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شبكة المنظمات العربية غير الحكومية للتنمية

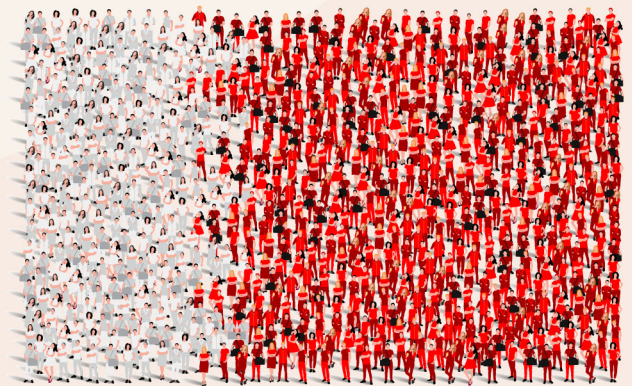
Civic Space Monitor

National Reports on Civic Space 2022



Bahrain

State of Civil Society
and Freedoms



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State of Civil Society and Freedoms



November 2022

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Introduction

The Kingdom of Bahrain is located on the eastern coast of the Persian Gulf region. It is a member of the Cooperation Council for the Arab States of the Gulf (GCC) and adopts a “constitutional monarchy” political system. The Kingdom of Bahrain has a bicameral parliament, consisting of the Council of Representatives and the Consultative (Shura) Council. The Council of Representatives is the legislative body. It is elected for 4 years and comprises 40 members representing four governorates. The members are elected based on the electoral district system. As a result, more than half of its members subscribe to the official political positions of the State. Meanwhile, the Shura Council has 40 members who are appointed by His Majesty the King. The Council of Ministers is the executive body of Bahrain and is headed by Crown Prince Salman bin Hamad Al Khalifa after the death of his uncle Sheikh Khalifa bin Salman, who held the post for more than 42 years. Meanwhile, the judicial body is led by the Supreme Judicial Council, which is chaired by the King. The King’s designated representative, former Minister of Justice Sheikh Khalid bin Ahmed, is appointed by the King himself and chairs the Council’s meetings. The King also presides over the three authorities (legislative, executive, and judicial). Bahrain has a Constitutional Court that rules in the name of the King, and its members are appointed by virtue of Royal Orders for a term of five years. This Court is independent of the judicial system and has the right to review the constitutionality of laws and regulations.

Bahrain has a total population of 1,504,365, of which 719,333 (47.8%) are citizens and 785,032 (52.2%) are resident non-citizens, as per the census of 2021, living on a land area of 786.5 square kilometers. Bahrain is considered the smallest and most densely populated Arab country, given the concentration of citizens and residents in no more than one third of

its geographic area. Bahrain’s annual GDP is USD 32.8 billion, and its growth rate is -4.9% (2020). (1) Its growth rate is currently negative as a result of Covid-19 and its impact on the local economy. In fact, its growth rate prior to the pandemic was 4.3% in 2017, 2.1% in 2018, and 2.2% in 2019. In 2021, its growth rate increased once again to reach 2.2%, according to the World Bank. (2)

Economic Situation

1. Public Debt

By the end of July 2022, Bahrain’s total public debt amounted to more than BHD 15 billion (approximately USD 40 billion), including around USD 2 billion in loans by state-owned companies or loans from the Central Bank. As such, Bahrain’s public debt makes up around 122% of the GDP. In comparison, the country’s public debt stood at around BHD 14 billion (approximately USD 37 billion) by the end of 2020, i.e. more than 113% of the GDP. Meanwhile, the public debt service amounted to more than BHD 700 million in 2022, i.e. up to USD 1.9 billion annually. It is worth noting that Bahrain received support from the Gulf to address its financial situation by 2023, whereby it received more than USD 10 billion in assistance, projects, and interest-free loans. As a result, the government is hoping to reach the fiscal breakeven point between revenues and expenses and is focusing its energy on the “fiscal balance” agenda, which was one of the conditions of the Gulf support. (3)

2. Oil Prices

The increase in crude oil prices to around USD 120 per barrel (at one point in time) led to a significant increase in Bahrain’s revenues from the sale of crude oil. This helped the country cover budgetary

demands for 2021 and 2022, as well as announce a fiscal surplus amounting to BHD 33 million (USD 87 million) in the first half of 2022, as the oil price adopted in the 2021 and 2022 budget was USD 60 per barrel. Several economic institutions estimate that the surplus generated is even greater than that. Nevertheless, this increase contributed significantly to reaching the point of fiscal balance, which was as a strategic objective that the government sought to achieve to meet the conditions of Gulf funding. Bahrain also increased the VAT to 10%, which resulted in more financial returns. Despite the repercussions of Covid-19 on the country, the social protection programs for poor families have not been affected. Instead, the government supported these programs in various ways, including by paying a monthly allowance to families in need who are registered with the Ministry.

3. Inflation

The Russian invasion of Ukraine caused a global wave of inflation which had implications on all aspects of life. It particularly led to a significant increase in food prices, as production and transportation chains were suspended in many parts of the world. The war also led to an increase in energy prices, which in turn caused a spike in the prices of all other commodities. This also led to a rise in the global inflation rate to around 9%, affecting all countries around the world.

