to the National Assembly that 22 government offices provide jobs and vocational training to prisoners released under the program, in addition to nine private-sector companies and civil society institutions.

Although the ministry reported detention centers were staffed with experienced medical specialists and outfitted with modern equipment, prisoners needing medical attention reported difficulty in alerting guards to their needs, and medical clinics at the facilities were understaffed. Prisoners with chronic medical conditions had difficulty accessing regular medical care, including access to routine medication. Those needing transportation to outside medical facilities reported delays in scheduling offsite treatment or very short stays in the hospital, especially those needing follow-up care for complex or chronic conditions.

In response to the COVID-19 pandemic, the ministry's General Directorate of Reformation and Rehabilitation stated it disinfected cells on a daily basis and provided prisoners with medical kits and hygiene products. New inmates were quarantined for 14 days before they joined the general prison population.

According to the government, eight prisoners died during the year; the cause of death of seven was deemed a result of medical conditions and one a reported suicide.

Administration: Authorities generally allowed prisoners to file complaints to judicial authorities without censorship, and officials from the Ombudsman's Office were available to respond to complaints. Human rights groups reportedly sometimes had to file multiple complaints to receive assistance. Prisoners had access to visitors at least once a month, often more frequently, and authorities permitted them 30 minutes of calls each week, although authorities denied prisoners communication with lawyers, family members, or consular officials (in the case of foreign detainees) at times. In response to the COVID-19 pandemic, the Ministry of Interior's General Directorate of Reformation and Rehabilitation suspended family visits in March, replacing visits with video conferences between detainees and their relatives beginning in April.

There were reports authorities denied prisoners access to religious services during special commemorations, such as Ashura, and prayer time. Some detainees reported prison officials limited time provided for Ashura rituals citing COVID-19 mitigation efforts, but the National Institution for Human Rights (NIHR), a government human rights body monitoring complaints of human rights violations,

said inmates were given additional time to practice Ashura rituals in common areas, adding no religious rituals were allowed in prison cells as a matter of general policy.

Independent Monitoring: Authorities permitted access for the NIHR and the Prisoners and Detainees Rights Commission (PDRC), as well as the Ombudsman's Office and the SIU (see section 5). International human rights organizations questioned the independence and effectiveness of these organizations. During the year the Ministry of Interior reported on the work of the Internal Audit and Investigations Department, which received and examined complaints against security forces. According to its seventh annual report, the Ombudsman's Office received 207 complaints between May 2019 and April 2020, and it referred 23 of the cases to the SIU for further action, 25 for security prosecution, and two cases to the disciplinary committee. The office continued to investigate 21 cases. The largest number of referred cases came from Jaw Prison and the CID. The Ombudsman's Office also received 683 assistance requests, which included securing prison visits, telephone calls, medical services, or access to education. Due to intermittent closures of government offices during the COVID-19 pandemic, the Ombudsman's Office established a WhatsApp account and continued to receive complaints via email.

During the fourth quarter of 2019, the SIU referred 12 suspects from Ministry of Interior to the courts, including two senior officials, who were accused of physically attacking inmates in Jaw Prison in April 2019. After a December 2019 hearing, the Lower Criminal Court convicted one prison guard to one year in prison and sentenced five others to three months in prison. Two other prison guards were referred to the ministry's Military Court to receive disciplinary sentences.

Improvements: Government officials reported the completion of three new Jaw Prison buildings to phase out older facilities and better comply with international standards, including the Istanbul Protocol.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention. Local and international human rights groups reported that individuals were detained without being notified at the time of the arrest of the legal authority of the person conducting the arrest, the reasons for the arrest, and the charges against them. Human rights groups claimed Ministry of Interior agents conducted many arrests at private residences

either without presenting an arrest warrant or presenting an inaccurate or incomplete one. Government officials disputed these claims.

In 2017 King Hamad reinstated the arrest authority of the National Security Agency (NSA), after it had been removed following criticism in the Bahrain Independent Commission of Inquiry. On June 26, the king issued an order renaming the NSA as the National Intelligence Agency (NIA). There were no reports of the NSA or NIA using its arrest authority during the year.

Arrest Procedures and Treatment of Detainees

The law stipulates law enforcement officers may arrest individuals without a warrant only if they are caught committing certain crimes for which there is sufficient evidence to press charges. Additionally, the code of criminal procedure requires execution of an arrest warrant before a summons order to appear before the public prosecutor. Local activists reported that police sometimes made arrests without presenting a warrant and that the Public Prosecutor's Office summoned political and human rights activists for questioning without a warrant or court order.

By law the arresting authority must interrogate an arrested individual immediately and may not detain the person for more than 48 hours, after which authorities must either release the detainee or transfer the person to the Public Prosecutor's Office for further questioning. The office is required to question the detainee within 24 hours, and the detainee has the right to legal counsel during questioning. To hold the detainee longer, the office must issue a formal detention order based on the charges against the detainee. Authorities may extend detention up to seven days for further questioning. If authorities require any further extension, the detainee must appear before a judge, who may authorize a further extension not exceeding 45 days. The High Criminal Court must authorize any extensions beyond that period and any renewals at 45-day intervals. In the case of alleged acts of terror, law enforcement officers may detain individuals for questioning for an initial five days, which the Public Prosecutor's Office may extend up to 60 days. A functioning system of bail provides maximum and minimum bail amounts based on the charges; however, judges often denied bail requests without explanation, even in nonviolent cases. The bail law allows the presiding judge to determine the amount within these parameters on a case-by-case basis.

Attorneys reported difficulty in gaining access to their clients in a timely manner through all stages of the legal process. They reported difficulty registering as a

detainee's legal representative because of arbitrary bureaucratic hurdles and lack of official government notaries; arbitrary questioning of credentials by police; lack of notification of clients' location in custody; arbitrary requirements to seek court orders to meet clients; prohibitions on meeting clients in private; prohibitions on passing legal documents to clients; questioning of clients by the Public Prosecutor's Office on very short notice; lack of access to clients during police questioning; and lack of access to consult with clients in court. While the state provides counsel to indigent detainees, there were reports detainees never met with their state-appointed attorney before or during their trial.

According to reports by local and international human rights groups, authorities held some detainees for weeks with limited access to outside resources. The government sometimes withheld information from detainees and their families regarding detainees' whereabouts for days.

Arbitrary Arrest: Human rights groups reported the Ministry of Interior sometimes arrested individuals for activities such as calling for and attending protests and demonstrations, expressing their opinion either in public or on social media, and associating with persons of interest to law enforcement. Some of these detained individuals reported arresting forces did not show them warrants.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: There were reports that authorities sometimes delayed or limited an individual's access to an attorney. There were no reports of courts finding individuals to have been unlawfully detained and recommending compensation. On May 18, the Minister of Justice issued an order allowing defendants' legal representatives to attend court proceedings virtually if the defendant requested it.

e. Denial of Fair Public Trial

Although the constitution provides for an independent judiciary, political opposition figures reported the judiciary remained vulnerable to political pressure, especially in high-profile cases. The judiciary has two branches: the civil law courts deal with all commercial, civil, and criminal cases, including family issues of non-Muslims, and the family law courts handle personal status cases of Muslims. Based on the Unified Family Law, the government subdivided family court cases into Sunni and Shia sharia-based court proceedings. Some judges were foreign citizens, serving on limited-term contracts subject to government approval for renewal and residence. The Supreme Judicial Council reported working with the Judicial Legal Studies Institute to prepare, on average, 10 new Bahraini judges

per year, in an effort to increase their number. The Supreme Judicial Council is responsible for supervising the work of the courts, including judges, and the Public Prosecutor's Office.

