

## BAHRAIN

### Executive Summary

The constitution does not explicitly protect freedom of religion but does provide for freedom of worship, and the government generally respected the right of citizens and foreign residents to practice their religion. There was deterioration in the respect for and protection of religious freedom, including mass arrests and detentions of members of the Shia community and the destruction of Shia religious sites and gathering places during the State of National Safety (SNS) from March 15 to June 1. The government took some steps late in the year to address these issues, however, by launching an effort to rebuild those sites destroyed during the SNS, and releasing many of those arrested and detained.

In practice, the Sunni Muslim citizen population enjoyed favored status, and the Shia population faced discrimination. Beginning in February, the country experienced a sustained period of unrest, including mass protests calling for political reform and some sectarian violence. The government overwhelmingly targeted members of the Shia community during the SNS, including activists and clerics. The government and parastatal companies suspended or dismissed scores of Shia civil servants, as well as parastatal employees, although many were reinstated by year's end. The Bahrain Independent Commission of Inquiry (BICI) documented a "culture of impunity" among security personnel, including widespread use of excessive force and torture against antigovernment protesters, mostly Shia. The government-run state television station broadcast programming that accused Shia citizens of targeting Sunni citizens and questioned the allegiance of Shia citizens, and some political figures used anti-Shia rhetoric and epithets in social media posts. The government specifically limited and controlled the use of mosques or matams (Shia religious community centers) for political gatherings.

There were some reports of societal abuse or discrimination based on religious affiliation, belief, or practice, including incidents of sectarian violence, especially between the Sunni and Shia communities. Some progovernment press outlets and social media posters employed anti-Shia rhetoric and epithets. Private sector employers dismissed scores of Shia workers following the imposition of the SNS.

Senior U.S. government officials, as well as U.S. embassy representatives, regularly engaged the government, political societies, civil society organizations,

and the broader public on U.S. concerns regarding actions taken by the government to limit religious freedom.

## **Section I. Religious Demography**

The citizen population, which constitutes slightly less than half of the residents, is 99 percent Muslim. Jews, Christians, Hindus, and Baha'is constitute the remaining 1 percent. Muslims belong to the Shia and Sunni branches of Islam. The government does not publish statistics regarding the sectarian breakdown among Shia and Sunni citizens, although many international organizations and media outlets have stated that Shia represent a majority of the country's citizen population.

As of 2008, there were approximately 350 licensed Sunni mosques, while the number of licensed Shia places of worship included 863 mosques and 589 matams. In newer developments such as Hamad Town and Isa Town, which often have mixed Shia and Sunni populations, there tended to be a disproportionate number of Sunni mosques.

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

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

### **Legal/Policy Framework**

The constitution does not explicitly protect freedom of religion. The constitution provides for freedom of conscience, the inviolability of places of worship, and the freedom to perform religious rites and hold religious parades and meetings, in accordance with the customs observed in the country. The constitution states that Islam is the official religion and Islamic law is a principal source for legislation.

In declaring Islam as the state religion and Islamic law as the source of legislation, the constitution implies that Muslims are forbidden to change their religion.

The constitution stipulates that there shall be no discrimination in the rights and duties of citizens on grounds of religion.

The constitution imposes no restrictions on non-Muslims' right to choose, change, or practice their religion of choice, including the study, discussion, and promulgation of those beliefs. The constitution prohibits discrimination in the rights and duties of citizens on the basis of religion or creed; however, there are no further laws to prevent discrimination, nor procedures to file a grievance.

Every Muslim religious group must obtain a license from the Ministry of Justice and Islamic Affairs (MOJIA) to operate. Non-Muslim religious groups must register with the Ministry of Human Rights and Social Development (MOHRSD) to operate. Religious groups also may need approvals from the Ministry of Education, the Ministry of Culture, the Information Authority, or the Ministry of Interior, depending on the nature of the group's intended activities. Altogether 13 non-Muslim religious groups were registered with the MOHRSD, including Christian churches and a Hindu temple. A number of unregistered non-Muslim religious groups, most of which operated without government interference, stated that they did not seek to formally register with the MOHRSD because they believed the MOHRSD would refuse the application of any new non-Muslim religious groups.

