



human rights *first*

American ideals. Universal values.

BLUEPRINT

# How to Bring Stability to Bahrain

BLUEPRINT FOR U.S. GOVERNMENT POLICY

FEBRUARY 2015

## Human Rights First

### American ideals. Universal values.

On human rights, the United States must be a beacon. Activists fighting for freedom around the globe continue to look to us for inspiration and count on us for support. Upholding human rights is not only a moral obligation; it's a vital national interest. America is strongest when our policies and actions match our values.

Human Rights First is an independent advocacy and action organization that challenges America to live up to its ideals. We believe American leadership is essential in the struggle for human rights so we press the U.S. government and private companies to respect human rights and the rule of law. When they don't, we step in to demand reform, accountability and justice. Around the world, we work where we can best harness American influence to secure core freedoms.

We know that it is not enough to expose and protest injustice, so we create the political environment and policy solutions necessary to ensure consistent respect for human rights. Whether we are protecting refugees, combating torture, or defending persecuted minorities, we focus not on making a point, but on making a difference. For over 30 years, we've built bipartisan coalitions and teamed up with frontline activists and lawyers to tackle issues that demand American leadership.

*Human Rights First is a nonprofit, nonpartisan international human rights organization based in New York and Washington D.C. To maintain our independence, we accept no government funding.*

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## Introduction

Washington needs a new strategy to help bring stability and reform to Bahrain. Although the smallest country in the Middle East, Bahrain exemplifies several of the major challenges for U.S. policy in the region:

- Sectarian tensions exploited by ISIS and other Sunni extremists and by Shi'a-dominated Iran to fuel conflict
- Economic troubles linked to public corruption and an over-reliance on oil revenues, exacerbated by sharply falling oil prices
- Stalled political reform leaving the root grievances of large scale public protests unresolved
- De facto U.S. support for an authoritarian status quo through a government that fails to deliver good governance and continues to deny basic rights and freedoms to its people, while courting support from Russia and other U.S. rivals
- Falling public support for the United States
- Major military assets, in Bahrain's case the basing of the U.S. Fifth Naval Fleet, threatened by protracted instability

Therefore, the stakes are high for the United States. Washington still has influence in Bahrain and has publicly pressed for more inclusive government and an end to the repression of non-violent government critics and peaceful political opposition. U.S. interests call for Bahraini authorities to implement long-delayed reforms and address the legacy of repression of the past few years, but U.S. approaches—based largely on engagement with supposedly

reform-minded elements within the royal family to deliver change—have yet to produce necessary results. This blueprint outlines a new approach.

More than three years after Bahrain's government committed to introduce the reforms recommended by the Bahrain Independent Commission of Inquiry (BICI), an investigation commissioned by the King of Bahrain into the conflict and human rights violations following widespread protests beginning in early 2011, there has been little fundamental change. A police code of conduct has been introduced, ombudsmans' offices have been set up, and some junior officers have been prosecuted for some of the torture that took place in custody in 2011. There has been some redistricting of electoral boundaries and minor reforms to how parliament works, but the fundamental problems remain: an unelected ruling family controls the government; no senior official has been brought to account for torture or killings since 2011; key peaceful political leaders and human rights activists remain in jail on politically motivated charges and without fair trials; members of civil society are harassed and intimidated across a number of fronts; and a much-vaunted national political dialogue that began in mid-2011 has produced no real results. Parliamentary elections at the end of November 2014 were boycotted by the major opposition groups who claimed they were unfair, and in December 2014 Sheikh Ali Salman, leader of the main opposition group Al-Wefaq, was arrested on speech-related charges. In January 2015 a list of 72 names was released by the Bahraini authorities of people it said were being stripped of their citizenship—these included a mix of

those who support ISIS, rights activists and others, and brought the number of those whose citizenship has been removed in recent years to over 100.

Among the grievances which prompted the 2011 protests was the perception of widespread government corruption, an issue that continues to fuel resentment. Bahrain's corruption problem undermines an already shaky economy that international experts warn is vulnerable to a falling oil price and the failure to secure a lasting political settlement.

Meanwhile, dangerous sectarianism, promoted by government media outlets framing the country's political tension as one between Sunnis loyal to the government and Shi'as who oppose it, has become self-fulfilling as the country polarizes. The security forces remain overwhelmingly drawn from the Sunni sect, many of whom have recently arrived from other countries. Protests continue and some are now violent, with the government accusing Iran of fomenting unrest.

The diplomatic relationship between the United States and Bahrain has frayed significantly despite the kingdom's involvement in the anti-ISIS coalition. Bahrain's government has attacked senior U.S. government officials while developing relations with U.S. rivals, including Russia and China.