4. Impact of Covid-19 on the Economic Situation

The government announced a support and stimulus package for the national economy amounting to BHD 4.3 billion (USD 11.4 billion) to be implemented in several stages. It included paying the salaries of Bahraini private sector workers for 3 months as a first step and then for an additional 3 months with the spread of Covid-19. The government also exempted companies renting government properties from paying rent for 3 months and paid the electricity bills of citizens for a similar period, in addition to other support programs. Moreover, the government provided all types of vaccines as quickly as possible. A fundraising campaign from citizens, residents, and companies was announced at the grassroots level to support the efforts of the Royal Charity Organization, and the total amount raised exceeded USD 100 million. However, no information or data on the abovementioned steps was disclosed, whether in relation to procurement costs or the real costs borne by the government or the companies to which the government offered financial support. Similarly, the Royal Charity Organization did not disclose any data on how the funds that were raised were used. Some companies and institutions collapsed and went bankrupt. Many workers and employees were laid off and left on the side of the road without any financial support. The sectors that were most affected by the pandemic were the tourism, airline, retail, restaurant, transportation, and small enterprise sectors, as well as the hotels that remained almost empty despite various attempts to run even a small part of them.

The Covid-19 pandemic that hit the world in 2020 had an impact on the activity of civil society organizations. The organizations that did not have the necessary technology and modern social media platforms (such as Zoom) to cope with the new situation were affected the most. This was because the pandemic restricted meetings, after the Ministry of Labor and Social Development issued instructions at the beginning of the health crisis to stop all in-person meetings, including general assemblies,

and to resort to meetings and programs through teleconferencing only. This situation exacerbated the challenges and led to a setback in civil society programs, which were already facing obstacles set up by the Ministry from time to time. The Ministry also took advantage of the pandemic to issue more circulars and measures to control and limit the activities of civil society. Some associations, however, had the financial means to mitigate the effects of the pandemic and partially overcome them. This situation also encouraged some associations to cooperate, while many others could not overcome the impact of the pandemic, and their performance declined.

Political Situation

The 2011 uprising in Bahrain was still casting its shadow on the country's political scene. This was reflected in the continuous arrests of political leaders affiliated with the Shiite religious movement that the government believes was responsible for the 2011 uprising and the life sentences they received. The sentences were initially handed down by a military court. But after the trials were criticized by the royally appointed Fact-finding Commission, the political leaders were retried in civil courts, and the same sentences were issued. These political leaders were not alone. Several activists served sentences that were greater or less than ten years, whereas others were sentenced to more than 80 years. Death penalties were issued against 12 citizens, and 5 death penalties were executed. More than 100 citizens were martyred during these events, and more than 6 thousand citizens were laid off (most of them returned to their jobs). This harsh political environment will persist if the government (the political regime or the ruling Al Khalifa family) fails to put forward a legitimate dialogue project to address these events; otherwise. This situation also had an impact on the parliamentary elections in Bahrain ever since Al-Wefaq bloc pulled out of the Parliament in 2010. In fact, the opposition boycotted the parliamentary and municipal elections in 2011, 2014, 2018, and 2022.

Normalization of Ties with “Israel” (Abraham Accords)

Bahrain and the United Arab Emirates signed the Abraham Accords with the Zionist entity on the 11th of September 2020 in an attempt to normalize ties with “Israel.” Officials in both countries claimed that this agreement would benefit the Palestinians and help them reach a peace agreement with the Zionist entity.

The impact of the agreement on Bahrain was

reflected in increased pressure on the freedom of opinion and expression and clampdowns on activists and dissidents. In fact, several activists were summoned for interrogation because of tweets they posted against the agreement. The authorities took a controversial step in November 2022 by putting human rights activist Abdulhadi al-Khawaja (sentenced to life in Jau prison) on a new trial on several charges that included offending a friendly state (Israel). Whilst this agreement did not have any direct impact on the performance of civil society institutions (to date), the decisions issued by the Ministry of Social Development were enough to restrict their activity in all areas. The Ministry constantly reminds these institutions not to engage in politics.

On the other hand, an alliance, known as the Initiative Alliance (Al-Mubadarah), was formed between 23 civil associations. Its goal was to issue statements and organize events, including solidarity stands and other events where they would call for revoking the Abraham Accords and for Bahrain's withdrawal from them in support of the Palestinian cause. The Alliance included civil society institutions (such as the General Federation of Bahrain Trade Unions, the Bahrain Women Union, the Bahrain Transparency Society, women's associations, the BDS Movement, etc.), as well as political associations (Progressive Democratic Tribune, Nationalist Democratic Assembly, Al-Menbar Islamic Society). The fact that the Alliance includes associations affiliated with the opposition or with the political regime as well as others that are independent suggests that the Palestinian cause is very important and unites the Bahraini people. The Initiative Alliance sought to support the Palestinian people in building relationships with civil society institutions and to form coalitions with Palestinian or Gulf organizations.