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

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

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

Construction of places of worship requires approvals from a number of national-level entities, as well as municipal entities. The king has sole legal authority to allocate public land. Other government entities that direct the allocation of

building permits are the Ministry of Justice, the Islamic Affairs Waqf Board, the country's five municipalities, the Survey and Restoration Directorate, and the Survey Department.

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

Islamic studies are a part of the curriculum in government schools and mandatory for all public school students. The Maliki school of Sunni jurisprudence forms the basis for the 17-year-old curriculum, which does not include the Jaafari traditions of Shia Islam.

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

### **Government Practices**

There were reports of abuses of religious freedom. Beginning in February, the country experienced a sustained period of unrest, including mass protests calling for political reform and some sectarian violence. An emergency State of National Safety Law was implemented by royal decree under constitutional authority from March 15 to June 1. During that period, military and civilian security forces carried out extensive security operations and arrested and detained individuals overwhelmingly from the Shia sect, including activists and clerics whose activities were both political and religious in nature. There were documented cases of arbitrary arrest, excessive use of force, and detainee torture and mistreatment. The government demolished a number of Shia religious sites and structures during the year. According to the BICI report, it investigated 30 sites (28 mosques, one matam, and one shrine) that reportedly were the most damaged, out of a total of 53 damaged Shia religious structures identified by the Al Wefaq National Islamic Society.

The government generally respected the right of citizens and foreign residents to practice their religion; however, the government continued to exert a level of

control and to monitor both Sunni and Shia Muslims. The government also censored religious sermons and attempted to disrupt the activities of Shia clerics. During the SNS there were reports of government-initiated destruction of places of worship, desecration of religious structures, prolonged arrests, and detentions of political activists, doctors, and other citizens and residents, almost exclusively from the Shia community, as well as mass layoffs and firings of Shia employees from civil service, parastatal, and private sector positions. During the SNS and to some extent thereafter, the government administered deadly or excessive force as part of crowd control methods. Members of other religious groups that practiced their faith privately did so without government interference and were permitted to maintain places of worship and display religious symbols.

The BICI report documented the government's demolition of 28 mosques, one matam, and one shrine, which were the most heavily damaged religious structures of 53 reported by the Al Wefaq National Islamic Society. The government demolished these structures after declaring them "unauthorized structures" during the SNS. Reports indicated that ministry of interior personnel cordoned off places of worship and removed worshippers. Municipal workers then demolished the structures with heavy machinery (bulldozers and cranes) and manual tools such as sledgehammers. In some cases, security personnel carried out the demolitions. According to the BICI report, nine mosques were demolished by General Security, with the Bahrain Defense Force serving in a support capacity.

In the spring, the government began to arrest a number of Shia clerics associated with the opposition protest movement, including Secretary General Shaikh Mohammed Al Mahfoodh of the legally registered Amal political society; Abduljalil Al Miqdad, the leader of the unregistered Al-Wafa'a movement; Shaikh Abdul Atheem Al Mohtedi, a former member of the Supreme Council for Islamic Affairs; and Shaikh Mohammed Al Safaf (also known as Mohammed Habib Al Miqdad), a prominent independent Shia cleric. All four of these well-known clerics remained in prison at year's end.

An incident of censorship of Friday sermons occurred in August when the minister of justice and Islamic affairs sent a letter to senior Shia cleric Shaikh Isa Qassim, accusing him of using language that incited actions against the regime in his sermons.

The BICI report documented numerous reports of the use of religion in interrogations and reports of torture. For example, during the first month of detention, a detainee reported being forced to insult his own religion as part of his

mistreatment, which also included beatings, sleep deprivation, and exposure to extreme temperatures.

During the SNS, state-run television (Bahrain TV) frequently broadcast programming that called the Shia community's loyalty into question. For example, on the program *Al Rassed* (The Observer), hosts argued that the Shia were targeting the Sunni sect in order to divide society into two groups: loyal and honest (proregime) and agent and traitor (antiregime). The Hewan Maftooh "Open Dialogue" program attempted to highlight alleged personal scandals of Shia opposition journalists, activists, and students. Protesters were accused of treason and affiliation with Iran and the Khomeinist principle of rule by the jurispudent (Welayat Al-Faqeeh). According to the BICI report, requests made to the Ministry of Interior to allow live broadcasts of Friday sermons from Shia mosques (national television only broadcasts from Sunni mosques) so far have not been granted.