U.S. strategy in recent years has largely relied on encouraging the reputedly reform wing of the ruling family, centered around the Crown Prince, Salman bin Hamad al-Khalifa. Washington has viewed the Crown Prince as an ally for reform, a natural partner in the promotion of U.S. interests, and has supported him in an effort to push the regime towards democracy and away from the repressive direction of the hardliners. The logic of this approach has been undermined by a lack of results. Moreover, the Crown

Prince's own actions have been problematic. In 2013 he joined the vilification of U.S. Ambassador to Bahrain Thomas Krajeski, and in 2014 led a Bahraini government delegation to meet President Putin in the Kremlin at a time when the United States was trying to isolate President Putin over Russian aggression in Ukraine.

Washington's cautious efforts in encouraging its ally to bring stability by political reform and establishing the rule of law have generally been met with a hostile response or no response at all. In July 2014 the Bahraini government expelled Assistant Secretary of State for Democracy, Human Rights, and Labor Tom Malinowski from the country after he had met with opposition leaders. He only returned in December 2014. In August 2014 the Bahraini government denied permission for Congressman James McGovern (D-MA) to visit Bahrain with Human Rights First. For several years, U.S. Ambassador to Bahrain Thomas Krajeski was regularly criticized by the pro-government press and the Bahrain cabinet for his comments calling for reform.

Bahrain's inclusion in the coalition fighting ISIS further complicates the relationship. While the United States welcomes the military and political support offered by Bahrain, it sees too that Bahrain's promotion of sectarianism in the kingdom plays into the hands of ISIS and other extremist groups seeking to stoke war between Sunni and Shi'a. The narrative of an Iranian-backed Shi'a threat to Sunnis in Bahrain, put forward by the Bahraini government and its supporters, encourages the same divisions that have drawn disaffected Sunnis in Syria and Iraq to support ISIS and attracts Sunni militants to support and even join ISIS in its fight against the Shi'a threat.

Washington needs a new approach. It needs to stop sending mixed signals to the Bahraini government and its people about whether it is supporting or opposing the regime's repression. The U.S. strategy should focus on three objectives:

1. Getting political leaders out of prison because there can be no forward movement on political reconciliation as long as the opposition and those trying to hold the government accountable for its actions are in jail
2. Ending corruption to promote political and economic stability
3. Security service reform—in particular greater integration of Shi'a into the police and other security forces—to diffuse tensions and promote inclusive government

Washington needs a comprehensive interagency review to ensure that all aspects of the relationship are geared towards advancing these goals.

This blueprint is based on research conducted by Human Rights First staff, including interviews with Bahraini civil society figures, U.S. government officials, independent experts, analysts, and others. It also draws on the findings and conclusions of Human Rights First's work over several years on Bahrain. Human Rights First has been denied entry to Bahrain since October 2012.

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## Recalibrating the Relationship

Existing U.S. policy has neither compelled the government of Bahrain to honor its stated

commitments, nor contributed to improving its relationship with the United States. U.S. security interests in Bahrain, including the presence of the Fifth Fleet, now depend on an increasingly erratic and internally divided host government. If U.S. entreaties to Bahrain are to be taken seriously, the United States must urgently revise its approach. The arrival of William Roebuck as the new U.S. Ambassador to Bahrain provides an opportunity to develop and implement a new approach in Bahrain.

The U.S.-Bahrain relationship has a number of diplomatic, economic, and strategic dimensions that should be considered in a comprehensive strategic review.

Bahrain is among Washington's most repressive allies. The King's family controls the government and judiciary in Bahrain. The King's uncle has been the country's unelected prime minister since 1971 and through him the King makes all cabinet appointments. The King has the authority to amend the constitution and appoints all judges by royal decree. The al-Khalifa family members generally fill about half of all ministerial slots, including those on defense, internal security, and foreign policy. The country's majority Shi'a sect is underrepresented in the cabinet and other government posts, notably in the security services where they serve mainly in administrative functions, if at all.

Bahrain hosts the U.S. Fifth Fleet headquarters and since 1991 has enjoyed "major non-NATO ally" status with the United States. There are about 7,000 members of the U.S. armed forces stationed in Bahrain, mostly located at the navy base. Apparently in reaction to the violent crackdown against protestors since 2011, the U.S. government has held up some arms sales to Bahrain that could be used against

protestors, but has continued sales of other weapons systems.

