

RIGHTS UNDER ATTACK

A Periodic Bulletin Published by the Bahrain Forum for Human Rights

ISSUE NO. 1 – OCTOBER 2026

PRESS CONFERENCE: SIX THOUSAND PAGES AND A RESTRICTED DEFENSE
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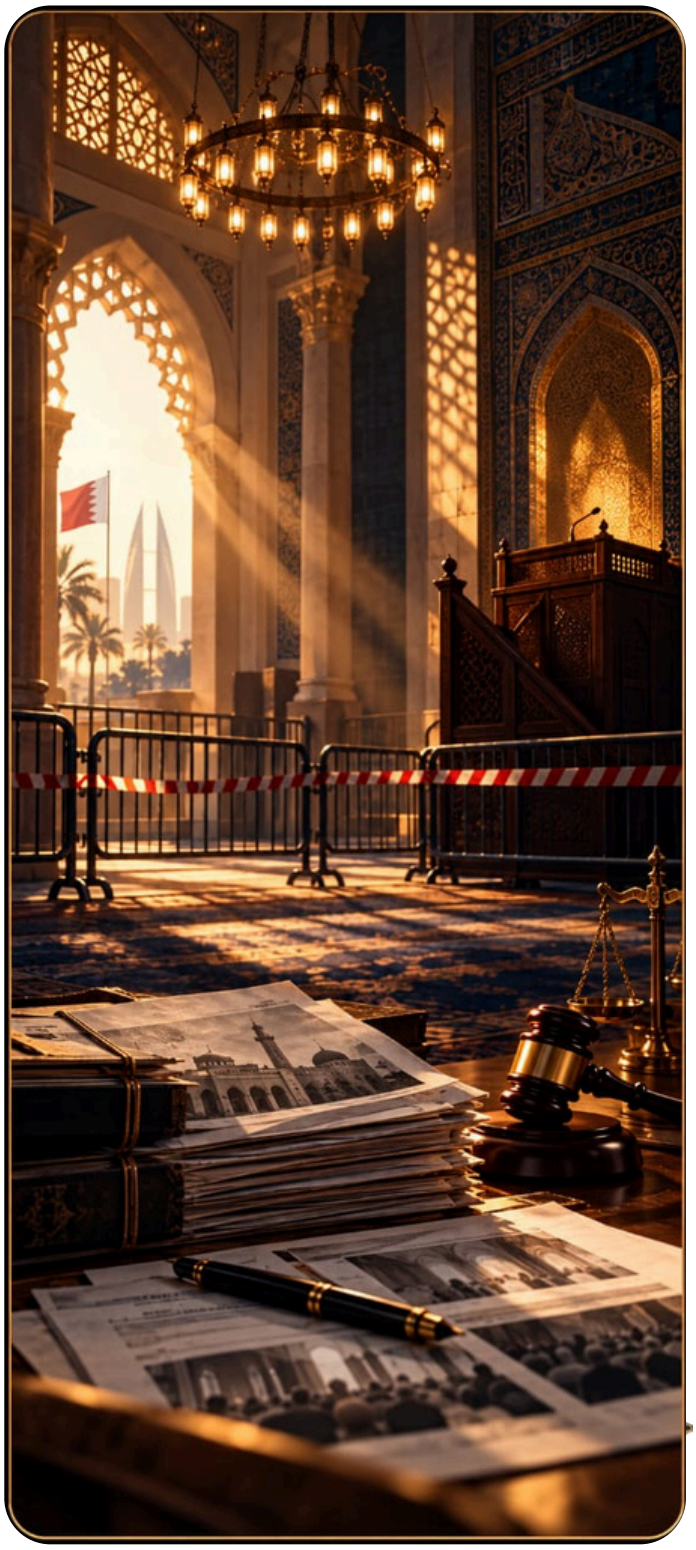
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Why “Rights Under Attack”?

Human rights violations do not always begin behind prison doors, nor do they end with the delivery of a court judgment. They may begin with a raid on a home, a summons for questioning, or accusations circulated in the media before a court has reached its verdict. They may take the form of restrictions on religious observances or a trial in which the defendant is denied sufficient time to prepare a defense. Together, these incidents reveal a broader picture of the state of rights and freedoms, one that cannot be fully understood by examining individual cases in isolation.

It is in this context that the Bahrain Forum for Human Rights (BFHR) launches the inaugural issue of its regular human rights bulletin, “Rights Under Attack.” The bulletin aims to serve as a platform for monitoring, documentation, and analysis, as well as a means of scrutinizing the policies and practices that affect human rights in Bahrain. It seeks to move beyond accounts limited to official narratives and to challenge the tendency to treat violations as isolated incidents that cease to matter once media attention fades.

This first issue comes amid significant human rights and judicial developments in Bahrain during 2026, most notably a wave of arrests targeting dozens of shia religious scholars. The subsequent investigations and trials have raised serious questions about due process, allegations of torture and coercion, defendants’ rights to examine evidence and question witnesses, and respect for the presumption of innocence.

In this issue, we examine the trial of the religious scholars not as an isolated judicial case, but as a starting point for exploring deeper problems within the justice system. A court hearing lasting more than thirteen hours, a case file comprising thousands of pages, and allegations of coerced confessions raise fundamental questions about the defense’s ability to scrutinize and challenge the evidence. They also highlight the distinction between merely fulfilling procedural requirements and ensuring that justice is actually served.

We also revisit Bahrain's previous mass trials to examine the risks that arise when an overarching security narrative overshadows the principle of individual criminal responsibility. We consider the media coverage accompanying these cases and examine the responsibility of the press when accusations are presented as established facts in headlines and defendants are portrayed as guilty in the public eye before their trials have concluded.

The issue is not limited to a single case. Court cases documented in 2026 include severe sentences and penalties, including life imprisonment, cases involving children, and prosecutions related to expressions of political opinion and social media posts. These developments call for serious examination of the extent to which freedom of expression is respected and whether the penalties imposed are proportionate to the acts in question.

Alongside these cases, we turn our attention to religious freedoms and autonomy in the administration of religious affairs, examining restrictions on religious observances and mourning gatherings, as well as debates surrounding khums (religious dues), religious authorities, and religious institutions. We also review international efforts to document violations and pursue accountability, including reports submitted to United Nations human rights mechanisms. In addition, we examine the role of the National Institution for Human Rights and its ability to provide independent and transparent oversight in particularly sensitive cases.

What connects these issues is not simply the nature of the potential violations involved. They raise a common, fundamental question: To what extent can citizens exercise their rights, express their convictions, preserve their religious and political identities, and seek justice before an independent judiciary without those very rights becoming a source of fear or grounds for prosecution?

Through "Rights Under Attack," we aim to do more than report events or reiterate established human rights positions. We seek to examine patterns of violations and their underlying causes, identify where responsibility lies, and place current developments within their historical and legal contexts. In doing so, we remain committed to clearly distinguishing documented facts from allegations that require independent investigation.

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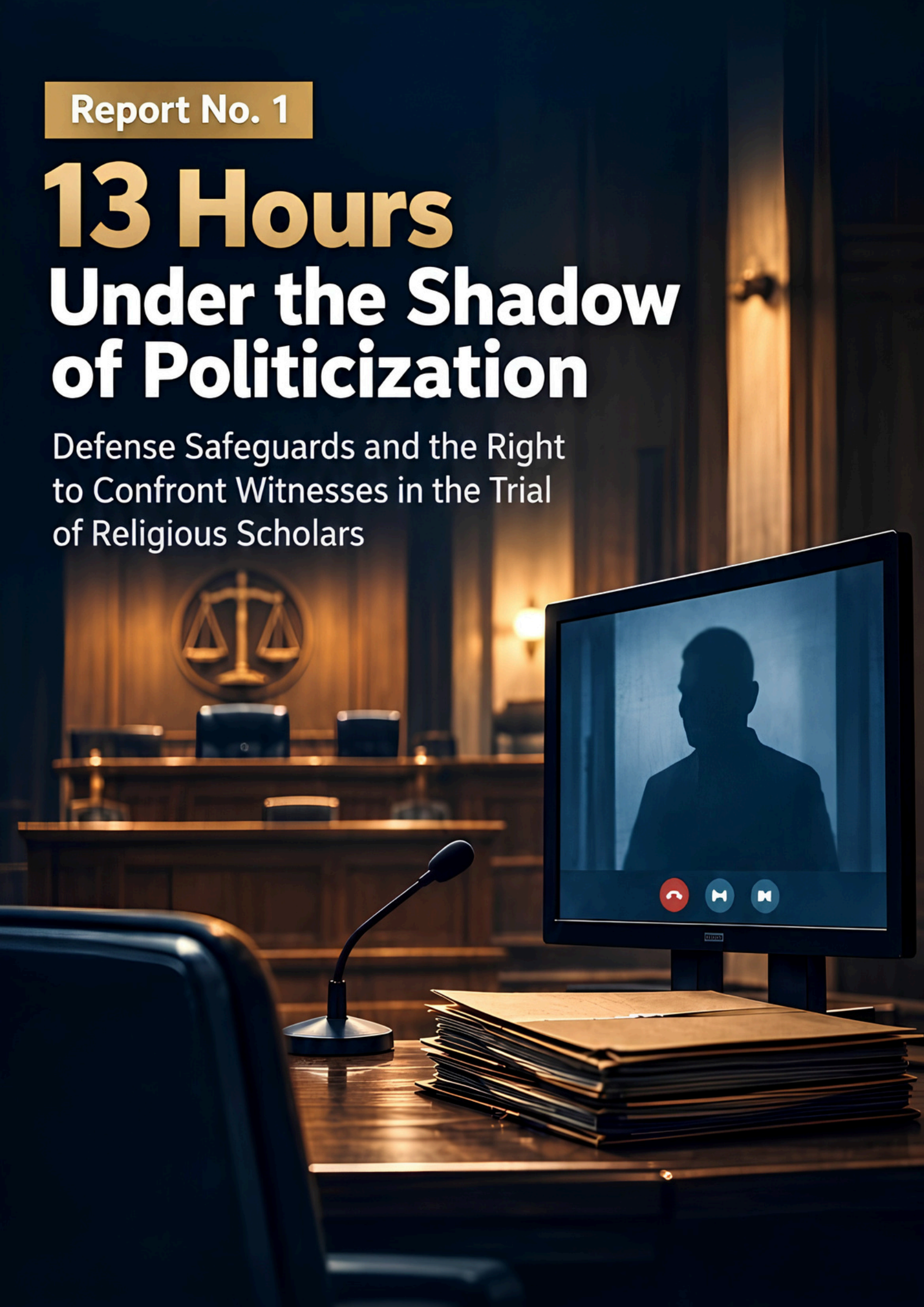




Report No. 1

13 Hours Under the Shadow of Politicization

Defense Safeguards and the Right to Confront Witnesses in the Trial of Religious Scholars



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13 Hours Under the Shadow of Politicization

A marathon hearing exposes a deeper crisis over defense guarantees and the examination of witnesses in the trial of religious scholars

The thirteen hours consumed by the third hearing in the trial of shia religious scholars in Bahrain on August 19, 2026, were not merely a matter of duration in a complex case. When an exceptionally long hearing coincides with a voluminous case file, extremely serious national-security charges, challenges to confessions, allegations that prosecution witnesses were coached, and restrictions that the defense says impaired its ability to test the evidence, the question goes beyond the exhaustion of defendants and lawyers: Was the court managing an adversarial process on an equal footing, or was it handling a prosecution case framed by a security and political narrative that had already taken shape before the defense had been given a full opportunity to test it?

According to the Bahrain Forum for Human Rights (BFHR), the hearing lasted more than 13 hours, after which the court adjourned the proceedings and divided the case into hearings scheduled for August 30 and 31 and September 1 and 2. BFHR said that the defendants, judges, and prosecution witnesses were located in separate places, and that prosecution witnesses testified via video link. It also said it had received information alleging that prosecution witnesses had been coached in advance by security and government bodies. These allegations have not been established by a published judicial ruling, but they are serious enough that, if raised before the court, they should not be treated as a peripheral matter.

Witnesses Behind a Screen, and a Defense Facing a Ready-Made Narrative

The use of video conferencing is not, in itself, a violation. The problem begins when the technological barrier becomes part of a broader gap between the witness and the defense.



The right to examine a prosecution witness does not simply mean allowing a lawyer to ask a handful of questions. It means that the defense must be able, in practice, to test the source of the information, the circumstances in which it was given, its consistency, and the extent to which the witness is independent from those who brought or prepared them to testify. Article 14 of the International Covenant on Civil and Political Rights includes the examination of prosecution witnesses among the guarantees of a fair trial, and Bahrain is a party to the Covenant.

The issue clearly goes beyond a technical problem with video testimony and reaches the integrity of the evidence itself. The questions that should have been at the forefront of the hearing are: Who was with the witness before the testimony? Who communicated with the witness? Was the defense able to examine those circumstances? And did the court record the defense's objections and respond to them with clear reasons?

So far, publicly available judicial materials do not provide a sufficiently detailed record to reconstruct what happened during those thirteen hours or to independently verify these issues.

That is not a minor gap in a case involving alleged security offenses. It is a gap at the most sensitive point of all: the source of the evidence and the manner in which it was tested.

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Confessions: A Test the Court Cannot Bypass

Witness testimony was not the only issue in dispute.

According to BFHR's monitoring of the proceedings, one of the defendants raised before the court the issue of documents and official records that, he said, the defendants had been made to sign without being able to read their contents. He requested that surveillance footage from the Public Prosecution building be reviewed to verify the periods some of the defendants spent there during the investigation and signing procedures.

This is not a case of two competing accounts that are impossible to verify.

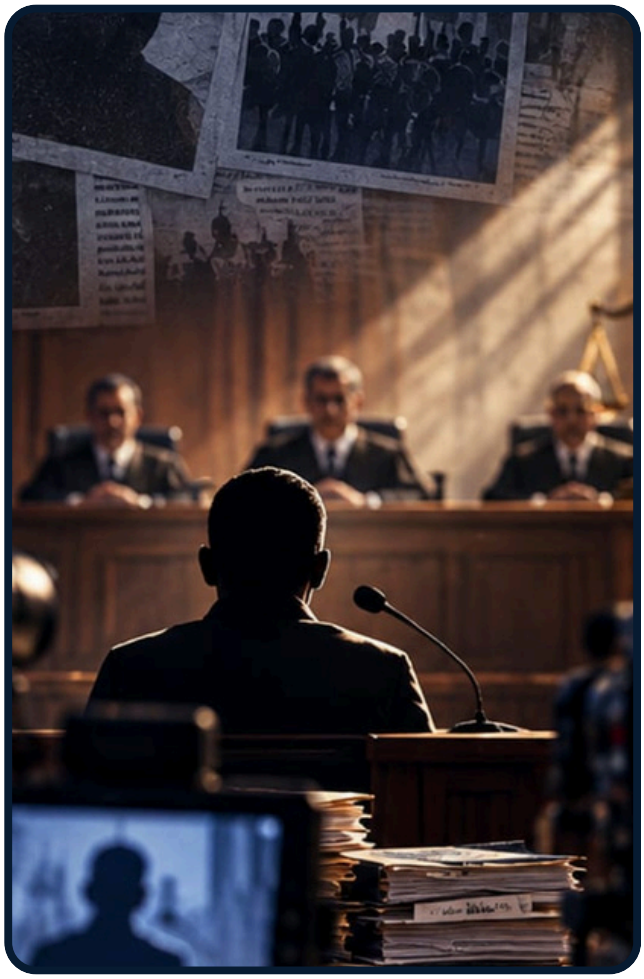
The surveillance cameras—and the recordings should still be preserved—constitute material evidence. Entry and exit logs are material evidence. The number of pages signed and the timing of the relevant procedures can likewise be cross-checked. The decisive question, therefore, is not whether the court merely "heard" the allegation of coercion, but whether it exhausted the available means of verifying it.
Bahrain's Constitution itself provides that any confession proven to have been obtained through torture, degrading treatment, or the threat thereof is null and void. It also establishes that an accused person is presumed innocent until proven guilty in a trial that provides the necessary guarantees for the exercise of the right to a defense.
In cases of this nature, it is not enough for a judgment later to state that the court was satisfied that the confession was reliable. If a defendant maintains that a statement attributed to him was the product of coercion, or that he was made to sign a document he had not been permitted to read, then the circumstances in which that confession or statement was obtained themselves become an issue that requires judicial scrutiny.

