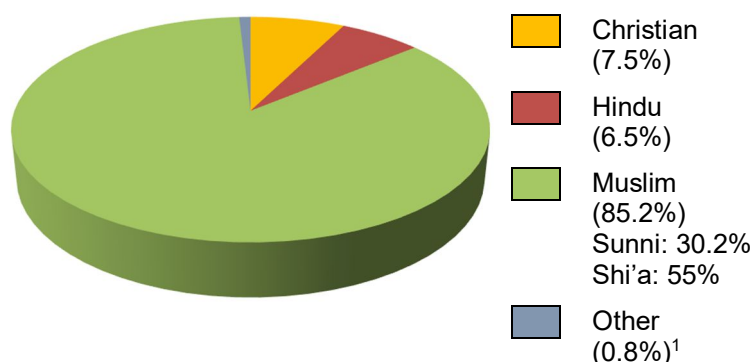


# BAHRAIN



Area:	Population <sup>2</sup> :	Political system:	Major Language(s):
717 km <sup>2</sup>	1.4 million	Monarchy	Arabic

## Legal framework on freedom of religion and actual application

Bahrain is a kingdom located in the Persian Gulf and ruled by the Sunni Al Khalifa dynasty. According to estimates, up to two thirds of the citizens are Shi'a. The remainder – between 30 and 35 percent – are Sunni. There are a small number of Christian, Jewish, Baha'i and Hindu nationals. Bahrain is thus one of the few Gulf countries to allow non-Muslim citizens. Christians with Bahraini citizenship number around 1,000. The majority of these Christians were immigrants to Bahrain between 1930 and 1950. They were eventually granted Bahraini citizenship. Most of them were originally Arab Christians from the Middle East, although there are smaller numbers from India. About 50 percent of Bahrain's 1.4 million population consist of foreign workers. The majority comes primarily from south Asian countries. Almost half of the expatriate workers are non-Muslim (approximately 250,000-300,000). Christians comprise around seven percent of the total population. Around 80,000 Catholics live in Bahrain.<sup>3</sup> In 2014, King Hamad bin Isa Al Khalifa granted the Catholic Church permission to build its first cathedral, although construction was delayed.

According to article two of the Kingdom's 2002 constitution, "the religion of the State is Islam. The Islamic *Shari'a* is a principal source for legislation." Article 6 states: "The State safeguards the Arab and Islamic heritage." However, article 18 states that "there shall be no discrimination among them on the basis of sex, origin, language, religion or creed". Article 22 guarantees that "freedom of conscience is absolute. The State guarantees the inviolability of worship, and the freedom to perform religious rites and hold religious parades and meetings in accordance with the customs observed in the country".<sup>4</sup>

Conversion from Islam to another religion is not explicitly forbidden by law but social and also legal consequences would be massive according to local sources. A convert from Islam would lose any rights of inheritance and would be cast out of the family.

Non-Muslim missionary activities amongst Muslims are not allowed. Personal consequences for the missionary would be severe.

The Bahraini Penal Code states: "A punishment of imprisonment for a period not exceeding one year or a fine not exceeding BD 100 [about US\$265] shall be inflicted upon: any person who deliberately causes disturbance to the holding of religious rituals by a recognised sect or to a religious ceremony or meeting or obstructing such events or preventing the holding thereof with the use of force or threat; any person who destroys, damages or desecrates a place of worship or a recognised sect or a symbol or other things having a religious inviolability."<sup>5</sup>

A draft law has been discussed criminalising contempt of religion, such as insulting divinity, defaming divine books or prophets, or any hate and sectarian speech that undermines national unity, and discrimination on grounds of creed or sect.<sup>6</sup>

In order to operate in the country, non-Muslim religious groups are required to register with the Ministry of Social Development (MOSD). Altogether 19 non-Muslim religious groups are registered with the MOSD, including Christian churches and a Hindu temple.<sup>7</sup>