Some U.S. officials make the case that the U.S. government should not be too hard on a loyal military ally, like Bahrain, especially at a time when the United States needs Arab partners in the fight against ISIS. In this view, Bahrain remains key to countering Iranian aggression and not pressing Bahrain on human rights is a necessary tradeoff that serves U.S. national interests. Though not ideal, they argue, the current situation is tolerable and serves the United States adequately enough.

There has been some pressure from Congress against this approach, with members from both major parties calling for the administration to speak out more forcefully on the human rights failings of its ally. In January 2015 Senator Marco Rubio (R-FL) publicly urged Secretary of State John Kerry to personally call for the release of opposition leader Ali Salman and others arrested for exercising their freedoms of expression and assembly.

But the diplomatic relationship with Bahrain is already in some trouble, and the unprecedented expulsion of senior State Department official Tom Malinowski from Bahrain in July 2014 after he met with opposition leaders was followed by a refusal to grant permission to Congressman Jim McGovern (D-MA) to visit the country to assess human rights progress.

The Bahrain ruling elite looks far from a reliable friend to the United States. Throughout 2014 the Bahraini government has pointedly developed relationships with U.S. rivals like China, Cuba, and Russia. The King and Crown Prince of Bahrain made separate visits to Russia during 2014 and met President Putin. New weapons deals with Russian state arms company Rosoboronexport were sealed last year.

In September 2013, Bahrain's law was amended to require political groups to secure advance government permission before meeting with foreign diplomats in Bahrain and abroad, and that a Foreign Ministry representative should be in any such meetings. In July 2014, U.S. Assistant Secretary of State for Democracy, Human Rights and Labor Tom Malinowski was expelled from Bahrain for apparently contravening this previously unenforced rule. He met with opposition leaders again during his December 2014 visit without incident and without a Bahraini government representative. New U.S. Ambassador Roebuck also confirmed at his Congressional nomination hearing that he intended to meet opposition figures in defiance of the law. U.S. officials should continue to defy restrictions imposed by the Bahraini authorities on the non-violent political opposition and independent critics of government policy. Such restrictions not only violate human rights but also constitute an obstacle to Bahrain overcoming its destabilizing internal political conflict. Promoting an end to that conflict is a priority U.S. interest.

Publicly standing up in opposition to these restrictions also sends a message to those Bahrainis who are promoting reform and reconciliation that the United States will stand firm behind universal human rights principles and not be bullied by their government. Some Bahraini civil society figures explain the deterioration in the U.S.-Bahrain relationship as the result of the United States' weak reaction to attacks on its officials. They perceived the U.S. protests at Malinowski's expulsion and McGovern's refusal and the disrespectful coverage of Ambassador Krajewski as muted and weak. Although Malinowski made a return visit in December 2014, the United States has become—in the eyes of some civil society activists—the weaker partner in the relationship.

Said Yousif Almuhafda is a prominent Bahraini human rights activist. He said, “The State Department’s watery response to the treatment of its diplomat did little to counter fears that the Bahraini government has become too comfortable in its relationship with America,” and that “The subdued U.S. response also fueled sentiments among Bahrainis that theirs is a forgotten struggle. While the United States has loudly condemned human rights abuses in Libya and Syria, the Obama administration has preferred to engage in subtle, quiet diplomacy behind closed doors with Bahraini officials, for the sake of preserving its ‘close friendship’ with the regime. But the lack of a coherent and clear U.S. policy on Bahrain will do little to preserve their partnership. In fact, the expulsion of Malinowski from Bahrain last summer proves that a weak stance on human rights in Bahrain has international repercussions.”

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## Corruption Feeds Economic and Political Instability

Corruption has been another long-standing problem in Bahrain, undermining reform and reconciliation. Government officials have taken resources from the public purse, damaging the economy and fueling popular grievances. Some of those who took part in the February and March 2011 protests in Bahrain told Human Rights First that corruption was a key and early driver of discontent, a view confirmed by press reports from 2011 and the BICI investigation, commissioned and accepted by the King of Bahrain later that year. Even if Bahrain’s disastrous recent history could be dialed back to a situation approximating January 2011, the

problem of corruption would still remain, degrading public confidence in government and sapping the strength of a vulnerable economy. Allegations of corruption against senior members of the ruling family continue to incite the country’s political unrest.

Anger about corruption in Bahrain is not confined to members of one community or sect; it is found across the political spectrum. Uniting otherwise opposing voices in a common cause against corruption could provide a counterweight against polarization and an impetus to more inclusive political discussions.