This is particularly significant in Bahrain because Human Rights Watch has documented previous security-related cases in which courts relied on confessions that defendants said had been extracted under coercion. In some of those cases, Human Rights Watch also criticized the failure to provide adequate safeguards for investigating allegations of torture or for effectively examining prosecution witnesses. These documented human-rights precedents give an indication of what occurred in the current case involving the scholars, and they make any failure to scrutinize a new allegation of coercion more serious.

Thirteen Hours Do Not Mean Thirteen Hours for the Defense

The figure, in itself, may be misleading.

Thirteen hours of court proceedings do not mean thirteen hours for each defendant, nor thirteen hours for each lawyer to examine and challenge the evidence.
In a mass trial involving multiple defendants, those hours are divided among procedural formalities, questioning by the prosecution, the examination of prosecution witnesses, objections, recesses, defense applications, and the court's responses. The relevant human-rights question, therefore, is not: How long did the hearing last? It is: How much actual time was each defendant's legal team given to test and challenge the evidence specific to that defendant?



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That question becomes even more pressing where the case file reportedly runs to thousands of pages, according to human-rights materials, and amid earlier allegations that lawyers' access to the case file and their ability to communicate with their clients had been restricted. Since earlier hearings, BFHR has documented objections concerning the right to a defense and access to the case file, arguing that the proceedings as a whole raise concerns about the politicization of the trial and the undermining of the presumption of innocence. This is the Forum's assessment, not an independent judicial finding, but it is based on procedural matters that should be capable of objective verification.

When the Length of a Hearing Becomes a Veneer Rather Than a Safeguard

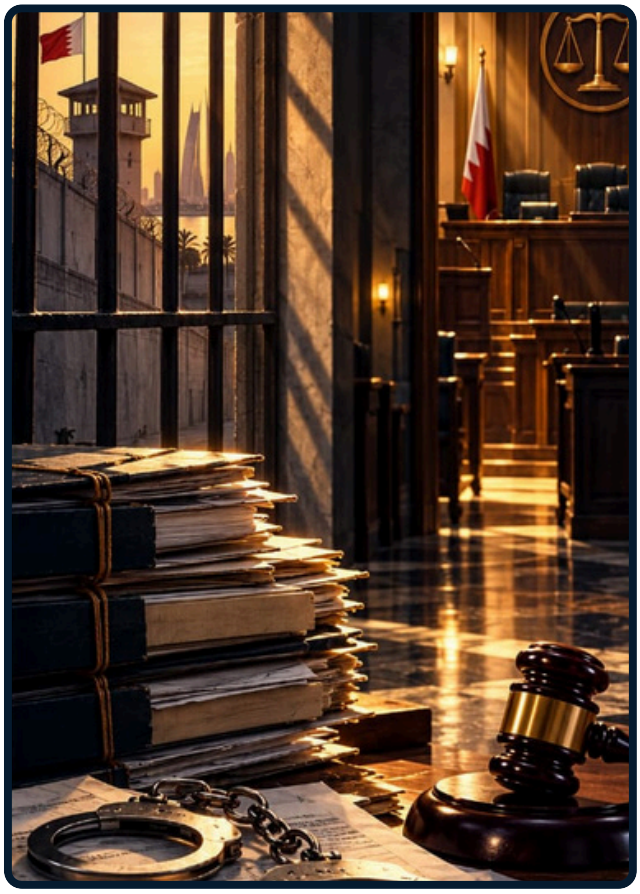
The judiciary may argue that devoting 13 hours to the case demonstrates that the court gave it substantial time. But the measure of a fair trial is not the length of a hearing; it is the quality of the opportunity afforded to the defense within it.

A lengthy hearing cannot compensate a lawyer for a case file to which full access was not provided. It cannot remedy concerns surrounding a contested confession if the circumstances in which it was obtained were not investigated. It cannot make a witness who is not subjected to effective examination more reliable. Nor can it transform the existence of multiple defendants into collective responsibility.

For this reason, "13 hours" may become the most misleading figure in the case if it is used to create the impression that the duration of the proceedings is equivalent to the depth of judicial scrutiny.

What Should Be Made Public

If the judiciary wishes to dispel the concerns raised by this hearing, the way to do so is not through general statements about judicial integrity, but through verifiable transparency: publication of the hearing transcript; disclosure of the times at which the defendants were present; the amount of time afforded to each defense team for oral submissions; the manner in which witnesses were heard and examined; the reasons for allowing or rejecting questions put by defense counsel; the outcome of the request for surveillance footage from the Public Prosecution building; and an explanation of how the court addressed each allegation of coercion.



If these elements remain outside the public domain, while the case continues in an environment in which international organizations have previously criticized security- and politically related trials as well as restrictions on defense rights, this will reinforce concerns that the proceedings are not merely an ordinary criminal case, but a substantive test of the judiciary's independence from the security narrative that preceded the trial itself.

Ultimately, the question should not be how many hours the judge or the lawyers remained inside the courtroom.

The more serious question is this: during those thirteen hours, did the defense genuinely have the same ability as the prosecution to present its account of events, examine the evidence, identify its source, and challenge it?

If the answer cannot be demonstrated through a transparent judicial record, then the length of the hearing does not become evidence of justice.

It becomes part of the question of whether justice was done.

Report No. 2

Trial on the Front Page

When the Prosecution's Narrative Preceded the Courtroom



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The Trial on the Front Page: When the Prosecution Narrative Preceded the Courtroom

The case of Bahrain's religious scholars did not begin inside the courtroom. For a large segment of the public, it began in the headlines.

On 9 May 2026, the Ministry of Interior announced the arrest of 41 people whom it said were linked to the ideology of Wilayat al-Faqih (guardianship of the Islamic jurist). The following day, Al Ayam placed the case on its front page under the headline, "Revelation of the Main Organization of the Revolutionary Guard and Wilayat al-Faqih," with a subheading linking those arrested to collecting funds and sending them to Iran. The text of the report itself attributed the information to the Ministry of Interior and stated that investigations were continuing into anyone whose involvement was established.

What happened next, however, warrants a media reading different from the security one.

Within a few days, the case was no longer merely a report about arrests. Al Ayam published a succession of items praising the operation and reporting statements by parliamentarians, officials, and public figures, while expressions such as "the main organization," "Iran's proxies," "Wilayat al-Faqih," and "the Revolutionary Guard" became embedded in the daily structure of the coverage. On 12 May, the front page carried the headline, "Investigations Continue into Those Involved in the Revolutionary Guard Organization." On 13 May, the front page featured a lengthy item titled, "A Fundamental Solution and Firm Action Against Iran's Proxies," which included broad political and security rhetoric concerning Wilayat al-Faqih, Iran, the Islamic Scholars Council, and Al-Wefaq National Islamic Society.

Then came 31 May. The Public Prosecution said that investigations were still ongoing, while at the same time presenting a detailed narrative involving control over mosques, ma'tams, and religious seminaries, as well as recruitment, money, loyalty to Iran, rioting, and sabotage. This narrative was widely published in the local press, without a comparable presentation, in the same material, of the defense's account or the defendants' responses.

By the time the trial of 19 defendants began on 5 July, the media frame had already been formed. On 6 July, Al Ayam once again placed the case on its front page under the main headline, "Obstructing the Provisions of the Constitution and Harming National Unity," with "Trial Begins for 19 Defendants in Terrorist Organization Case" above it and "Exploiting Places of Worship to Spread Wilayat al-Faqih and Incitement" below it. Yet the body of the report made clear that the court had adjourned the case for review and pleadings; in other words, the trial was still at its beginning.

Is This "Propaganda"?

Professionally, neither a story's appearance on the front page nor its word count is, by itself, sufficient to conclude that it constitutes propaganda. Placement and length measure the importance the media outlet assigned to the subject; they do not, on their own, determine whether the report is truthful or propagandistic.



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For that reason, in examining the coverage I used five indicators in combination:
the placement of the report, the intensity of repetition, the diversity of sources, the manner in which allegations were attributed, and the presence of an opposing voice. Under the Society of Professional Journalists' (SPJ) Code of Ethics, journalists are expected to verify information, provide context, seek a response from those who are the subject of allegations, and distinguish between news and opinion or advocacy. The Code also calls for balancing the public's right to know with a suspect's right to a fair trial. Reuters' standards likewise emphasize the need to attribute information clearly to its source so that the public can assess its reliability.

By this measure, the sample I reviewed reveals features of propagandistic mobilization in parts of the coverage not because security-related facts should be withheld,—but because the official narrative was repeated intensively and in highly prominent positions, while some accusatory descriptions moved into the headlines themselves, and the defense narrative had a clearly limited presence in the material that could be examined.

The professional distinction is fundamental between a headline that says, "Prosecution Accuses 19 People of Joining a Terrorist Group," and one that incorporates the description "terrorist organization" into the identity of the case before the trial has concluded.

The repetition of the message also has analytical value. In the available Al Ayam archive alone, I found at least four front-page moments directly linked to the construction of the security framing of the case between 10 May and 6 July: the announcement of the "organization," the continuation of investigations, the discourse about "Iran's proxies," and then the beginning of the trial of the 19 defendants. Propaganda cannot be inferred from the number alone, but the combination of prominence + repetition + reliance on a single source + categorical language increases the degree to which the material takes on a mobilizing character.

This context acquires additional importance because Human Rights Watch said in May 2026 that the state owns the national broadcast media and that prominent privately owned newspapers are run by individuals with close ties to the government—an assessment whose implications for media independence the government generally rejects.
BFHR considered the wording of the Public Prosecution's statements to undermine the presumption of innocence, while the Prosecution says that it provided the legal safeguards and that the charges are based on investigations and security and financial inquiries.

The media issue, therefore, is not the state's right to announce an investigation, nor the press's right to publish the allegations. The issue is: when does an attributed accusation become a fixed media identity for the accused?

In the case of the religious scholars, the prosecution narrative reached the front page before the defense reached the end of its pleadings. This is the conclusion most readily demonstrable from the archive: public opinion received an intensive and repeated security framing of the case before the judicial testing of its evidence had been completed.

For that reason, the real professional test is not: How many times did newspapers write about the case? Rather: How many words were devoted to the prosecution, and how many to the defense? How many times did the description "terrorist" appear before judgment? And how many times did the journalistic material make clear that what it was publishing was a prosecution allegation that had not yet been judicially determined?

These are the questions that transform a study of the "front page" from a political impression into measurable content analysis.

REPORT NO. 3

The National Institution and the Trial of Religious Scholars

Between Oversight, Accountability, and the Right to Defense



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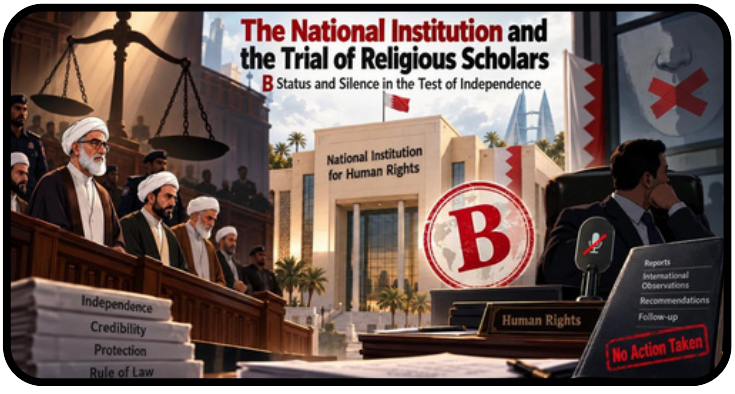
The National Institution and the Trial of the Scholars

A "B"-Rated Institution and Silence in the Face of One of the Greatest Tests of Its Independence

The question of the independence of Bahrain's National Institution for Human Rights (NIHR) is no longer merely an allegation raised by organizations opposed to the government. As of October 2026, the Institution remains accredited with "B" status by the Global Alliance of National Human Rights Institutions (GANHRI), a status indicating that it only partially complies with the Paris Principles. This prevents it from attaining "A" status, which is granted to fully compliant institutions, and also denies it the right to vote or hold governance positions within the Alliance.

This is not a merely formal observation. GANHRI's standards do not examine legal texts alone; they also assess the extent of independence in law and in practice, the transparency of appointments, pluralism, funding, and the ability to address sensitive violations without interference from the authorities.

In this context, the international assessment of Bahrain has been explicit. In 2022, the United Nations Committee on Economic, Social and Cultural Rights expressed concern that the National Institution had "not yet attained the level of independence required to perform its functions" and called on Bahrain to strengthen its independence so that it could fully comply with the Paris Principles. Before that, another UN committee noted the Institution's "B" status, expressing concern over the lack of clarity in the mechanism for selecting and appointing the Board of Commissioners and calling for greater independence in its structure, composition, and decision-making.



Accordingly, when the Institution's absence from the trial of the religious scholars is raised today, the discussion does not begin from zero. We are dealing with an institution with a documented international record of questions surrounding its independence, which in 2026 is now confronted with a case that lies at the heart of the very area in which it is expected to demonstrate its neutrality and independence from the authorities.

Independence Between Rhetoric and Practice

In its 2025 annual report, the Institution defines its mission as "protecting human rights, providing support to individuals, and empowering them to exercise and defend their rights." The report also recalls that its functions include assessing the human rights situation, identifying obstacles to effective performance, submitting proposals and recommendations, and presenting its findings to the public. Within its mandate, the Institution attaches particular importance to attending trials in order to verify the soundness of proceedings and the availability of fair-trial guarantees.

The dilemma becomes clear, however, when this rhetoric is compared with the mechanism through which the Institution itself is constituted. The annual report, which praises the "new mechanism" for selecting commissioners, reveals that the selection committee is chaired by the Minister of the Royal Court, who also issues the decision appointing its members, after which the final list is submitted to the King for the issuance of an appointment order.

These procedures may be consistent with Bahrain's domestic laws, but they help explain the persistence of international doubts concerning the Institution's independence and structure. The leadership of an institution tasked with monitoring violations that may be committed by state bodies is constituted through a process in which the executive authority and the Royal Court are at the heart of the decision-making process. This is precisely one of the central principles underlying the Paris Principles: independence must not be confined to the legal text; the appointment process must also be broad, transparent, and participatory in a manner that ensures public confidence and genuine independence.

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Report No. 3

The Trial of the Scholars: The Missing Test

The case of the religious scholars began in 2026 with a broad wave of measures and arrests, before developing into trials accompanied by public controversy over the validity of confessions, allegations of coercion and ill-treatment, the right to a defense, access to a case file running to thousands of pages, the examination of prosecution witnesses, and the application of the presumption of innocence.

This is not a marginal case that the Institution could claim falls outside its mandate. Its annual report highlights the receipt of hundreds of complaints, the conduct of field visits, and attendance at court hearings during 2025, presenting these activities in its executive summary as evidence of the exercise of its oversight role.

Nevertheless, as of 1 October 2026, the Institution's published official archive contains no special report on the trial of the scholars, no detailed statement concerning its attendance at the hearings, no announcement of an independent investigation into allegations of coercion, and no public assessment of whether the defense team was provided with adequate time and facilities. Although the Institution published statements addressing other matters during 2026—including the death of a detainee and regional developments—its website contains no comparable public position on the case of the scholars.

The absence of published material does not rule out the possibility that the Institution has received confidential complaints. It does, however, establish another fact: to date, the public has no documented evidence that the Institution has dealt with this case with the scale and transparency required by its legal mandate.

A Prolonged Crisis and an Unchanged Rating

This criticism is neither recent nor limited to a single source. In 2015, Americans for Democracy & Human Rights in Bahrain (ADHRB), the Bahrain Institute for Rights and Democracy (BIRD), and the Bahrain Center for Human Rights stated that the Institution's reports overlooked the root causes of violations and that the relationship between some of its members and the state raised doubts about their independence. In 2017 and 2018, Bahraini and international organizations renewed their criticism of the Institution's independence and its positions regarding violations inside prisons.