On June 15, the Court of Cassation upheld the death sentences of Zuhair Ebrahim Jassim and Hussain Abdulla Khalil Rashid. Both were prosecuted on charges of targeting security forces and killing a police officer in 2014.

On July 13, the Court of Cassation upheld the death sentences of Husain Moosa and Mohammed Ramadan. Human rights groups claimed there was evidence of torture during their interrogations. Following their 2014 convictions and death sentences by the Court of Cassation, the SIU launched a review of allegations of torture, and the Court of Cassation overturned the sentences based on the SIU's findings and called for a retrial. In January the Supreme Court of Appeals convicted Moosa and Ramadan and reinstated their death sentences, which the Court of Cassation upheld in July. There were 10 other detainees whose death sentences had been upheld by the Court of Cassation in Bahrain.

Trial Procedures

The constitution presumes defendants are innocent until proven guilty. By law authorities should inform detainees of the charges against them upon arrest. Civil and criminal trial procedures provide for a public trial. A panel of three judges makes the rulings. Defendants have the right to consult an attorney of their choice within 48 hours (unless the government charges them pursuant to counterterrorism legislation); however, there were reports that defendants and their lawyers had difficulty getting police, public prosecutors, and courts to recognize or register representation by an attorney. The government provides counsel at public expense to indigent defendants. Plaintiffs are required to provide their own interpreters, except in labor dispute cases, when the Ministry of Justice, Islamic Affairs, and Endowments may provide assistance.

Defendants have the right to present witnesses and evidence on their behalf. While defendants have the right to question witnesses against them, the judges may declare the questions to be irrelevant and prohibit a line of questioning without providing reasoning. Prosecutors rarely present evidence orally in court but provide it in written and digital formats to judges in their chambers. Defendants are not compelled to testify or to confess guilt, and they have the right to appeal. The government may try defendants in their absence, and at least 27 defendants

with terrorism-related charges were convicted and sentenced in absentia during the year.

Family status law varied according to Shia or Sunni interpretations of Islamic law, especially for women (see section 6). In 2017 the government codified a Unified Family Law, which for the first time included a civil code for Shia family law. According to supporters of the law, the unified civil code protects women's rights, in particular Shia women, from the imposition of arbitrary decisions by unregulated clerics. Women's rights groups reported the family courts granted divorces more quickly and judicial decisions adhered to the new civil code.

In 2017 King Hamad also ratified a constitutional amendment that grants military courts the right to try civilians accused of threatening the security of the state. Media reported the government approved the amendment to better fight terrorist cells, while activists claimed the change would jeopardize fair trial standards. The government did not use this mechanism during the year.

Political Prisoners and Detainees

In November 2019 the Public Prosecutor's Office announced the release of 75 prisoners, most of whom were considered political prisoners, under the country's alternative sentencing law. Prominent political opposition figures serving life sentences did not benefit from application of the alternative sentencing law and were held separately from the general prison population.

The alternative sentencing law was applied to the sentences of dozens considered political prisoners, including female inmates, who were all released. The Bahrain Center for Human Rights and opposition groups welcomed application of the alternative sentencing law. In November 2019 human rights activist Ebtisam al-Saegh posted a photograph with released prisoner Mujtaba al-Abbar and said he was the first political prisoner to receive an alternative sentence.

In June the government released prominent human rights activist and president of Bahrain Center for Human Rights (BCHR) Nabeel Rajab, who was sentenced in 2018 to five years in prison on charges of "inciting hatred against the regime."

Leader of the Amal opposition Society Khalil al-Halwachi was arrested in 2014, convicted of "possession of a weapon" and "insulting the judiciary" in 2017, and sentenced to 10 years in prison. Authorities refused to grant al-Halwachi an

alternative noncustodial sentence, and his family continued to call for his release on humanitarian grounds amid concerns over his health.

During the year two persons were charged with “colluding” with Qatar and were sentenced to three to five years in prison. This was the second time the government charged citizens with “collusion,” following prior prosecutions of three members of a dissolved political society.

Civil Judicial Procedures and Remedies

Citizens may submit civil suits before a court seeking cessation of or damages for some types of human rights violations. In many such situations, however, the law prevents citizens from filing civil suits against security agencies.

In cases where a person has no previous criminal history, is a minor, or is charged with minor legal infractions, the law provides alternative penalties and measures to reduce the number of inmates in detention centers and prisons. The government reported using the alternative sentencing law for more than 4,000 convicts since 2017, according to the Minister of Justice, Islamic Affairs, and Endowments. They were ordered to perform community service; pay their fines, debts, or both; or participate in job training and rehabilitation classes. The law on minors prohibits the imposition of prison terms on children, defined as younger than 15.

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

Although the constitution prohibits such actions, the government violated prohibitions against interference with privacy, family, home, or correspondence. Human rights organizations reported security forces sometimes entered homes without authorization and destroyed or confiscated personal property. The law requires the government to obtain a court order before monitoring telephone calls, email, and personal correspondence. Many citizens and human rights organizations believed police used informant networks, including ones that targeted or used children younger than 18.

Reports also indicated the government used computer programs to surveil political activists and members of the opposition inside and outside the country.

According to local and international human rights groups, security officials sometimes threatened a detainee’s family members with reprisals for the detainee’s

unwillingness to cooperate during interrogations and refusal to sign confession statements.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution provides for freedom of speech and the press, “provided that the fundamental beliefs of Islamic doctrine are not infringed, the unity of the people is not prejudiced, and discord and sectarianism are not aroused.” The government limited freedom of speech and the press through prosecution of individuals under libel, slander, and national security laws that targeted citizen and professional journalists.

Freedom of Speech: The law forbids any speech that infringes on public order or morals. Speech is curtailed in both traditional media and social media. While individuals openly expressed critical opinions regarding domestic political and social issues in private settings, those who expressed such opinions publicly often faced repercussions. During the year the government took steps against what it considered acts of civil disobedience, which included critical speech. The penal code allows penalties of no less than one year and no more than seven years of imprisonment, plus a fine, for anyone who “offends the monarch of the Kingdom of Bahrain, the flag, or the national emblem.” Defense attorney Abdulla al-Shamlawi, who defended prominent opposition figures, including members of the now banned opposition group al-Wifaq, was prosecuted for “defamation.” On September 14, an appeals court gave al-Shamlawi a six-month suspended sentence for “inciting sectarianism.” The appeals court decision overturned the June 30 verdict of the High Criminal Court, which sentenced al-Shamlawi to eight months in prison for “humiliating an Islamic sect” and “misusing a telecommunications device.”

On August 25, the Court of Cassation upheld a one-year prison sentence against Shia religious preacher Sheikh Abdul Mohsin Mulla Atiyya al-Jamri for a sermon “disdaining a figure that is revered by a religious group,” according to the Public Prosecutor’s Office.