At the social level, the number of households in need of the social assistance provided by the government has increased. In fact, the number of beneficiaries of the cost-of-living allowance program in 2020

was more than 126,000 citizens, at a cost of more than BHD 113 million (approximately USD 300 million), while assistance for people with special needs reached BHD 15 million (approximately USD 42 million), targeting more than 12,000 citizens, according to the Ministry of Labor and Social Development's website (4). This is because the rate of unemployment increased as a result of the Covid-19 pandemic, the failure and bankruptcy of small businesses, and the decision of some companies to decrease the number of employees and lay off several citizens in exchange for cheaper foreign labor. As a result, citizens' standard of living was deeply and negatively affected. This also increased reliance on charities offering assistance to these households. The Ministry of Labor and Social Development's practices to prevent these organizations from receiving funding for their programs added to the challenges they were facing. The Ministry required organizations to meet a long list of conditions before they could obtain financial grants from companies or individuals to meet their needs and fulfill their obligations of supporting families in need.

Legal Framework Governing Civil Society Institutions

Civil Society

There are more than 600 community associations with different areas of concern and scopes of work that fall under the supervision of the Ministry of Social Development according to Law No. 21 of 1989, in addition to professional associations such as those of lawyers, doctors, and engineers, and charity organizations that support poor or struggling families in need of assistance that is not being provided by the Ministry of Social Development. There are also various civil society organizations that include women's unions and associations, trade federations, trade unions, social associations, human rights organizations, expatriate community associations, and sports and cultural clubs. The number of associations has increased after the year 2000, when King Hamad ascended to the throne in Bahrain. However, the government continued to impose restrictions on these organizations, especially since the 2011 uprising. These restrictions included dissolving and preventing associations from being established, in addition to continuously amending Decree-law No. 21 of 1989 on social associations and sports clubs. The latest amendments prohibited several civil society activists from applying for board membership. This prevented young professionals from joining associations out of fear of jeopardizing their careers or the services provided by the government to individuals. This was because of the intrusive security measures and the fact that all decisions were subject to known and unknown security clearances.

Additional details on the legal environment of civil society organizations in Bahrain can be found in previous reports issued by the Arab NGO Network for Development (ANND). This report only gives a brief overview of the situation, along with a few facts

and negative impacts related to this environment during the last two years.

Article 27 of Bahrain's Constitution states that "the freedom to form associations and unions on national principles, for lawful objectives, and by peaceful means is guaranteed under the rules and conditions laid down by law, provided that the fundamentals of the religion and public order are not infringed. No one can be forced to join any association or union or to continue as a member."

Decree-law No. 21 of 1989 and its amendments govern the work of civil society organizations in Bahrain. They can also be applied to sports and cultural clubs, women's and sports unions, and expatriate community associations. Meanwhile, the Ministry of Social Development supervises the implementation of this law. Since the reform process was launched in the early 2000s, several amendments were made to this decree in the years 2002, 2009, 2010 and 2013, as well as two other amendments in 2018. Most of these amendments added further restrictions on civil organizations and limited their ability to engage with the community. The Ministry also issued several circulars and measures to introduce additional constraints, such that the organizations became bound in chains that were difficult to break, without any political tendency or decision in sight to reinstate these institutions. (5)

The most important amendments to the Decree-law were made in 2018: the amendment to Article 43 related to the conditions for board membership of organizations introduced a condition for prospective board members: "Board members shall enjoy all their civil and political rights." This amendment was aimed at adding further restrictions on activists after the 2011 uprising and its subsequent political and social impact.

The Director of the NGO Support Department at the Ministry of Labor and Social Development issued a circular to NGOs on 15 January 2020 requiring them to submit all the documents related to their ordinary general assembly meetings 15 days before

the scheduled date. The Ministry also asked to be provided with the names and personal phone numbers of all prospective board members, in accordance with the above amendment and the new condition it introduced. The list of candidates should be presented to the Ministry of Interior to obtain its final approval. The Director of the NGO Support Department at the Ministry said: “Within the framework of prior cooperation and coordination with the Ministry of Interior, a security check will be conducted on board candidates before the ordinary general assembly meeting” (5). The general assembly may not be convened before the approval of the Ministry of Interior. This circular is part of a long series of control measures over civil society organizations.

Attorney Hassan Ismail says that amending the article by adding the term “political” violates the text of Article 2, paragraph (a) of the Constitution, which states that “there shall be no crime and no punishment except under a law, and punishment only for acts committed subsequent to the effective date of the law providing for the same.” Ismail added, “It goes without saying that Article 43 violates the provisions of the Constitution, charters, and international conventions, and it is inconsistent with the nature of community work, given the fact that community associations are civil society organizations. Another shortcoming of the amendment is that the original Law on Community Associations issued in 1989 under Decree-law No. 21 did not stipulate the need for board members to enjoy their political rights; instead, it included a reasonable requirement for board members to enjoy their civil rights in Article 43, in line with international legislation. In addition, Article 43, which states that board members should enjoy their political rights, is in violation of the texts of other laws. As such, there is a clear contradiction in the fact that the law provides for the individual’s right to join a community association and participate in its general assembly and in the election of a board of directors, provided that they are not convicted of any crime against honor or integrity – unless they

had been acquitted – and stipulates simultaneously in the abovementioned article that they may not be elected as board members.” (6)

