



ANNUAL REPORT

The human rights situation has not improved during 2021. The authorities are still intolerant to dissent & criticism & restrict the Bahrainis' exercise of internationally-guaranteed fundamental rights. Press freedom is highly restricted. Heavy censorship has persisted on & offline. The prison condition remained poor.

Overall, the government does not seem to have any intention of genuine reform.

The human rights situation is in a state of stagnation with no signs of drastic changes so far.

Bahrain 2021



Stagnation & No Signs of Change

If you like our work,
please donate through
www.bahrainrights.org

Bahrain Center for Human Rights (BCHR) is member with:



Copyright © 2022, Bahrain Center for Human Rights (BCHR), all rights reserved.

About Us

The Bahrain Center for Human Rights (BCHR) is a non-profit, non-governmental organization, registered with the Bahraini Ministry of Labor and Social Services since July 2002. Despite an order by the authorities in November 2004 to close down, BCHR is still functioning after gaining a wide local and international support for its struggle to promote human rights in Bahrain.

The vast majority of our operations are carried out in Bahrain, while a small office in exile, founded in 2011, is maintained in Copenhagen, Denmark, to coordinate our international advocacy program. For more than 18 years, BCHR has carried out numerous projects, including advocacy, online security trainings, workshops, seminars, media campaigns and reporting to UN mechanisms and international NGOs. BCHR has also participated in many regional and international conferences and workshops in addition to testifying in national parliaments across Europe, the EU parliament, and the United States Congress. BCHR receives its fund from the Norwegian Human Rights Fund (NHRF), National Endowment for Democracy (NED), Sigrid Rausing Trust (SRT), CIVICUS, the International Federation for Human Rights (FIDH), IFEX and Digital Defenders Partnership (DDP).

BCHR has received several awards for its efforts to promote democracy and human rights in Bahrain.

For more information on our work, or for donation, please visit our website through: www.bahrainrights.net

Table of Contents

2021 Overview.....	5
Freedom of Expression	6
Freedom of Assembly and Association.....	8
Discrimination and Freedom of Religion.....	11
Arrests and Sentencings	13
Prison Conditions	15
Covid-19 Measures	17
Government Oversight Bodies	18
International Response	20

2021 Overview

The human rights situation has not improved during 2021. The authorities are still intolerant to dissent and criticism and restrict the Bahrainis' exercise of internationally-guaranteed fundamental rights. The government has continued to exclude and ostracize its opponents, systematically closing civil and political spaces and muting dissenting voices. All political opposition parties are still outlawed. Their former members are banned from running for parliamentary elections and leadership positions in civil society organizations. As long as Law No. 25 of 2018 is in place, they cannot run for the upcoming elections in 2022. Moreover, under the new press law, which was referred to the Parliament in April 2021 for review, the former members of dissolved political parties and those convicted for political reasons are not allowed to own or manage media outlets in Bahrain.

Press freedom is highly restricted. No independent media operates inside the country. Heavy censorship has persisted on and offline. There were many arrests and summons for interrogation during the year in relation to exercising the rights to freedom of expression, assembly, and association. The government enacted a new restrictive law to control dissenting voices in Parliament. Decree-Law No. 26 of 2020, adopted in April 2021, restricts the number of MPs allowed to participate in Parliament's general discussions and controls the extent to which MPs can criticize the government. There have been reports of the government's utilization of advanced technologies to pursue activists and human rights defenders in a huge violation of the right to privacy. Citizen Lab confirmed that the phones of 12 Bahraini activists and human rights defenders were hacked by the government with the NSO Group's Pegasus spyware. There have also been reports of hacking the phones of 20 Bahraini officials with the same spyware.

The prison condition remained poor. There were two Covid-19 outbreaks in Jau prison, during the year, due to lack of hygiene and proper precautionary measures. The Covid-19 outbreaks steered condemnation and led to hundreds of small marches and demonstrations in different areas in Bahrain to demand the release of political prisoners, especially in April and May 2021. The reports of lack of medical attention inside detention centers continued to emerge during the year. The overall ill-treatment, particularly the unjustified confiscation of his book, led prominent human rights defender Dr. Abduljalil al-Singace to start a hunger strike in July 2021, which continues today. There were also three deaths in Jau prison amid allegations of medical negligence.

On the positive side, the government expanded the implementation of the Alternative Penalty Law in September 2021. Under this law and a special royal pardon, 395 prisoners were released in 2021, including many political prisoners.

Overall, the government does not seem to have any intention of genuine reform. The human rights situation is in a state of stagnation with no signs of drastic changes so far.

Freedom of Expression

The government's crackdown on free speech has intensified following the 2011 Uprising. Strict government censorship has persisted on and offline, leading to widespread self-censorship. In Bahrain, people are punished for voicing dissent. No independent media is allowed to operate inside the country, where the only independent newspaper, al-Wasat, was indefinitely suspended in 2017. The government controls media content and blocks websites critical of the government, including BCHR's. There are dozens of legal provisions in the Bahrain Penal Code restricting the exercise of the right to freedom of expression, which have been repeatedly invoked against dissidents. "Insulting the King" is punishable by up to seven years in prison and 10000 BD in fine.

Many individuals were summoned for interrogation and prosecuted for speech-related charges in 2021. The Bahrain Press Association (BPA) documented 49 violations of media and speech freedoms; 26 pertaining to online activities. These violations included six arrests, seven judicial proceedings, and 31 summons for interrogation. Most of the charges were related to criticizing governmental bodies and Bahrain's normalization with Israel.¹

On 22 March 2021, the Cyber Crime Directorate summoned Hassan al-Marzooq, the secretary-general of the Unitary National Democratic Assemblage, to pay a fine for an old tweet about the Diraz sit-in. Al-Marzooq said that he had not been aware of the charge beforehand.²

Retired colonel Mohammed al-Zayani was sentenced to two years in prison on 8 July 2021 for "insulting the judiciary," concerning a statement on Instagram talking about corruption in the judiciary.³ He was later granted a conditional release under the Alternative Penalty Law.