There were reports of intimidation based on Bahraini Shia religious ties to Iran and Iraq during governmental detention of Shia activists. Senior government officials expressed concern about Iran's influence on the Shia population. The BICI found that the evidence provided to it by the government did not establish a discernible link between specific events during the unrest and Iran.

According to non-Muslim religious leaders, visa policies overseen by the Ministry of Interior and the MOHRSD restricted their faith communities.

Ministry of labor and other sources indicated that more than 2,200 public and private sector Shia workers were dismissed during the period of unrest. BICI data confirm that the government systematically suspended or dismissed Shia from public service positions, including civil service workers and employees of quasi-governmental institutions. Most of the civil service employees affected by the SNS-era dismissals and suspensions were from the Ministries of Education, Health, Interior, and Municipalities. In addition to the public sector employees, the government and unions agreed that 1,520 employees were dismissed or suspended from the public-private (parastatal) sector, including major employers Aluminum Bahrain (ALBA), Bahrain Telecom (BATELCO), and state carrier Gulf Air.

Sunni citizens often received preference for employment in sensitive government positions, in the managerial ranks of the civil service, and in the military. Shia politicians and activists asserted that the government and certain business elites discriminated against Shia citizens in employment and promotions. Senior civil service recruitment and promotion processes often favored Sunni candidates.

Educational, social, and municipal services in most Shia neighborhoods were inferior to those in Sunni communities. Shia politicians and activists asserted that the government naturalization and citizenship processes favored Sunni applicants over Shia applicants.

Only a few Shia citizens held significant posts in the defense and internal security forces, although more were in the enlisted ranks. Although the police force reported it did not record or consider religious belief when hiring employees, Shia continued to assert that they were unable to obtain government positions, especially in the security services, because of their religious affiliation. Shia were employed in some branches of the police, such as the traffic police and the fledgling community police.

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

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

The government funded, monitored, and exercised control over official Muslim religious institutions, including Shia and Sunni mosques; religious community centers; Shia and Sunni religious endowments; and the religious courts, which represent both the Shia and Sunni-affiliated schools of Islamic jurisprudence. The Supreme Council for Islamic Affairs reviewed and approved clerical appointments within both the Sunni and Shia communities.

The government did not usually interfere with what it considered legitimate religious observances; however, during periods of unrest, including those of a sectarian nature, security forces occasionally intervened in religious processions and funerals. The government permitted public religious events, most notably the large annual commemorative march by Shia Muslims during the Islamic months of Ramadan and Muharram. During June 5 commemorations of the death of the

Imam Hadi, in Shia villages and in predominantly Shia neighborhoods throughout Manama, security forces dispersed crowds, citing safety and security regulations.

The Supreme Council for Islamic Affairs maintained program oversight on all citizens studying religion abroad. The government monitored travel to Iran and scrutinized carefully those who chose to pursue religious study there.

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

The constitution's implication that Muslims are forbidden to change their religion was reinforced through societal pressure.

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

Anti-Shia commentary appeared regularly in progovernment broadcasts and publications without any government response.

Regular rioting continued in several predominantly Shia villages, with protesters reportedly using both nonviolent and confrontational methods, including burning of tires, blocking roadways, and throwing of incendiary devices such as Molotov cocktails. The rioting stemmed in large part from the perception among many in the Shia community of unequal treatment by the government under the law and in other areas, such as employment, as well as anger over the police's use of excessive force in some cases. Some rioting and other illegal activity was actively encouraged by political extremists.

There were instances of sectarian boycotts against local businesses, as well as incidents of vandalism against stores owned by prominent Shia businessman Faisal Jawad. According to press reports and embassy sources, instigators from both sects formed lists that specified the names and locations of businesses targeted for the boycotts.

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



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

U.S. embassy officials continued to meet regularly with religious leaders, representatives of human rights nongovernmental organizations, and political groups to discuss matters of religious freedom, among other human rights-related topics. The embassy regularly raised concerns about religious freedom with a range of government officials, including the royal family; the ministers of justice, interior, human rights and social development; members of parliament; and the Shura Council. During the period of political unrest, the embassy pressed the government to protect religious sites and religious freedoms, to conduct a dialogue with opposition groups, and to implement the BICI's recommendations. The embassy also hosted Islamic scholar Dr. Margot Badran to conduct religious outreach with the message that feminism exists within Islam.