The second amendment introduced a condition for prospective board members of sports clubs and unions, requiring them “not to be members of a political association.” These two amendments reduced the number of experienced individuals in the management of community associations and sports and cultural clubs. The security screening done by the Ministry before approving the list of prospective board members prevents young people from running for the membership of civil society organizations, for fear of undermining their chances of employment, promotion, or receipt of public services, such as housing and others. As a result of these restrictions, civil society organizations will have a shortage of competencies and a lack of good management. The last amendment to Legislative Decree No. 21 was made in 2022 to prevent members of political associations and members of the Shura Council and the House of Representatives from becoming board members of sports unions and clubs and youth centers.

Before these two amendments, there were other amendments that aimed to reduce the scope of work of civil society organizations and exert pressure on them. These included Decree-law No. 21 of 2013, which only allowed fundraising to be carried out by the organizations after obtaining the official approval of the Ministry and required the institutions to abide by the conditions and standards set for spending these funds. The amendment also tightened sanctions for failing to abide by the terms of fundraising, whereby it became punishable by imprisonment for 10 years and a fine of BHD 500,000 (approximately USD 1.330 million) if the fundraising activity was considered to be carried out for terrorist purposes.

These examples suggest that the abovementioned amendments increased constraints and limited the work of associations and sports clubs. It even deprived some citizens of their Constitutional rights

established in Article 27 of the Constitution and in international political and civil rights conventions ratified by Bahrain. In an attempt to challenge and annul the amendments, an alliance was formed between 23 associations, and communication was established with several authorities. However, these attempts did not bring about any change, which suggests that this clampdown on civil society became the adopted approach.

In relation to the labor movement, Decree-law No. 33 of 2002 regarding the establishment of trade unions in companies governs the work of trade unions and trade federations, which also fall under the umbrella of the Ministry of Labor. Non-substantial amendments were made to this decree, with the exception of the amendment introduced after the 2011 uprising, which allowed for the establishment of more than one trade union and federation within the same company. This new provision became a contributing factor to the division of the labor movement and led to competition between workers. It is worth noting that the law is unclear about the establishment of trade unions in ministries and government bodies. For this reason, the government prohibited the establishment of any type of labor organization in public institutions.

Working Environment of Civil Society Organizations

1. During the last two years, the Ministry of Social Development (the Ministry of Social Development was separated from the Ministry of Labor under a ministerial amendment in 2022) dissolved the boards of a number of associations, including Isa Town Consumer Cooperative Society and the Charity of the Ancient Country, the Zanj and Azari. The Ministry also appointed temporary boards for the Bahrain Medical Society, the Bahrain Bar Association, Saar Charity, Janusan Charity Society, Arad Village Charity Society, and Islamic Enlightenment Society. The Ministry had previously dissolved or appointed temporary boards for 16 civil associations in 2019. (7)
2. The Ministry of Development called in several civil society institutions to investigate the sources of their revenues. Some associations were accused of raising public funds without obtaining the approval of the Ministry. The details of the accusation mentioned that some associations sold books without the Ministry's approval, although the law allows associations to boost their revenues by organizing various activities, and the Ministry had always asked associations to look into diversifying the sources of their revenues.
3. The Ministry often intervenes to stop certain events, such as the Bahrain Women's Union Forum entitled (The Murder of Women Continues). The Ministry did not provide any grounds for stopping the forum, which was supposed to be held on 5 May 2021.
4. The Ministry issued several circulars, including

Circular 731/807/2022 which warned associations against participating in the elections by sponsoring candidates or allowing them to use the associations' offices. It also warned them not to participate in the name of the association in supporting candidates, nor to provide financial support or organize activities to support candidates. (8)

5. The Ministry also issued circulars related to scholarships or training workshops organized by some embassies in Bahrain (such as the Japanese, British, or US embassies), in addition to visits to learn about the work of civil society organizations in those countries or attend events relevant to the activities of associations in Bahrain, etc. The circulars prohibited Bahraini civil society organizations from welcoming delegations or from traveling without the prior approval of the Ministry of Foreign Affairs, as well as the approval of the Ministry of Labor and Social Development and other official authorities. As a result, international organizations stopped offering these types of opportunities. The main issue was not that the associations had to obtain the ministries' approvals, but rather that official authorities rarely responded to these requests, which would often be understood as a refusal and would lead to the loss of opportunities (Ministry of Social Development Circular No. 25 of on 10 January 2022 on referring to the Ministry for all offers made to organizations from embassies and foreign bodies).
6. The amendment related to the conditions of running for board membership introduced the practice of security screening by the Ministry. By the end of 2020, more than 15 charities and associations had submitted the names of prospective board members. More than 50% of those candidates were rejected. The associations included the BDS Movement, Bahrain Women's Union, Bahrain Young Ladies Association, Karzakan Charity Society,

Saar Charity, Duraz Charity, Bahrain Human Rights Society, Mubadarat Society, and other associations and societies.