In 2023, the International Federation for Human Rights (FIDH) and its partners again stressed that the Institution did not meet the Paris Principles with regard to its composition, appointment process, and practical record. They cited its structure, the mechanism for appointing its members, and its record on the ground, as well as the findings of the UN Committee on Economic, Social and Cultural Rights. Most importantly, the international assessment remained unchanged at "B" status through mid-2026.

From this perspective, the Institution cannot simply content itself with affirming its independence in official statements. Independence in human rights work is not demonstrated by a press release or by a provision in the law establishing the Institution. Rather, it is demonstrated in practice when state bodies themselves become the subject of investigation and oversight.

The case of the scholars constitutes precisely this kind of pivotal test. If the Institution maintains public silence regarding allegations of torture, coercion, and restrictions on fair-trial guarantees in a case with sensitive political and security dimensions, while deploying its institutional tools in cases that align with official priorities, it reinforces a question that international bodies have been raising for years: is the National Institution an independent body that monitors the authorities, or an extension of the official system that provides it with a human rights veneer?

Until the Institution provides publicly available and verifiable evidence demonstrating that it has dealt independently with this case, the "B" rating will remain more than a mere letter in an international report. It is an embodiment of a crisis of independence that the Institution has yet to overcome.

Report No. 4

From the Diraz Sit-In to the Trial of Religious Scholars

How Does the Pattern of Mass Trials Repeat Itself in Bahrain's Political and Security Cases?



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From the Diraz Sit-In to the Trial of the Scholars

How Do Mass Trials Recur in Political and Security Cases in Bahrain?

The problem of mass trials does not lie solely in the number of defendants. The law allows several individuals to be referred to a single trial when the facts of their cases are connected. The real danger, however, emerges when individualized evidence is replaced by a broad narrative that encompasses everyone, or when affiliation with a social, political, or religious network is treated as an indication of guilt.

In Bahrain, international and local human rights organizations have documented, over the years, cases involving dozens, and even hundreds, of defendants in single or interconnected trials. A review of these cases reveals a recurring pattern: the case begins with an expansion of the scope of suspicion until it takes on the character of an "organization" or "network"; a large number of people are then placed under this umbrella; and the defense finds itself facing an additional burden—disproving each defendant's connection to the broader, interconnected narrative constructed around the group as a whole.

167 People in a Single Sit-In Case

In February 2019, a Bahraini court convicted 167 of 171 defendants in the case arising from the sit-in held outside the home of His Eminence Ayatollah Sheikh Isa Ahmed Qassim in the Diraz area.



Amnesty International described the case as a "mass trial of participants in a peaceful sit-in," stating that the conviction rate, which approached 97 percent, raised serious doubts about the extent to which the court had examined the individual conduct of each defendant. The organization noted that the sentences ranged from six months to ten years in prison and included minors.

The official narrative, by contrast, presented a different account. Local media categorized the case as involving "acts of unlawful assembly and rioting" and later noted that the Court of Appeal had reduced the sentences of 109 of those convicted.

The analytical significance of this case, however, extends beyond the disagreement over how the sit-in should be characterized. It provides a clear example of the problem posed by the absence of individualized criminal assessment: how can a court precisely distinguish the actions of each of 171 defendants and determine, separately for each one, the nature of the offense and the evidence specific to that individual? This was precisely the question that led Amnesty International to consider the case part of a "growing pattern of mass trials" in Bahrain.

169 Defendants in a Single Case

A few weeks later, an even larger case emerged. In April 2019, 139 of 169 defendants were convicted in a case that the Public Prosecution said involved establishing and joining a "terrorist group," while 30 defendants were acquitted. In the first-instance judgment, 138 of those convicted were stripped of their nationality.

Amnesty International described the trial as a "travesty of justice" lacking fair-trial guarantees and viewed it as a continuation of the pattern of mass convictions. On the other hand, the Public Prosecution's account included charges relating to establishing an organization, bombings, attempted murder, training in weapons and explosives, and foreign funding—charges that were reported in some detail by the local media before the judgment was issued.

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Although the acquittal of 30 defendants demonstrates that the group was not automatically convicted as a whole, it does not eliminate the fundamental human-rights question raised by international organizations: in a case involving 169 people, was the court able to weigh the independent evidence against each individual separately from the overarching narrative directed against the group as a whole? This is the real test of impartiality and fairness.

When Confessions Become a Closed Loop

The danger is compounded when the case file relies primarily on confessions and overlapping investigative findings.

In several mass trials in Bahrain, Human Rights Watch and Amnesty International have documented testimonies concerning torture and the extraction of confessions under coercion. The case of Ali al-Arab and Ahmed al-Malali, who were executed following a security-related mass trial, is particularly significant in this regard. Human Rights Watch stated that the case was marred by serious violations of due process, while Amnesty International concluded that the two men had been subjected to torture before their confessions were used as evidence against them.

Here, the structural flaw in mass trials becomes clear: when investigations begin from the assumption that an "organization" exists, interrogations are conducted according to that preconceived framework, and the statements of some defendants are then used to reinforce the charges against others, a case file may emerge that appears to be filled with evidence while, in reality, it is the product of a single accusatory source reproducing itself. Not every accusatory record constitutes independent evidence, nor does every repetition of information amount to journalistic or legal proof of that information.

Mass Trials Amplify the Weight of the Official Narrative

When the accused is a single individual, the prosecution is required to focus on proving that person's direct conduct. But when the number jumps to dozens or hundreds, the narrative acquires an overwhelming visual and political presence: networks, cells, leaders, transfers, communications, and travel.

This is where the phenomenon of "evidentiary contagion" emerges, whereby strong evidence directed against one particular person begins to cast its shadow over others merely because of an alleged social or organizational connection between them. Criminal responsibility, however, is strictly personal and does not pass through family ties or friendship. A person's presence near a defendant, studying with them, visiting them, or conducting financial transactions with them cannot be characterized as a criminal offense unless the prosecution establishes a direct link between that relationship and a specific criminal act.

From Diraz to the Trial of the Scholars: Different Faces, the Same Pattern

In May 2026, the same structure reappeared, albeit on a different scale.



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The authorities announced the detention of 41 people in a case in which they were accused of links to an "organization affiliated with Iran's Revolutionary Guard and of spreading the ideology of Wilayat al-Faqih." Later, 19 defendants were referred to trial—11 detained and eight absent—with the list of charges including establishing a group, receiving funds, intelligence-related contacts, and exploiting places of worship.

On the other side, the Bahrain Forum for Human Rights (BFHR) assessed the case from a different perspective, noting that the summonses had targeted religious clerics and expressing serious concerns relating to the presumption of innocence, the right to communicate with lawyers, access to the case files, and allegations of harsh treatment. The Forum also documented that one hearing lasted for more than 13 continuous hours before the case was divided into several separate tracks.

A joint report with the International Center for Supporting Rights and Freedoms also documented the arrest of dozens of religious clerics during 2026, amid reports of coercion and restrictions on fair-trial guarantees.

Although this case involves fewer defendants than the 2019 trials, it raises the same issue: is each individual being tried on the basis of a documented criminal act, or is the referral to trial based on that individual's presence within a religious or ideological network that is presented in place of proof of individual conduct?

The Burden and Defense Guarantees

There is no legal provision that invalidates a trial merely because it involves a large number of defendants. The problem lies in the consequences that such numbers impose on individual rights.





As a case expands, the defense faces three burdens at once: rebutting the evidence directed against its client, challenging the overarching narrative attributed to the group, and demonstrating that its client cannot be held responsible for the acts of others. The greater the volume of the case file and the number of witnesses and charges, the more urgent—and impossible to overlook—the need becomes to provide the defense with adequate time and facilities.

The Standard of Scrutiny and Individualization

What matters is not the number of defendants appearing on the cover of the case file, but the manner in which judgments are constructed. A human-rights assessment requires breaking the judgment down into precise elements:

What specific act is attributed to each person? What evidence supports it? Is that evidence derived from an independent source, or is it taken from the statement of another defendant? Were the confessions challenged, or were allegations of torture raised? How did the court deal with those allegations? And what was the legal basis for convicting one person while acquitting another?

Only then is it possible to determine whether the court handled a case involving multiple defendants while preserving the principle that criminal responsibility and punishment are individual, or whether the force of the collective narrative overwhelmed the individual evidence.

This is precisely where the danger of mass trials in political and security cases lies: not in dozens of defendants standing in the same dock, but in their being placed there together becoming, in itself, a fundamental part of the evidence against each one of them.

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Trials of 2026

Harsh Sentences and Cases Related to Freedom of Expression and Political Positions

112 Judicial Records.. 16 Life Sentences.. 15 Records Involving Children

88
Distinct Names or Identities

279
Years and 3 Months Minimum Imprisonment



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Trials in 2026: Harsh Sentences and Cases Linked to Expression and Political Positions

According to the cases documented in the "Arbitrary Sentences" database, 2026 witnessed a wave of trials and judicial rulings affecting dozens of people. These included lengthy prison sentences and life imprisonment, as well as the prosecution of children and cases, many of which were linked to the expression of political positions, particularly in the context of the war of aggression against the Islamic Republic of Iran.

The available data indicate that 112 judicial rulings and proceedings were recorded during 2026, involving approximately 88 different names or identities, with a notable concentration of trials and judgments in April and May. Among the documented records, four rulings were issued in January and 11 in February, before the number rose to 33 in April and 64 in May.
This increase reveals a clear shift in the pace of cases over a short period of time, coinciding with the emergence of a large number of trials linked to positions on the war on Iran, alongside cases involving publication on social media and the filming of events or locations connected to military operations.

Life Sentences and Hundreds of Years of Imprisonment

Custodial sentences predominated among the judgments documented during the year. According to the numerical prison terms recorded in the database, they amounted to at least 279 years and three months, in addition to 16 life sentences.
A three-year prison sentence was the most frequently recorded, appearing in 28 records. The data also included 18 one-year prison sentences, 15 sentences ranging from five to ten years accompanied by fines, 11 ten-year prison sentences, seven five-year prison sentences, and five two-year prison sentences.

The judicial outcomes, however, were not limited to conviction and imprisonment. The data recorded one acquittal, two cases of release, and one case in which a prison sentence was replaced with an alternative penalty. The available records for 2026 did not include any death sentences or deportation orders.

In addition to imprisonment, some cases included further penalties and measures, including fines and the confiscation of mobile phones.

Political Expression at the Heart of the Trials

One of the most prominent features of the 2026 trials is the connection of a large number of cases to the expression of political positions. The description "position on the war on Iran" appeared in 28 records, alongside other cases containing more specific details concerning posts and positions expressed through social media.
The documented cases included, for example, judgments arising from posts on Instagram, including the publication of condolences or condemnation of the U.S.-Israeli war on Iran. In some cases linked to this category, the penalties reached lengthy prison terms, while other cases resulted in life imprisonment.

The data also included 12 cases in which the charge of "collaboration with the Iranian Revolutionary Guard" was recorded. The database linked these cases to the filming of an Iranian military strike targeting U.S. military bases.
There were also cases linked to filming smoke resulting from an Iranian strike on a U.S. military base, while others were classified as filming a prohibited location, in addition to one case linked to solidarity with Iran.
The nature of these cases indicates the considerable space occupied by acts of expression, publication, and filming within the trials documented during this period, alongside the imposition of varying penalties that, in some cases, reached extremely harsh levels.

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Children Before the Courts

One of the most notable findings in the 2026 data is the presence of 15 judicial records involving children, with prison sentences ranging from one to three years.

According to the data, seven one-year prison sentences were issued against children, compared with eight three-year prison sentences. Three of these judgments were issued by the High Restorative Justice Court for Children, while the remaining cases were listed in the database under courts of first instance.
The prosecution of children and the imposition of custodial sentences on them are of particular significance when assessing these cases, in light of the additional safeguards that are expected to govern juvenile justice, including consideration of the child's age and best interests, as well as guarantees of judicial procedures appropriate to the child.

Appeals Changed the Outcomes of a Limited Number of Cases

In contrast to the large number of first-instance judgments, the data included only four rulings classified as having been issued by the Court of Appeal.

These cases produced different outcomes, including one acquittal, two cases of release subject to a guarantee of place of residence, and one case in which a prison sentence was replaced with an alternative penalty.

Although the number of these cases is limited in comparison with the total number of records, they show that the review of judgments at higher levels of litigation led, in a number of documented cases, to a change in the outcome or a reduction in the impact of the sentence.

A Year Marked by an Escalation in Judgments

The 2026 data present a judicial picture characterized by three prominent features: the sharp increase in the number of judgments during April and May, the severity of custodial sentences, and the broad presence of cases linked to expression and political positions.

During the period covered by the database, penalties were not limited to short- or medium-term sentences. They included dozens of prison terms extending over many years, in addition to 16 life sentences. At the same time, the nature of a number of the charges reveals a direct connection between prosecution and social media posts, filming, or the expression of a position on regional political and military events.
Nevertheless, the database provides a record of documented judgments and cases and does not, on its own, contain all the elements of the trial files needed to conduct an independent legal assessment of each case. Determining the extent to which fair-trial guarantees were respected also requires examining the circumstances of arrest and investigation, the evidence presented, the legal provisions applied, the accused's right to legal counsel and to prepare a defense, the public nature of the proceedings, and the independence of the court.

The documented figures nevertheless remain revealing of the scale of the penalties imposed during the period: 112 judicial records, approximately 88 different names or identities, at least 279 years and three months of prison terms specified numerically, in addition to 16 life sentences and 15 records involving children.
This overall record places the trials of 2026—particularly those linked to expression and political positions—among the foremost issues requiring continued monitoring and documentation, as well as follow-up on any changes to the judgments at the appeal stage and beyond.

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Jassim Al-Ajlan

From the Trials of Students and Teachers to Religious Scholars

A Judicial Career Shadowed by Allegations of Violations of Justice



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From the Trials of Students and Teachers to Religious Scholars: Jassim Al-Ajlan and a Judicial Career Shadowed by Allegations of Violations of Justice

For more than a decade, the name of Bahraini judge Jassim Al-Ajlan has repeatedly appeared in trials connected to the country's political crisis. These cases have involved University of Bahrain students and teachers, political and human rights activists, mass prison sentences handed down to members of the February 14 Coalition, the Jaw Prison case, and, most recently, the trial of dozens of shia religious scholars. Amid harsh sentences, allegations of torture, and claims that confessions were extracted under duress, questions continue to mount over the fairness of these trials and the safeguards available to ensure justice.

The trials that followed the February 2011 protests were not simply legal cases that ended with the delivery of verdicts. Behind each case were families waiting for their loved ones, defendants who spoke of torture and coercion, lawyers who complained of restrictions on the right to mount a defense, and judgments that left a profound impact on the lives of those convicted and their families.

In several of the most prominent cases, the name of Judge Jassim Mohammed Jassim Al-Ajlan appears. He served in both the lower and high criminal courts, presiding over or sitting on judicial panels that heard charges arising from political and security-related circumstances.

A review of this record raises questions that go beyond the verdicts themselves. They concern the procedures that preceded them, the handling of allegations of torture, and the extent to which defendants were able to challenge evidence and witnesses and defend themselves.

Now, with the trial of shia religious scholars in 2026, these questions have resurfaced following accounts from defendants and lawyers of violations reminiscent of those reported in earlier politically motivated trials.

University of Bahrain: 114 Defendants Before the Court

Following the events of March 2011, Judge Jassim Al-Ajlan presided over the Fifth Lower Criminal Court, which heard the case of 114 defendants, including University of Bahrain students, employees, administrators, and security guards.

The Public Prosecution charged the defendants with offenses including unlawful assembly, inciting hatred of the system of government, assaulting individuals, and damaging university property.

On March 20, 2012, the court issued verdicts ranging from acquittals to prison sentences of six months to one year. It also set amounts of between 200 and 500 Bahraini dinars for the suspension of the sentences.

The case, however, was not without serious objections from the defense team.

On March 18, 2012, the newspaper Al-Wasat reported that lawyers had complained they were unable to defend their clients adequately and that the court had refused to hear defense witnesses.