In March 2021, the Lawyers' Disciplinary Board prohibited prominent human rights lawyer Abdallah al-Shamlawi from practicing law for one year for expressing his views on Twitter after the Bahrain Minister of Justice filed a complaint against him. Al-Shamlawi had been subjected to judicial harassment earlier. He was sentenced to eight months in prison on two cases filed against him in 2020 on speech-related charges. He was charged with "inciting hatred of a religious sect" and "misusing a telecommunications appliance." Later, one of the cases was suspended by the Third High Criminal Court, and the other was dropped after al-Shamlawi reached a settlement with the complainant.⁴

On 20 April 2021, the Bahraini Parliament passed Decree-Law No. 26 of 2020, restricting the number of MPs allowed to participate in Parliament's general discussions. The law states that "the discussion may not include criticism, blame or accusation, or include statements that violate the constitution or the law, or constitute an insult to the dignity of persons or bodies, or harm the higher interest of the country."⁵ This law restricts the ability of MPs to scrutinize the government decisions and actions and criticize the executive. It uses vaguely-worded terms to control dissenting voices in Parliament, adversely affecting one of its primary functions of standing up to the government's transgressions. This law came after adopting another restrictive law in July 2020, Resolution No. 20 of 2020, which added an item to Article 34 of Decree-Law No. 48 of 2010 on the Implementation of the Civil Service Law prohibiting government employees from "criticizing government policy and decisions by any means" and prohibits them from publishing personal opinions if they foster "discord in society" or "affect national unity."⁶

In April 2021, the cabinet referred a new draft Press, Publishing, and Printing Law to the Parliament for review. The new law steered condemnation from independent observers. Although the new law includes positive amendments, it stipulates various restrictions on press freedoms. It does not stipulate prison sentences for journalists for the offenses set forth in the law: only fines, but it allows them to be penalized under the Penal Code. It includes many vaguely-worded articles that substantially restrict freedom of expression. Under the law, the right to express an opinion is guaranteed "without prejudice to the foundations of the Islamic faith, the King, and the unity of the people, and in a manner that does not provoke discord or sectarianism." News outlets are prohibited from publishing content that "contradicts the national interests" and "incites hatred or violence," while no clear definitions were provided for these terms. Under the law, journalists are penalized for "insulting the King," "insulting the state's religion," "undermining the regime," "inciting hatred against a sect," as well as criticizing a ruler or head of an Arab or Islamic government and publishing false news. The law also allows the Ministry of Information to close down media outlets and block websites.⁷

Most importantly, this law requires the editor-in-chief of any media outlet in Bahrain to "not be deprived of exercising political rights." It also stipulates that "anyone who owns or co-owns a newspaper or a website shall not be deprived of exercising political rights or has been convicted of a felony or misdemeanor." This discriminatory condition excludes many of those who have been sentenced for political reasons, as well as members of dissolved political parties, who are prohibited from running for parliamentary elections and leadership positions in civil society organizations, from owning or managing a media outlet in Bahrain.

The Citizen Lab identified nine Bahraini activists whose phones were hacked with NSO Group's Pegasus spyware between June 2020 and February 2021, including three members of the National Democratic Labor Action Society (Waad), three members of BCHR, two exiled Bahraini activists, and one member of al-Wefaq National Islamic Society. With some of these activists, zero-click hacks were used, meaning an attack is unpreventable even with the most security-conscious phone users.⁸ Later, the Citizen Lab revealed that their forensic analysis confirmed that the phones of three other individuals inside Bahrain were hacked in 2021 with NSO Group's Pegasus spyware: a human rights lawyer, a psychiatrist, and a journalist.⁹ There have been reports of 20 Bahraini officials, who are close to the government, being targeted by the Pegasus spyware.¹⁰

Freedom of Assembly and Association

Since 2011, the Bahraini government has been seeking to exclude all opponents from the political and civil spaces by enacting discriminatory laws or through repressive measures. In its campaign against dissent, the Bahraini government outlawed all major opposition parties in the country. On 3 June 2012, the Ministry of Justice filed a lawsuit against the Islamic Action Association (Amal), an opposition party, later dissolved under the pretext of failing to "convene a general conference for more than four years" and "taking its decisions from a religious authority that calls openly for violence and incites hatred." A Bahraini court ordered the dissolution of al-Wefaq, Bahrain's largest opposition political party, and ordered the closure of all its offices across the country on 14 June 2016. The decision steered local and international condemnation. The following year, the authorities dissolved the last major political opposition party, the National Democratic Action Society (Waad), on 31 May 2017, accusing it of "advocating violence, supporting terrorism and incitement to encourage crimes."¹¹

In June 2018, the GoB banned members of dissolved opposition parties from running for election ahead of the November parliamentary election along with those "convicted of a felony, even if they have been granted amnesty". Law No. 25 of 2018 amending Article three of Decree-Law No. 14 of 2002 regarding the exercise of political rights is still in place, meaning that former members of outlawed opposition groups will not be able to run for 2022 parliamentary elections.

The government not only excluded members of dissolved political parties from the parliamentary elections but also prevented them from running for leadership positions in civil associations by amending Article 43 of the Law on Associations and Social and Cultural Clubs. Law 36 of 2018 stipulates that member of the boards of directors of civil society associations must enjoy all civil and political rights. In November 2021, the Ministry of Labor and Social Development rejected the candidacy of 10 out of 16 candidates to a civil society association. It also excluded two members of the Bahrain Women's Union Board of Directors for their previous political associations in January 2020.¹²

In January 2022, the Ministry of Labor and Social Development again invoked this law to reject the nomination of three members of the Bahrain Society for Human Rights because they are former members of Waad, a formerly legal opposition party. The Bahrain Society for Human Rights is the oldest human rights society in Bahrain, established in 2001.¹³

Law No. 18 of 1973 with respect to Public Meetings, Processions, and Gatherings and its amendments regulate the right to freedom of assembly in Bahrain. Since 2011, the government has amended the law to further restrict this right, prohibiting gatherings in capital Manama and granting the Head of Public Security broad powers over authorizing, organizing, and prohibiting public gatherings and demonstrations. The law even empowers the Head of Public Security to determine what constitutes a "public gathering" and consequently invokes this restrictive law.