7. Civil society organizations are rarely allowed to obtain funding for their projects, whether from inside Bahrain or from organizations abroad, without justification. They are only allowed to do so after receiving official approval from the Ministry. In most cases, this approval is not given, especially from 2018 to date.
8. The Ministry of Justice and Islamic Affairs issued Circular No. 15/109/2022 on political associations, preventing them from meeting with ambassadors, representatives of consulates or parties, and foreign authorities from outside Bahrain. These meetings required coordination with the Ministry of Foreign Affairs at least three days before the scheduled date, and they had to be held in the presence of a representative of the Ministry of Foreign Affairs or whomever the Ministry deemed appropriate to attend these meetings. The Committee for Coordination between political associations expressed its rejection of this new constraint, while political associations affiliated with the government supported it.
9. The Ministry does not abide by judicial rulings, namely the ruling issued by the administrative court on 27 November 2019 to annul the decision of the Minister of Labor and Social Development to dissolve the Islamic Enlightenment Society. The court issued a ruling to annul the Minister's decision to close the association, but the Ministry did not allow the general assembly to convene to elect a board of directors or to reinstate the original board, nor did it hand over the association's headquarters or return the funds and assets it had seized until July 2022, when it appointed a temporary board until a general assembly could be convened. (9)

Government-affiliated NGOs

In order to further marginalize civil society organizations, pro-government figures sought to support the establishment of associations made up of loyalist or non-independent individuals, particularly in the field of human rights, in order to counter activists' criticisms of the restrictions placed on independent civil society organizations. These associations are often referred to as Governmental Non-Governmental Organizations (GNGOs). Through these GNGOs, the government worked on creating an alternative civil society that was pro-government and would not object to the practices of state authorities; in other words, a fake civil society. The government focused on the human rights aspect in establishing pro-government organizations, given the amount of criticisms it received from international agencies and organizations such as the Human Rights Council, the US State Department Report (the US State Department considers Bahrain a strategic ally), and Human Rights Watch. The Human Rights Council discussed the Voluntary Report of Bahrain (UPR) in November 2022 and issued 245 recommendations made by 92 countries in relation to human rights in Bahrain, a number which is considered very high compared to other countries. In March 2021, the European Parliament issued a decision criticizing the state of human rights in Bahrain. Moreover, 14 ministers in the UK Parliament signed a letter on the violations and arrests in Bahrain to mark 10 years of the popular movement that was repressed in March 2011. A number of ministers in the Parliament of Ireland also released a statement in a similar tone. The response of human rights GNGOs came in the form of an attack against the European Parliament, accusing the EU of supporting saboteurs and terrorists and claiming that its decision constitutes blatant interference in Bahrain's internal affairs. The role of these associations is reflected in the way they support the government's positions and lead smear campaigns against local and international institutions that issue statements or reports to reveal the violations. They attack independent

voices, accuse them of treason, and try to silence them by instilling fear and making threats using security agencies. (10)

In clear disregard of independent civil society organizations, the government sought to maximize the role of GNGOs, especially those working in the field of human rights. In order to become internationally recognized and secure direct or indirect financial and moral support, these GNGOs worked on appointing representatives in the boards of certain associations that were dissolved by the Ministry or in leadership positions, or in the membership of the boards of human rights institutions such as the National Institution for Human Rights to ensure the release of engineered and relatively acceptable reports for international organizations.

Freedom of Opinion, Expression, and Movement

Suppressing the Right to Political Participation (Voting and Candidacy)

The amendment made to the Political Rights Law prohibited 70,000 citizens (11) from running for the elections (as per activists' estimates – unconfirmed number). They were all either members of political associations that were dissolved by a court ruling or public figures. Some lawyers believe that this amendment contradicts the provisions and spirit of Bahrain's Constitution, which stipulates in Article 1 (e) that "citizens, both men and women, are entitled to participate in public affairs and may enjoy political rights, including the right to vote and to stand for elections, in accordance with this Constitution and the conditions and principles laid down by law. No citizen can be deprived of the right to vote or to nominate oneself for elections except by law." They also argue that the amendment goes against the international political and civil rights conventions ratified by Bahrain. It is worth mentioning that this amendment was introduced to the Political Rights Law in 2018 after the National Democratic Action Society "Wa'ad" and Al-Wefaq National Islamic Society were dissolved. It was made before the parliamentary elections of 2018 and prevented those citizens from their right to run for the elections of 2022. This situation is bound to continue unless the government and opposition initiate a serious national dialogue to lift these conditions that are noncompliant with democratic standards. The amendment allowed for other amendments to be introduced to Article 43 of Decree-law No. 21 of 1989 on to civil society organizations, whereby this same group was deprived of the right to run for the boards of these organizations (as previously mentioned).

