

# Intentional destruction of cultural heritage as a violation of human rights in Bahrain and Saudi Arabia

## 1. Bahrain

The Government of Bahrain's destruction of cultural heritage sites disproportionately affects its Shia population, leading to violations of human rights and cultural rights. The Bahraini authorities' destruction of cultural heritage sites manifests itself in the demolition of the Pearl Roundabout and Shia mosques. The destruction of the Pearl Roundabout and harassment and imprisonment of individuals displaying images of the Roundabout prevent Bahrainis from engaging with their cultural heritage. These practices also violate their right to be free of arbitrary detention, the right to association, assembly, and expression. The destruction of Shia mosques and harassment of worshippers violates Shia's right to freedom of religion, association, and expression. It also prevents them from practicing their beliefs and taking part in cultural life. Moreover, the targeted nature of the Bahraini Government's actions single out Shia and violates their rights to non-discrimination and equality under the law.

### A. Pearl Roundabout

Before February 2011, the Pearl Roundabout stood as a symbol of Bahrain and its membership in the Gulf Cooperation Council (GCC). Bahrain erected the monument in 1982 in tribute to the GCC summit held in Bahrain that year. The monument was composed of six swords, representing the six states of the GCC, supporting a pearl, representing Bahrain's pearling past.<sup>1</sup>

During the 2011 demonstrations, the Pearl Roundabout's significance shifted as it became a symbol of the national protests calling for freedom and democracy. As a result, the government demolished the monument in March 2011 and took measures to erase all imagery of the Roundabout from public view. It erased graffiti depicting the Roundabout and removed coins bearing its image from circulation. The government also renamed the Pearl Roundabout's traffic junction in an effort to erase all memory of the Roundabout. Security forces interfered with peaceful protests, confiscating or destroying replicas of the monument displayed by protesters. Security forces used photographs of the destroyed monument in order to break the spirits of people detained for their role in the peaceful protests.<sup>2</sup>

Security forces' harassment of protesters displaying images and replicas of the monument constitute a violation of the protesters' rights to freedom of expression, assembly, and association. Due to the symbolism of the monument, destruction of replicas prevents Bahrainis from engaging with their past and cultural heritage. The renaming of the traffic junction is an effort to take away the Roundabout and the monument's importance from Bahraini society as well as interfere in all Bahrainis' ability to participate in cultural life.

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<sup>1</sup> United Nations, Office of the High Commissioner for Human Rights, *Communication regarding the destruction of the Pearl Roundabout*, AL, 11 July 2014, available at [https://spdb.ohchr.org/hrdb/28th/public\\_-\\_AL\\_Bahrain\\_11.07.14\\_\(9.2014\).pdf](https://spdb.ohchr.org/hrdb/28th/public_-_AL_Bahrain_11.07.14_(9.2014).pdf).

<sup>2</sup> *Communication regarding the destruction of the Pearl Roundabout*, *ibid.* note 1.

## B. Destruction of Shia mosques

During the 2011 protests, government forces demolished 38 Shia mosques, including several of historic and cultural significance.<sup>3</sup> In the case of the Masjid Kowaikbat, the mosque's destruction entailed the loss of sacred objects contained within the building.<sup>4</sup> Among the mosques the government destroyed, is the culturally significant al-Barbaghi mosque. Built in 1549, the al-Barbaghi mosque stood as a symbol of Shia Islam's role in Bahrain.<sup>5</sup> In accepting the report of the Bahrain Independent Commission of Inquiry (BICI), the Government of Bahrain pledged to rebuild all of the mosques.<sup>6</sup> The government has not fully followed through with this commitment.<sup>7</sup> The government claims to have rebuilt four of the mosques, but interlocutors report that these mosques were recompleted by, and at the expense of, the Shia community after receiving permission from the government. In some cases, the government has rebuilt several of the mosques away from their original locations.<sup>8</sup> On the former site of the 300-year-old Abu Dharr mosque, the government constructed a children's playground.<sup>9</sup> The government fenced off the site of the destroyed al-Barbaghi mosque, and has arrested and prosecuted individuals who attempted to pray at that location.<sup>10</sup> On 30 December 2013, police officers arrested TV director Yasser Nasser because he did not have a permit to perform prayers at the site.<sup>11</sup>