On August 30, the Public Prosecutor’s Office arrested a Bahraini doctor for defaming religious figures during a sermon, stating the sermon promoted violence and sectarian sedition. Activists and rights groups claimed the sermon was

misinterpreted. The Public Prosecutor's Office released the individual on September 1 on bail, placed a travel ban on him, and referred his case to the court.

International and local NGOs reported police summoned approximately 10 individuals, including religious clerics, in the days leading up to and following the Ashura religious rites--the most significant days of the Shia religious calendar. Authorities reportedly summoned and interrogated these individuals for the content of their sermons, and specifically for "inciting sectarian hatred." Police held some of them overnight; others were detained and released the same day; others remained in custody for several days or weeks.

Freedom of Press and Media, Including Online Media: The government did not own any print media, but the Ministry of Information Affairs and other government entities exercised considerable control over privately owned domestic print media.

The government owned and operated all domestic radio and television stations. Audiences generally received radio and television broadcasts in Arabic and English from stations based outside the country, including by satellite. The Ministry of Information Affairs reviewed all books and publications prior to issuing printing licenses. The Ministry of Justice, Islamic Affairs, and Endowments also reviewed those books that discussed religion.

Several journalists submitted suggested reforms for the draft National Action Plan for Human Rights (see section 5).

Violence and Harassment: According to local journalists and human rights groups, authorities sometimes harassed, arrested, or threatened journalists, photographers, and "citizen journalists" active on social media due to their reporting. Authorities claimed, however, that some individuals who identified themselves as journalists and photographers were associated with violent opposition groups and produced propaganda and recruiting videos for these groups. International media representatives reported difficulty in obtaining visas to work as journalists. The government brought criminal complaints against journalists who worked without accreditation. In August 2019 the family of former member of parliament Osama al-Tamimi, who had been critical of the ruling family on social media, reported he was harassed by security forces and was reportedly under a travel ban.

Censorship or Content Restrictions: Government censorship occurred. Ministry of Information Affairs personnel actively monitored and blocked stories on matters deemed sensitive, especially those related to sectarianism, national security, or

criticism of the royal family, the Saudi royal family, or the judiciary. Journalists widely practiced self-censorship. Some members of media reported government officials contacted editors directly and told them to stop publishing articles on certain subjects.

The press and publications law prohibits anti-Islamic content in media and mandates imprisonment for “exposing the state’s official religion to offense and criticism.” The law states, “Any publication that prejudices the ruling system of the country and its official religion can be banned from publication by a ministerial order.”

Libel/Slander Laws: The government enforced libel and national security-related laws restricting freedom of the press. The penal code prohibits libel, slander, and “divulging secrets,” and it stipulates a punishment of imprisonment of no more than two years or a fine. Application of the slander law was selective. The Ministry of Interior reported the government fined or imprisoned 93 individuals for “slander,” “libel,” or “divulging secrets” through April, compared with 172 cases in 2019. In addition, two persons were convicted of “insulting a government institution,” and 582 were convicted of “misusing a telecommunications device.”

National Security: National security-related law provides for substantial fines and prison sentences of at least six months for criticizing the king or inciting actions that undermine state security, as well as fines for 14 related offenses. Punishable activities include publicizing statements issued by a foreign state or organization before obtaining ministry approval, publishing any reports that may adversely affect the dinar’s value, reporting any offense against a head of a state that maintains diplomatic relations with the country, and publishing offensive remarks concerning an accredited representative of a foreign country due to acts connected with the person’s position.

Internet Freedom

The government blocked access to some websites from inside the country, including some opposition-linked websites. The government continued blocking Qatar-funded web-based outlets, which it began after cutting relations with Qatar in 2017, and other pan-Arab media outlets that were critical of Bahrain. Access to overseas human rights groups reporting on human rights and political prisoners in Bahrain and opposition-leaning news sites that were critical of the ruling family and the government were blocked within the country. The government restricted internet freedom and monitored individuals’ online activities, including via social

media, leading to degradation of internet and mobile phone services for some neighborhoods and to legal action against some internet users.

In May 2019 the Ministry of Interior Cybersecurity Department announced it would use applicable laws to charge social media users who followed accounts that promote hatred and shared their posts. On August 26, the Cybersecurity Department warned against sharing content from Lebanon-based and Iran-based social media accounts that were linked with dissolved political societies al-Wifaq and al-Wafa.

Several reports alleged the government monitored political and human rights activists' social media accounts and electronic communications.

Defense attorney Abdulla Hashim was charged with misusing social media and publishing "fake news" for eight tweets between 2017 and 2019 highlighting government corruption. At year's end his case was awaiting an appeal verdict, and he was facing two years in prison for tweets critical of corruption, impunity, and establishing diplomatic ties with Israel.

Political and human rights activists reported being interrogated by security forces regarding their postings on social media. They sometimes reported repeated interrogations that included threats against their physical safety and that of their families, threats against their livelihood, and threats of denial of social services such as housing and education. Several activists reported shutting down or deciding to cease posting to their social media accounts because of the threats.

Academic Freedom and Cultural Events

The government restricted academic freedom and cultural events. Some academics engaged in self-censorship, avoiding discussion of contentious political issues. In January the Ministry of Interior summoned historian Jassim Hussain al-Abbas for a speech he gave at a conference in which he discussed the history of mosques in the country and alluded to Shia rulers before the first al-Khalifa emir.

b. Freedoms of Peaceful Assembly and Association

The constitution provides for the rights of assembly and association, but laws and the government restricted these rights.

Freedom of Peaceful Assembly

The constitution provides for the right of free assembly, but a number of laws restrict the exercise of this right. The Ministry of Interior maintained a prohibition on public demonstrations for the fifth year, stating the purpose was to maintain public order in view of sectarian attacks in the region. According to the government, there were no applications submitted to hold a demonstration or protest during the year.

The law outlines the locations where functions are prohibited, including in areas close to hospitals, airports, commercial locations, security-related facilities, and downtown Manama. The General Directorate of the Police may prevent a public meeting if it violates security or public order, or for any other serious reason. The law states that mourners may not turn funeral processions into political rallies and that security officials may be present at any public gathering.

According to the law, the Ministry of Interior is not obligated to justify why it approves or denies requests to allow protests. The penal code penalizes any gathering “of five or more individuals” that is held for the “purpose of committing crimes or inciting others to commit crimes.” Legal experts asserted authorities should not be able to prevent demonstrations in advance based on assumptions that crimes would be committed. Authorities prohibited the use of vehicles in any demonstration, protest, or gathering unless organizers obtained special written permission from the head of public security.

The law states every public gathering shall have a committee consisting of a head and at least two members. The committee is responsible for supervising and preventing any illegal acts during the function. Organizers of an unauthorized gathering face prison sentences of three to six months. The sentence for participating in an illegal gathering ranges from one month to two years in prison. Authorities gave longer sentences for cases where demonstrators used violence in an illegal gathering. During the year the Public Prosecutor’s Office stated there were 374 individuals arrested for violent gatherings, 346 of whom were convicted.

The law regulates election campaigning and prohibits political activities at worship centers, universities, schools, government buildings, and public institutions. The government did not allow individuals to use mosques, *maatams* (Shia religious halls), or other religious sites for political gatherings.