The defense said it had submitted video recordings, photographs, and documents that allegedly pointed to other individuals as responsible for acts of vandalism and assault. It called for those individuals to be investigated rather than limiting the proceedings to the students and employees referred for trial.

Lawyers also pointed to inconsistencies in some witness statements and cited testimony they said supported their clients' innocence.

For those affected, the consequences extended beyond the verdict itself to their educational and professional futures, particularly because some of the defendants were students who should have been protected by educational institutions from the effects of political disputes.

This case was one of the early milestones in Al-Ajlan's judicial career. It raises a fundamental question for anyone examining his record: To what extent did the court respond to defense requests to examine alternative evidence and hear the witnesses whom lawyers had asked it to summon?

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Teachers: From Protests to Criminal Trials

On March 12, 2012, the Fifth Lower Criminal Court, presided over by Al-Ajlan, sentenced seven teachers to three months in prison, with the sentences suspended, on charges of refusing to perform their duties in connection with the events of 2011.

The defense had submitted written pleadings seeking the defendants' acquittal of the charges against them. The court also heard other cases involving teachers who denied the accusations. Their lawyers requested additional time to review the case files and respond to the charges.

These cases reveal the breadth of the judicial proceedings associated with the political crisis. The prosecutions were no longer confined to demonstrators in the streets but had extended into the education and employment sectors.

From the perspective of those affected, disputes over strikes and positions taken during the country's political upheaval had turned into criminal proceedings that directly affected their job security and family lives.

It is important to note that the court presided over by Al-Ajlan also acquitted seven members of the board of the Bahrain Teachers Association in a separate case on March 26, 2012. This underscores the need to examine each judgment individually rather than assume that every trial ended in a conviction.

The Fourth High Criminal Court: A Pivotal Stage in His Judicial Career

In July 2013, Al-Ajlan joined the panel of the Fourth High Criminal Court, presided over by Judge Ali bin Khalifa Al-Dhahrani, with Sheikh Hamad bin Salman Al Khalifa also serving as a member.

The establishment and composition of this court drew widespread criticism from human rights advocates, as cases involving protesters and opposition figures were increasingly referred to the criminal courts under security-related charges and counterterrorism laws.

The newspaper Mir'at Al-Bahrain devoted an entire chapter of its book The Bahraini Judiciary: The Pretext of Terrorism Against Demands for Democracy, published in June 2015, to examining this court. The chapter was titled "The Fourth Criminal Court: The Legislator's Gallows."

The book argues that the court was established within a political and security context aimed at expediting the adjudication of cases involving protesters and imposing harsh sentences on them.

On printed page 53, the publication explicitly identifies Jassim Al-Ajlan as the third member of the judicial panel. It states that his transfer from the lower court to the Fourth High Criminal Court took place within a short period and criticizes what it considers a failure to meet the requirements for judicial transfers.

The significance of this section of the book, however, extends beyond Al-Ajlan's career history. It also concerns the nature of the court he joined and the cases it handled. According to Mir'at Al-Bahrain, the Fourth Criminal Court heard large numbers of cases connected to the protests, while lawyers described its procedures as lacking essential safeguards for a fair trial.



In Chapter Six, titled “The Fourth Criminal Court: Following in the Footsteps of the National Safety Courts,” the publication documented objections raised by the defense in the February 14 Coalition case. These included complaints about the way defendants were questioned, the failure to record details of alleged torture as recounted by the defendants themselves, and the difficulties lawyers faced in carrying out their work.

As a member of the judicial panel, Al-Ajlan participated in hearing cases and issuing the judgments adopted by the panel, although some of the procedural practices criticized in the book were attributed specifically to the presiding judge.

The “Karzakan Shotgun” Case: A Case That Highlights Disputes Over Evidence

One of the early cases heard by the newly constituted Fourth High Criminal Court was the case known as the “Karzakan Shotgun” case.

According to Mir'at Al-Bahrain, the court began hearing the case on July 10, 2013. Three young Bahraini men were accused of attempting to murder police officers, possessing locally manufactured weapons and ammunition, using violence against public officials, and participating in an unlawful assembly.

The book recounts objections raised by defense lawyer Abdullah Zain Al-Din concerning the prosecution’s evidence. He argued that the principal witness had denied that any security personnel were injured by gunfire, contradicting the initial account provided by the security authorities.

The defense also pointed to inconsistencies among police officers’ statements concerning the weapons allegedly seized and the location where the defendants were arrested.

The book further reports that the defense argued that no fingerprints had been found on the alleged weapons and that no gunpowder residue had been detected on the defendants’ clothing. These arguments were presented to challenge the defendants’ alleged connection to the incident.

In the same case, lawyer Zainab Abdulaziz challenged the validity of the confessions attributed to the defendants, arguing that they had been extracted under coercion.

According to the book, the court, presided over by Al-Dhahrani, sentenced the defendants to ten years in prison in September 2013, following a trial that lasted nearly two months.

The case illustrates the nature of the objections raised before the judicial panel that included Al-Ajlan: inconsistencies in the evidence, challenges to the confessions, and demands that the court examine whether the defendants were connected to the alleged offenses.

The February 14 Coalition: Fifty Defendants and Sentences of Up to 15 Years

The February 14 Coalition case was one of the most prominent trials in which Al-Ajlan participated as a member of the Fourth High Criminal Court.

On September 29, 2013, the court, presided over by Ali Al-Dhahrani and comprising Hamad bin Salman Al Khalifa and Jassim Al-Ajlan, convicted 50 defendants in the case known as the “February 14 Cell.”

The court sentenced 16 defendants to 15 years in prison, four to ten years, and another 30 to five years.

The defendants included political and human rights activists, among them Naji Fateel and Rayhana Al-Mousawi.

The prosecution had charged them with offenses including establishing an unlawful group, seeking to undermine constitutional provisions, training for acts of violence, and espionage on behalf of a foreign state.

The trial, however, drew widespread human rights criticism, particularly over allegations of torture and coerced confessions.

On September 30, 2013, Amnesty International issued a statement criticizing the trial. It said allegations that electric shocks and other forms of torture had been used to extract confessions had not been investigated adequately.
The organization also noted that lawyers had complained of being denied access to their clients and prevented from calling certain witnesses. Some defendants, it said, appeared before the court without having received sufficient prior notice of the new charges against them.

Naji Fateel: Signs of Torture Presented in Court

One of the most significant episodes in the case concerned human rights activist Naji Fateel.
During a hearing on July 11, 2013, Fateel exposed his back before the court, pointing to marks he said had resulted from torture during his detention.
According to Amnesty International, Fateel said he had been subjected to electric shocks, beatings, and threats of rape.
Nevertheless, he was ultimately sentenced to 15 years in prison.
Rayhana Al-Mousawi, the only woman among the 50 defendants, told the court that she had been subjected to degrading torture in an attempt to compel her to confess, and the court sentenced her to five years in prison.
Mir'at Al-Bahrain criticized the way her testimony was handled, including what it described as a failure to reflect the full details of her account of the alleged abuse.
Other defendants also reported torture. Among them was Mohammed Abdullah Al-Singace, whom Amnesty International said had suffered severe physical difficulties after his detention.

Objections to the Judicial Panel

The objections extended beyond the confessions.
The defense team filed a motion seeking the recusal of the judicial panel and submitted a request to the Supreme Judicial Council, challenging the trial procedures and the way the defendants were treated.
Lawyers also called for their clients to be examined by an independent medical committee to document alleged signs of torture.

In its coverage of the verdict, Al-Wasat reported objections from defendants and lawyers concerning the hearing procedures, including the limited time defendants were allowed to speak.
This brings the collective responsibility of the judicial panel into focus. Protecting the right to a defense, examining the evidence, and ensuring that confessions extracted under coercion are not relied upon are obligations incumbent on the court hearing the case.
This does not mean that every panel member personally made every procedural decision. It does mean that the panel's decisions and the judgments it issued are subject to legal accountability and human rights scrutiny.

The "Imam's Army" Case: 24 Defendants and Objections to Investigative Procedures

In July 2013, Al-Ajlan also served on the Fourth High Criminal Court panel that heard the case known as the "Imam's Army" case.
The case involved 24 defendants whom the prosecution accused of establishing an organization, collaborating with Iran's Islamic Revolutionary Guard Corps, and planning attacks on sites inside Bahrain.
At a hearing on July 22, 2013, eight defendants appeared before the court, while the defense requested access to the case documents and asked that some defendants be allowed to complete the procedures required to appoint lawyers.
Al-Wasat reported complaints from defendants that they had not been allowed to speak about what they had experienced during their detention.



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Lawyers also raised objections concerning the arrest procedures used against certain defendants, particularly those detained in Oman, and called for the legality of those procedures to be examined.

This case represents another episode in the record of the judicial panel on which Al-Ajlan served. Serious security-related charges were accompanied by objections concerning the legality of the investigation and arrest procedures and the defense's ability to challenge the evidence.

Citizenship Revocation and Deportation: Judgments That Extend Beyond Prison to the Right to Belong

On October 28, 2014, Al-Ajlan presided over the Fifth Lower Criminal Court, which ordered the deportation of ten people whose Bahraini citizenship had been revoked. Each was also fined 100 Bahraini dinars for violating immigration and residency laws.

In November 2012, the Ministry of Interior had announced that it was revoking the citizenship of 31 people on the grounds that they had harmed state security.

Ten of those stripped of citizenship were subsequently referred to the courts for allegedly violating the laws governing the residence of foreigners.

Among those sentenced was Taymour Karimi, who objected to the authorities treating the group as foreigners. He maintained that they were Bahrainis whose citizenship had been revoked and who held no citizenship documents from any other country.

Karimi questioned where they could be deported if they had no other nationality.

This case illustrates one of the harshest consequences of judicial measures connected to the political crisis. The repercussions were no longer confined to imprisonment and fines but extended to the possibility of uprooting people from the country where they had been born and lived.

These judgments raise questions about the protection of the right to nationality, the prevention of statelessness, and the proportionality of applying deportation and residency laws.

Jaw Prison: A Mass Trial and Complaints of Torture and Violations of Defense Rights

On September 26, 2023, the First High Criminal Court issued judgments in a case involving 65 defendants in connection with events at Jaw Prison in April 2021.

The court convicted 13 people, sentencing 12 to three years in prison and one to one year. The remaining 52 defendants were acquitted.

The case was linked to protests inside the prison following the death of inmate Abbas Malallah in April 2021, as well as prisoners' demands for improved detention conditions and medical care.

On December 6, 2023, Human Rights Watch published a detailed report on the trial, documenting violations of due process and allegations of torture that, according to the organization, had not been adequately investigated.

Among the most significant concerns raised by the organization was the failure to bring prisoners held at Jaw Prison before the court for the first two hearings or the hearing at which the verdicts were issued. It also reported that the court had rejected defense requests to question certain security officers.

The report cited prisoners' accounts of being beaten with batons and metal objects, subjected to stun grenades and pepper spray, and deprived of medical care.

Prison authorities, by contrast, maintained that the events constituted a violent and organized attempt to disrupt the operation of the correctional institution and rejected the characterization of the incident as a peaceful sit-in.

In the broader context of prison conditions, the Bahrain Forum for Human Rights (BFHR) published a statement in February 2023 attributed to prisoners of conscience at Jaw Prison. They spoke of mistreatment, a failure to respond to their humanitarian demands, and petitions and complaints they had submitted to prison management.

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Although that statement does not document the specific trial procedures in the case involving the 65 defendants, it provides insight into the human rights environment surrounding the prison during the same period.
The case remains an example of why allegations of torture must be investigated and why the accounts of security agencies should not be accepted without scrutiny when those same agencies are accused of mistreatment.

2026: The Trial of Religious Scholars Reopens the Issue of Coerced Confessions

In 2026, politically and religiously sensitive trials returned to the forefront of Bahrain's human rights debate as dozens of shia religious scholars were detained and referred to the criminal courts.
According to reports by the Bahrain Forum for Human Rights, the arrests began in May 2026, and the Ministry of Interior announced the detention of 41 religious scholars.
From the outset, the case prompted objections concerning the nature of the charges, the procedures imposed on the defendants, and restrictions on their communication with their lawyers.
In a report on the second hearing, held on July 16, 2026, BFHR relayed lawyers' accounts alleging that the scholars had been subjected to more than 20 forms of abuse during detention.
The complaints included torture, mistreatment, threats, and coercion to obtain confessions, as well as restricted access to case documents and insufficient time for the defense to prepare.
BFHR also reported that some defendants appeared before the court by video link and that lawyers objected to difficulties in hearing their statements and ensuring their effective participation.

Thirteen Hours of Proceedings

On August 19, 2026, the third hearing in the scholars' trial took place.
According to BFHR, the session lasted more than 13 hours, during which further objections were raised concerning the trial procedures.
BFHR reported information indicating that defendants, judges, and witnesses were in separate rooms and that prosecution witnesses gave their testimony by video link.
It also cited allegations that prosecution witnesses had been coached in advance by security and official bodies. These allegations require an independent investigation to establish their validity.
Such complaints are particularly serious because witnesses must be able to testify freely, without threats or prior direction, and the defense must have an effective opportunity to challenge their testimony.
On October 4, 2026, the Bahrain Forum for Human Rights announced that it had sent an official letter to the National Institution for Human Rights, calling on it to disclose the steps it had taken to investigate complaints concerning the detention and trial of the scholars.
BFHR urged the institution to take allegations of torture and coercion to sign documents or confessions seriously and to verify the relevant evidence, medical records, and recordings.

October 7 Hearing: Religious Scholars Tell the Court of Alleged Torture

On October 7, 2026, another hearing in the religious scholars' trial was held. Press reports indicated that the session was presided over by Judge Jassim Mohammed Al-Ajlan.
The defendants participated by video link amid objections that they had been denied the opportunity to appear in person before the court.

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Among the prominent figures named in media coverage were Allama Sheikh Mohammed Sanqour, one of the senior shia religious scholars in Bahrain; Sayyid Majid Al-Mishal, President of the Islamic Scholars Council; and Sheikh Fadhel Al-Zaki, a member of the Central Body and head of the Sharia Committee of the Islamic Scholars Council.

Sheikh Mohammed Sanqour: Objections to the Investigation Records

During the hearing, Allama Sheikh Mohammed Sanqour spoke of coercion and threats during his detention, according to sources following the trial.
He said he had been forced to stand blindfolded for an extended period and described a deterioration in his health while in custody.
He also raised a particularly serious allegation concerning the investigation records. According to his account, the prosecution had asked him only three questions, yet he later discovered an extensive statement containing questions and answers that had never been put to him.
Press reports said that Sayyid Majid Al-Mishal and Sheikh Fadhel Al-Zaki also objected to the nature of the charges, arguing that some elements of the case rested on interpretations of religious sermons and lectures, as well as social and religious activities.
These statements raise a highly sensitive question: Do the investigation records accurately reflect the defendants' statements, or do they contain words that the defendants never uttered?
That question cannot be answered solely on the basis of the defendants' testimony. It requires access to the original recordings and investigation records, a comparison of the two, and a meaningful opportunity for the defense to challenge any discrepancies.

A Lengthy Hearing and Arguments Involving Dozens of Defendants

A written account of one of the hearings indicates that the court heard arguments concerning approximately 46 defendants. The session reportedly began at around 11:45 a.m. and continued until approximately 8:45 p.m.
The account included allegations by defendants of beatings, threats, blindfolding, restraints, insults, and threats of sexual assault.
It also alleged that passages had been copied from criminal investigation records into prosecution records, with spelling errors repeated in the process. The author of the account considered this a possible indication that the records had not been accurately prepared.
When such objections are raised seriously, they should prompt investigation and verification rather than being set aside without examination.