Attorney Hassan Ismail says that, "Constitutional jurisprudence states that the right to vote and the right to stand for elections are complementary rights. They both need to be respected in order to ensure a healthy parliamentary process. In addition, popular sovereignty, in all its dimensions, cannot be achieved without putting those two rights into practice in an effective and efficient manner. The right to vote and the right to stand for elections are absolutely essential for democracy, as stipulated in the Constitution, and to ensure that parliamentary councils truthfully and honestly reflect the will of the people." (12) During the early preparations of the parliamentary and municipal elections in November 2022, the Electoral Supervisory Commission issued the electoral roll. It was found that the names of many citizens were removed without mentioning the reason, without explaining why this measure was taken, and without clarifying how the roll was prepared and the criteria used to remove the names. Some activists and opposing associations said that this measure was taken after several citizens boycotted the elections of 2014 and 2018. An amendment was made to Article 4 of the Political Rights Law, related to preparing the electoral roll: "Participation in previous elections shall be taken into consideration according to the records." This amendment allowed the government to remove the names of those people from the electoral roll. The main reason for removing so many voters from the roll is believed to be political retribution against the opposition and to ensure a good turnout in the 2022 elections.

The Press and Social Media

Decree-law No. (47) of 2002 governs the press, printing, and publishing in Bahrain. The country does not have a law on the right to access information, despite demands by professional and human rights associations to enact such a law, and despite the provisions calling for its establishment in the United Nations Convention against Corruption. In previous years, particularly after the 2011 uprising,

several journalists were imprisoned, fled into exile, or were laid off from their jobs. Other journalists and social media activists were killed under torture for their posts about the 2011 uprising, such as social media activist Zakariya al-Ashiri and Karim Fakhrawi, co-founder of Al-Wasat and owner of a publishing house that was shut down in 2017. (13) This confirms that the freedom of opinion and expression in Bahrain is being put under severe pressure, especially after the spread of Covid-19, as security forces took advantage of the pandemic to increase their surveillance of social media. After the 2011 uprisings, or what is known as the Arab Spring, the government prohibited any gatherings, rallies, or protests from being organized, even if they were individual initiatives, and regardless of whether they were being carried out to demand the improvement of services, the exercise of political rights, or for any other reason. The May 1 rally, organized by the General Federation of Bahrain Trade Unions since 2001, was prohibited. All other types of protests were also prohibited, and several activists were prosecuted or brought in for questioning on charges related to participating in unauthorized rallies. The government at the time required all rallies to have security clearance. In addition, the law had already identified the geographic locations where rallies, protests, or vigils could not be organized, and it sometimes turned a blind eye to the rallies organized by certain individuals, namely those who supported certain actions or pro-government events. However, despite all those restrictions, peaceful protests were still organized from time to time in some towns and villages at night to demand the release of detainees, to provide healthcare to the detainees after the spread of Covid-19 in Jau prison, or to reject the normalization of ties with the Zionist entity.

Several journalists strongly criticized the Bahrain Journalists Association, which is controlled by pro-government journalists, for not supporting journalists and taking their side as they were being interrogated or investigated, in accordance with the Press Law and the Association's statute.

Security forces took advantage of the pandemic to increase their surveillance of social media and individuals and made use of certain programs put forward by the government, such as the Be Aware Bahrain app. Some international organizations working in the field of cybersecurity said that this app enabled security forces to benefit from the information it provided on individuals. A number of journalists were also laid off from their jobs in newspapers because of their political views or their criticism of the government's performance (such as the late Abdulrahman al-Nuaimi, who was suspended from writing in Al Khaleej newspaper). The Ministry of Information began to interfere more in the content published by the press and censored any topics it deemed inappropriate. It subjected all publications to prior censorship despite the fact that all the remaining newspapers were pro-government. It increased censorship of whatever they would publish, whether op-eds or press interviews. Journalist Sawsan al-Sha'er from Al-Watan newspaper, who is affiliated with the regime, says that "there is no diversity in the news anymore. If you open any Bahraini newspaper today, you will find that the Bahrain news section on the first page is one press release written and distributed to all newspapers and published without any changes. Even the titles are chosen for the newspapers. It is enough to read one newspaper only. What is being published is the executive authority's opinion, written and sent through the National Communication Center. All the newspaper has to do is copy it verbatim. This process does not conform with Bahrain's history and its cultural wealth, nor with the nearly 100-year-old press sector. It is a step that took us 100 years back." As the popular saying goes, "And one of their own bore witness." This demonstrates the depth of the crisis related to freedom of opinion and expression that Bahrain is witnessing today and the state of restriction in the country after Al-Wasat newspaper, which was the only newspaper that could be considered impartial in its news and op-eds, was shut down. (14)

Reporters Without Borders released its annual

report on the freedom of the press on 5 May 2022. Bahrain ranked 167th globally, only one rank up from 2021, and 17th in the Arab region. The organization also mentioned that there were still 10 journalists who were serving an imprisonment sentence in Bahrain. (15)

Use of Technology for Surveillance

Bahrain uses surveillance systems against activists and other individuals, including the global spyware "Pegasus" developed by Israeli NSO Group. Political activists, human rights activists, lawyers, some MPs, and individuals from the ruling family remain a target for mobile espionage. Based on the results of the use of this highly effective security tool, some activists have been summoned for interrogation, while others have been prosecuted and imprisoned.