The government did not prevent small, nonviolent opposition demonstrations that occurred in traditional Shia villages that often protested government policies or

were intended to show solidarity with prisoners. Police reportedly broke up some of these protests with tear gas, however. While groups participating in these protests often posted photographs on social media of these events, participants were careful to hide their faces due to fear of retribution.

Freedom of Association

The constitution provides for freedom of association, but the government limited this right. The government required all groups to register--civil society groups and labor unions with the Ministry of Labor and Social Development and political societies with the Ministry of Justice, Islamic Affairs, and Endowments. The government decides whether a group is social or political in nature, based on its proposed bylaws. The law prohibits any activity by an unlicensed society, as well as any political activity by a licensed civil society group. A number of unlicensed societies were active in the country (see section 3).

A civil society group applying for registration must submit its bylaws signed by all founding members, together with minutes of the founding committee's meetings containing the names, professions, places of residence, and signatures of all founding members. The law grants the Ministry of Labor and Social Development the right to reject the registration of any civil society group if it finds the society's services unnecessary, already provided by another society, contrary to state security, or aimed at reviving a previously dissolved society. Associations whose applications authorities rejected or ignored may appeal to the High Civil Court, which may annul the ministry's decision or refuse the appeal.

Nongovernmental organizations (NGOs) and civil society activists asserted the ministry routinely exploited its oversight role to stymie the activities of NGOs and other civil society organizations. Local NGOs asserted officials actively sought to undermine some groups' activities and imposed burdensome bureaucratic procedures on NGO board members and volunteers. The Ministries of Justice and Interior must vet funding from international sources, and authorities sometimes did not authorize it.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation. The government did not always respect these rights.

Foreign Travel: The law provides that the government may reject for “reasonable cause” applications to obtain or renew passports, but the applicant has the right to appeal such decisions before the High Civil Court. Individuals, including citizens of other countries, reported authorities banned them from travel out of the country due to unpaid debt obligations or other fiduciary responsibilities with private individuals or with lending institutions, as well as for open court cases. The government maintained an online website during the year that allowed individuals to check their status before they traveled, although some persons reported the website was not a reliable source of information. Authorities relied on determinations of “national security” when adjudicating passport applications. During the year the government lifted 37 of 87 travel bans against citizens who were previously restricted from leaving the country.

Exile: There were no reports the government prohibited the return of individuals whom the government considered citizens. The government, however, prohibited the return of those whose citizenship it formally revoked, or those it no longer considered citizens.

Citizenship: The government may revoke citizenship in both criminal and political cases, including for natural-born citizens. Authorities maintained the revocation of citizenship of some opposition political and religious figures. The government did not consider whether individuals may become stateless by these actions. At times it threatened to halt payments of pensions or remove families from government-assisted housing if the head of household lost his citizenship. Some family members, especially women and minor children, reported difficulties renewing their passports and residence cards and obtaining birth certificates for children. The government did not report how many persons had their citizenship revoked during the year; international human rights NGOs placed the total number at more than 700 since 2012. On August 12, the Court of Cassation reversed the revocation of citizenship of three defendants who were sentenced to life in prison for setting the Sitra Police Station alight in 2017. The Public Prosecutor’s Office asserted the three defendants were connected to a dissolved political society.

e. Internally Displaced Persons

Not applicable.

f. Protection of Refugees

The government generally cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

In October the government and the UN high commissioner for refugees signed a memorandum of understanding on data sharing and information exchange with the stated goal of supporting refugees in the Middle East.

Access to Asylum: The law does not provide for the granting of asylum or refugee status, and the government has not established a system for providing protection to refugees. The government at times provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion; however, protection was mostly limited to those who had been able to obtain and maintain employment in the country. Such individuals generally had access to health care and education services while employed but were at risk of deportation if they became unemployed or if their country of origin revoked their passports. The United Nations Office of the High Commissioner for Refugees reported that as of December, there were 256 refugees and 56 asylum-seekers registered with the agency.

g. Stateless Persons

Individuals generally derive citizenship from the father, but the king may confer or revoke it. Since the government considers only the father's citizenship when determining citizenship, it does not generally grant children born to a non-Bahraini father citizenship, even if they were born in the country to a citizen mother (see section 6, Children). Likewise, the government does not provide a path to citizenship for foreign men married to Bahraini women, unlike the process by which foreign women married to Bahraini men may become citizens. Human rights organizations reported these laws resulted in stateless children, particularly when the foreign father was unable or unwilling to pursue citizenship from his country of origin for his children, or when the father himself was stateless, deceased, or unknown. It was unknown how many stateless persons resided in the country. Stateless persons had limited access to social services, education, and employment. There were reports authorities refused applications for birth

certificates and passports for children whose Bahraini fathers were in prison because the fathers were not able to submit the applications in person (see section 6, Children).

The government charged individuals whose citizenship it revoked with violating immigration law.

Section 3. Freedom to Participate in the Political Process

Citizens have limited ability to choose their government and their political system. The constitution provides for an elected Council of Representatives, the lower house of parliament. The constitution permits the king to dissolve the Council of Representatives, but it requires that he first consult the chairpersons of the upper and lower houses of the parliament as well as the head of the Constitutional Court. The king cannot dissolve the Council of Representatives for the same reasons more than once. The king also has the power to amend the constitution and to propose, ratify, and promulgate laws.

Elections and Political Participation

Recent Elections: Approximately 67 percent of eligible voters participated in parliamentary elections held in 2018, according to government estimates.

The government did not permit international election monitors. Domestic monitors generally concluded that authorities administered the elections without significant irregularities. Some observers expressed broader concerns regarding limitations on freedom of expression and association as well as continued concerns over voting district boundaries. The dissolution of the country's principal opposition societies and laws restricting their former members from running for office, the absence of an independent press, and the criminalization of online criticism created a political environment that was not conducive to free elections, according to Human Rights Watch.

Political Parties and Political Participation: The government did not allow the formation of political parties, but some "political societies" developed political platforms, held internal elections, and hosted political gatherings. In 2017 the government dissolved the two most prominent opposition political societies, al-Wifaq and Wa'ad, through legal actions.

To apply for registration, a political society must submit its bylaws signed by all founding members, a list of all members and copies of their residency cards, and a financial statement identifying the society's sources of funding and bank information. The society's principles, goals, and programs must not run counter to sharia or national interest, as interpreted by the judiciary, nor may the society base itself on sectarian, geographic, or class identity. A number of societies operated outside these rules, and some functioned on a sectarian basis.

The government authorized registered political societies to nominate candidates for office and to participate in other political activities. The law bans practicing clerics from membership in political societies (including in leadership positions) and involvement in political activities, even on a voluntary basis.

Political societies are required to coordinate their contacts with foreign diplomatic or consular missions, foreign governmental organizations, or representatives of foreign governments with the Ministry of Foreign Affairs, which may elect to send a representative to the meeting. Although this requirement was enforced in the past, there were no reports of the government enforcing the order during the year.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of minority groups in the political process, and women did participate. In the 2018 elections, six women won seats in the 40-member Council of Representatives, doubling the number of women, and the body elected its first female speaker in that year. The royal court appointed nine women during the year to the Shura Council, the appointed 40-member upper house, and the prime minister appointed a woman to the 26-seat cabinet. Approximately 9 percent of judges were women, including the deputy chief of the Court of Cassation. Two women in the police force held the rank of brigadier general and general director.