### **Recent developments**

King Hamad bin Isa Al Khalifa of Bahrain said he was willing to help 200 Christian families from Mosul by giving them sanctuary in Bahrain. In an interview, Combonian Camillo Ballin, the Apostolic Vicar for Northern Arabia, stated: "This shows his generosity towards Christians."<sup>8</sup>

In 2014 senior Shi'a Bahraini clerics criticised the removal of Ashura banners raised to commemorate the anniversary of the death of Prophet Mohammed's grandson, saying the move amounted to an infringement of a tradition dating back hundreds of years. The complaint highlights concerns by Bahrain's large Shi'a community over religious freedom in the Gulf Arab state, which is trying to overcome tensions that began with mass protests for reforms in 2011.<sup>9</sup> Over the following two months, at least 30 Shi'a religious sites were destroyed, dozens of people were killed, and thousands of anti-government protestors – the majority of them Shi'a – were either imprisoned and/or lost their jobs as public officials. Military troops from Saudi Arabia were brought in to help quell the uprising and it was soon suppressed. Shi'a-dominated demonstrations against the Sunni monarchy have been continuing sporadically for the past four years. The demonstrators were demanding more rights and an end to discrimination against the majority Shi'a community by the Sunni royal family. Bahrain denies accusations by Shi'a that they face discrimination in seeking jobs and government services. Bahrain's security chief has said that security forces were trying to protect the ceremonies and at the same time ensure that banners were placed in designated areas. Bahrain's chief of security General Tariq Al-Hassan said police had taken "legal measures against a number of violations in areas of northern governorates" and confronted groups that had attacked police with fire bombs.<sup>10</sup> During the Ashura in October 2015 there were new reports of a removal of Ashura banners.<sup>11</sup>

The High Administrative Court issued a judgment on 29<sup>th</sup> January 2014 ordering the dissolution of the Islamic Ulema Council (IUC), the main assembly of Shi'a clerics in the country, and a liquidation of its assets, stating the IUC was unlicensed and "used religion as a cover" for political activity, thus finding in favour of the government which filed the suit in 2013. In June 2014 the High Administrative Court of Appeals upheld the 29<sup>th</sup> January judgment, and in July the Ministry of Justice and Islamic Affairs announced that it would take steps to dissolve the IUC in accordance with the court ruling. On 17<sup>th</sup> November 2014, the Court of Cassation, the highest court, ruled against the IUC's request for a suspension of the June verdict, on the grounds that the verdict had already been carried out.<sup>12</sup>

In December 2014, Shi'a cleric and prominent opposition leader Ali Salman was arrested and charged with several security-related crimes that could carry prison terms ranging from three years to life. Human rights defenders have said the charges are baseless, and UN experts have criticised them as violations of the freedoms of expression, association, and religion.<sup>13</sup> At the end of the reporting period, Salman remains in detention.<sup>14</sup>

In March 2015 Bahrain's public prosecutor charged a high school student and two teachers with insulting Islam in connection with a video showing the student reciting verses from the Koran to musical accompaniment. The charge was reported on state news agency BNA. According to Islamic tradition, tajweed, the recitation of Islam's holy book, adheres to strict rules of intonation which vary according to a number of recognised reading styles. BNA reported that footage was posted on social media allegedly showing the student reciting Koranic verses while a teacher accompanied him on an instrument. The Ministry of Education investigated the video and found that the school had entered a competition for Koranic recitation, held for children around the Muslim world. Two teachers and the student were subsequently questioned by the public prosecutor. "The public prosecution ... charged them with violating the Islamic religion and insulting its rituals," the agency said. "It also ordered them detained protectively over the case."<sup>15</sup>

In February 2016 the Bahraini High Criminal Court (Appeals) upheld a sentence to expel Sheikh Mohammad Khojasteh, a Bahraini Shi'a cleric and member of Ulema Islamic Council, whose nationality had been revoked. Khojasteh was one of the 72 citizens who were stripped of their citizenships on the onset of 2015.<sup>16</sup> Back in 2014, amendments to the citizenship law enabled the Government to revoke the citizenship of any Bahraini who "causes harm to the interests of the Kingdom", fails in his or her duty of "loyalty," or assists "a hostile state". Those who lose their citizenship are forced to return their passports and ID cards and apply for residency permits or alternatively leave the country. Four such people have been deported since the beginning of February.<sup>17</sup>