From 2013 to 2026: Similar Complaints Despite Different Cases

A comparison between Mir'at Al-Bahrain's reporting on the Fourth Criminal Court in 2013 and the Bahrain Forum for Human Rights' documentation of the religious scholars' trial in 2026 reveals recurring themes in the complaints raised by defendants and their lawyers.
In both periods, allegations were raised that confessions had been extracted through coercion and torture.
In both, objections concerned the right to a defense, the way defendants were heard, and the extent to which lawyers were allowed to review case files and challenge the evidence.
Questions also recurred about whether defendants could attend and participate effectively in their trials and how the courts responded to allegations of torture.
These similarities do not establish that the facts and procedures were identical or that the same individuals were responsible. They do, however, reveal the persistence of human rights concerns that were being raised more than a decade ago.
For that reason, an examination of Judge Jassim Al-Ajlan's career should not be limited to counting the judgments he issued or helped deliver. It should also consider the procedures followed by the judicial panels on which he served.

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Report No. 6

Are Court Verdicts Enough to Establish Justice?

Justice cannot be measured by the number of judgments issued, nor simply by the fact that those judgments came from a court established under the law.

The right to a fair trial requires an independent and impartial court, adequate time and facilities to prepare a defense, the ability of defendants to call and question witnesses, and the exclusion of evidence proven to have been obtained through torture.

The existence of human rights objections to a particular trial does not necessarily mean that all the charges brought in that case were unfounded or that every judge who participated in it committed a violation.

It does mean, however, that such objections deserve scrutiny and that serious allegations of torture cannot be dismissed merely because a verdict has been issued. Similarly, acquittals in some cases do not eliminate the need to investigate allegations of violations in other proceedings.

Justice Denied in the Testimonies of Victims

From University of Bahrain students to defendants in the February 14 Coalition case, and from people sentenced to deportation to prisoners and religious scholars who have reported torture, the same fundamental demands recur: independent investigations into alleged violations, fair trials, and the rejection of confessions proven to have been extracted under coercion.

A defendant who tells a court that they have been tortured is not asking for special treatment. They are exercising a fundamental right to have their complaint heard and investigated.

A lawyer who asks for a client to be examined by an independent doctor or requests that defense witnesses be called is not obstructing justice. They are seeking to test the evidence on which a person's fate may depend. The families following these trials are not waiting for verdicts alone. They are waiting for reassurance that their loved ones have been given a fair opportunity to defend themselves.

In cases arising from political conflicts, these safeguards are particularly important because an independent judiciary, free from political disputes, is essential to protecting the rights of individuals and society.

Conclusion: The Unresolved Question of Justice

More than 15 years after the February 2011 protests began, trials connected to Bahrain's political crisis continue to generate complaints concerning the right to a defense, allegations of torture, and the reliability of confessions.

Judge Jassim Al-Ajlan's name appears at multiple stages of this history: as the presiding judge in courts that issued judgments against students, teachers, and people stripped of their citizenship.



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News Reports



- BFHR and SALAM Launch Joint Report Documenting "Criminalizing Religious Doctrine and Rituals" in Bahrain
- Arrests, Trials, and Restrictions on Ma'tams: Bahrain's Religious Freedoms Record Before the UN Human Rights Committee
- From Arrest to Trial: BFHR Documents the Course of the Religious Scholars' Case in 2026 and Concerns Over Guarantees of Justice

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BFHR and SALAM Launch Joint Report Documenting "Criminalizing Religious Doctrine and Rituals" in Bahrain

The Bahrain Forum for Human Rights (BFHR) and SALAM for Democracy and Human Rights launched a joint human rights report entitled "Criminalizing Religious Doctrine and Rituals: Restrictions on shia Religious Scholars and Rituals and Targeted Hate Speech in Bahrain - 2026." The report addresses a series of arrests, trials, and restrictions imposed on religious practices, alongside hate speech documented by the two organizations during the current year.

The report, issued on 14 September 2026, concludes that the documented incidents cannot be treated as separate regulatory measures or isolated security cases. Rather, according to its authors, they reflect an accumulated pattern of security and judicial control over aspects of shia religious life, extending from religious authority, khums, religious seminaries, and religious agency to pulpits, processions, symbols, clothing, and religious banners.

The report documented the arrest of 64 shia religious scholars between March and August 2026, including 44 who, according to the report, were arrested on 9 May alone, while 54 arrests were carried out through raids on homes.

By contrast, Bahrain's Ministry of Interior had announced on 9 May the arrest of 41 people, stating that they belonged to an organization linked to Iran's Islamic Revolutionary Guard Corps and the ideology of Wilayat al-Faqih, and attributing to them charges related to terrorism and intelligence-related contacts with foreign entities.

The report maintains that religious belief, a relationship with a religious authority, the study of religious sciences, or the collection of religious dues cannot, in themselves, constitute evidence of a crime. It stresses the need to establish a specific individual criminal act and the intent associated with it, rather than turning elements of religious belief and religious structure into grounds for accusation.

The report also cites accounts alleging that a number of detainees were subjected to threats, beatings, blindfolding, restraint, and insults of a sectarian nature, alongside allegations that some detainees were forced to sign documents or confessions without being allowed to read them. It calls for immediate and independent investigations into these allegations.

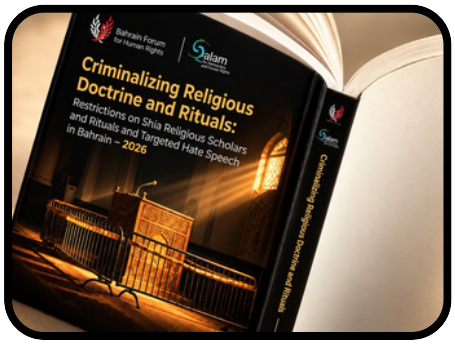
With regard to hate speech, the report states that it documented 94 items published on the X platform as of 31 August 2026. These included forms of sectarian stigmatization and the linking of shia religious scholars to treason, terrorism, and foreign allegiance, extending in some cases to calls for the revocation of citizenship, deportation, execution, or violence.

With regard to Ashura, the report documented approximately 150 arrests linked to the occasion, including minors, a woman, religious scholars, preachers, religious chanters, and ma'tam administrators. It also documented restrictions on the duration of religious gatherings and processions, slogans, flags, clothing, and religious content, as well as cases linked to the recitation of Ziyarat Ashura and the distribution of food and water.

The report also addressed the restructuring of Islamic endowments in May 2026, maintaining that the incorporation of the Ja'fari administration into a new centralized structure raises issues concerning institutional independence, the administration of religious institutions, and their sectarian distinctiveness.

In their recommendations, BFHR and SALAM called for the release of individuals whose detention they consider arbitrary, the opening of independent investigations into allegations of torture, guarantees of defense rights and fair-trial standards, an end to unpublished instructions restricting religious rituals, and the establishment of an independent committee to review case files from 2026.

The two organizations stressed that the issue extends beyond any single incident and concerns the ability of shia citizens to practice their faith, administer their institutions, observe their religious rituals, and use their religious symbols collectively and publicly without fear of arrest or punishment. They warned that the accumulation of restrictions means that freedom of religion and belief in Bahrain faces a growing human rights challenge.



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Arrests, Trials, and Restrictions on Ma'tams: Bahrain's Religious Freedoms Record Before the UN Human Rights Committee

The Bahrain Forum for Human Rights (BFHR) and the International Center for Supporting Rights and Freedoms (ICSRF) submitted a joint report to the United Nations Human Rights Committee ahead of its 146th session, scheduled to take place from 19 October to 6 November 2026. The report addressed the situation of shia religious clerics and restrictions that, according to the report, affected Ja'fari religious institutions and practices in Bahrain during 2026.

Submitted as part of the information provided for the List of Issues Prior to Reporting for Bahrain, the report focuses on the extent of compliance with a number of provisions of the International Covenant on Civil and Political Rights (ICCPR), particularly Articles 7, 9, 10, 14, 18, 19, 21, and 26, relating to the prohibition of torture, liberty and security of person, fair-trial guarantees, freedom of religion, expression and assembly, and equality before the law.

According to the documents on which the report is based, 59 shia religious scholars were arrested between 6 March and 24 June 2026, including 44 people who were reportedly arrested on 9 May alone following raids on their homes. The report states that those arrested included teachers at religious seminaries, Friday prayer imams, directors of seminaries, representatives of religious authorities, preachers, and mosque imams.

The report also cited human rights organizations as stating that a number of arrests were carried out by security personnel in civilian clothing and that arrest warrants were not presented in some cases, in addition to the confiscation of electronic devices and religious, intellectual, and cultural books. It also referred to reports that a number of religious clerics appeared before the Terror Crimes Prosecution without effective access to lawyers.

The report devoted particular attention to the nature of the investigations and charges, noting that matters relating to the doctrine of Wilayat al-Faqih, religious preaching, seminaries, relationships among religious clerics, and the collection and administration of khums funds were included within the context of the case. Its authors maintained that peaceful religious activity and religious beliefs should not be treated as evidence of criminal activity unless there is a tangible link to a specific criminal act.
With regard to the treatment of detainees, the report cited lawyers and local sources alleging physical assaults, prolonged periods of restraint, the covering of some detainees' faces, and deprivation of rest or certain medications, as well as insults said to have targeted shia identity and Ja'fari beliefs. It also reported allegations that detainees were subjected to pressure to sign statements or interrogation records without being allowed to read their contents.

With regard to the trials, the report referred to concerns over fair-trial guarantees, including defendants appearing remotely from places of detention during the first hearing and restrictions being imposed on attendance in the courtroom. It also cited lawyers as saying that they had not been provided adequately and in a timely manner with the case files, indictments, and interrogation records, and that some had been unable to meet with their clients before the hearings.



Report No. 2

The report links the trial of the religious clerics to broader restrictions that it says affected shia religious life. According to the document, the Ja'fari Endowments Directorate issued instructions in July 2026 concerning the holding of certain ceremonies inside ma'tams and requiring them to conclude by midnight. The report also referred to restrictions affecting some mourning processions and the use of outdoor loudspeakers. The Bahrain Forum for Human Rights stated that 53 ma'tams announced the cancellation of mourning processions following those measures.

In its conclusion, the report put forward a set of proposed questions to the Bahraini authorities, including requests to clarify the specific criminal basis for the charges brought against each religious cleric, the number of those who remain in detention, whether independent investigations have been conducted into allegations of ill-treatment, and the legal basis for restrictions imposed on certain religious practices during 2026.

The report also recommended reviewing the situation of detainees; excluding any statements proven to have been obtained through torture, threats, or coercion; ensuring that lawyers have access to their clients and case files; reviewing the legal and institutional framework governing the Ja'fari Endowments Directorate; and reconsidering restrictions on religious rituals that, according to the report, do not meet the requirements of the International Covenant on Civil and Political Rights.



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From Arrest to Trial: BFHR Documents the Course of the Religious Scholars' Case in 2026 and Concerns Over Guarantees of Justice

Since the beginning of the arrest campaign targeting shia religious scholars in Bahrain during 2026, the Bahrain Forum for Human Rights (BFHR) has followed developments in the case through a continuous series of statements, positions, and human rights reports addressing the circumstances of arrest and investigation, the nature of the charges brought against them, defense guarantees, conditions of detention, and subsequently the proceedings of the trial hearings and the allegations that accompanied them—including, according to the Forum's documentation, allegations of torture, ill-treatment, and coercion into making confessions.

A review of the statements issued by the Forum shows that, within a few months, the case moved from a broad arrest campaign to a major judicial and security case, before progressing to the level of international follow-up and being included in reports submitted to United Nations mechanisms, culminating in the publication of an expanded joint human rights report in September 2026.

The Beginning of the Arrest Campaign

The Forum's intensive monitoring began in May 2026, with a broad wave of arrests targeting a large number of shia religious scholars.
According to documentation later published by the Forum, approximately 64 religious scholars were documented as having been arrested between March and August 2026.
Three of them were described in the report as senior scholars, while 44 religious scholars were arrested on 9 May alone. The report also stated that 54 arrests were carried out through raids on homes, while other cases occurred through summonses or under different circumstances.

From the first days of the campaign, the Bahrain Forum for Human Rights maintained that the scale of the arrests and the nature of the individuals targeted raised concerns that the case might extend beyond the investigation of specific criminal acts to the targeting of aspects connected to the religious structure of the shia community, including religious authority, seminaries, religious agencies, khums, and traditional religious relationships.

At the time, the Forum called for guaranteeing the detainees' right to know the reasons for their arrest and the charges brought against them, enabling them to communicate with their families and lawyers, and ensuring that they were not subjected to any form of torture or ill-treatment. It also called for respect for the presumption of innocence and for the allegations not to be treated as established facts before judicial rulings had been issued.

Allegations of Torture and Coercion During the Investigation

As the investigations continued, the Forum began publishing information that it said had been received from detainees, lawyers, and local sources concerning the conditions of detention and investigation.

This information included allegations of threats, blindfolding, beatings, humiliation, being kept restrained for prolonged periods, deprivation of rest or certain medications, as well as verbal abuse of a sectarian nature.

The report also cited accounts alleging that detainees had been forced to sign documents or confessions that they had not been allowed to read. The Forum called for these allegations to be independently investigated and for any statements proven to have been obtained through coercion to be excluded.
The Forum linked these allegations to concerns previously raised by the United Nations Committee against Torture regarding Bahrain, calling for the application of international standards relating to the prohibition of torture and the exclusion of confessions obtained through coercion.

The Start of the Trial

On 5 July 2026, the first hearing in the main case began. According to documentation by the Bahrain Forum for Human Rights, 19 defendants were referred to court at this stage, with some in detention and others being tried in absentia. The report states that the authorities brought charges against them relating to national security and counterterrorism.

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Following the first hearing, the Forum focused on what it regarded as the danger of using official language suggesting that the charges had already been established before a final judgment had been issued. It called for respect for the presumption of innocence and for a distinction to be maintained between the prosecution's account and the judicial judgment.

The Forum also stressed that the court should examine the acts attributed to each defendant individually and that religious belief or a relationship with a religious authority should not constitute a sufficient basis for conviction.

The Second Hearing and a Case File Exceeding Five Thousand Pages

In its monitoring of the second hearing, the Forum stepped up its criticism of the trial procedures, particularly with regard to defense rights and access to the case file.

Based on information it received from lawyers and legal sources, the Forum said that the case file exceeded five thousand pages and that the defense had not been enabled to obtain a complete copy of it at an important stage of the proceedings.

It also stated that, at one stage, lawyers were given only a very limited amount of time to review the file inside the court, while they said that the case contained large volumes of documents, financial materials, investigation records, and evidence.

The Forum considered that these circumstances, if substantiated, raise concerns regarding the principle of equality of arms between the prosecution and the defense and the right to adequate time and facilities to prepare the defense.

The Forum also referred to complaints concerning lawyers' ability to access the defendants and communicate with them confidentially, to examine certain sources of evidence, and to review interrogation records and the materials relied upon by the Public Prosecution.

Refusal to Meet with Lawyers Because of Restrictions

In a later development in July, the Forum said that a number of detained religious scholars refused to meet with their lawyers in protest against the security measures imposed on them while they were being transferred to legal meetings, including, according to the Forum, the use of restraints and shackles.

The Forum maintained that guaranteeing a defendant's ability to meet with a lawyer is not limited merely to allowing the meeting to take place. Rather, communication must take place in a manner that preserves the defendant's dignity and enables the defendant to discuss the case with the defense confidentially and effectively.

It therefore called for the removal of any unnecessary restrictions on meetings with lawyers and for restraints not to be used except on the basis of an individualized assessment of a real and specific risk.

The Third Hearing and Concerns Regarding Witnesses

In August, the Forum monitored the third hearing of the trial, which it said lasted for more than 13 hours, with subsequent hearings scheduled to continue the case.

At this stage, the Forum raised questions about the manner in which defendants and witnesses were heard by video link and about the circumstances in which the parties to the case were located in separate places.

It also cited information concerning allegations that some prosecution witnesses had been instructed before giving their testimony. The Forum did not present these allegations as established judicial facts, but instead called for them to be investigated and for any recordings or evidence capable of confirming or refuting them to be examined.

The Forum also called for any confidential material that cannot be examined and challenged by the defense not to serve as the sole or decisive basis for conviction.

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By: Sayed Abbas Shubbar

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By: Sayed Murtadha Al-Talibi

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Khums Does Not Require State Permission: Where Does the Authority of Law End and the Independence of Religious Affairs Begin?