Shia and Sunni citizens have equal rights before the law, but Sunnis dominated political life; the majority of citizens are Shia. In 2018, 11 Shia candidates were elected to the Council of Representatives. The appointed Shura Council included 19 Shia members, one Jewish member, and one Christian member. Five of the 24 appointed cabinet ministers were Shia citizens, including one of five deputy prime ministers.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for conviction of official corruption, but the government did not implement the law adequately, and some officials reportedly engaged in corrupt practices. The law subjects government employees at all levels to prosecution if they use their positions to engage in embezzlement or bribery, either directly or indirectly. Penalties may be up to 10 years' imprisonment. The General Directorate of Anticorruption and Economic and Electronic Security held workshops for various ministries throughout the year.

Corruption: The National Audit Office is responsible for combating government corruption. The Government Executive Committee, chaired by the crown prince, reviews any violations cited in the office's annual report. In October 2019 the government released the office's annual report, and the government released some findings to the public; however, the full report was not published or made available online. The government reported that four officials were prosecuted for corruption and bribery-related charges. Their cases were pending as of April.

Significant areas of government activity, including the security services and the Bahrain Defense Force, lacked transparency, and the privatization of public land remained a concern among opposition groups.

Financial Disclosure: The law does not require government officials to make financial disclosures.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Government officials sometimes met with local human rights NGOs but generally were not responsive to the views of NGOs they believed were politicized and unfairly critical of the government. Beginning in August the Ministry of Foreign Affairs hosted a series of public workshops with government and civil society actors to inform the development of a National Action Plan for Human Rights and to improve transparency. Diplomats and international organization representatives also attended. Some civil society representatives expressed concern the government would not fully reflect the views of civil society in the development of the plan.

Domestic human rights groups operated with government restrictions, with some human rights activists imprisoned, exiled, or coerced into silence, according to reporting by international human rights organizations. Domestic human rights groups included the Bahrain Human Rights Society and Bahrain Human Rights

Watch Society, the primary independent and licensed human rights organizations in the country; the BCHR, although dissolved by the government in 2004, continued to operate and maintain an online presence; and the unlicensed Bahrain Youth Society for Human Rights. The unlicensed umbrella human rights organization, Bahrain Human Rights Observatory, also issued numerous reports and had strong ties to international human rights NGOs.

Domestic human rights groups faced significant difficulties operating freely and interacting with international human rights organizations. The government sometimes harassed and deprived local NGO leaders of due process. Local NGO leaders and activists also reported government harassment, including police surveillance, delayed processing of civil documents, and “inappropriate questioning” of their children during interviews for government scholarships. Activists reported forgoing travel, in particular to international human rights events, fearing a reimposition of international travel bans.

Individuals affiliated with international human rights and labor organizations, or who were critical of the government, reported authorities indefinitely delayed or refused visa applications, or at times refused entry to the country for individuals who possessed a valid visa or qualified for the country’s visa-free entry program.

Government Human Rights Bodies: Throughout the year the NIHR conducted numerous human rights workshops, seminars, and training sessions, as well as prison visits, and referred numerous complaints to the Public Prosecutor’s Office. It also operated a hotline for citizens and residents to file human rights-related complaints and offered an in-person walk-in option for filing complaints.

The SIU investigates and refers cases of security force misconduct, including complaints against the police, to the appropriate court, which includes civilian criminal courts, the Ministry of Interior’s Military Court, and administrative courts (see section 1.c.). The ministry generally did not release the names of officers convicted, demoted, reassigned, or fired for misconduct, although it reported the highest-ranking police officer prosecuted for any crime was a captain.

There is also an NIA Office of the Inspector General and a Ministry of Interior Ombudsman’s Office, created as a result of the Bahrain Independent Commission of Inquiry. While both offices were responsible for addressing allegations of mistreatment and violations by the security forces, there was little public information available regarding the activities of the NIA Office of the Inspector General.

The PDRC, chaired by the ombudsman, monitors prisons, detention centers, and other places where persons may be detained, such as hospital and psychiatric facilities. The PDRC is empowered to conduct inspections of facilities, interview inmates or detainees, and refer cases to the Ombudsman's Office or SIU.

The ministry organized various human rights training programs for its employees, including a year-long human rights curriculum and diploma at the Royal Police Academy. The academy regularly negotiates memoranda of understanding with NIHR to exchange expertise. The academy continued to include a unit on human rights in international law as part of the curriculum for its master's degree in Security Administration and Criminal Forensics. The NIHR had a memorandum with the NIA to organize workshops and training sessions for NIA officers relating to human rights and basic rights and to collaborate on future research.

The Ombudsman's Office within the Ministry of Interior, the SIU within the Public Prosecutor's Office, and the PDRC worked with each other throughout the year. The Ombudsman's Office maintained a hotline for citizens to report police abuse via telephone, email, or in person.

Many human rights groups asserted that investigations into police abuse were slow and ineffective and questioned the independence and credibility of investigations by government-sponsored organizations.

Local and international observers and human rights organizations continued to express concern the government had not fully implemented Bahrain Independent Commission of Inquiry recommendations, including dropping charges against individuals engaged in nonviolent political expression, criminally charging security officers accused of abuse or torture, integrating Shia citizens into security forces, and creating an environment conducive to national reconciliation.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: Rape is illegal, although the penal code allows an alleged rapist to marry his victim to avoid punishment. The law does not address spousal rape. Penalties for rape include life imprisonment and execution in cases where the victim is a minor younger than 16, if the rapist is the custodian or guardian of the victim, or when the rape leads to the victim's death.

The law states violence against women is a crime. Nevertheless, domestic violence against women was common, according to the BCHR. Although government leaders and some members of parliament participated in awareness-raising activities during the year, including debates on additional legislation, authorities devoted little attention to supporting public campaigns aimed at the problem. The government maintained a shelter for women and children who were victims of domestic violence. The law provides that local police officials should be contacted in cases of domestic violence and that the public prosecutor can investigate if information is passed from the police to them. Victims of domestic violence, however, reported difficulty knowing whom to contact or how to proceed when filing a complaint.

The government continued to document and prosecute physical or sexual abuse of women. The Ministry of Justice, Islamic Affairs, and Endowments documented 327 cases of physical or sexual abuse as of September, of which 36 involved children.

Female Genital Mutilation/Cutting (FGM/C): FGM/C was rarely practiced, and instances mostly occurred within immigrant populations. There is no specific law prohibiting the practice, although legal experts previously indicated the act falls under criminal code provisions that prohibit “permanent disability to another person.” There were no cases of prosecuting FGM during the year.

Other Harmful Traditional Practices: By law “honor” killings are punishable, but the penal code provides a lenient sentence for killing a spouse caught in the act of adultery, whether male or female. There were no cases of honor killings reported during the year.