### **Prospects for Religious freedom**

Recently, a diplomat of the Holy See called "the Kingdom of Bahrain, with its constitutional protections for freedom of conscience, the inviolability of places of worship, and the freedom to celebrate religious rites, a beacon for religious pluralism and tolerance in a region where such openness is not ubiquitous".<sup>18</sup>

A US commission on religious freedom has concluded that the Bahraini government has made demonstrable progress in rebuilding mosques and religious structures it destroyed during unrest in the spring of 2011. Nevertheless, more needs to be done to implement recommendations from the Bahrain Independent Commission of Inquiry (BICI) to redress past abuses against Shi'a Muslims and further improve religious freedom conditions. In addition, Shi'a Muslims continued to be detained and arrested arbitrarily throughout the year.<sup>19</sup> There still remain major grievances for the country's Shi'a community. Because religion and political affiliation are often closely linked, it is difficult to categorise many incidents as being solely based on religious identity. Given the geopolitical tensions in the region between Sunni and Shi'a powers led by Iran and Saudi Arabia, it will not be easy to address them.

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<sup>1</sup> [http://www.thearda.com/internationalData/countries/Country\\_18\\_1.asp](http://www.thearda.com/internationalData/countries/Country_18_1.asp)

<sup>2</sup> <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e4862d6&submit=GO>

<sup>3</sup> [http://www.avona.org/vicariate/vicariate\\_about.htm#.VvY4hJ0weM8](http://www.avona.org/vicariate/vicariate_about.htm#.VvY4hJ0weM8)

<sup>4</sup> [http://www.servat.unibe.ch/icl/ba00000\\_.html](http://www.servat.unibe.ch/icl/ba00000_.html)

<sup>5</sup> [http://alwefaq.net/media/2015/01/Ashura\\_2014\\_EN.pdf](http://alwefaq.net/media/2015/01/Ashura_2014_EN.pdf)

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<sup>6</sup> <http://www.bna.bh/portal/en/news/684059>

<sup>7</sup> U.S. International Religious Freedom Report for 2014

<sup>8</sup> <http://www.lastampa.it/2014/08/30/vaticaninsider/eng/world-news/bahrain-is-willing-to-welcome-christian-families-from-mosul-vJDv1J6XEIVSC5wB9xgFO/pagina.html>

<sup>9</sup> [http://alwefaq.net/media/2015/01/Ashura\\_2014\\_EN.pdf](http://alwefaq.net/media/2015/01/Ashura_2014_EN.pdf); <http://shiapost.com/2015/12/06/violations-of-religious-freedom-increasing-in-bahrain/>

<sup>10</sup> <http://www.reuters.com/article/us-religion-ashura-bahrain-idUSKCN0SG1TP20151022>

<sup>11</sup> <https://globalvoices.org/2015/10/20/bahrain-government-renews-crackdown-on-religious-rituals/>

<sup>12</sup> U.S. International Religious Freedom Report for 2014

<sup>13</sup> <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=15541&LangID=E>

<sup>14</sup> <http://www.bbc.com/news/world-middle-east-33147198>;

<http://english.almanar.com.lb/adetails.php?fromval=2&cid=27&frid=23&seccatid=27&eid=249665>

<sup>15</sup> <http://www.reuters.com/article/us-bahrain-koran-idUSKBN0M71UL20150311>

<sup>16</sup> <http://en.abna24.com/service/bahrain/archive/2016/02/21/736039/story.html>

<sup>17</sup> <http://ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17252&LangID=E>

<sup>18</sup> <http://www.holyseemission.org/contents%5C/statements/statements-56d8ae4351d563.55378827.php>

<sup>19</sup> <http://www.uscirf.gov/sites/default/files/Bahrain%202015.pdf>