Sheikh Muhammad Hasan Khujasta
A leader in the Islamic Scholars Council

On 29 January 2015, I was suddenly subjected to an arbitrary decision revoking my citizenship, as part of a list of 72 Bahraini nationals. This formed part of the third wave of such decisions, which had begun in 2012 with the revocation of the citizenship of 31 individuals, followed by court-ordered revocations affecting 21 others during 2014. I was subsequently arbitrarily deported from Bahrain on Sunday, 21 February 2016.

During that period, Bahrain underwent a series of arbitrary measures affecting both religious life and the political sphere. These included the dissolution of the Islamic Scholars Council on 29 January 2014; the expansion, in the same year, of the authorities' powers to revoke citizenship; the suspension of the activities of Al-Wefaq National Islamic Society; and the arrest of its Secretary-General, His Eminence Sheikh Ali Salman, in late 2014, also following a media campaign of incitement.

On Saturday, 9 May 2026, the security authorities launched a sudden campaign to arrest religious scholars, affecting more than 40 clerics. I was then surprised to see my name included in a statement issued by the Ministry of Interior among a list of respected scholars who had been accused, accompanied by a series of false and malicious allegations. The official media, as has become customary, then began conducting trials by media against a number of the country's most distinguished scholars.

Relying on the security authorities' narrative, the official media advanced a number of allegations that had no connection to the scholars' actual activities. More seriously, however, it sought to distort the meaning of certain jurisprudential concepts and religious practices. Among them was the issue of khums, to which I have devoted this article.

In relation to the accusations and distortions surrounding the prosecution of these respected scholars, a number of fundamental questions must be asked about khums. Is it permissible, in the first place, for a religious obligation to be transformed into an arbitrary official process through which the state dictates how it is to be performed and disbursed? Can it be turned into an activity that may only be carried out with prior state authorization and under detailed state supervision over who collects it, who receives it, where it is spent, and to which religious authority it is transferred?

For followers of the Ja'fari school of jurisprudence, khums is not a form of civil donation invented by individuals who then asked the state to recognize it. Nor is it a commercial activity that the administration may permit today and prohibit tomorrow. It is a religious obligation with its own sources, rules, and designated uses, and with a jurisprudential framework that determines who is required to pay it in order to discharge his or her religious liability, to whom it must be paid, who has the authority to receive and administer the funds, and what role the marja', or religious authority, and the duly authorized religious representative play in that process.

Before khums became a matter addressed by state law, it was already an established religious obligation grounded in the text of the Holy Qur'an: "And know that whatever thing you gain, a fifth of it is for Allah …"

For centuries, Imami Shi'a jurists have elaborated its rules and the ways in which it is to be distributed. They have addressed the share of the Imam, peace be upon him, the share of the Sayyids, and the conditions governing receipt, expenditure, and religious authorization.

When a believer pays khums, he is not making a voluntary donation. Rather, he is seeking to fulfill what he believes to be a binding obligation upon him. According to his religious duty, that obligation is not discharged unless payment is made to the person or body whom the qualified jurist he follows regards as a valid recipient.

From the standpoint of jurisprudence, the issue therefore precedes any discussion of international conventions or freedom of religion or belief. The state did not create khums and therefore cannot claim the authority to grant permission for its performance. Nor did the state create the institution of religious authority and therefore cannot determine the path through which the believer conducts his relationship with that authority.
We are dealing with a religious obligation whose subject matter and rules are already established within jurisprudence. State law may then regulate matters that fall within its legitimate sphere of competence, in accordance with conditions acceptable to the supreme religious authority. It may not recreate the religious rule itself or alter the authority to whom the believer refers in fulfilling his religious obligation.

Under International Standards, Religious Rights Precede Administrative Authorization
Standards governing freedom of religion or belief draw an extremely important distinction in this regard. The United Nations Special Rapporteur on freedom of religion or belief has affirmed that freedom of religion or belief is not a right that comes into existence through administrative registration or state recognition. Rather, it is a pre-existing right, independent of state approval procedures.
The Special Rapporteur has also emphasized in another report that freedom of religion or belief requires respect for the autonomy of religious institutions, and that the state should not reshape religious traditions or appoint itself as a binding authority for interpreting religious sources or determining religious doctrine.
This means that the mere enactment of legislation is not, from a human-rights perspective, sufficient to justify interference. Once a legal provision exists, further questions must be asked: Why was this interference necessary? Why was this particular means chosen? Could the public interest have been protected through a measure less intrusive upon religious life? Is the measure proportionate? Is it applied without discrimination? And does it leave the religious community a genuine degree of autonomy in managing its internal affairs?
The state may say to any person—whether a cleric, a merchant, or a financial institution: do not finance terrorism, do not launder money, and do not use funds in the commission of a crime. These are general rules that do not target the substance of religious belief or the internal structure of a religious denomination.
But when the principle becomes: you may not collect your religious due unless I first approve; you may not receive it except through the channel I determine; you may not transfer it to your religious authority without first obtaining my permission; and you must disclose to the administration the details of its collection and expenditure under a system of prior oversight—then the issue is no longer purely financial. It becomes a question of the extent to which the internal religious life of a community is being subjected to the authority of the executive branch.
In Ja'fari jurisprudence, khums does not derive its religious character from the announcement of a fundraising campaign, nor solely from the donor's free choice. It arises from a religious obligation that the believer considers binding according to his school of jurisprudence, while the religious authority determines the manner in which it is to be paid and the purposes for which it may be used.
For a religious community whose highest religious authority may, by virtue of its historical and doctrinal structure, be based in the holy cities of Najaf and Qom, or another scholarly center outside national borders, requiring the approval of the executive authority before a religious due may be transferred to that authority is not merely an ordinary accounting measure. It directly affects the relationship between the believer and the marja', and between the authorized representative and the religious authority from whom that representative derives his authorization.
Anyone familiar with the lived reality of believers and their relationship with their religious authorities understands that khums is not merely a financial transaction. A believer goes to the representative of the marja' because he wishes to determine his religious duty and discharge his liability. He may ask whether khums applies to his property in the first place, what expenses and necessities are exempt, or how settlement and payment are to be carried out. All of these are questions of jurisprudence that fall within the relationship between the religiously obligated individual and his marja'. Reducing this entire framework to the label of "fundraising" therefore obscures its religious and jurisprudential character even before any legal disagreement begins.
The Autonomy of Religious Communities Is Not a State Grant
Bahrain's own Constitution provides in Article 22 that freedom of conscience is absolute and that the state guarantees freedom to perform religious rites and hold religious gatherings.

The independence of religious affairs loses its meaning if the state is able to leave belief theoretically free while, in practice, controlling the resources that allow religious institutions to exist and continue their work. The ability to administer religious funds cannot be separated from the ability to administer the religious institution itself, just as the selection of a religious scholar, marja‘, or teacher is not an administrative matter external to religion.

It Is the Crime That Requires Evidence, Not the Religious Obligation That Requires a License to Be Presumed Lawful

A violation of a licensing requirement, even if established, must not become an automatic bridge to characterizing the funds as terrorist funds. Bahraini law itself distinguishes between collecting money without a license and collecting money for a terrorist purpose, assigning fundamentally different legal characterizations and penalties to each.

Not everything that the state has the power to regulate may legitimately be subjected to unlimited prior supervision. Religious autonomy becomes meaningless if the authorities can say to a religious community: your beliefs are free, but the resources of your institutions, the manner in which you fulfill your religious obligations, and the relationship between your authorized representatives and your religious authorities may all operate only with our approval.

The state should not become a religious authority within the institution of religious authority, an agent standing above the authorized religious representative, or a body that decides for believers how they must fulfill a religious obligation and then treats departure from that administrative path as a basis for criminalization.

The state has the authority to prevent crime and prosecute it in criminal cases, provided the ordinary guarantees of a fair trial are observed. Freedom of religion, however, raises a different question when that function is transformed into prior and systematic supervision of religious practice itself.

The real dividing line, therefore, is not, as it may appear, between “licensed khums” and “unlicensed khums.” The more important distinction is between a law that prosecutes crime when evidence of it exists and a law that makes the executive authority the gatekeeper of religious practice.

What we reject is the reversal of the basic principle: that a religious obligation should become an object of suspicion until its innocence is proven, and that the performance of a religious duty should depend, for its very legitimacy, on permission from the authorities.

According to the logic of religious law, the believer must fulfill his obligation in the manner that validly discharges his religious liability. According to the logic of justice, whoever alleges that a crime has been committed must prove it. Religious practice does not derive its right to exist from administrative authorization.



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From the Eminent Scholar Ibn Maytham al-Bahrani to the Islamic Scholars Council: The Right to Autonomy in Religious Affairs



Yusuf Rabie
Former Shura Council Member of Al-Wefaq National Islamic Society

The autonomy of religious affairs is not a privilege that the state may grant to a religious community at its discretion and withdraw whenever it chooses. Rather, it is rooted in the fundamental right to freedom of religion and belief, including the right of religious communities to observe their rituals, teach their beliefs, and collectively organize their religious affairs.
It is from this perspective that the arrest of dozens of religious scholars in Bahrain raises a question that extends beyond any particular security or political case: Where does the state's authority to regulate religious affairs end, and where does the sphere of independence protected by international law for religious communities, their scholars, and their institutions begin?

Religious Freedom Is More Than the Freedom to Perform Rituals
Article 18 of the International Covenant on Civil and Political Rights (ICCPR) establishes a clear principle: Everyone has the right to freedom of thought, conscience, and religion. This includes the freedom to manifest one's religion or belief, individually or in community with others, publicly or privately, through worship, observance, practice, and teaching.
This distinction matters. Religious freedom cannot be reduced to allowing people to pray or keeping places of worship open. It also encompasses religious practice, education, and collective religious activity.
Bahrain is bound by these legal obligations. It acceded to the ICCPR on September 20, 2006, and the Covenant entered into force for Bahrain in December of that year.
The debate over independent religious institutions in Bahrain should therefore not be confined to whether an institution is officially registered. It must also address a more fundamental question: Are the restrictions imposed on such institutions necessary and proportionate to a legitimate objective recognized under international law?
Article 18 does not make the freedom to manifest religion entirely immune from regulation. However, it permits only those limitations that are prescribed by law and necessary to protect public safety, order, health, or morals, or the fundamental rights and freedoms of others.

The Islamic Scholars Council: A Dispute Over Its Role
It was within this broader context that the Islamic Scholars Council emerged in Bahrain as a body bringing together shia religious scholars and engaging in religious, social, and scholarly activities. The state and the Council, however, offered conflicting interpretations of the nature of its work.
In 2014, the High Administrative Court ordered the dissolution of the Council and the liquidation of its assets on the grounds that it was operating without a license and had, according to the authorities, used religious activity as a cover for political activities that violated the law.

Critics of the ruling and advocates of religious freedom, by contrast, regarded the Council as a form of independent religious organization within Bahrain's shia community. They argued that its dissolution raised fundamental questions about freedom of religious association and the community's right to manage its own religious affairs.

Assessing the Islamic Scholars Council solely through the lens of administrative licensing overlooks the purpose for which it was established. The Council did not bring Bahrain's community of religious scholars into being. Rather, it gave institutional expression to a longstanding religious and social presence deeply rooted in Bahraini society, in which scholars have long assumed responsibility for religious education, guidance, and the affairs of their religious community.

The legitimacy of these responsibilities does not depend on recognition by the state. They fall within the core religious rights protected under international law, particularly the freedom to practice religion collectively under Article 18 of the ICCPR and the freedom of association guaranteed by Article 22 of the same Covenant.

The right of religious scholars to come together, coordinate their efforts, and establish an institutional framework through which to fulfill their religious responsibilities cannot, therefore, be reduced to an administrative question of whether a license has been granted.



These rights make clear that autonomy in religious affairs extends beyond permission to perform religious rituals. It also encompasses a religious community's ability to organize its educational and institutional life and ensure its continuity.

In this sense, a council that brings religious scholars together and coordinates their work is not a departure from established principles. It is an expression of the collective exercise of rights already recognized under international standards, as well as practices rooted in Bahrain's longstanding traditions.

Particularly relevant to the Council's case are the findings of Heiner Bielefeldt, the United Nations Special Rapporteur on Freedom of Religion or Belief, in his 2011 report (A/HRC/19/60). He explained that registration should not be a prerequisite for the exercise of religious freedom, but rather a procedure through which a religious community may acquire legal personality. Religious communities that choose not to register in this capacity should not be penalized merely for that decision.

He also affirmed that freedom of religion is a right in its own standing, one that precedes administrative recognition and exists independently of it.

The Case of the 41 Religious Scholars Brings the Question Back to the Forefront

This debate resurfaced with greater urgency in May 2026, when the detention of 41 individuals was announced. The arrests prompted criticism from human rights organizations, which reported that a substantial number of those detained were religious clerics and teachers at Islamic seminaries. They also raised questions about the nature of the evidence, the legal procedures followed, and the distinction between peaceful religious and intellectual activity and the criminal acts alleged against the accused.

The presumption of innocence remains fundamental. The burden rests with the prosecution to establish specific criminal acts through evidence that can be scrutinized before an independent judiciary. It is not for the accused to prove that their religious beliefs or activities are legitimate.

Yusuf al-Bahrani: A Testament to the Continuity of Bahrain's Scholarly Tradition

The distinguished scholar Sheikh Yusuf al-Asfur al-Bahrani, born in 1695 or 1696, offers one of the clearest examples of the depth and continuity of Bahrain's scholarly tradition.

Raised in Bahrain, he received his religious education within the country's established scholarly environment. Political and social upheavals during the eighteenth century, however, compelled him to leave Bahrain and move between different locations before eventually settling in Karbala, where he became one of the leading religious authorities and scholars of his time.

Among his best-known works are his major encyclopedic treatise on Islamic jurisprudence, Al-Hada'iq al-Nadira, and Lu'lu'at al-Bahrayn, which preserved the biographies of numerous scholars.

These figures are more than names in the history of Islamic jurisprudence. They demonstrate the existence of a Bahraini scholarly community that had developed its own means of producing and transmitting religious knowledge, educating scholars, and cultivating religious authorities long before the emergence of the modern bureaucratic state.

Bahrain and Its Religious Scholars: A Relationship Older Than the Modern State

To understand why the autonomy of religious affairs is such a sensitive issue in Bahrain, it is necessary to look back at the country's history.

Bahrain's religious scholarly establishment is not a product of modern political developments. It did not emerge in the aftermath of the events of 2011, nor did it begin with the establishment of the Islamic Scholars Council. Its roots lie in scholarly and religious traditions stretching back centuries.

One of the clearest examples of this heritage is the scholarly activity that flourished on the island of Sitra during the thirteenth century CE. Historical sources document the presence of shia scholars who studied and taught there, including Sheikh Ali ibn Sulayman al-Sitrawi, who was part of a network of scholars and students that included the prominent Sheikh Ibn Maytham al-Bahrani.

Sheikh Ibn Maytham al-Bahrani stands among the most distinguished figures in Bahrain's thirteenth-century intellectual heritage. His legacy illustrates how Bahrain produced scholars, philosophers, and jurists whose influence extended well beyond the island.

This historical record is significant. Bahraini society had developed networks of religious scholarship and education centuries before the emergence of modern administrative institutions. The continuation of this scholarly tradition is also evident in the seventeenth and eighteenth centuries.

Historical sources record, for example, the life of the Bahraini scholar Sheikh Ahmad ibn Muhammad al-Bahrani, who grew up in the village of Muqaba, studied the religious sciences, and wrote on Islamic jurisprudence, legal theory, logic, and theology.

The village of Mahooz likewise stands out as a center that produced prominent religious scholars, demonstrating that scholarly activity was spread across Bahrain's villages rather than concentrated in a single central institution.

From History to International Law

When a religious community seeks the freedom to manage religious education, train its scholars, practice its rituals, or establish its own religious and social institutions, it is not asserting a claim without historical foundations.

In Bahrain, there is a longstanding social tradition in which religious scholars have played an important role in education, issuing religious rulings, providing religious guidance, and preserving the heritage of their religious tradition.

Contemporary international law has brought aspects of this historically established sphere of autonomy from the realm of social custom into that of legally protected rights, through its recognition of freedom of religion and belief and the right to exercise these freedoms both individually and collectively.