The targeted destruction of Shia mosques, is a violation of the right to freedom of association and freedom of religion. The persecution of worshippers attempting to pray at the former locations of the mosques violates the worshippers' freedom of religion as well as their freedoms of assembly and expression. Some of the mosques, like the al-Khamis mosque, also functioned as cultural centers for Shia Islam.<sup>12</sup> Their destruction and, as in the case of the Masjid Kowaikbat, the destruction of sacred objects, negatively impacts Shia Muslims' ability to participate in cultural life. Some of the mosques are hundreds of years old and represent Shia Muslims' past and influence on the island of Bahrain. Their destruction, and the restriction of their sites, represents a concerted attempt to destroy not only the physical manifestation of Shiism in Bahrain, but also its cultural impact on the island. Their destruction thus prevents Bahraini Shias from engaging in their cultural practices and beliefs.

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<sup>3</sup> United Nations, Office of the High Commissioner for Human Rights, *Communication regarding patterns of discrimination against Shia in Bahrain*, AL, 30 October 2015, available at [https://spdb.ohchr.org/hrdb/31st/public\\_-\\_AL\\_Bahrain\\_30.10.15\\_\(6.2015\).pdf](https://spdb.ohchr.org/hrdb/31st/public_-_AL_Bahrain_30.10.15_(6.2015).pdf).

<sup>4</sup> "Apart in Their Own Land, Vol. 1," Americans for Democracy & Human Rights in Bahrain, February 2015, available at [http://adhrb.org/wp-content/uploads/2015/03/ADHRB\\_Apart-in-Their-Own-Land\\_web.pdf](http://adhrb.org/wp-content/uploads/2015/03/ADHRB_Apart-in-Their-Own-Land_web.pdf), pg. 24.

<sup>5</sup> "Apart in Their Own Land, Vol. 1," pg. 24.

<sup>6</sup> "Shattering the Façade: a report on Bahrain's implementation of the Bahrain Independent Commission of Inquiry (BICI) recommendations four years on," Americans for Democracy & Human Rights, 16 November 2015, available at [http://www.adhrb.org/wp-content/uploads/2015/11/Shattering\\_the\\_Facade\\_Web.pdf](http://www.adhrb.org/wp-content/uploads/2015/11/Shattering_the_Facade_Web.pdf), pg. 36.

<sup>7</sup> "International Religious Freedom 2016 Annual Report," United States Commission on International Religious Freedom, April 2016, available at <http://www.uscirf.gov/sites/default/files/USCIRF%202016%20Annual%20Report.pdf>, pg. 208.

<sup>8</sup> "Apart in Their Own Land, Vol. 1," pg. 26.

<sup>9</sup> *Communication regarding patterns of discrimination against Shia in Bahrain*, *ibid.* note 3.

<sup>10</sup> *Communication regarding patterns of discrimination against Shia in Bahrain*, *ibid.* note 3.

<sup>11</sup> "Apart in Their Own Land, Vol. 1," pg. 25

<sup>12</sup> *Communication regarding patterns of discrimination against Shia in Bahrain*, *ibid.* note 3.