The Bahraini government has not been tolerant towards its citizens exercising their rights to freedom of assembly. During the year, BCHR monitored 973 marches and demonstrations in different areas in Bahrain, the majority of which were small gatherings to demand the release of political prisoners. The demonstrations peaked in April and May amid the Covid-19 outbreak in Jau prison, where BCHR documented 413 and 164 marches and demonstrations, respectively. BCHR also documented the dispersal of at least 4 of them during the year by the security forces. Many of these marches were followed by summons of participants.

Month	Protests and Marches
January	3
February	20
March	35
April	413
May	164
June	36
July	62
August	38
September	45
October	57
November	43
December	57
Total	973

There were many protests against Bahrain’s normalization with Israel. In October, the security forces suppressed at least three protests: a protest in Sitra on 1 October and another one in the Ras al-Rumman area in the center of the capital Manama, near the Israeli embassy, on 8 October. The police threw tear gas and stun grenades at the protesters and arrested several people during and after the demonstrations.



Discrimination and Freedom of Religion

Discriminatory practices against the opposition have not improved. Since the majority of the opposition is Shia Muslims, there has been structured discrimination against the Shia community. Systematic marginalization in political space, employment, housing policies, the education system, and media is continuing unabated. UN experts condemned the Bahraini government for these practices on more than one occasion and determined that they are undermining Shia's rights in the area of religion, expression, and culture.¹⁴

Islamic education is compulsory in Bahrain, and the government imposes the teaching of Maliki jurisprudence in both public and private schools, not taking into consideration other Sunni schools of thought and Shia Jaafari jurisprudence, even though Shia constitute the majority of the population. The media discourse in Bahrain contains a great deal of incitement of hatred towards the opposition and accusations of treason. As there is a close correlation between religious and political identities in Bahrain, there has been constant anti-Shia commentary in media publications. Sheikh Isa Qasim, the most prominent Shia cleric in the country, remained in exile after the revocation of his citizenship.¹⁵

During the Ashura commemoration, one of the most important religious observances for Shia Muslims, the government continued to harass and discriminate against the Shia community, summoning and detaining clerics, arresting participants of the Ashura ceremonies, removing banners, and imposing restrictions on the religious sermons.

Activists reported additional restrictions on the Ashura commemoration under the pretext of preventive measures for Covid-19, while the authorities allowed other gatherings with minimum precautionary measures in the same period. The authorities even carried out several arrests for allegedly violating Covid-19 precautionary measures during the Ashura commemoration. Many considered limiting the number of mourners in each religious sermon and restricting the places where such sermons can be conducted, especially in the 9th and 10th of Muharram, a violation of their rights to practice religious rites.

BCHR documented, during the Ashura commemoration 2021, many violations of the right to freedom of expression and the freedom to practice religious rites, including:

- Removing Ashura banners

The Authorities removed black flags and banners in many areas, such as Bani Jamra, Hamad Town, Damistan, al-Malikiyah, A'ali, al-Musalla, al-Daih, Bilad al-Qadeem, Sahla, Sitra, Ras Rumman, and al-Mahooz, where individuals affiliated with the Ministry of Interior cleared streets of Ashura manifestations with no justification.

The Ministry of Interior also summoned a number of Hamad Town residents and demanded that they remove the black flags they installed on their homes.



- Summons and arrests

The authorities arrested several individuals for installing Ashura banners in Diraz and later released them.

They also summoned a number of Shia clerics and Ashura reciters in relation to commemorating Ashura or speaking on unapproved topics, including reciters Saleh Sahwan, Mahmoud al-Qallaf, Hassan Nowruz, Sayed Ahmed al-Alawi, and Jaafar al-Darazi besides clerics Sheikh Muhammad al-Riyash and Sheikh Mohsen al-Jamri. Some of them were later released after paying a fine.

BCHR documented the summons of more than ten people for participating in Ashura ceremonies, where four were arrested and later released after paying a fine.

Heads of Matams were summoned in al-Musalla, al-Maqsha, Hamad Town, Salmabad, Karzakan, and al-Dair. Some of them were detained for a short period and then released.

Two people were arrested in an Ashura mourning procession in Hamad Town (Roundabout 4) by officers in civilian clothes.

- Other means of harassment

People in A'ali reported that a community service police patrol was eavesdropping on houses in the area to make sure that mourning congregations were not set up in their homes.

A police car was spotted in Karbabad, marking the houses that distributed food on Ashura.

In al-Daih, a police drone fell while filming an Ashura mourning procession.



Arrests and Sentencings

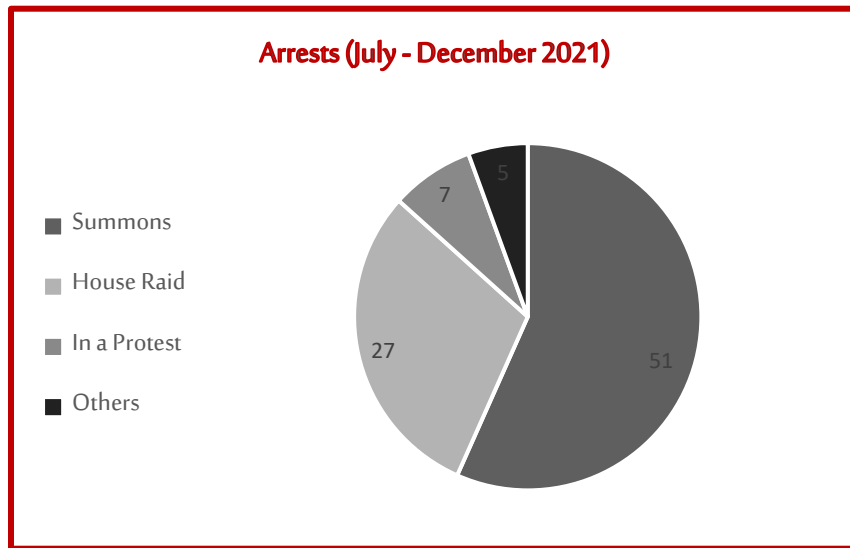
Since 2011, the authorities have sentenced thousands of people in connection to the February 14 Uprising and for anti-government activities; 3314 individuals in the last five years. Many of these were charged under Bahrain's controversial anti-terrorism law. The lack of fair trial guarantees is a systematic problem in Bahrain's criminal justice system. There have been continuous violations of defendants' due process rights, including enforced disappearances, coerced confessions, and inadequate access to legal counsel.