German newspaper Die Zeit stated that security authorities in the Kingdom of Bahrain have targeted members of the opposition in addition to many high-ranking politicians using Pegasus spyware. Three cases have been documented in which traces of a spying attack on the infected phones were detected. In September 2021, the phone of prominent Bahraini lawyer Mohamed al-Tajer was hacked, noting that he had previously denounced human rights violations. The infection on his iPhone was identified by Citizen Lab, a Canadian research institute at the University of Toronto concerned with aspects of online censorship. Its security researchers analyze cyberattacks conducted using Pegasus. The institute revealed Bahrain's use of Pegasus software to spy on nine Bahraini activists between June 2020 and February 2021. The targeted activists included three members of the National Democratic Action Society "WAAD" (a secular Bahraini political society), three members of the Bahrain Center for Human Rights, in addition to other activists and lawyers.

"Bahraini authorities have pursued their crackdown on dissent in recent years, tightening their

monitoring of digital media, which was the only space left for open discussion after the government outlawed the legal opposition groups. This chilling breach of the right to privacy comes in a context of harassment against human rights defenders, journalists, opposition leaders, and lawyers," said Lynn Maalouf, Deputy Director for the Middle East and North Africa at Amnesty International. According to Citizen Lab's report, Bahrain employs a number of methods to block or suppress Internet content. Bahrain's government implements Internet censorship using website-blocking technology from a Canadian company, Netsweeper, and also employs targeted Internet disruptions in order to stymie protests. Bahrainis who have posted critical content online have been pursued by the Ministry of Interior's Cyber Crime Unit and arrested. (17)

Censorship of Social Media and Activists

On 27 January 2022, Intelligence Online published a report stating that Bahrain will reorganize its intelligence services to work closer with the Zionist entity (Israel), which will enhance the technological capacities of its intelligence services. This poses a high risk to political and human rights activists and causes additional pressure on the freedom of expression. Some sites also showed that Bahrain's rank in Internet Speed fell from 104 to 111 on the global scale, according to the bandwidth efficiency index issued by Cable, a website that specializes in this area. Meanwhile, social media is subject to intense and daily censorship. In June 2021, the General Directorate of Cybercrime issued an announcement under the slogan of "Combating Rumors," requesting the public to copy posts on social media (Twitter, Instagram, WhatsApp, etc.) and send them to the Directorate of Cybercrime via a private phone number, which can be used on WhatsApp to deliver any material posted on social media. This announcement was used to report tweets deemed critical of the government's

performance or opposed to official policy. Further, many activists were summoned, prosecuted, and even imprisoned in some cases.

For instance, human rights activist Nabeel Rajab was sentenced to 3 years in prison for tweeting about the war in Yemen and other tweets that increased his prison term to five years. Activist Mohammad al-Zayani was also sentenced to two years in prison for a tweet in which he was accused of incitement on 23 June 2021, and lawyer Abdallah Hashem was summoned in May 2022 for investigation before security (intelligence) services for a tweet calling upon the unemployed to take action to rectify their situation. He was charged with incitement to protests and was later referred to the Public Prosecution. He was then released. Mortada al-Laith was also summoned on 13 May 2021 after criticizing the Ministry of Interior (MoI). Further, Jaafar Al-Jamri was occasionally summoned due to his tweets (23 July 2019, 26 July 2021, and 27 July 2022) in which he criticizes the services provided by some government agencies. Twitter user Mohammad Al-Arabi was issued a fine for insulting the Ministry of Education when he demanded transparency in the distribution of scholarships. Academics and writers are also not immune to security prosecutions if their writings include something deemed to contradict official policy. For instance, academic, author, and critic Dr. Nader Kazem (Professor of Sociology at the University of Bahrain) disappeared for two days in July 2022. Later on, it appeared that he was detained by security forces due to the books he published on the history of Bahrain. He was also dismissed from his academic job two days after his arrest. Some sources reported that the Public Prosecution interrogated him about all his publications, including books and journalistic writings. (18)

Restrictions on Freedom of Movement and Travel

The Government of Bahrain took advantage of the Covid-19 pandemic to limit citizens' freedom

of movement and travel, either by closing Bahrain to prevent the transmission of the virus from/to some countries classified by the World Health Organization as endemic countries, or by imposing strict restrictions on movement from one region to another. These measures were understandable and appreciated. Two years after this ban, countries began to ease health restrictions to enhance the economic situation. Bahrain followed the same international steps by reducing these restrictions. However, the government used the pretext of Covid-19 to prevent Shiite citizens from traveling to some countries where Shiite religious shrines are located, such as Iran, Iraq, and Syria (as stated on the Ministry of Foreign Affairs website.) In a strange paradox, citizens and residents of other sects are allowed to travel to these countries, while Shiite citizens wishing to travel to Iraq are required to obtain a prior permit. This measure is considered a restriction of freedom, as the request to obtain a prior permit is a violation of the individual privacy of citizens and a violation of the freedom of movement. Although many citizens submitted a request to obtain prior approval, they did not receive a written response, but were rather notified verbally several days later. This measure is adopted to avoid evidence of behaviors that do not align with human rights standards and are considered a violation of the freedom of movement, confirming the discrimination practiced against this category of citizens, which would expose the State to financial losses. In addition, flights between Bahrain and these countries are still suspended, despite the fact that aviation routes went back to normal after the Covid-19 pandemic receded in mid-2021. Some citizens and activists say that Shiite citizens in general are targeted and are facing increased discrimination. They are prohibited from employment in some government ministries and agencies. Other restrictions are also imposed on them, as they are banned from traveling, interrogated upon returning from abroad, or summoned by the MoI to sign pledges not to travel to these countries again.