Bahrain's history shows that the presence of religious scholars as relatively independent religious and social authorities is neither an imported phenomenon nor a product of present-day political conflicts.

From Sitra to Mahooz and Muqaba, and from Sheikh Ibn Maytham al-Bahrani to Sheikh Yusuf al-Bahrani, centuries of religious scholarship and intellectual activity have taken shape within Bahraini society and contributed to its cultural identity.

Today, international law adds a clear legal standard to this historical legacy: Freedom of religion is not confined to personal belief or matters of individual conscience. It also protects religious practice, education, rituals, and collective activity.

Perhaps the most important lesson of this long history is that the religious scholarly establishment is not merely an administrative entity whose existence can be defined by a founding decree or extinguished by a judicial order of dissolution. A council may be dissolved, an institution may be closed, and the work of religious scholars may be restricted. But such measures cannot erase a deeply rooted history or extinguish a community's right to sustain and organize its religious life. What international law recognizes today is not a new right created for Bahrainis, but the legal recognition of a right that their society has known and exercised for centuries.

Thus, from eminent scholar Ibn Maytham al-Bahrani to the Islamic Scholars Council, the central principle running through this history remains the same: The right to manage religious affairs independently is an inherent right of the community—not a privilege granted by the state, nor a concession that the authorities may withdraw at will.



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When Belonging Becomes an Accusation: Bahrain's Religious Scholars Between the Rhetoric of Treason and the Logic of Hostage-Taking



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When a state enters a war, it needs more law, not more power. War expands the space in which fear operates, and fear, when left unchecked, can turn suspicion into guilt, dissent into treason, affiliation into incriminating evidence, and a religious scholar into a presumptive suspect simply because his voice does not echo the official narrative.
The current situation in Bahrain should therefore not be viewed merely as a security matter arising from the war in the region. It is a far more serious test of the limits of state power: Are the authorities prosecuting specific criminal acts, or are they redefining a segment of the citizenry—particularly Shi'a religious scholars—as a potential threat because of their religious identity, social standing, and intellectual views?

First: A Record That Does Not Begin with a Blank Page
This question does not arise in a vacuum. Bahrain has an official document of exceptional significance: the report of the Bahrain Independent Commission of Inquiry (BICI), commonly known as the Bassiouni Commission, which was established by royal decree to investigate the events of 2011. The report documented widespread instances of ill-treatment and torture, the targeting of Shi'a religious figures, the invocation of religion and sectarian identity in certain interrogations and acts of humiliation, and the demolition of 28 mosques and other places of worship. Subsequent international reports also found that arrests overwhelmingly affected members of the Shi'a community, including activists and clerics, while the Commission itself documented what it described as a "culture of impunity" within the security services.
That historical record is precisely what makes the treatment of Shi'a scholars today more serious than an isolated security episode. The authorities are not operating on a blank slate. They are acting against the backdrop of an officially documented history showing how political and sectarian disputes can be transformed into arrest, humiliation, torture, and restrictions on religious life.

Second: The Fundamental Legal Principle — Individual Criminal Responsibility
A Shi'a scholar is not a security threat by virtue of being a Shi'a scholar. The religious authority he follows is not evidence of espionage. Nor does adherence to a transnational school of Islamic jurisprudence automatically turn a citizen into an agent of a foreign state.
These are not political slogans. They follow directly from the principle of individual criminal responsibility. If the state accuses a scholar of espionage, it must prove the act of espionage. If it accuses him of financing an armed group, it must prove the alleged financing. If it accuses him of transmitting military information, it must identify the information, establish how it was transmitted, and show to whom it was delivered. But when the starting point is the individual's sect, religious authority, or social position, and a web of security inferences is then constructed around that identity, the law is no longer being applied to conduct. Sectarian suspicion is being substituted for criminal evidence.

Third: The Events of 2026 — The Official Narrative and Its Legal Limits
On May 9, 2026, Bahrain's Ministry of Interior announced the arrest of 41 individuals whom it said were linked to an organization connected to Iran's Islamic Revolutionary Guard Corps and to the doctrine of Wilayat al-Faqih, or Guardianship of the Jurist. The authorities said the operation was based on security investigations and earlier inquiries into espionage cases. The announcement came one day after 69 individuals were stripped of their citizenship over similar allegations. The central question in criminal law remains unchanged: What specific act did each individual commit?

If Shi'a religious scholars were among those targeted, and if their religious status played any part in their selection, surveillance, or detention, the issue is no longer merely whether the evidence is sufficient. A serious legal question arises as to whether religious identity itself has become an element of suspicion and punishment. Any government can place a security label on a campaign of arrests. The law, however, does not adjudicate labels. It adjudicates acts, evidence, procedures, and intent.

Fourth: The Constitution and International Obligations

Bahrain's own Constitution stands against any attempt to transform sectarian identity into a criterion of citizenship. Article 18 guarantees equality in human dignity and rights and prohibits discrimination on grounds including religion and belief. Article 19 protects personal liberty, subjects arrest and detention to legal and judicial safeguards, and prohibits physical or psychological abuse of an accused person. Article 22 declares freedom of conscience absolute and guarantees the inviolability of places of worship and the freedom to perform religious rites.

These provisions do not grant religious scholars immunity from criminal accountability. They do, however, prohibit the state from treating a person's religion or sect as an independent basis for depriving him of his rights. Bahrain has also been a party to the International Covenant on Civil and Political Rights since 2006 and to the Convention against Torture since 1998. The prohibition of torture, freedom of religion and conscience, non-discrimination, and the right to a fair trial are not merely ethical aspirations that a government may accept or disregard according to political circumstances. They are legal obligations.

Fifth: The Lesson Not Learned — From Bassiouni to 2026

The Bassiouni Report documented instances in which religion entered directly into interrogation and degrading treatment. It recorded that one detainee was forced to insult his own religion, while others were subjected to insults directed at their religious community, including accusations of treason. When sectarian identity enters the interrogation room, the abuse is no longer directed only at the individual detainee. Religious identity itself is being used as an instrument of humiliation and coercion.

The question in 2026 must therefore be a difficult one: Did the state learn from Bassiouni, or is it reproducing the same logic in new security language? The significance of repeated arrests lies not only in the number of detainees, but in who is selected and why. If the person targeted is a religious scholar, his scholarship cannot itself become grounds for suspicion. If he is a preacher, his pulpit cannot become evidence of espionage. If he follows a religious authority outside Bahrain, in the holy cities of Najaf and Qom, that religious relationship cannot lawfully be transformed, by itself, into evidence of criminal guilt.

A state that punishes a scholar for his religious or political views is not protecting security; it is punishing conscience. And a state that treats clerics from one religious community as a collective security threat is not applying the principle of individual criminal responsibility. It is transferring suspicion from the individual to the community.

Sixth: Revocation of Citizenship — Collective Punishment and the Definition of the Citizen

The revocation of citizenship from 69 individuals opens an even more serious legal question. Bahrain's Constitution provides that nationality may not be withdrawn except in cases of high treason and other circumstances prescribed by law, and it prohibits the expulsion of citizens from the country. If the deprivation of citizenship is based on alleged criminal conduct, the same questions of individual responsibility remain unavoidable: What precisely did the person do? What evidence establishes that conduct? Is responsibility genuinely individual, or have its consequences extended beyond the accused to family or communal affiliation? The state cannot address political suspicion through the logic of collective punishment.

When mass arrests coincide with citizenship revocations and with official rhetoric suggesting that accusations can extinguish a person's right to belong, the issue becomes larger than a set of individual criminal cases. It begins to touch the meaning of citizenship itself. Is citizenship a legal bond between the individual and the state? Or is it a conditional contract of political loyalty that the authorities may declare terminated whenever a citizen differs with them over a political position, a religious authority, or the interpretation of a foreign war?

Seventh: The Logic of Hostage-Taking — From Political Metaphor to Legal Question

Describing some of the detained scholars as "war hostages" requires particular legal care. A detention does not become hostage-taking merely because the detainee is a prominent public or religious figure. Such a characterization requires evidence that the detention was intended to use the individual as leverage—to pressure another party or compel it to act, or refrain from acting, in a particular way. The relevant question is therefore not simply: Why were these scholars arrested? It is also: Why were these particular individuals chosen? Were they selected because of their religious and social roles? Was their detention intended to send a message to the community they represent or to an external actor? Was their continued imprisonment used as a means of political pressure? If such intent were established by evidence, the language of "hostages" would no longer be merely a political metaphor. It would raise a serious legal question requiring investigation.

Eighth: War Does Not Suspend the Law

The claim that war justifies a tighter security grip is both incomplete and dangerous. War may increase the level of threat. But it does not give the state a license to suspend individual criminal responsibility. It does not authorize security agencies to turn sectarian identity into evidence. It does not legalize torture. And it does not reduce the courts to institutions whose function is merely to ratify pre-formulated security accusations.

The opposite should be true. The more intense the conflict, the greater the need for law. War creates precisely the conditions in which injustice can most easily be committed in the name of security. In such circumstances, the judiciary must be more independent, prosecutors must scrutinize evidence more rigorously, the authorities must be more transparent, and the international community must demand access to the case files rather than merely content itself with conflicting statements.

Ninth: The Heart of the Matter

At the heart of the matter lies a simple principle: the state's account should not be accepted merely because it is the state's account. Security power itself must remain subject to law.

The Bassiouni Report demonstrated that the state is capable of acknowledging—even after violations have occurred—that abuses require investigation, accountability, and reform. To disregard the lessons of that report today would therefore amount to more than a political mistake. It would represent a failure to learn from an officially documented history. If the state erred in 2011 by allowing sectarian identity to become a factor in arrest, humiliation, and repression, then reproducing the same logic in 2026 under different terminology carries an even greater responsibility. This time, the authorities cannot claim that they did not know where such a path might lead. They know because they have already been there.

The Decisive Questions

Are the detained scholars accused of specific acts, or are they being targeted because of the positions they occupy? Is the evidence independently obtained, or has it been extracted through coercion? Are the accusations individualized, or are they collective? Is sectarian identity genuinely outside the case against them, or is it at the heart of it? Is the judiciary adjudicating facts, or merely endorsing the security narrative? And has the state genuinely learned from the Bassiouni Report, or is it reproducing the same underlying logic under a different name?

In a state governed by law, the first questions put to a citizen are not: Which sect do you belong to? Who is your religious authority? Whom do you support? The question is: What did you do? Conduct is what may constitute a crime, not sectarian identity. Evidence is what establishes guilt, not affiliation. Courts render judgments, not the rhetoric of treason. Torture does not create truth. A coerced confession does not create justice. A religious scholar does not become an agent because he is a scholar. A Shi'a citizen does not become a foreigner because he is Shi'a. And a citizen does not cease to belong to his country because he disagrees with the authorities.

But if scholars are arrested because they are scholars; if religious allegiance is interpreted as foreign political loyalty; if an entire community is treated as a security category; and if the detention of its religious figures is used as a means of disciplining or pressuring that community, then the central question is no longer simply whether those individuals stand accused. The more troubling question becomes: Has the state itself begun to criminalize belonging? At that point, the Bassiouni Report is no longer merely a document from the past. It becomes a mirror through which the truth must once again be examined and brought to light.

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Bahrain's Religious Scholars Facing the Media's Guillotine Before the Judiciary's



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I cannot now remember the name of the film I watched years ago, but its premise has remained fixed in my memory: a man was imprisoned on charges of murdering his wife as part of a political conspiracy intended to get rid of him. As soon as he was arrested, the press and media began attacking him relentlessly, bringing him down before he had any chance to recover.

The question repeated across headlines and articles was: "Was the man a murderer?"

The answer hardly mattered, because the press had already planted in the public mind the idea that the man was a murderer. His innocence might later be established, but by then it would almost certainly be too late for him to restore the reputation that had already been destroyed. Thus, even if he escaped the noose, his moral execution had already been successfully carried out.

Even after he was acquitted, the man remained convinced that it was the press that had condemned him, because it had planted the idea of guilt in the public mind before the court had delivered its verdict. The mere framing of the question was enough to convey the message. It is obvious that the audience's subconscious would have approached the case very differently had the headline instead read: "Was the man innocent?"

That film comes back to mind as I follow the arrests of Bahrain's Shi'a religious scholars and the fierce campaign waged by both official and unofficial media to destroy their reputations from the moment of their arrest and throughout their trials.

While the media is supposed to serve as the fourth estate alongside the three branches of government and play a constructive role in the democratic process, it has instead become a sword in the hands of the executive branch, subordinate to its authority.

In the case of Bahrain's religious scholars, which represents the broader war on the Shi'a community in Bahrain, the press did not trouble itself to investigate the case. It did not even ask whether these men were innocent. Nor did it wait for the judiciary to convict them. Instead, it rushed into a feverish campaign to defame this group of Bahraini citizens and fully adopted the authorities' narrative.

All local media outlets, official and semi-official alike, were mobilized in the service of the Ministry of Interior, which became both prosecutor and judge. It was also the primary source behind accusations of "betraying the homeland," "acting as foreign agents," and "terrorism," to the point that there seemed to be no further need for any judicial verdict.

All of this is taking place in the complete absence of the other side of the story. There is no independent press in the country. Reporters Without Borders has placed Bahrain among the world's worst-performing countries in its Press Freedom Index, ranking it 157th out of 180 countries. The media environment is classified as "very serious" and "extremely bleak" in terms of press freedom.

Indeed, the defendants—the detained religious scholars—were denied the right to present their side of the case even inside the courtroom. They were prevented from speaking before the court about the various human-rights violations they say they suffered, including arbitrary arrest, physical and verbal abuse, and the denial of a fair trial. According to assessments by international human-rights organizations, including Human Rights Watch, "Bahraini courts – civilian as well as military – have been part of the machinery of repression that makes a mockery of fair trial standards when it comes to political dissent."

This media conduct is not confined to the case of the religious scholars alone. Rather, it points to a broader reading of the Bahraini landscape as a whole. Following the American-Israeli aggression against the Islamic Republic of Iran, an organized wave of accusations of treason and media trials emerged across both traditional and modern media, in public inquisitions orchestrated by the National Communication Centre. All of them lead to the same conclusion: anyone who rejects the official narrative becomes accused of acting as a foreign agent, betraying the homeland, and owing loyalty to powers abroad.

The case of the religious scholars once again underscores the urgent need for fundamental reform in Bahrain—reform that would genuinely and practically restore authority to the people as its source. Such reform would open the way for a free press to perform its natural role in holding power to account and advancing the democratic process, rather than remaining, as it is today, merely a tool used by the authorities to promote their sole narrative and erase every other one.



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Why Insist on Holding the Trial of Religious Scholars Behind Closed Doors?



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On October 7 of this month, the court held the final hearing before the verdict was due in the case of detained shia religious scholars facing terrorism-related charges based entirely on religious practices. Once again, the court insisted on holding the hearing in secret.

Legally, a closed trial means that attendance at hearings and court proceedings is restricted to those whom the judge hearing the case permits to be present, including the parties to the case, their legal representatives, and anyone whose role in the proceedings is essential, such as witnesses.

Article 214 of the Criminal Procedure Code provides for five exceptions to the principle of public hearings. If any one of these exceptions applies, some or all hearings may be held behind closed doors, and "certain categories of persons may be barred from attending." The exceptions are:

- Maintaining public order.
- Preserving public morals.
- Protecting victims.
- Protecting witnesses.
- Protecting persons providing information in the case.

Which of these five exceptions did the court hearing the religious scholars' case rely on?
First, neither the prosecution nor the judge hearing the case mentioned any possibility that holding the trial in public might lead to a breach of public order or public morals.

Second, who are the victims that supposedly need protection? In other words, who has been harmed by the acts of which the religious scholars are accused, assuming those acts were committed? And what exactly are the charges?