The U.S. government has several tools to promote anti-corruption that should be applied to Bahrain. In August 2012 the U.S. State Department declared, “The global fight against corruption remains a high priority for the United States, linked to the international community’s shared interests in fighting terrorism, illicit trade, and transnational crime; promoting free and open markets; increasing economic growth; and encouraging stable democracies, human rights, and the rule of law.”

The State Department said the U.S. government supported those who fight corruption by “preventing, exposing, and punishing graft. We stand by government, business, and civil society partners who promote good public governance, private sector integrity, strong civil societies and free press, transparency, and effective and independent oversight mechanisms... these efforts strengthen frameworks for accountability, transparency, and integrity and build public trust in government.”

Presidential Proclamation 7750 restricts foreign officials who engage in corruption in the performance of public functions from gaining entry into the United States where that corruption has “serious adverse effects on international activity of U.S. businesses, U.S.

foreign assistance goals, the security of the United States against transnational crime and terrorism, or the stability of democratic institutions and nations.” The Proclamation also bars entry to any family members or dependents of a corrupt foreign official if they have benefited from the corruption. Supporting legislation permits U.S. officials to revoke U.S. visas of foreign officials involved in corruption specifically relating to the extraction of natural resources in their countries. Public Law 111-8 instructs the State Department to identify foreign officials believed to have engaged in natural resources corruption and prohibits entry of those officials and their family members if the Secretary of State has “credible evidence” that the official has been “involved in corruption.” Unlike the Proclamation, Public Law 111-8 does not contain a serious harm requirement.

In January 2014, a joint venture controlled by U.S. aluminum company Alcoa agreed to pay \$384 million to settle Justice Department charges concerning bribery in Bahrain. Documents related to the case allege that tens of millions of U.S. dollars were paid in kickbacks to Bahraini officials at the state-owned company Aluminium Bahrain BSC (Alba) for more than a decade to win business. According to case filings, there was “a mark-up of approximately \$400 million on sales of Alcoa of Australia’s alumina to Alba,” and that “tens of millions of dollars in bribes” were paid “to senior government officials of Bahrain.” The Alcoa plea agreement with the Justice Department alleges that Sheikh Isa bin Ali al-Khalifa received some of the payments. Sheikh Isa, a member of the royal family and brother-in-law of Bahraini Prime Minister Khalifa bin Salman Al-Khalifa, became chairman of Alba in 1998 and was Bahrain’s Minister of Finance at the time.

In July 2012, Alba’s former CEO Bruce Hall pled guilty to a charge of conspiracy to corrupt brought by the U.K.’s Serious Fraud Office (SFO). Hall was sentenced to 16 months in prison by a U.K. court in July 2014 on evidence that he received £2.9 million in corrupt payments between 2002 and 2005, including 10,000 Bahraini dinars in cash from Sheikh Isa bin Ali Al Khalifa. The payments were made in exchange for Hall allowing corrupt arrangements to continue that Sheikh Isa had been involved in before Hall’s appointment as CEO.

Though Sheikh Isa denies all allegations of corruption, bribery, impropriety, and unlawful acts reported against him personally, Alcoa’s settlement with the Justice Department and the SEC in the United States and Hall’s guilty plea and imprisonment in the U.K. provide credible evidence that Bahrain officials were engaged in a corruption conspiracy amounting to millions of dollars in kickbacks and bribes. The United States should use its authority under Proclamation 7750 and its firmer mandate under P.L. 111-8 to deny entry to these officials and their beneficiaries. Taking such action against an ally is not unprecedented. The U.S. recently applied Proclamation 7750 to NATO-ally Hungary in 2014 when it denied visas to several Hungarian officials on counts of corruption.

The BICI report noted that “more than 70 kilometres of the coast has been reclaimed over the past thirty years, with the landmass of the country growing by more than 10 percent.” More than 90 percent of the newly created land is estimated to have been transferred to private hands, with more than 90 percent of the coastline becoming private property.

The real estate market went through a speculative phase during the past decade with land prices increasing considerably. Starting in

2001, Bahrain allowed foreign ownership of land and real estate, further driving up prices. Critics of the Bahraini government argue that most of the land has been divided between wealthy residential neighborhoods and large-scale private real estate projects that have appeared across the country. A parliamentary investigation in March 2010 established that 65 square kilometers of public land valued at more than USD 40 billion had been transferred to private ventures since 2003 without the proper payment to the public treasury. This led many to claim that senior figures in the ruling political establishment were involved in corrupt practices regarding illegitimate requisitioning of public land.