Sexual Harassment: The law prohibits sexual harassment, including insulting or committing an indecent act towards a woman in public, with penalties of imprisonment and fines. Although the government sometimes enforced the law, sexual harassment remained a widespread problem for women, especially foreign female domestic workers.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Discrimination: Women have the right to initiate divorce proceedings in family courts, but Shia and Sunni religious courts may refuse the request. In divorce

cases the courts routinely granted mothers custody of daughters younger than age nine and sons younger than seven for Shia women, with fathers typically gaining custody once girls and boys reached the ages of nine and seven, respectively. Sunni women can retain custody of daughters until age 17 and sons until age 15. Regardless of custody decisions, the father retains guardianship, or the right to make all legal decisions for the child, until age 21. A noncitizen woman automatically loses custody of her children if she divorces their citizen father “without just cause.” Any woman who remarries loses custody of her children.

The basis for family law is sharia as interpreted by Sunni and Shia religious experts. In 2017 King Hamad ratified the Shia portion of the Unified Family Law codifying the rights of Shia citizens, in particular women, according to the civil code on issues such as marriage, divorce, child custody, and inheritance. Shia and Sunni family law is enforced by separate judicial bodies composed of religious authorities charged with interpreting sharia. The revised civil law provides access to family courts for all women, ensuring the standardized application of the law and further legal recourse, since decisions made by family court judges are subject to review by the Supreme Judicial Council. In instances of mixed Sunni-Shia marriages, families may choose which court hears the issue.

Women may own and inherit property and represent themselves in all public and legal matters. In the absence of a direct male heir, Shia women may inherit all of their husband’s property, while Sunni women inherit only a portion, with the brothers or other male relatives of the deceased also receiving a share. The government respected wills directing the division of assets according to the deceased.

Women experienced gains in business and government. In the business sector, female-led entrepreneurial ventures constituted more than half of filings for new businesses.

Children

Birth Registration: Individuals derive citizenship from their father or by decree from the king. Women do not transmit their nationality to their children, rendering stateless some children of citizen mothers and noncitizen fathers (see section 2.d.).

Authorities do not register births immediately. From birth to the age of three months, the mother’s primary health-care provider holds registration for the children. When a child reaches three months, authorities register the birth with the

Ministry of Health's Birth Registration Unit, which then issues the official birth certificate. Children not registered before reaching their first birthday must obtain a registration by court order. The government does not provide public services to a child without a birth certificate.

Education: Schooling is compulsory for children until age 15 and is provided free of charge to citizens and legal residents through grade 12. Authorities segregated government-run schools by gender, although girls and boys used the same curricula and textbooks. Islamic studies based on Sunni doctrine are mandatory for all Muslim public-school students and are optional for non-Muslim students.

Child Abuse: The Family Courts have jurisdiction over issues including child abuse. NGOs expressed concern regarding the lack of consistently written guidelines for prosecuting and punishing offenders and the leniency of penalties in child-abuse cases in the sharia courts.

There were reports police approached children outside schools and threatened or coerced them into becoming police informants.

Child, Early, and Forced Marriage: According to the law, the minimum age of marriage is 16 years for girls and 18 years for boys, but special circumstances allow marriages below these ages with approval from a sharia court.

Sexual Exploitation of Children: The law prohibits exploitation of a child for various crimes, including prostitution. Penalties include imprisonment of no less than three months if the accused used exploitation and force to commit the crime and up to six years if the accused exploited more than one child, as well as fines for individuals and organizations. The law also prohibits child pornography. The Ministry of Justice reported prosecuting 36 cases of sexual exploitation of children as of September, a significant decrease over the prior year.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

According to community members, there were between 36 and 40 Jewish citizens (six families) in the country. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities. The constitution guarantees social security, social insurance, and health care for persons with disabilities. The government administered a committee to ensure the provision of care for persons with disabilities that included representatives from all relevant ministries, NGOs, and the private sector. The committee is responsible for monitoring violations against persons with disabilities. During the year the government did not prosecute any cases for violations against persons with disabilities.

Authorities mandated a variety of governmental, quasi-governmental, and religious institutions to support and protect persons with disabilities. In 2018 a law established a High Commission for Disabled Affairs to develop a social awareness campaign called "Leave No One Behind," prepare a national strategy, and develop legislation to address the needs of persons with disabilities. On May 7, the king restructured the commission by appointing new members from the public and the private sector.

Building codes require accessible facilities in all new government and public buildings in the central municipality. The law does not mandate access to other nonresidential buildings for persons with disabilities.

No information was available on the responsibilities of government agencies to protect the rights of persons with disabilities. According to anecdotal evidence, persons with disabilities routinely lacked access to education, accessible housing, and employment. The sole government school for children with hearing disabilities did not operate past the 10th grade. Some public schools had specialized education programs for children with learning disabilities, physical disabilities, speech disabilities, and intellectual and developmental disabilities, including Down syndrome. The law stipulates equal treatment for persons with

disabilities with regard to employment, and violations of the law are punishable with fines.

Eligible voters may vote either in their regular precincts or in a general polling station. The local precincts, which are mostly in schools, sometimes posed problems to voters with mobility disabilities due to lack of physical accessibility. General polling stations in public spaces such as malls allowed for assistive devices. There was no absentee ballot system.

The Ministry of Labor and Social Development continued to work with the UN Committee on the Rights of Persons with Disabilities in cooperation with the UN Development Program.

Members of National/Racial/Ethnic Minority Groups

The law grants citizenship to ethnic Arab applicants who have resided in the country for 15 years and non-Arab applicants who have resided in the country for 25 years. There were numerous reports that authorities did not apply the citizenship law uniformly. NGOs stated the government allowed foreign Sunni employees of the security services who had lived in the country fewer than 15 years to apply for citizenship. There were also reports authorities had not granted citizenship to Arab Shia residents who had resided in the country for more than 15 years and non-Arab foreign residents who had resided for more than 25 years. Rights groups reported discrimination, especially in employment practices, against Shia citizens in certain professions such as security forces.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

The law does not criminalize same-sex sexual conduct between consenting adults at least 21 years old, but it does not extend antidiscrimination protections to lesbian, gay, bisexual, transgender, and intersex individuals on the basis of their sexual orientation or gender identity. According to Human Rights Watch, the government prosecuted acts such as organizing a “gay party” or cross-dressing under penal code provisions against “indecentcy” and “immorality.”

Discrimination based on sexual orientation or gender identity occurred, including in employment and obtaining legal identity documents. In some cases, however, courts permitted transgender individuals to update identity documents if they had undergone sex reassignment surgery.

HIV and AIDS Social Stigma

There were no known cases involving societal violence or discrimination against persons based on HIV/AIDS status, but medical experts acknowledged publicly that discrimination existed. The government mandated screening of newly arrived migrant workers for infectious diseases, including HIV/AIDS. In prior years the government deported migrant workers found to be HIV/AIDS positive, but the status of deportations during the year was unclear.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The constitution and labor code recognize the right to form and join independent trade unions and the right to strike, with significant restrictions. The law does not provide for the right to collective bargaining.

The law prohibits trade unions in the public sector. Public-sector workers may join private-sector trade unions and professional associations, although these entities may not bargain on their behalf. The law also prohibits members of the military services and domestic workers from joining unions. Foreign workers, composing nearly 80 percent of the civilian workforce, may join unions if they work in a sector that allows unions, although the law reserves union leadership roles for citizens. The law prohibits unions from engaging in political activities.