In 2021, 132 individuals were sentenced to varying prison terms, including nine life sentences. Many of these trials involved more than one defendant, up to 33 in one case. The charges ranged from joining "terrorist groups" to "illegal assembly" and "insulting the judiciary." During the year, the Bahraini courts handed down and upheld 984 years of prison terms and 101134 BD in fines in total. It should be noted that these figures are not comprehensive, as they depend mainly on what was published by local newspapers.

The authorities arrested 173 individuals during the year in relation to anti-government activities. The majority of arrests were carried out after summons for interrogation. Many were carried out arbitrarily in house raids, where security forces did not present arrest warrants nor inform the arrestees about the reason behind

their arrests. A number of individuals were arrested on the spot, for example, in protests, in the street, in a hospital, and at the airport.

This is a graph demonstrating the number and methods of arrests in the last six months of the year (July-December 2021).



Law No. 18 of 2017 concerning Alternative Penalties and Measures allowed courts to impose non-custodial sentences after detainees serve half of their sentences. In September 2021, Decree-Law No. 24 of 2021 expanded the application of the Alternative Penalty Law, dropping the requirement of detainees serving half of their terms. The new amendment also allowed courts to “replace the original sentence imposed with one or more alternative penalties before its execution.”¹⁶

Several prisoners were released during the year, including political prisoners, either under the Alternative Penalty Law or a special royal pardon. On 2 April 2021, Assistant Attorney General announced that 126 prisoners would be released under the Alternative Penalty Law after studying their cases,¹⁷ while the release of 73 other prisoners was announced after about a week.¹⁸ These releases came amid the Covid-19 outbreak in Jau prison and the increased pressure and demonstrations of the inmates’ families to release their loved ones. On 12 September 2021, 30 prisoners were conditionally released under the law.¹⁹

Of those released in April, Mohamed Hasan Jawad, known as Parweez Jawad, a member of “Bahrain 13.” Parweez was arrested dozens of times for advocating for the rights of detainees and prisoners. Many of these arrests were in the 1990s. His last arrest was on 22 March 2011 in relation to the 2011 Uprising. He was convicted and sentenced to 15 years in prison on charges of “conspiring to topple the regime forcibly and

collaborating with a terrorist organization working for a foreign country” in a grossly unfair military trial marred by torture allegations.

In September 2021, an official at the Department of Execution of Sentences at the Ministry of Interior announced that 3552 prisoners were released under the Alternative Penalty Law since its application.²⁰ However, dozens who are eligible for alternative sentencing have not been granted conditional release. Prominent human rights defender and former president and co-founder of BCHR, Abdulhadi al-Khawaja, submitted a request to the Ministry of Interior to serve his remaining prison term at home, but his request remained unanswered. He has previously expressed that applying for a non-custodial sentence is “less evil,” as it allows prisoners to be among their families.

Another 196 prisoners were released, during the year, under a special royal pardon: 91 on the occasion of Ramadan²¹ and 105 on 15 December 2021, marking the Bahraini National Day.²²

Prison Conditions

There were two Covid-19 outbreaks in the infamous Jau prison amid reports of inadequate preventative measures and three deaths amid allegations of medical negligence during the year. The death of one inmate in April 2021 led to a peaceful sit-in that the prison police dispersed using excessive force. The prisoner of conscience, Dr. Abduljalil al-Singace, who is serving a life term in Jau prison, went on a hunger strike in July 2021 to protest against the ill-treatment to which he was subjected in detention. He is still on hunger strike at the time of writing. There have been persistent reports of failure to provide adequate medical care to prisoners in Bahrain.

In addition to overcrowding, the sanitary conditions in Jau prison are poor, and the hygiene and sterilization procedures are inadequate, which led to two outbreaks of Covid-19 inside the prison in March-April and May-June 2021. The government was not transparent about the numbers of Covid-19 infections inside the prison; however, BCHR received the names of dozens of inmates who contracted the virus. The government failed to protect the inmates’ rights to health, failing to provide face masks and hygiene supplies. It allowed inmates to register for vaccination but did not provide regular screening tests as a preventive

measure. The prison administration prevented many inmates from calling their loved ones, sometimes for up to weeks at a time, during the Covid-19 outbreaks in Jau prison.²³

On 6 April 2021, political prisoner Abbas Malalla died of a heart attack amid reports of medical negligence. His family had previously reported his poor health and not receiving adequate medical attention in prison. He served ten years of his 15-year sentence, which he was handed down in connection to the 2011 Uprising.

After Abbas's death, Jau prison inmates organized a peaceful sit-in to protest about "conditions of detention, in particular the lack of access to medical treatment." On 17 April 2021, police special forces used excessive force to clear the sit-in, throwing stun grenades and beating detainees on their heads, badly injuring many of them. They held many prisoners incommunicado for weeks after dismantling the sit-in. The UN High Commissioner for Human Rights called the Bahraini government to launch a "thorough and effective investigation into the violent repression of the sit-in in Jau prison."²⁴ However, neither an impartial investigation was conducted nor prison administration was held to account.