The BICI report also noted that demands expressed during the early demonstrations “related mainly to political and constitutional reform, which was to pave the way for greater popular participation in governance, equal access to socio-economic opportunities and development, action against corruption, and termination of the alleged practice of political naturalisation. These demands were supported across the board, and did not reflect sectarian or ethnic characteristics. Few of the protestors who took to the streets on 14 February called for changing the ruling regime in Bahrain, or directed criticism at HM King Hamad or the ruling family,” but that “as the protests continued, more criticism and allegations of corruption were directed at HRH the Prime Minister.”

In early 2014 the Crown Prince announced a new anti-corruption initiative and several officials suspected of graft were sent to the public prosecutor, but Bahrain’s efforts to project an image of fighting corruption suffered a setback in December 2014, when a Financial Times investigation detailed suspicious land

deals by a company with ties to the king. The January 2015 publication of the U.S. State Department’s Annual Fiscal Transparency Report for Fiscal Year 2014 undermined this image as well. It listed Bahrain as having made “no significant progress,” on transparency, noting that “Bahrain does not disclose the expenditures of the royal family in its publicly available budget. Bahrain’s fiscal transparency would be enhanced by publicly disclosing royal family expenditures in its budget.”

By working with local NGOs and U.S. businesses abroad to identify and report incidents of corrupt behavior, the United States should more readily examine foreign officials’ visa requests and deny entry to those complicit in or responsible for foreign corruption. Doing this with respect to Bahrain—along with the other measures to highlight corruption noted below—could promote reforms supported by a broad portion of the population.

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## Security Forces’ Reform

Another long-term grievance against the Bahrain regime is that the security forces are almost exclusively drawn from the Sunni sect, either from the local Bahraini community or, in the case of police, increasingly likely to be recent arrivals from Yemen, Syria, Pakistan, or a number of other countries. Many locals view the police not as protectors of their security or their rights but as agents of repression who often do not understand their culture or context. Police have been attacked by violent protestors. The Ministry of the Interior indicates that around 14 police personnel have been killed since 2011. Local NGOs estimate the number of

civilians killed in protest-related incidents at around 100.

Three years ago the BICI report recommended “that the GoB [Government of Bahrain] establish urgently, and implement vigorously, a programme for the integration into the security forces of personnel from all the communities in Bahrain.”

While there has been some recruitment drive to broaden personnel in the police community service, a failure to embark on a genuine overhaul of the Bahrain police and military to reflect the communities they serve leaves many Shi’a distrustful of those charged with their protection.

Former U.S. Secretary of Defense Bob Gates wrote in his 2014 book *Duty* that when he met the King of Bahrain in March 2011, he told him that “Time is not on your side.” He said the King should take some urgent steps to reform, including to “move forward in integrating the Shi’a into the security services and the Bahrain defense force....”

A lopsided sectarian makeup of security forces hampers stability in Bahrain, thus undermining U.S. national interests in the country and the region. There is also concern that recruitment of Sunni foreigners to serve in Bahrain’s security forces is a way of changing the demographic balance in the island’s relatively small population. A large, dissatisfied section of the country is barely represented in its security forces, contributing to wider grievances about a lack of job opportunities for Shi’as in the government and political unrest.

Despite playing a role in the anti-ISIS coalition by joining bombing raids in Syria and hosting an international conference on cutting funding to ISIS, the failure to reform the security services

fosters the sort of sectarianism that helps fuel ISIS.

Leading human rights activist Nabeel Rajab was sentenced to six months in jail in January 2015 for tweeting that “many #Bahrain men who joined #terrorism & #ISIS came from security institutions and those institutions were the first ideological incubator.” Around 100 men from Bahrain are reported to have volunteered for ISIS, including a former police lieutenant who appeared in a video urging Bahraini security personnel to join him.

It’s hard to know just how few Shi’a are in the Bahrain Defence Force (BDF) because the BDF hasn’t provided statistics. The BICI report estimated the whole force at around 12,000 personnel, but educated guesses put the representation of Shi’as as tiny, a few percent at most. A 2007 study by Staci Strobl titled “The Women’s Police Directorate in Bahrain” noted that three out of 110 policewomen who responded to a survey identified themselves as Shi’a. The United States continues to train the BDF, and provide around 90 percent of its equipment.

