



# PROJECT *on* Middle East Democracy

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## “The Human Rights Situation In Bahrain”

Tom Lantos Human Rights Commission  
Rayburn House Office Building, Room 2200  
April 27, 2010, 12:00 – 1:30 PM

The Tom Lantos Human Rights Commission held a hearing to explore the human rights situation in Bahrain. Credible human rights NGOs and the State Department have documented violations of Bahraini constitutional protections, and have expressed concern for women’s rights, trafficking, freedom of speech and religion, domestic violence and discrimination against the Shi’a population and foreign workers’ rights. To discuss these issues, the commission – chaired by **Congressman James McGovern** (D-MA) with **Congresswoman Donna Edwards** (D-MD) in attendance – requested the testimony of five individuals: **Joe Stork**, Deputy Director of Human Rights Watch’s Middle East and North Africa Division; **Stephen McInerney**, Director of Advocacy for the Project of Middle East Democracy; **Katie Zoglin**, Senior Program Manager of Freedom House’s Middle East and North Africa division; **Kenneth Katzman**, Specialist in Middle East Affairs for the Congressional Research Service; and **Mohammed Alansari** of the Bahrain Society for Public Freedom.

Congressman McGovern led off with an overview of Bahrain’s uneven progress, often characterized by one step forward, and one (or two) steps back. “It’s a dance that leaves many citizens and foreign workers uncertain and deprived of rights... leaves too many men, women, and children vulnerable to labor and sexual exploitation, trafficking, and slavery.” Congressman Edwards continued that this hearing wasn’t about criticism or placing blame, but rather about figuring out how we can work toward a future where human rights are respected and valued.

**Joe Stork** provided the first testimony, and began by noting that the period between 2000 and 2002 saw the “remarkable beginnings of political change and liberalization and reform” after **Sheikh Hamad Bin Isa Al-Khalifa** took over as king. State security laws and courts were abolished, and an independent press began to emerge. Some of the reforms have endured, Stork said, which has “quite properly left Bahrain with a favorable reputation as a modernizing state.” But at the same time, “**this has meant that the government has gotten something of a free ride**” in other areas, and he maintained that it’s important we not lose the momentum from earlier in the decade.

Reflecting upon his recent visit to Bahrain in 2009, Stork said that conversations with former detainees, defense attorneys, journalists, and officials from the ministries of interior and justice indicated that **after nearly a decade of a fairly clean record with regard to prisoner abuse, torture is once again a serious problem**. There were two HRW findings: Since the end of 2007, security officials regularly resorted to torture to secure confessions from security suspects; and there’s simultaneously a complete failure to investigate these situations.

“The question is not whether the detainees we interviewed were responsible for criminal activity,” Stork said, “the issue is that torture is prohibited, flat out.” He urged congress to push Bahrain in

private meetings to investigate these incidents and prosecute those responsible. However, he did note that there are some positive signs in recent years. **“Unlike my previous investigations prior to 1999, some officials did fulfill their responsibility,” he said. For example, government doctors are now able to provide reports corroborating torture and ill treatment, which marks a major improvement.**

Next, **Stephen McInerney** spoke on the issue of freedoms of association and expression, as well as the forthcoming parliamentary elections later this year. “In general,” he said, “Bahrain is a freer place than it was 10 years ago. Unfortunately, in the past five to six years, we’ve seen regression in a few areas.” **An existing press law from 2002 empowers the government to detain journalists for criticizing the government or Islam.** All of broadcast media is government-owned and strictly controlled. Although print media is privately owned, “there are still boundaries that are not exceeded.” Just in the last year, McInerney said, the government has targeted new media and the Internet, giving an order to block certain news websites, blogs, public discussion forums, and some websites that track human rights in Bahrain and elsewhere.

“The government has followed the example of some other regimes,” McInerney said, “taking some steps it touts as reforms, but are actually intended to consolidate control.” One example is the Institute for Political Development, ostensibly established to advance democratic reforms, but in practice an institution meant to consolidate government power. Every organization is required to coordinate activities through the IPD. **Similarly, a 2005 political associations law has in recent years been interpreted more broadly to prohibit foreign organizations from not only funding groups in Bahrain, but also from training or even meeting with them.**

With regard to the election, McInerney said that the government seems to be cracking down on the opposition – not because they fear the result of an election, but rather because **they fear that the campaign itself may bring unwated attention to political issues that they would prefer not be discussed in a public sphere.**

**Katie Zoglin** then shifted the focus to women’s rights, saying that although they have improved, Bahrain still lags far behind the rest of world. **“The constitution guarantees a certain degree of equality between men and women, but gender discrimination is still fairly pervasive.”** Yet there have been positive legal reforms, such as rescinding the law requiring women to get male approval for a passport. A recently passed “personal status code” also has some positive provisions; **women must consent to marriage, must be allowed to include provisions in a marriage contract, and have the right to a separate residence if their husband takes multiple wives.**

Zoglin reported that women remain underrepresented in the political realm. But they are doing quite well educationally, making up more than half of Bahrain’s two largest universities. 34 percent of women are also employed, and women can no longer be fired because they get married or become pregnant.

**Kenneth Katzman** provided a geopolitical perspective, analyzing Bahrain in terms of its relationships and behavior within the larger region. Part of the underlying unrest, he said, is a lingering government fear that Iran is supporting Bahrain’s Shi’a resistance movement. Bahrain has also been designated as a major U.S. non-NATO ally, which means it is eligible for certain categories of U.S. defense equipment and larger sums of aid. It is heavily reliant upon U.S. support – the implication being that there may be areas where the U.S. can leverage this relationship.

**Mohammed Alansari** was the final witness to speak, and began by providing a geographical, social, and historical overview. Unlike the other witnesses, Alansari defended the government as a “straight forward” political regime with strong checks and balances. While tensions do exist, he maintained that they continue because Shi’a and Sunni groups tend to form their own exclusive associations that never have genuine interaction beyond their own narrow vision and mission. Bahrain also has strong constitutional guarantees for freedom of religion, he said, and there is never physical violence or harassment on religious grounds.

Following the witnesses’ testimony, Congressman McGovern asked how the U.S. can play a positive and constructive role. Stark responded that it’s important to maintain consistent messaging in public and private – U.S. officials must make it clear that good relations and enrichment of relations does require some action by Bahraini authorities to address human rights problems like torture and restrictions on human rights associations. “The existing laws are pretty good,” he said, “but there’s an enforcement problem, and no serious prosecutions.” Alansari countered that any direct interference will not be accepted by Bahrainis; instead, the best way to is to encourage dialogue between internal parties. Katzman added that the State Department would probably say that they’re currently doing a lot of this, in the form of MEPI and other programs.

Addressing a question about why NDI representatives were barred from meeting with Bahraini groups, Alansari explained that the government saw this relationship as unacceptable since some of the Bahraini groups were supporting illegal demonstrations that were not officially approved by the government.