On 9 June 2021, political prisoner Hussain Barakat died of Covid-19 complications after being transferred to al-Salmaniya Medical Complex (SMC). Hussain was serving a life sentence in Jau prison. He was convicted in May 2018 on terrorism-related charges after an unfair mass trial with 114 other defendants. Amnesty International reported that his cell was overcrowded, and he had been feeling unwell in late May and unable to breathe properly. Hussain reported his condition to the prison guards; however, they failed to transfer him to the hospital immediately.²⁵

Another political prisoner, Hassan Abdulnabi Mansoor, died on 25 July 2021, also amid allegations of medical negligence. He died of sickle cell complications after being transferred from Dry Dock Detention Center to the SMC. There were serious allegations of the prison administration's failure to give Hassan his prescribed medications and take him to the prison clinic despite his repeated requests for medical attention.²⁶

The authorities denied Dr. Abduljalil al-Singace, a prominent opposition figure and human rights defender and a member of what is called "Bahrain 13,"²⁷ medical treatment for his pre-existing medical conditions. His family expressed concern that he is suffering "from vertigo episodes, where he feels dizzy and falls," and the prison authorities are denying him specialized medical attention. They also maintained that the prison authorities have refused for months to replace the rubber stoppers for his crutches. The slippery rubber

stoppers have caused him to fall on multiple occasions; however, Dr. al-Singace's requests for a replacement remained unanswered.²⁸ There were reports that another prisoner of conscience, Hassan Mushaima, was denied access to proper medical care in Jau Prison. Hassan Mushaima, another member of "Bahrain 13," suffers from cancer and diabetes, in addition to high blood pressure and gout. He needs regular medical examinations: every six months. He takes different types of medications for various health problems.²⁹ Both are serving a life sentence in Jau prison after being convicted in a grossly unfair trial marred by torture allegations for their role in the 2011 Uprising.

Dr. Abduljalil al-Singace began a hunger strike on 8 July 2021 to protest against ill-treatment and harassment in Jau prison. He resorted to a hunger strike after negotiations with the prison administration had failed to recover the book he had worked on for four years. The prison authorities confiscated his book on 9 April 2021, and they have since refused to return the book to Dr. al-Singace or his family, although it is a study of Bahraini dialects and culture without any political content.³⁰

The harassment of Dr. al-Singace at Jau prison is part of the systematic mistreatment of political prisoners in Bahrain. Reports of ill-treatment and inadequate medical care in detention regularly emerge. Bahraini oversight bodies have been ineffective in preventing police abuses and bringing those involved in human rights violations to justice.

Covid-19 Measures

The Bahraini government has exploited the pandemic to stifle public freedoms, including freedom of expression and the right to privacy.

Since the beginning of the Covid-19 pandemic, many people have been summoned for interrogation under the pretext of spreading misinformation about the pandemic or criticizing government measures. For example, on 27 January 2021, Dr. Alia al-Moayed was summoned for interrogation for a tweet questioning the Covid-19 vaccines.³¹ In 2020, the Ministry of Interior referred dozens of cases to the Public Prosecution for allegedly disseminating rumors about the Coronavirus.³²

Moreover, Bahrain rolled out one of the most invasive Covid-19 contact tracing apps in the world, violating the privacy of hundreds of thousands. Amnesty International considered the "BeAware Bahrain" app

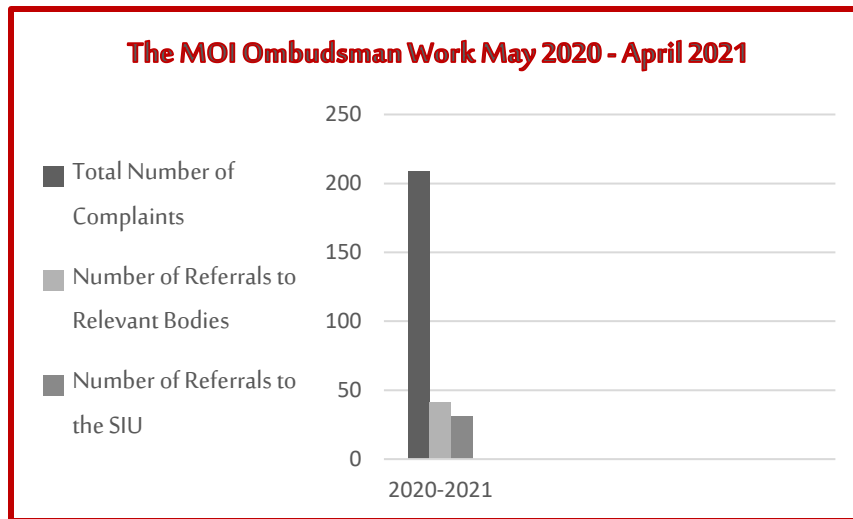
among the most alarming mass surveillance tools. The app tracks users' locations by frequently uploading GPS coordinates to a central server. Authorities can link sensitive personal information to individuals, as the app requires users to register with national ID numbers. Amnesty International stated that the app has "run roughshod over people's privacy, with highly invasive surveillance tools which go far beyond what is justified in efforts to tackle Covid-19."³³

Government Oversight Bodies

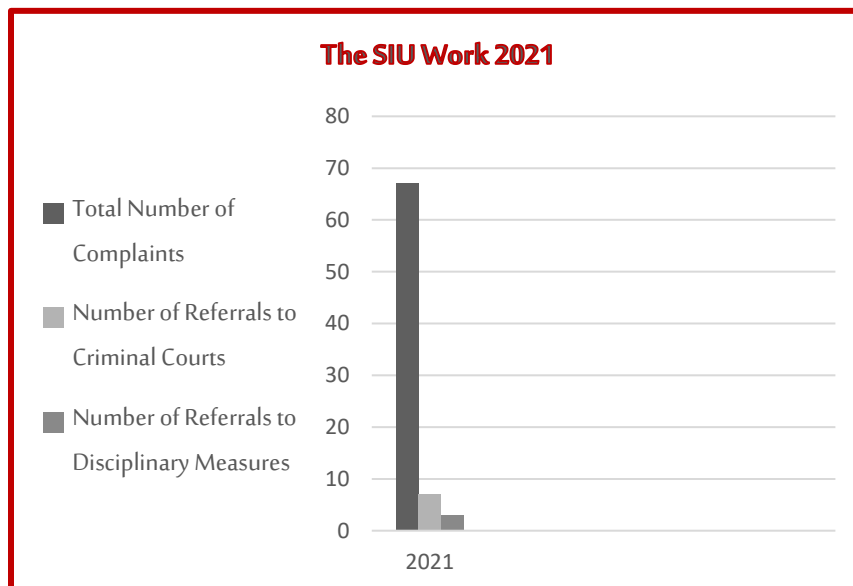
After the adoption of the BICI recommendations in November 2011, the Bahraini government has created several governmental human rights bodies, including the Special Investigation Unit (SIU), the Prisoners and Detainees Rights Commission (PDRC), and the Office of the Ombudsman at the Ministry of the Interior (MOI Ombudsman). It also amended the mandate of the National Institution for Human Rights (NIHR). Over the last years, many UN bodies and international human rights organizations have expressed concern over these bodies' independence and impartiality. The national human rights bodies in Bahrain were designed to operate under government supervision with no genuine and active participation from the civil society or parliament. Since their inception, these institutions have not been able to bring about tangible changes to the human rights situation.³⁴