The charges against the religious scholars concern practices that have been criminalized on the basis of their religious nature, as well as the scholars' affiliation with a particular religious sect and its symbols. These include the religious obligation to pay khums—the one-fifth levy prescribed under shia jurisprudence—which the prosecution has chosen to interpret as money laundering or terrorist financing without presenting any evidence to support that allegation. They also include delivering Hussaini religious sermons expressing solidarity with the oppressed, and following senior shia religious authorities, known as maraji', in matters of religious jurisprudence, as required by the principles of Islamic law according to shia doctrine. The prosecution has chosen to interpret this religious practice as allegiance to an external entity acting against the interests of the nation. These are forms of worship that shia believers have practiced for hundreds of years, in Bahrain and elsewhere. They do not undermine the interests of their countries or infringe upon the rights of individuals or groups belonging to other religious sects. Who, then, has been harmed by these acts of worship—the very practices for which the detained religious scholars are being charged?

Indeed, treating religious worship as a criminal offense constitutes harm to the accused. In such circumstances, the accused themselves are the victims, entitled to protection and redress.

Third, the court has not disclosed the identities of the witnesses, nor has it allowed the defendants or their legal representatives to confront and question them. It has not even permitted this through remote audiovisual transmission, which would allow witnesses to testify while their faces are concealed and their voices technically altered to protect their identities, as provided for under Article 223 bis (19) of the Criminal Procedure Code. The same article requires compliance with Articles 221 and 222, which safeguard the right to seek clarification of witness testimony by requesting that it be heard again and by allowing the parties to the proceedings to put questions to the witnesses. Exercising these rights does not conflict with witness protection, particularly in light of the powers granted to the court under Article 223.

Allowing witnesses to testify remotely through an audiovisual link that conceals their identities, from an undisclosed location outside the courtroom, would not compromise their safety and therefore would not necessitate holding the trial in secret. Accordingly, "protecting witnesses and persons providing information in the case" was not a legally valid reason for keeping the proceedings closed to the public.

Since none of the legal exceptions permitting the exclusion of the public applies to the trial of the arbitrarily detained religious scholars, the hearings have violated the principle of public trials. Under the law, this principle is a mandatory rule relating to public order and a condition for the validity of judicial proceedings. It also enables public scrutiny of the fairness and integrity of trials. Violating this principle could invalidate the judgment scheduled to be delivered on November 8—unless the purpose of these procedures, which violate the law, is indeed to disregard judicial integrity and the validity of court judgments in the service of political interests.



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Press Conference

Trial of Clerics: Between Justice and Sectarian Discrimination



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Chairman of the Bahrain Forum for Human Rights



Jawad Fairooz
Chairman of Salam for Democracy and Human Rights



Yahya Al-Hadid
Chairman of the Gulf Institute for Democracy and Human Rights

Six Thousand Pages and a Restricted Defense: Were the Requirements for a Fair Trial Met?

Confessions Challenged as Involuntary: Who Is Investigating Allegations of Coercion and Torture?

The Presumption of Innocence Under Pressure: When the Media Narrative Precedes the Court's Verdict



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The trial of religious scholars in Bahrain is taking place in an extremely sensitive human rights context, where issues of religious freedom, fair trial guarantees, allegations of torture and coercion, and the presumption of innocence intersect with growing concerns about the use of religious concepts and practices in framing criminal charges. From a human rights perspective, the gravity of this case lies not only in the nature of the charges, but also in how the defendants have been treated since the moment of their arrest and the extent to which their fundamental rights to a defense, dignity, physical integrity, and protection from public vilification before trial have been respected.

The documented facts raise fundamental questions about the distinction between prosecuting a specific criminal act and treating religious affiliation, ties to a religious authority or seminary (hawza), the religious levy known as khums, or a particular jurisprudential position as grounds for security-related suspicion. Allegations of coercion, ill-treatment, and restrictions on the right to a defense also place direct responsibility on state institutions, the judiciary, and oversight bodies—not only to investigate these allegations, but also to demonstrate that the trial process itself does not involve violations of the defendants' rights or undermine their ability to challenge the charges brought against them.

In this discussion, the newsletter places the rights of the detained scholars at the center of the debate. It examines, with representatives of three human rights organizations, whether these trials meet the minimum standards of justice, whether religious practices have been assigned criminal implications beyond their actual nature, and what must be done to halt violations, ensure independent investigations, and secure justice for the defendants and their families.

1. To all participants: What are the most significant documented violations suffered by the accused scholars?

Bahrain Forum for Human Rights:
What we have documented is not an isolated violation, but a pattern that begins with raids, arrests, and humiliation, extends to serious accounts of ill-treatment and coercion to sign statements, and continues with substantial restrictions on the right to a defense during the trial. We are dealing with violations that affect both the individuals' physical integrity and the integrity of judicial proceedings.

Salam for Democracy and Human Rights:
What is most alarming is that some of the reported violations were accompanied by sectarian insults, alongside the widespread targeting of shia religious scholars, their practices, and their religious institutions. We therefore do not consider the sectarian dimension incidental; rather, it is a fundamental part of the context in which this case must be understood.

Gulf Institute for Democracy and Human Rights:
From the perspective of international law, the allegations concern the prohibition of torture and ill-treatment, the right to freedom from arbitrary detention, and the right to a fair trial. Every serious allegation of this kind obliges the state—if it is to comply with international fair trial standards—to conduct an immediate, independent, and effective investigation rather than simply deny the allegations. However, the state is itself implicated in this case, which it has fabricated against the scholars. As usual, it is presenting yet another judicial farce based on fabricated charges.



2. To the Bahrain Forum for Human Rights: What are the most significant violations of the right to a defense and the guarantees of a fair trial?

The most serious issue we have identified is a clear imbalance between the prosecution and the defense in terms of equality of arms. The case file is reportedly more than five thousand pages long, while human rights sources have indicated that, at one stage of the proceedings, the defense was able to review only a limited portion of it. There have also been complaints concerning access to the defendants and the ability to examine certain pieces of evidence. This is not a technical issue. The defense cannot effectively challenge a case of this magnitude without access to the documents, sufficient time, and a genuine opportunity to scrutinize the evidence.

The mere presence of a lawyer does not make a trial fair. A lawyer needs access to the case file, adequate time, confidential communication with the client, and the right to question witnesses and challenge evidence. If these tools are withheld, the trial may retain its outward form, but the substance of justice becomes seriously questionable. In reality, this deeply flawed trial is marred by numerous violations resulting from the rush to fabricate the case file and the simultaneous media trials targeting the scholars.

3. To Salam for Democracy and Human Rights: What evidence indicates that the scholars are being targeted because of their religious affiliation or practices?

The most significant indicator is that this case emerged within a broader context affecting particularly sensitive aspects of shia religious life: religious authority (marja'iyya), khums, religious seminaries (hawzas), religious agency or representation, mourning gatherings (ma'atim), and Ashura rituals. The joint report by the Bahrain Forum for Human Rights and Salam concluded that parts of this religious structure had become subject to intensive security and judicial scrutiny, alongside widespread restrictions on the practice of religious rituals. It is the pattern of targeting, the nature of the practices being targeted, and the cumulative context that make the possibility of sectarian discrimination a serious human rights concern requiring examination by local and international human rights institutions.

4. To the Gulf Institute for Democracy and Human Rights: What legal safeguards are needed to prevent religious belief from being criminalized in place of individual acts?

The legal principle must be clear: belief is not a crime and must not be treated as a substitute for evidence. Protecting freedom of religion and belief requires the prosecution to identify a specific act committed by an individual, criminal intent, and a direct connection to the alleged crime. It cannot infer criminal responsibility from a person's religious authority, affiliation with a hawza, involvement with khums, or adoption of a particular jurisprudential theory. In practice, the security authorities are telling religious authorities that their jurisprudential books are under suspicion and that their contents warrant investigation.

5. To all participants: What is required to ensure an independent investigation into allegations of torture or coercion to confess?

Bahrain Forum for Human Rights:
The first requirement is to stop using any confession whose voluntariness is disputed, while preserving recordings, medical records, the names of those who conducted the interrogations, and all other evidence that could establish what actually happened. A confession must not continue to produce legal consequences while the legitimacy of the circumstances in which it was obtained remains in dispute.

Salam for Democracy and Human Rights:
A victim cannot be expected to prove what happened inside a closed facility controlled by the very authority against which the complaint has been made. A genuine investigation requires confidential interviews with the detainee, an independent medical examination, the protection of evidence and witnesses, and the exclusion of the authority complained against from the investigation.

Gulf Institute for Democracy and Human Rights:
The international standard is clear: an investigation must be prompt, effective, and independent. When a credible allegation of coercion is raised, the authorities bear the responsibility of proving that the confession was voluntary. If it is established that the confession was extracted through torture, it must not be used against the person who made it.

6. To all participants: How can the presumption of innocence be protected against prejudgment in the media?

Bahrain Forum for Human Rights:
The problem is not simply the wording of a news report or headline. It begins when a defendant enters the courtroom after their image has already been shaped in the public sphere as a threat or as a member of a "terrorist organization." At that point, the defendant is no longer facing only the prosecution's evidence, but also a social and political verdict that has preceded the court's judgment. Human rights organizations in Bahrain have previously documented how official and media discourse can undermine the presumption of innocence by presenting accusations to the public as established facts before a trial has taken place.

Protecting the presumption of innocence means ending this kind of prejudicial vilification, preventing the selective leaking of the security authorities' narrative, and ensuring that the media do not become an extension of the prosecution. A defendant must enter the courtroom presumed innocent, both under the law and in the eyes of society, until proven guilty. They must not be expected to reclaim their innocence after the state has already stripped them of it in the court of public opinion.

In the case of these esteemed religious scholars, whose integrity is well established and who are innocent of these malicious and baseless charges, the first demand in any human rights effort must, of course, be their immediate and unconditional release, followed by holding accountable those involved in targeting them and violating their rights.

Salam for Democracy and Human Rights:
The danger is compounded when a shia defendant is associated with treason, terrorism, or foreign allegiance because of their religious authority or affiliation. Our joint human rights report documented rhetoric that, in some cases, went as far as calling for exclusion or violence, creating an environment of social condemnation before any judicial determination.

Gulf Institute for Democracy and Human Rights:
The presumption of innocence is not merely a rule that applies inside the courtroom; it is also an obligation incumbent on state institutions. What is needed is precise official language, an end to statements that prejudge guilt, and genuine space for the defense to present its account.

That is the general principle. In Bahrain, however, the entire judicial system is subject to politicization. Consequently, without changes to the safeguards governing fair trials, no political trial can be accepted. All scholars and prisoners of conscience must be released immediately.

7. To all participants: What should oversight institutions do to protect defendants and hold those responsible for violations accountable?

Bahrain Forum for Human Rights:

In a case this serious, the performance of the National Institution for Human Rights provides a clear example of what is at stake. We formally requested that the institution attend the trial hearings, meet individually and confidentially with the detained scholars, preserve recordings from cameras in interrogation rooms, prosecution facilities, and detention centers, obtain medical records, and investigate allegations of coercion and torture, as well as the manner in which witness testimony was heard. We also called on it to inform the public of what it had done and what it had found.

This case is a genuine test of the institution's independence: can it monitor state agencies when those same agencies are the subject of allegations? This is particularly significant given that the institution remains internationally classified at Grade B, indicating partial compliance with the Paris Principles.

Salam for Democracy and Human Rights:

A human rights institution cannot remain neutral between a victim and a violation. Its commitment must be to justice and the protection of human beings. When a detainee says they have been tortured, subjected to sectarian insults, or coerced into confessing, the priority must not be protecting the security agency's reputation. It must be protecting the detainee, preserving the evidence, and ensuring that the detainee is not subjected to retaliation.

Independence is demonstrated when an institution can confront those in power with the truth, not when it reproduces their narrative.

Gulf Institute for Democracy and Human Rights:

The objective must be to move complaints beyond mere "follow-up" and toward accountability. Any serious allegation of torture or coercion must lead to an investigation independent of the agency accused of the wrongdoing, the protection of evidence, victims, and witnesses, the identification of individual responsibility for those who ordered, carried out, or concealed the violations, referral to the courts, and redress for the victim.

An oversight institution that documents violations but does not help secure accountability leaves the victim facing the very perpetrator against whom the complaint was made. In Bahrain, official oversight institutions serve to polish the state's image and whitewash violations, particularly those relating to prison conditions.

8. To the Bahrain Forum for Human Rights: What are the most significant violations you documented during the investigation and trial, and how can they be used to demand justice for the defendants?

We identified three interconnected patterns: accounts of torture, coercion, and ill-treatment; substantial restrictions on the defense's ability to mount an effective challenge; and the incorporation of elements of religious practice and identity into the prosecution's case. Each of these patterns gives rise to a clear legal obligation: to investigate torture allegations, exclude statements obtained through coercion, guarantee the practical means necessary for an effective defense, and distinguish religious belief from criminal conduct.

We will use this documentation in communications with United Nations mechanisms and in calling for international monitoring of the trial. Our objective is to ensure that the international community asks not only, "What does the prosecution say?" but also, "How was the evidence obtained, and did the defendants have a fair opportunity to challenge it?"

9. To Salam for Democracy and Human Rights: How can international human rights solidarity be mobilized to pressure the authorities to end violations and release detainees?

We need to move from occasional expressions of solidarity to sustained, institutionalized human rights pressure. This should include joint statements, communications with the UN High Commissioner for Human Rights, submissions to the Special Procedures, calls for diplomatic representatives to attend the trials, and the inclusion of the case in bilateral diplomatic discussions with Bahrain.
It is important that the questions be specific: How many people remain in detention? Who has been able to meet with their lawyer? What has happened to the torture complaints? Has the defense obtained access to the case file? Have those whose cases are linked to the peaceful exercise of their rights been released? Specific demands are more difficult to ignore than general statements.

10. To the Gulf Institute for Democracy and Human Rights: What international legal mechanisms are available to hold those responsible accountable and prevent impunity?

A range of complementary mechanisms is available, including: the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; the UN Special Rapporteur on freedom of religion or belief; the UN Special Rapporteur on the independence of judges and lawyers; the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the UN Working Group on Arbitrary Detention. These mechanisms can be approached jointly to request official information, investigations, visits, and follow-up on individual cases.

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Violations in the Trial of Religious Scholars in Bahrain 2026

From Arrest to Trial — A Visual Summary Based on the Report: Criminalising Religious Doctrine and Rituals

Source: Joint report issued by the Bahrain Forum for Human Rights and Salam for Democracy and Human Rights — September 14, 2026.

1 Arrest Campaign

64 religious scholars were arrested between March and August 2026.

44 were arrested on May 9.

54 arrest cases were carried out via home raids.



The report documents a wide-ranging campaign targeting Shia clerics within an escalating security and judicial context.

2 During Detention



These allegations warrant an immediate and independent investigation.

- Reports of threats and blindfolding.
- Beating, insults, and prolonged shackling.
- Deprivation of rest or certain medications.
- Forced confessions following psychological pressure.
- Forcing some detainees to sign papers or confessions they were not allowed to read.

3 During Interrogation



- Questions focused on: religious authority (Marja'iyya), Wilayat al-Faqih, *Khums*, the seminary (Hawza), and religious authorization (al-Wakalah al-Shar'iyyah).
- Converting elements of belief and religious practice into indicators of suspicion.
- Conflating religious identity with material criminal acts.

The report clarifies that doctrine and religious intent were placed at the core of suspicion.

4 During Trial



Case file exceeds **5,000 pages**

Limited access for the defense to review files inside the court for only **two hours.**

- Complaints regarding access to defendants and interrogation records.
- Restrictions on discussing certain evidentiary sources.
- Contested confessions.
- Reliance on a secret source that is difficult for the defense to examine.
- Concerns regarding the breach of the presumption of innocence in official discourse.

Result: An imbalance in equal opportunities between the prosecution and the defense.

5 The Environment Surrounding the Trial



- **94** posts published on the "X" platform up to August 31, 2026, were monitored as hostile and sectarian rhetoric.
- Inciting contents link the case to terrorism and foreign allegiance.
- Calls for exclusion or deportation, and in some instances, calls for killing or execution.

This climate threatens the presumption of innocence and creates stigmatizing social condemnation.

Threatened Rights

- Prohibition of Torture
- Right to a Fair Trial
- Freedom of Religion and Belief
- Presumption of Innocence

Conclusion: The report documents **systemic violations** from **arrest through trial** that compromise both detainee safety and fair trial rights.