1. Alternative Sanctions and Open Prisons

In 2017, the Parliament enacted Law No. (8 of 2017 on alternative sanctions and measures. An alternative sanction means any one of the sanctions set forth in Article 2 of this Law, which may be handed down by virtue of a judgment or order issued by a judge as a substitute for the original sanction, in the circumstances stipulated in this Law. In a move that was welcomed by human rights activists, the MoI's representative announced in a seminar on 15 June 2022 that the number of people who have benefited from alternative sanctions is 4,235, according to the latest statistics. (19)

Alternative sanctions and measures are additional options available to the judge in determining the sanction to substitute the penalty of deprivation of liberty (imprisonment), whether before or after the enforcement of the penalty. An amendment was made to Article 13 of Decree-law No. 24 of 2021, by virtue of which the MoI was granted broader powers to request a substitute for original penalty imposed. Among the adopted alternative sanctions are training on a specific job, imposing community service without revenue or with a revenue agreed upon with the MoI, house arrest, or prohibition from entering particular places.

Covid-19 Pandemic

Bahrain managed to mitigate the impacts of the Covid-19 pandemic due to health measures it adopted since the beginning of the outbreak, such as lockdowns, curfews, and shifting 70% of the work of government institutions and agencies to remote

work. The same measures were applied in the private sector; all activities with direct physical contact were shut down and health services were limited, in order to mitigate the transmission of the virus as much as possible. Official statistics indicate that as of 8 September 2022, 1,518 deaths and 673,314 cases of infection were recorded. The number of vaccinated people reached 1,225,577, or 79.4% of the population. (20) Health sector volunteers have largely contributed to supporting and strengthening the efforts of the Ministry of Health in monitoring infected people, providing them with services and facilities, as well as to early detection of infections and follow-up on treatment. However, the efforts of volunteers from outside the government system were not properly appreciated by the government, as some of those volunteers, who hold degrees in medicine or in nursing and were unemployed, were dismissed, in some cases without any financial compensation, despite the experience they had acquired over the course of two years.

Recommendations and Empowerment of Civil Society

In light of all these restrictions, prohibitions, and pressures on civil society, it has become critical for the

Ministry to recognize that civil society organizations are a partner in advancing the social situation and implementing sustainable development goals. Therefore, the Ministry should develop mechanisms to deal with these organizations. It should let go of its suspicion towards these organizations and engage in a positive partnership that helps them achieve their goals of supporting and developing society, as well as the goals set by the Ministry in this field. These institutions can provide the necessary support and communicate directly with citizens and stakeholders by reaching out to the public. The commitment of the government to UN and other international conventions that view civil society organizations as partners of governments rather than competitors, is a contributing factor. CSOs should also think more broadly about how to overcome these constant and renewed challenges and pressures. We believe that the following steps can help overcome part of the challenges facing CSOs:

1. There is an urgent need for coordination, establishing alliances, and networking between CSOs within a broad civic alliance to face these challenges and engage with the community. There is also a need to conduct workshops and seminars and to involve the community in the activities and events held by civil society. This would increase the strength and resilience of CSOs and their ability to work collectively amid the pressing circumstances and attempts to shrink civic spaces, as well as share the burden of collective action. There should also be a mechanism for coordination and communication between civil society organizations, and between the latter and the Ministry.

2. Using modern technologies and social media to motivate people to demand civil and political rights. Advocate for more freedom of expression by insisting on the implementation of the provisions of the Constitution which support freedom of expression.

3. Strengthening the role of civil society in supporting human rights issues, while taking into account what the political conditions allow in this area.

4. Focusing on socioeconomic issues, due to the high cost of living and the negative effects on society caused by Covid-19 and the war in Ukraine.

5. Pressuring the Ministry to financially empower CSOs and allow the latter to access local and international funding sources, which helps them achieve financial stability and implement their annual strategies and programs.

6. Documenting the work conducted with trade union federations and the Parliament, as well as the continuous communication with official authorities.

7. Identifying community needs, such as women's and youth rights, as well as the services of professional associations, in order for CSOs to prepare relevant annual strategies and operational plans.

8. Developing the governance of NGOs, promoting the Istanbul Principles for CSO development, working to achieve the principle of effective oversight by the general assembly or specialized committees over the work of CSO boards of directors, and taking into account the relationship between CSOs and other stakeholders.

9. Identifying cases of discrimination and marginalization against citizens belonging to a certain group, ending travel bans to specific countries, and demanding more freedom of religion.

10. Intensifying lobbying campaigns by developing the relationship with the Council of Representatives in order to urge

the government to develop the Law on Civil Associations and Sports Clubs.

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