Between May 2020 and April 2021, the MOI Ombudsman received 691 assistance requests and 209 complaints and initiated ten investigations, according to its annual report. The report did not clarify how many of these complaints are related to torture and ill-treatment in police custody and how many ended in criminal courts. The highest number of complaints were filed against the Men's Reform and Rehabilitation Center (Jau prison). There was also a noticeable increase in complaints and assistance requests starting February 2021, which peaked in April 2021 at 256. The anniversary of the February 14 Uprising is usually accompanied by intensified security measures and subsequently increased human rights violations, explaining the surge in the number of complaints.³⁵

Of those complaints, 19.61 percent were referred to relevant bodies, 11 percent were considered out of the MOI Ombudsman remit with no explanation, and 64.59 percent not upheld/resolved; the MOI Ombudsman did not clarify why and how. Overall, out of the 209 complaints, only 14.83 percent were referred to the SIU. No information was provided on how many of them actually ended in criminal proceedings.³⁶



As for the SIU, they received 67 complaints related to torture, ill-treatment, and excessive use of force by the police during 2021. Of these, only 10.44 percent were referred to criminal courts, while 4.47 percent were referred to disciplinary measures. The SIU has not provided further information on the remaining complaints.³⁷



The PDRC, which was created as a National Preventive Mechanism, seems to be unjustifiably inactive in the last two years 2020 – 2021. The last visit conducted by the PDRC to detention centers was on 20 November 2019 to the Psychiatric Hospital. The PDRC was also inactive during 2017.³⁸

The NIHR's mandate was amended in 2014 to bring it in line with the Paris Principles of 1993. The selection and appointment of the NIHR Council of Commissioners raise questions about its independence.

Since it became operational, the NIHR has remained silent on many of the government's human rights violations, and even at times it has justified government abuses.

In 2021, while the NIHR praised the positive steps taken by the government, such as releasing some prisoners under the Alternative Penalty Law and the implementation of Covid-19 precautionary measures, it did not make any remarks on the many human rights violations that occurred throughout the year. For example, it did not comment on “the use of unnecessary and disproportionate force by police special forces to dismantle a peaceful sit-in in Bahrain’s Jau prison on 17 April,” as articulated in the UN High Commissioner for Human Rights statement about the incident.³⁹ It also ignored the summonses and arrests for exercising freedom of expression and assembly, as well as credible allegations of ill-treatment in police custody, especially against children.

On the other hand, on 12 March 2021, the NIHR released a statement defending the government and rejecting the urgent resolution condemning human rights abuses in Bahrain by the European Parliament.⁴⁰ The statement praised the human rights record of Bahrain and asked the European Parliament to communicate with the national human rights bodies of Bahrain for “credible information.”⁴¹

International Response

More foreign officials were willing to criticize the Bahraini government for its human rights violations during 2021.

On 22 January 2021, 16 members of the European Parliament sent a letter to Josep Borrell, the EU High Representative for Foreign Affairs and Security Policy, to express deep concern over “the ongoing deterioration of human rights in Bahrain.” They urged Mr. Borrell to hold his “Bahraini counterparts accountable for their human rights commitments by raising the cases of European Bahraini dual citizens Abdulhadi al-Khawaja and Sheikh Mohammed Habib al-Muqdad and urging Bahrain to restore their moratorium on the death penalty.”⁴²

On 11 March 2021, the European Parliament overwhelmingly adopted a resolution condemning the human rights abuses in Bahrain. The resolution requested the Bahraini government “to ensure that all trials comply with international law on fair trial and due process,” “release those detained solely for their peaceful political and human rights activities,” and “guarantee a safe space for civil society organizations” and urged

authorities to “halt executions of prisoners and to commute their sentences.” It also called for “an end to all acts of violence, harassment, intimidation and censorship of human rights defenders, political opponents, civil society actors and their relatives within and outside the country by state authorities, security forces and services.”⁴³

A letter from 22 human rights groups and 57 British MPs was sent to Formula 1 chief executive in March 2021, calling for an independent inquiry of human rights abuses associated with the Bahrain Grand Prix. The letter requested the establishment of a “commission of independent experts to investigate the human rights impact of F1’s activities in Bahrain.”⁴⁴

Sixteen French MPs denounced Bahrain’s human rights abuses in a letter to the French ambassador to Bahrain in May 2021. The letter brought to the ambassador’s attention the deplorable prison conditions in Bahrain amidst the pandemic and the authorities’ failure to provide detainees with medical care and implement elementary sanitary protocols.” It also highlighted the shortcomings of the alternative sentencing in Bahrain. The MPs urged the French ambassador to “have a real dialogue with Bahraini authorities.”⁴⁵

In September 2021, a group of bipartisan US senators called on Secretary of State Antony Blinken to press the Bahraini government to end the “violent, systemic repression” of its population. The senators expressed concern about the impact of repression on the country’s long-term stability and that “the government of Bahrain’s violent, systemic repression will breed resentment and instability, and could ultimately threaten the long-term presence of the U.S.”⁴⁶

In October 2021, four French legislators raised concern about the human rights situation in Bahrain with the French Foreign Minister, including the detention of political opponents, repression of freedom of expression, and political prisoner violations. They also raised the case of prisoner of conscience Dr. Abduljalil al-Singace and brought to attention “overcrowding” and “lack of appropriate measures” to tackle the spread of Covid-19 in prisons.⁴⁷