A dozen Shi’a men told Human Rights First how they were dismissed from the security forces after the 2011 uprisings, saying they were among about 160 Shi’a police officers who were fired after being given unfair military trials typically on charges of being absent from work while the protests were on. Other Shi’a men told Human Rights First about their unsuccessful attempts to join the Bahrain security forces. One Shi’a man in his 20s explained: “I’m a high school graduate but you need someone inside to move your application along for it to work. You know, it was one of my dreams—I was a [boy] scout. I have always wanted to do this, to have this commitment to the laws. I like being that kind of person...” He said he applied

several times, once in 2009 and twice in 2010. Each time he went through the initial application process by filling in a form at a police station in the capital Manama. The form included questions about religion. "There was a question where you fill in the blank about which sect you're from. Then you wait and wait to hear back but there's no reference number or tracking number, so you can't check the status of the application. But... unfortunately... they don't pick me. And now I don't want it. Since 2011 I don't want to work there anymore. Maybe if I graduate and could reach the level of officer I would apply again... probably not."

Publicly addressing the racial and ethnic composition of police forces is not unusual in the United States, where government and local police forces produce such statistics. Some U.S. police forces have radically diversified to better reflect the communities they serve.

In 1970, about 10 percent of the Chicago Police Department's new hires were African Americans. Following a law suit supported by the U.S. Department of Justice during the Nixon administration that challenged discriminatory hiring practices, a court-mandated hiring quota was put into place. By 1975, African Americans represented 40 percent of new hires. The United States has considerable experience and expertise to share from various parts of its security services who have attempted to diversify their demographic makeup.

A radical overhaul of security force representation was undertaken between 2001 and 2011 in Northern Ireland, when the police service went from a Catholic representation of around 8 to 30 percent. This progress also involved a wider package of reforms, a vigorous recruitment process, and substantial technical help from the U.S. government.

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## Civil Society and a Path to Political Progress

A shaky economy, weakened by a sharp drop in oil prices since mid-2014, and the failure to achieve a political settlement are cited by international financial analysts as serious concerns for the future of Bahrain.

International credit rating agencies Standard & Poor and Fitch revised Bahrain's rating from stable to negative in December 2014, citing falling oil prices and a failure to end political unrest.

"Talks between the government and opposition aimed at reaching a political compromise ahead of the November elections came to nothing and the opposition boycotted the elections, which went ahead without major incident. There are no plans for further talks and the political stalemate continues. Fitch does not expect a comprehensive political solution to be achieved in the near term," said the global rating agency. It explained: "The main factors that, individually or collectively, could lead to a stabilisation of the rating Outlook include: Significant fiscal measures which reduce the budget deficit and are consistent with the stabilisation of the debt-to-GDP ratio in the medium term; a broadly accepted political solution that eases political unrest; and a recovery in oil prices that improves public finances."

Bahrain gets 65 percent of its revenue from oil receipts. The global rating agency Standard & Poor warned that "the longer-term sustainability of Bahrain's fiscal position has, in our opinion, continued to erode." Bahrain's fiscal break-even point has increased to an oil price of around \$120 per barrel; January 2015 prices are around \$50.

In October 2014 the World Bank noted that Bahrain's "financial sector has lagged as international finance corporations shift their activities away from Bahrain, in favor of Dubai, Doha, and Riyadh." It further reported that "Bahrain is running out of domestically-produced natural gas and soon may need to import gas at market prices... Moreover, the ongoing political stasis continues to hurt Bahrain. Without a political solution, which would facilitate steps to cut expenditure and broaden the private sector, government debt as a percentage of GDP is forecast to increase to 60 per cent in 2018, which would be extremely high by GCC standards."

The International Monetary Fund (IMF) also warned in June 2014 of "vulnerabilities created by rising deficits and debt levels, the heavy dependence of the budget on oil revenues, and the difficult political context." Plummeting oil prices since mid-2014 make Bahrain's economy increasingly vulnerable, as does a failure to make progress on a political settlement.

A healthy Bahraini economy would be good for U.S. business interests. Citibank has several banks in the country, Microsoft has substantial Bahraini government business, and American Express's regional headquarters is based in Bahrain. Major American brands such as Starbucks, McDonald's, Sheraton, KFC, and others have dozens of outlets between them. In January 2015, newly-arrived U.S. Ambassador in Manama Bill Roebuck laid the cornerstone of a new \$90 million Oreo plant in Bahrain.

The release of political leaders from prison—as President Obama urged in May 2011, but has not mentioned since—would help restore international confidence in the reform process. So would an end to the targeting of civil society figures. A stable, prosperous Bahrain cannot emerge without a resolution to the current

political crisis. The longer the uncertainty continues, the more unpredictable the outcome for U.S. national interests. A civil society that is free to operate without intimidation or repression is a strong antidote to extremism, and the United States should take action on protecting civil society leaders as part of its counterterrorism objectives.