The law specifies only an official trade union may organize or declare a strike, and it imposes excessive requirements for legal strikes. The law prohibits strikes in 10 “vital” sectors--the scope of which exceeds international standards--including the oil, gas, education, telecommunications, transportation, and health sectors, as well as pharmacies and bakeries. The law makes no distinction between “vital” and “nonvital” employees within these sectors. Workers must approve a strike with a simple majority by secret ballot and provide 15 days’ notification to the employer before conducting a strike.

The law allows multiple trade union federations but prohibits multisector labor federations and bars individuals convicted of violating criminal laws that lead to trade union or executive council dissolution from holding union leadership posts. The law gives the labor minister, rather than the unions, the right to select the federation to represent workers in national-level bargaining and international

forums. The law prohibits antiunion discrimination; however, in practice independent unions faced government repression and harassment. The law does not require reinstatement of workers fired for union activity.

Some workers and union affiliates complained union pluralism resulted in company management interfering in union dues collection and workers' chosen union affiliation. They stated that management chose to negotiate with the union it found most favorable, to the detriment of collective bargaining agreements and the legitimate voice of workers.

In 2014, after signing a second tripartite agreement, the International Labor Organization (ILO) dismissed the complaint filed in 2011 regarding the dismissal of workers. During the year the government reported it considered efforts at reinstatement, as reflected in the tripartite agreement, to be completed. The government reported that 154 of the 165 cases had been resolved through either reinstatement or by financial compensation. Human rights organizations and activists questioned the government's claims and reported continuing, systemic labor discrimination.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor except in national emergencies; however, the government did not always enforce the law effectively. The antitrafficking law prescribes penalties ranging from three to 15 years' imprisonment, a significant fine, and the cost of repatriating the victim(s), which were sufficiently stringent, and commensurate with penalties prescribed for other serious crimes, such as kidnapping.

There were reports of forced labor in the construction and service sectors. The labor law covers foreign workers, except domestic workers, but enforcement was lax, and cases of debt bondage were common. There were also reports of forced labor practices among domestic workers and others working in the informal sector; labor laws did not protect most of these workers. Domestic workers from third countries have the right to see the terms included in their employment contract before leaving their home countries, or upon arrival. The law requires domestic contacts to be tripartite and to have the signature of the employer, recruitment office, and employee.

According to reports by third-country labor officials and human rights organizations, employers withheld passports, a practice prohibited by law,

restricted movement, substituted contracts, or did not pay wages; some employers also threatened workers and subjected them to physical, psychological, and sexual abuse. The Ministry of Labor and Social Development (Ministry of Labor) reported 1,976 labor complaints from domestic workers and construction workers, mostly of unpaid wages or denied vacation time. In August the ministry reported that 16 workers were victims of forced labor during the annual summer work ban. Authorities referred 27 companies to the courts for alleged violations of the ban.

In February the Labor Market Regulatory Authority (LMRA) opened a new office in Buhair Riffa for aggrieved workers to file cases against their employers, in partnership with the Ministry of Justice, Islamic Affairs, and Endowments. In March the LMRA adopted the tripartite domestic contract, which regulates the relationship between the recruitment office, the employer, and the domestic worker. The LMRA required all recruitment agencies to implement the new tripartite contract format.

In 2016 the LMRA instituted procedures that allow workers to change the employer associated with their visa--without permission from their former employer or without their passport. The LMRA threatened employers who withheld passports with criminal and administrative violations and prohibited at-fault employers from hiring new workers. During the year the government shut down recruitment agencies and revoked licenses of others for infringing on workers' rights. Recruitment agencies complicit in illegal practices may be subject to license revocation, legal action, shutdown of business operations, or a forfeit of license deposits.

The LMRA employed inspectors who were sworn officers of the court, with the authority to conduct official investigations. LMRA inspector reports may result in fines, court cases, loss of work permits, and termination of businesses. These inspectors focus on the legal and administrative provisions under which individuals fall, including work permits, employer records, and licenses. The Ministry of Labor employed general inspectors and occupational safety inspectors. Their roles are to inspect workplaces, occupational health and safety conditions, and the employer/employee work relationship.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The laws and regulations related to child labor generally meet international standards. After thorough consultations with local government officials, diplomats of labor-sending countries, representatives from local civil society organizations, and the International Organization for Migration, the experts determined that child labor was not a prevalent problem in the country.

The minimum age for employment is 15, and the minimum age for hazardous work is 18. Children younger than 18 may not work in industries the Ministry of Health deemed hazardous or unhealthy, including construction, mining, and oil refining. They may work no more than six hours a day--no more than four days consecutively--and may be present on the employment premises no more than seven hours a day. Child labor regulations do not apply to family-operated businesses in which the only other employees are family members.

The law requires that before the ministry makes a final decision on allowing a minor to work, the prospective employer must present documentation from the minor's guardian giving the minor permission to work; proof the minor underwent a physical fitness examination to determine suitability; and assurance from the employer the minor would not work in an environment the ministry deemed hazardous. The government generally enforced the law with established mechanisms; however, gaps exist within the operations of the Ministry of Labor that may hinder adequate enforcement of their child labor laws.

In 2017 the government began making moderate efforts to eliminate child labor. The LMRA developed a handbook on the National Referral System for Victims of Trafficking in Persons, opened a shelter for victims, and conducted training on human trafficking for all police officers. There was evidence, however, that children continued to engage in domestic work and sell items on the street. The government did not conduct research to determine the nature and extent of child labor in the country.

The law does not allow expatriate workers younger than 18 to work in the country.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

d. Discrimination with Respect for Employment and Occupation

The constitution provides for equality between men and women in political, social, cultural, and economic spheres without breaching the provisions of Islamic law. In

2018 the government amended its labor law to ban discrimination on the basis of gender, national origin, language, or creed, and it banned sexual harassment in the workplace.

The labor law deems dismissal for sex, color, religion, ideology, marital status, family responsibilities, and pregnancy to be arbitrary and illegal but provides for no right to reinstatement. The law also prohibits wage discrimination based on sex, national origin, language, religion, or ideology. Labor laws prohibit discrimination against women at the workplace. On August 27, the Ministry of Labor issued another order banning wage discrimination on the basis of gender, and on August 28, it issued an order allowing women to work at night in the same jobs as their male counterparts. A ministerial order prohibits women from working in some industries, to include mining, construction, factories, and in the energy sector.

In the business sector, female-led entrepreneurial ventures constituted more than half of filings for new businesses.

The law stipulates equal treatment for persons with disabilities with regard to employment, and violations of the law are punishable with fines (see section 6, Persons with Disabilities). The constitution guarantees social security, social insurance, and health care for persons with disabilities. In 2018 the Ministry of Labor issued an edict that workers with significant disabilities and their first-degree relative caregivers should receive two hours of daily paid rest. In April 2019 the government began implementing the policy. The government administered a committee to monitor provision of care for persons with disabilities and violations against them that included representatives from all relevant ministries, NGOs, and the private sector. During the year the government did not prosecute any cases for violations against persons with disabilities.