The case of Dr. Abduljalil al-Singace steered international condemnation during 2021, and there were many calls for his release. Sixteen human rights organizations, 101 international academics, and numerous British parliamentarians have raised concern about Dr. al-Singace’s detention and his overall health after months of hunger strike and called for his immediate release.⁴⁸ British lawmakers sent a letter in solidarity with Dr. al-Singace to the British Foreign Secretary accusing the UK of turning a blind eye to his case. The letter read,

“this silence risks emboldening Bahrain in their criminalization of peaceful dissent and torture of dissidents. The UK government must condemn Bahrain’s persecution of al-Singace, call for the return of his intellectual property, and immediate and unconditional release. This miscarriage of justice must end.”⁴⁹

-
- ¹ Bahrain Press Association, The Annual Report on Media Freedom in Bahrain 2021, available at <http://www.bahrainpa.org/wp/?p=738>
- ² Hassan al-Marzooq's tweet on 21 March 2021, accessible at <https://twitter.com/HasanMarzooq/status/1373641314529636353>
- ³ Bahrain Mirror, "Court Sentences Colonel al-Zayani to Two Years in Jail over Charge of Insulting Judiciary", 8 July 2021, available at <https://bahrainmirror.com/en/news/59910.html>
- ⁴ Abdullah Al-Shamlawi prohibited from practicing law for one year, 31 March 2021, available at <https://lawyersforlawyers.org/en/abdullah-al-shamlawi-prohibited-from-practicing-law-for-one-year/>
- ⁵ Decree-Law No. 26 of 2020 amending Article (173) of Decree-Law No. 54 of 2002 regarding the internal regulations of the House of Representatives, available at <https://www.lloc.gov.bh/HTM/L2620.htm>
- ⁶ Resolution No 20 of 2020, accessible at <https://www.lloc.gov.bh/HTM/RFDPM2020.htm>
- ⁷ See the full text of the draft law in Akhbar Al Khaleej newspaper at the following link <http://www.akhbar-alkhaleej.com/news/article/1178445#:~:text=%D9%8A%D8%AD%D8%B8%D8%B1%20%D8%B9%D9%84%D9%89%20%D8%A7%D9%84%D8%B5%D8%AD%D9%81%20%D9%88%D8%A7%D9%84%D9%85%D9%88%D8%A7%D9%82%D8%B9%20%D8%A7%D9%84%D8%A5%D8%B9%D9%84%D8%A7%D9%85%D9%8A%D8%A9,%D8%AD%D8%B6%D8%A7%20%D8%B9%D9%84%D9%89%20%D8%A7%D9%84%D9%83%D8%B1%D8%A7%D9%87%D9%8A%D8%A9%20%D8%A3%D9%88%20%D8%A7%D9%84%D8%B9%D9%86%D9%81.>
- ⁸ The Citizen Lab, "From Pearl to Pegasus: Bahraini Government Hacks Activists with NSO Group Zero-Click iPhone Exploits", 24 August 2021, available at <https://citizenlab.ca/2021/08/bahrain-hacks-activists-with-nso-group-zero-click-iphone-exploits/>
- ⁹ The Citizen Lab, "PEARL 2 PEGASUS: Bahraini activists hacked with Pegasus just days after a report confirming other victims", 18 February 2022, available at <https://citizenlab.ca/2022/02/bahraini-activists-hacked-with-pegasus/>
- ¹⁰ The Guardian, "'Most harmful thing' – how spyware is stifling human rights in Bahrain", 18 February 2022, available at <https://www.theguardian.com/news/2022/feb/18/how-spyware-erodes-human-rights-in-bahrain-nso-group-pegasus-project>
- ¹¹ BCHR report "Cosmetic Reforms: Assessing Bahrain's Implementation of the BICI recommendations Ten Years Later", 23 November 2021, available at <https://bahrainrights.net/?p=136371>
- ¹² Salam for Democracy and Human Rights, "Bahrain Government Exercises Civil Isolation After Political Isolation", 23 December 2021, available at <https://salam-dhr.org/?p=4808>
- ¹³ BCHR, "Application of Political Isolation Law against Bahrain Society for Human Rights", 31 January 2022, available at <https://bahrainrights.net/?p=136468>
- ¹⁴ OHCHR, accessible at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=13962>
OHCHR, "UN rights experts urge Bahrain to end the persecution of Shias", 16 August 2016, available at <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=20375>
- ¹⁵ For more about government discriminatory practices against Shia in Bahrain, see BCHR report "Cosmetic Reforms: Assessing Bahrain's Implementation of the BICI recommendations Ten Years Later".
- ¹⁶ Decree-Law No. 24 of 2021 amending Article 13 of Law No. 18 of 2017 regarding Alternative Penalties and Measures, accessible at <https://www.lloc.gov.bh/HTM/L2421.htm>