In 2011 several prominent political leaders were jailed and still remain in prison. In custody and on trial now too is Ali Salman, leader of the main opposition group Al Wefaq. Other prominent politicians jailed after an unfair trial include leader of the Wa'ad political group, Ebrahim Sharif, who is serving a five-year sentence. Leader of the Bahrain Teachers Association, Mahdi Abu Deeb is also serving five years and was sentenced after being tortured and subjected to an unfair trial. Prominent human rights defender Abdulhadi Al Khawaja was subjected to an unfair trial and is serving a life sentence for his part in the 2011 protests. The release of these and other leaders of political and civil society groups is an important path to political stability in Bahrain.

The U.S. embassy sent trial observers to these mens' trials and often sends trial observers to attend the higher-profile, politically-connected trials in Bahrain. Unfortunately the U.S. government never publicly states afterwards whether, in its view, the trials met international standards. Several human rights defenders have raised their concern to Human Rights First about this silence, and others have read it as an endorsement of the unfair criminal process.

Jalila al Salman, Vice President of the Bahrain Teachers Association, was tortured, convicted, and sent to prison for crimes she did not commit. She told Human Rights First: "U.S. officials came to observe the civilian court [trial]. They take their notes and leave. I was hoping

that because they're watching everything that they will write something to the authorities of Bahrain saying this is not right."

Dr. Rula al Saffar, head of the Bahrain Nurses Association, spent 18 years in the United States working and training as a medic. She and dozens of other medics were tortured into making false confessions. At her 2011 show trial in military court, she was sentenced to 15 years in prison and was later acquitted by the civilian court. Since her acquittal, she has made several trips to Washington D.C. to advocate on behalf of her fellow medics and others unfairly tried.

"The United States should speak out about the trials—its officials saw that there was no real evidence, that the medics were innocent, that they had been tortured into confessing to things they hadn't done. The United States should call for those jailed to be released immediately because they're innocent and had a show trial," she told Human Rights First.

Dr. Ali Al Ekri is an orthopedic surgeon who was convicted in the same trial with al Saffar, which U.S. government officials attended. He is still in jail serving a five-year sentence, also for crimes he did not commit. His wife, Fareeda Al Dallal, told Human Rights First: "The United States saw the truth of what happened, but has stayed silent. These were unfair, political, ridiculous trials. Dr. Al Ekri is now supposed to have overthrown the regime without help or weapons. The United States should say the convictions should not stand."

A poster critical of the Bahrain medics' claims of an unfair trial that is circulating on social media reads, "THE TRIAL OF DOCTORS WERE ATTENDED BY HUMAN RIGHTS ORGANIZATIONS, AMERICAN OFFICIALS AND DIFFERENT MEDIA CHANNELS," suggesting that in the absence of public

disapproval, the U.S. government finds no problem with the unfair trials.

International media and NGOs—including those based in the United States—are routinely denied entry to Bahrain. Human Rights First has not been allowed into the country, despite repeated attempts, since 2012. U.N. Special Rapporteur on Torture Juan Mendez was twice given permission to visit Bahrain, only for both invitations to be withdrawn. Human Rights First was also given permission to visit in March 2013, but that invitation was withdrawn on short notice as well.

Access to Bahrain was generally not a problem for international NGOs in 2011, but access has deteriorated dramatically since then. By naming those NGOs who are denied entry, the U.S. government can highlight the problem and press the Bahrain government publicly, showing that Washington regards the access for independent NGOs and media as an important step towards reform.

A memo issued by President Obama in September 2014 confirms that protecting and promoting civil society is not just the job of the State Department, but includes the Department of Treasury, Defense, and Justice, the Office of the United States Trade Representative, and other U.S. agencies engaged abroad. It directs senior U.S. officials of agencies, when travelling abroad, to "seek opportunities to meet with representatives of civil society, especially those who face restrictions on their work and who may benefit from international support and solidarity," and that "Each agency engaged abroad shall incorporate inclusive outreach to civil society into their international engagement."

This should provide greater opportunities for contact between Bahrain's civil society (at least those parts of it not in prison) and U.S. officials from a variety of government departments.

This effort should also be present in U.S. counterterrorism initiatives. As President Obama noted in September 2014, “by giving people peaceful avenues to advance their interests and express their convictions, a free and flourishing civil society contributes to stability and helps to counter violent extremism.”

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## Recommendations

In order to bring a greater chance for stability to Bahrain, the U.S. government should implement the following recommendations.