No information was available on the responsibilities of government agencies to protect the rights of persons with disabilities, although building codes required all new government buildings to be accessible. According to anecdotal evidence, persons with disabilities routinely lacked access to employment, particularly in positions of responsibility. The law requires the government to provide vocational training for persons with disabilities who wish to work. The Ministry of Labor continued to fund a center offering employment and training services for citizens with disabilities. Some persons with disabilities were employed in the public sector. The law also requires employers of more than 100 persons to hire at least 2 percent of its employees from the government's list of workers with disabilities.

The government did not monitor compliance. Many workplaces remained difficult to access for those needing assistance due to a lack of ramps, narrow doorways, and unpaved parking lots.

Foreigners account for approximately half of the country's population. Although the government asserted the labor code for the private sector applies to all workers, the ILO and international NGOs noted foreign workers faced discrimination in the workplace. There are no provisions to provide for equality in the hiring process. It was common for employers to advertise positions for specific nationalities or languages without justifying why only persons from that specific nationality or language group would be acceptable.

Lack of transparency in hiring processes, especially for government positions, led to many complaints of discrimination based on sect or ethnicity. Human rights organizations reported that Shia citizens faced widespread employment discrimination in both the public and private sectors. Sunni citizens often received preference for employment in sensitive government positions, notably in the managerial ranks of the civil service, as well as positions in the security services, police, and the military.

e. Acceptable Conditions of Work

There is no national private-sector minimum wage. A standardized government pay scale covers public-sector workers, with a set minimum monthly wage. While the minimum wage for citizens is generally considered a living wage, there is no minimum wage for foreign workers in the public sector; however, the government issued "guidelines" advising employers in the public and private sectors to pay a minimum monthly wage. There was no official poverty level.

Subject to the provisions of the private-sector law, employers may not employ a worker for more than 48 hours per week without including contract provisions for overtime pay. Employers may not employ Muslim workers during the month of Ramadan for more than six hours per day or 36 hours per week.

The Ministry of Labor sets occupational safety and health standards. The labor law and relevant protections apply to citizens and noncitizens alike, with the exception of domestic workers. The revised labor law improved the legal situation for many workers as it pertains to access to contracts and additional holidays, although it excludes domestic workers from most protections.

The Ministry of Labor is responsible for enforcing the labor law and mandating acceptable conditions of work. The law stipulates that companies that violate occupational safety standards can be subject to fines.

The Ministry of Labor enforced occupational safety and health standards; it also used a team of engineers from multiple specialties primarily to investigate risks and standards at construction sites, which were the vast majority of worksites. Inspectors have the authority to levy fines and close worksites if employers do not improve conditions by specified deadlines. A judge determines fines per violation, per worker affected, or both. A judge may also sentence violators to prison. For repeat violators, the court may double the penalties.

Despite the improvements, NGOs feared resources for enforcement of the laws remained inadequate for the number of worksites and workers, many worksites would not be inspected, and the regulations would not necessarily deter violations.

A ministerial decree prohibits outdoor work between noon and 4 p.m. during July and August because of heat conditions. Authorities enforced the ban among large firms, but according to local observers, violations were common among smaller businesses. Employers who violated the ban are subject to up to three months' imprisonment, fines, or both. The ministry documented 27 companies in noncompliance with the summer heat ban during the year.

The government and courts generally worked to rectify abuses brought to their attention. Workers could file complaints with the ministry. There were 1,979 labor complaints during the year; 1,298 of these complaints were from domestic workers. The vast majority of cases involving abused domestic workers did not reach the ministry or the public prosecutor. Police referred 78 cases to the National Referral Mechanism in the first half of the year. Individuals with referred cases received a range of services, including shelter provided by the National Committee for Combating Trafficking in Persons. The LMRA shelters provided services to 108 migrant workers in the first half of the year. The victims were either domestic workers or skilled workers who entered the country under a tourist visa.

The Migrant Workers Protection Society reported it visited unregistered camps and accommodations, including accommodations of irregular “free visa” workers, who often lived in overcrowded apartments with poor safety standards.

The government continued to conduct workers' rights awareness campaigns. It published pamphlets on foreign resident workers' rights in several languages, provided manuals on these rights to local diplomatic missions, and operated a telephone hotline for victims.

Violations of wage, overtime, and occupational safety and health standards were common in sectors employing foreign workers, such as construction, automotive repair, and domestic service. Unskilled foreign workers, mostly from South and Southeast Asia, constituted approximately 60 percent of the total workforce. These workers were vulnerable to dangerous or exploitive working conditions. According to NGOs, workplace safety inspection and compliance were substandard.

In April the government announced two initiatives to combat COVID-19 and reduce key barriers to underreporting infection cases, including temporary suspension of work permit fees for certain categories of workers, and amnesty for thousands of illegal foreign workers to legalize their status. Although the migrant labor community welcomed the announcement, some citizens urged the government to deport migrant workers to prevent the spread of the virus. The economic impact of the pandemic on migrant workers included the hospitality and service sectors, and dismissed and furloughed workers required food and monetary assistance from local authorities and labor-sending embassies.

The labor law does not fully protect domestic workers, and this group was particularly vulnerable to exploitation. Domestic employees must have a contract, but the law does not provide for same rights accorded to other workers, including rest days. In 2017 the LMRA announced that all newly arrived domestic workers would be required to use new tripartite work contracts. The recruitment agency, the employer, and the employee must agree upon the contents of the new contracts. According to local press reports, the new contracts include daily working hours, weekly day off, and mandatory wage receipts, among other conditions. Activists reported that usage of the forms among employers and recruitment agencies remained low throughout the year.

There were credible reports employers forced some of the country's 86,000 domestic workers, most of them women, to work 12- to 16-hour days and surrender their identity documents to employers. Employers permitted very little time off, left female workers malnourished, and subjected them to verbal and physical abuse, including sexual molestation and rape. There were reports of employers and recruitment agents beating or sexually abusing foreign women

working in domestic positions, but most cases involving domestic workers did not reach the Ministry of Labor. The press, embassies, and police received numerous reports of abuse. The Migrant Workers Protection Society provided female domestic workers with assistance with their cases. Additionally, the National Committee for Combating Trafficking in Persons provided workers with shelter. Most women in these cases sought assistance with unpaid wages and complaints of physical abuse.

According to NGOs, the construction sector employed more Indians, Bangladeshis, and Pakistanis than other nationalities. Worker deaths generally were due to a combination of inadequate enforcement of standards, violations of standards, inadequate safety procedures, worker ignorance of those procedures, and inadequate safety standards for equipment. While some workers may remove themselves from situations that endanger health or safety without jeopardizing their employment, the level of freedom workers enjoyed directly related to the types of work they performed.

A Ministry of Labor order requires employers to register any labor accommodations provided to employees. The order also mandates minimum housing standards for employer-provided accommodations. Many workers lived in unregistered accommodations that ranged in quality from makeshift accommodations in parking garages, to apartments rented by employers from private owners, to family houses modified to accommodate many persons. Conditions in the many unregistered or irregular worker camps were often squalid and overcrowded, which likely contributed to a large-scale outbreak of COVID-19. Inspectors do not have the right to enter houses or apartment buildings not registered as work camps to inspect conditions.