-
- ¹⁷ Bahrain News Agency, 2 April 2021, accessible at <https://www.bna.bh/ArchiveDetails.aspx?archiveId=604857>
- ¹⁸ Bahrain News Agency, 8 April 2021, accessible at <https://www.bna.bh/ArchiveDetails.aspx?archiveId=605643>
- ¹⁹ Bahrain News Agency, 12 September 2021, accessible at <https://www.bna.bh/ArchiveDetails.aspx?archiveId=623747>
- ²⁰ Bahrain News Agency, 25 September 2021, accessible at <https://www.bna.bh/ArchiveDetails.aspx?archiveId=625619>
- ²¹ Alayam local newspaper, 13 April 2021, accessible at <https://www.alayam.com/alayam/first/902783/News.html>
- ²² Bahrain News Agency, 15 December 2021, accessible at <https://www.bna.bh/105.aspx?cms=q8FmFJgiscL2fwlzON1%2BDnkbnsWETe3gK57qJM3/Sg%3D>
- ²³ Amnesty International, “Bahraini authorities flouting prisoners’ rights to health amid rise in COVID-19 cases at Jaw prison”, 9 April 2021, available at <https://www.amnesty.org/en/latest/news/2021/04/bahraini-authorities-flouting-prisoners-rights-to-health-amid-rise-in-covid-19-cases-at-jaw-prison/>
- Amnesty International, “Bahrain: Death of prisoner a warning for Covid-19 failings in Jaw Prison”, 14 June 2021, available at <https://www.amnesty.org/en/latest/news/2021/06/bahrain-death-of-prisoner-a-warning-for-covid-19-failings-in-jaw-prison/>
- ²⁴ OHCHR, Press briefing notes on Bahrain, 30 April 2021, available at <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=27042&LangID=E>
- ²⁵ Amnesty International, “Bahrain: Death of prisoner a warning for Covid-19 failings in Jaw Prison”, 14 June 2021, available at <https://www.amnesty.org/en/latest/news/2021/06/bahrain-death-of-prisoner-a-warning-for-covid-19-failings-in-jaw-prison/>
- ²⁶ ADHRB, “Rights groups Call for Impartial Investigation Into Death of Inmate in Bahrain Amid Reports of Medical Negligence”, 11 August 2021, available at <https://www.adhrb.org/2021/08/rights-groups-call-for-impartial-investigation-into-death-of-inmate-in-bahrain-amid-reports-of-medical-negligence/>
- ²⁷ “Bahrain 13” is a group of prominent opposition figures and human rights defenders who were tried by military courts and sentenced to long prison terms for their role in the 2011 Uprising in Bahrain.
- ²⁸ BCHR, “Prisoner of Conscience Dr. Abduljalil al-Singace Continues His Hunger Strike for The Fifth Consecutive Month”, 3 December 2021, available at <https://bahrainrights.net/?p=136420>
- ²⁹ Al-Jazeera, 17 July 2021, available at <https://www.aljazeera.net/news/humanrights/2021/7/17/%D8%AD%D8%B3%D9%86-%D9%85%D8%B4%D9%8A%D9%85%D8%B9-%D8%B3%D8%AC%D9%8A%D9%86-%D8%B1%D8%A3%D9%8A-%D9%8A%D8%B9%D8%A7%D9%86%D9%8A-%D9%85%D9%86-%D8%A7%D9%84%D8%A5%D9%87%D9%85%D8%A7%D9%84>
- ³⁰ BCHR, “Prisoner of Conscience Dr. Abduljalil al-Singace Continues His Hunger Strike for The Fifth Consecutive Month”.
- ³¹ Bahrain Press Association, The Annual Report on Media Freedom in Bahrain 2021.
- ³² Bahrain Press Association, “Bahrain 2020: Freedom in Quarantine”, available at <http://www.bahrainpa.org/wp/?p=599>
- ³³ Amnesty International, “Bahrain, Kuwait and Norway contact tracing apps among most dangerous for privacy”, 16 June 2020, available at <https://www.amnesty.org/en/latest/news/2020/06/bahrain-kuwait-norway-contact-tracing-apps-danger-for-privacy/>
- ³⁴ For more about Bahrain’s national human rights bodies, see BCHR report “Defective and Deficient: A Review of Bahrain’s National Human Rights Bodies”, 12 May 2021, available at <https://bahrainrights.net/?p=13624>
- ³⁵ The MOI Ombudsman Annual Report 2020-2021, available at <https://www.ombudsman.bh/en/periodic-public-reports/annual-reports/eight-annual-report-2020-2021>

³⁶ Ibid.

³⁷ These statistics were based on the official numbers published by the SIU on its Instagram account [@siu.bah](#).

³⁸ See the PDRC visit reports on its website www.pdrc.bh.

³⁹ OHCHR, Press briefing notes on Bahrain, 30 April 2021.

⁴⁰ European Parliament resolution of 11 March 2021 on the human rights situation in the Kingdom of Bahrain, available at https://www.europarl.europa.eu/doceo/document/TA-9-2021-0086_EN.html

⁴¹ NIHR statement on 12 March 2021, available at <http://www.nihr.org.bh/News/12Mar2021.aspx>

⁴² The letter is accessible at <https://t.co/XsotsZa6jH>

⁴³ European Parliament resolution on the human rights situation in Bahrain, in particular the cases of death row inmates and human rights defenders, March 2021, accessible at https://www.europarl.europa.eu/doceo/document/B-9-2021-0195_EN.html

⁴⁴ The Guardian, “F1 asked to hold inquiry into alleged human rights abuses in Bahrain”, 24 March 2021, available at <https://www.theguardian.com/sport/2021/mar/24/f1-asked-to-hold-inquiry-into-alleged-human-rights-abuses-in-bahrain>

⁴⁵ The letter is accessible at <https://usercontent.one/wp/www.adhrb.org/wp-content/uploads/2021/06/2-EN-translation-of-the-letter-from-Dumas-to-Ambassador.pdf>

⁴⁶ The letter is accessible at <https://usercontent.one/wp/www.adhrb.org/wp-content/uploads/2021/09/Bahrain-Letter-Final-Signed.pdf>

⁴⁷ Al Jazeera, “French MPs condemn ‘human rights violations’ in Bahrain”, 4 October 2021, available at <https://www.aljazeera.com/news/2021/10/4/french-mps-condemn-human-rights-violations-in-bahrain>

⁴⁸ BCHR, “Rights Groups Urge Bahrain to Release Dr. Abduljalil Al Singace, Jailed Academic on Hunger Strike”, 30 July 2021, available at <https://bahrainrights.net/?p=136249>

BIRD, “101 Global Academics Stand in Solidarity With Jailed Academic Dr. Abduljalil AlSingace on Hunger Strike in Bahrain”, 12 August 2021, available at <https://birdbh.org/2021/08/101-global-academics-stand-in-solidarity-with-jailed-academic-dr-abduljalil-alsingace-on-hunger-strike-in-bahrain/>

⁴⁹ Middle East Eye, “Bahrain: UK lawmakers demand release of prominent prisoner on hunger strike”, 2 October 2021, available at <https://www.middleeasteye.net/news/bahrain-uk-lawmakers-demand-release-prominent-prisoner-hunger-strike>