- The White House should convene all relevant interagency officials to conduct a thorough review of the bilateral relationship with Bahrain, in consultation with international and Bahraini civil society organizations. This review should examine the full range of U.S. engagement with and influence on Bahrain—including bilateral military cooperation and arms sales, security assistance and training, as well as the U.S.-Bahrain Free Trade Agreement, and the Presidential Memorandum on support for civil society and targeted sanctions—in order to promote stability in the country by advancing the objectives listed below:
  - ending official corruption;
  - integrating the security services;
    - and ending the imprisonment and repression of peaceful political opposition and civil society leaders.
  - United States officials should continue to meet regularly—and unapologetically—with diverse segments of society in Bahrain including opposition politicians.

## FIGHT AGAINST OFFICIAL CORRUPTION

- The State Department should vigorously implement Presidential Proclamation 7750, which would deny entry to the United States to corrupt Bahraini officials who solicit or accept bribes, as well as their family members and dependents who benefit from the corruption, thereby refusing to enable foreign corrupt officials to benefit from U.S. resources or find a safe haven in the United States.
- The State Department, working with other like-minded governments, should fund and provide other support to local projects investigating corruption and promoting awareness of corrupt practices in Bahrain.
- The White House, the State Department, and the U.S. Ambassador should publicly call for the admission of international NGOs and investigative journalists into Bahrain to report on corruption.

International media and international NGOs routinely have difficulty entering Bahrain and there is a lack of reporting on the issue of corruption. While some local NGOs and journalists have tried to document the problem, much more could be done. By publicly pressing for named NGOs and media outlets to visit Bahrain, the U.S. government could support a wider anti-corruption effort in the country.

## REFORM OF BAHRAIN SECURITY FORCES TO REFLECT THE COMMUNITIES THEY SERVE

- The White House and Defense Department should withhold further arms sales and transfers to the police and military, contingent on human rights progress, starting with a request for the current

representation levels of Shi'as in the police and military to be made publicly available along with recruitment and promotion targets for underrepresented groups.

The United States continues to withhold some arms exports to Bahrain, including crowd-control items, and those that could be used for internal security. This is believed to be a small percentage of total arms transfers from the United States.

- The Defense Department should insist that all future training of Bahraini security force personnel include Shi'as.
- The United States, through the Departments of State, Defense, and/or Justice, should offer technical support and training in diversifying the security services.

### AN END TO IMPRISONMENT AND REPRESSION OF PEACEFUL OPPOSITION AND CIVIL SOCIETY LEADERS

- The U.S. government should reaffirm, via a public statement from a senior official, President Obama's analysis to Bahrain in May 2011 that "The only way forward is for the government and the opposition to engage in a dialogue, and you can't have a real dialogue when parts of the peaceful opposition are in jail."
- Senior U.S. officials should use every opportunity to call for the release of specific prisoners who it believes have been jailed as a result of unfair trials for the peaceful expression of their views.
- The U.S. Ambassador should publicly State whether or not trials of political opponents and human rights activists observed by U.S. government officials meet international standards.

- Publicly name international media and international human rights organizations that are denied access to Bahrain and call for them to be admitted.
- The U.S. Ambassador in Bahrain should assist relevant U.S. agencies to implement the September 2014 presidential memo directive that "Each [U.S. government] agency abroad shall incorporate inclusive outreach to civil society in their international engagement."

New U.S. Ambassador to Bahrain William Roebuck should help facilitate this engagement between civil society and U.S. agencies. Whether Department of Defense officials are visiting Bahrain to monitor progress or Department of Commerce representatives are traveling there to explore new investment opportunities, or any other U.S. agency visits Bahrain, the Embassy should facilitate contacts between them and Bahrain's civil society representatives.

- Promote the State Department's March 2013 guidelines entitled "U.S. Support for Human Rights Defenders," and the September 2014 presidential directive on supporting civil society. They should be promoted and featured—in Arabic and English—on the U.S. embassy website in Bahrain.

Both these documents would help explain to the Bahraini government and civil society the standard approach and policies towards human rights by the U.S. government across the world; they lay out the expectations and limitations on what civil society and human rights defenders can expect from the U.S. government in Bahrain and elsewhere.

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## Conclusion

The status quo in Bahrain is disintegrating in the face of a vulnerable economy, polarization, sectarianism, religious extremism, corruption, and ongoing political unrest. Bahrain's refusal to effectively tackle political reform, corruption, and sectarianism—in addition to its developing relations with U.S. rivals—make it an increasingly shaky bet as a U.S. ally and should

prompt a thorough U.S. government review of its relationship with the kingdom. A new policy course is needed as the United States cannot be complacent with the current flow of events. A coherent, consistent interagency approach to Bahrain promoting initiatives to fight official corruption, reform the security services, and end repression of the political opposition and civil society will better serve U.S. national interests.





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