### C. Protecting cultural heritage defenders

The destruction of cultural heritage in Bahrain predominantly falls upon Bahraini Shia. Because of this, Shia tend to be the main proponents of protecting and defending cultural heritage. Many of their attempts to protect cultural heritage have failed due to the Bahraini government's ongoing suppression of Shia. Furthermore, the political structure of the country precludes Shia from obtaining political power. Despite constituting a demographic majority of Bahrainis, Shia were represented by a political minority in every Bahraini parliament.<sup>13</sup> Therefore, their ability to protect cultural heritage, predominantly their own, is greatly curtailed. Where protecting cultural heritage aligns with politics or human rights, the government imprisons and silences activists. Such is the case with Sheikh Maytham al-Salman, an interfaith religious and human rights activists, who is currently under a travel ban for his activism.<sup>14</sup>

### D. Good practices

The Government pledged to rebuild all of the mosques destroyed in 2011, but progress is slow. The government claims to have rebuilt four mosques, but they were constructed by the Shia community. Moreover, in December 2012, the government re-demolished four mosques in the process of reconstruction, while halting construction on several new mosques.<sup>15</sup> As such, there few signs of good practices.

## 2. Saudi Arabia

Since 1925, the Government of Saudi Arabia has destroyed about 98 percent of religious and historic sites in the country.<sup>16</sup> The government has destroyed numerous mosques, grave, and shrines or religious, historical, and cultural importance in Jeddah, Medina, Mecca, al-Khobar, Awamiyah, and the site of the battle of Uhud.<sup>17</sup> The destruction of these sites is part of the government's efforts to remake the country's history, and craft a government-approved religious and cultural narrative. It is also to prevent visits to graves and shrines of Islamic historic figures,<sup>18</sup> ostensibly to prevent idolatry. This practice has led to the destruction of non-Muslim, secular, Shia, and Sunni sites. Many Muslims have been outraged by the destructions.<sup>19</sup> The destructions disproportionately affect Saudi Arabia's Shia and

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<sup>13</sup> "Apart in Their Own Land, Vol. 1," pg. 7.

<sup>14</sup> United Nations, Officer of the High Commissioner for Human Rights, Communication concerning the arrest of Sheikh Maytham al-Salman, AL (21 August 2015), available at [https://spdb.ohchr.org/hrdb/31st/public\\_-\\_AL\\_Bahrain\\_21.08.15\\_\(5.2015\).pdf](https://spdb.ohchr.org/hrdb/31st/public_-_AL_Bahrain_21.08.15_(5.2015).pdf).

<sup>15</sup> "Apart in Their Own Land, Vol. 1," pg. 26.

<sup>16</sup> "Mapping the Saudi State, Chapter 7: The Destruction of Religious and Cultural Sites," Americans for Democracy & Human Rights in Bahrain, 5 October 2015, available at <http://www.adhrb.org/2015/10/mapping-the-saudi-state-chapter-7-the-destruction-of-religious-and-cultural-sites/>, pg. 1.

<sup>17</sup> United Nations, Office of the High Commissioner for Human Rights, *Communication regarding the destruction of sites of religious, historical, and cultural importance in Saudi Arabia*, AL, 14 October 2015, available at [https://spdb.ohchr.org/hrdb/31st/public\\_-\\_AL\\_Saudi\\_Arabia\\_14.10.15\\_\(7.2015\).pdf](https://spdb.ohchr.org/hrdb/31st/public_-_AL_Saudi_Arabia_14.10.15_(7.2015).pdf).

<sup>18</sup> *Communication regarding the destruction of sites of religious, historical, and cultural importance in Saudi Arabia*, *ibid.* note 17.

<sup>19</sup> *Communication regarding the destruction of sites of religious, historical, and cultural importance in Saudi Arabia*, *ibid.* note 17.

Sufi populations, for whom visiting tombs, shrines, and holy sites is an important part of their culture and faith.<sup>20</sup>

### **A. Destruction of Religious Sites**

Saudi destruction of historic and cultural sites dates back to 1926, six years prior to the official unification of the kingdom. That year, the al-Saud family demolished the Mu'alla cemetery in Mecca, and partially destroyed the al-Baqi cemetery in Medina. The Mo'alla cemetery predated Islam and contained the graves of the Prophet Mohammad's great-great-grandfather, grandfather, uncle, and first wife. The al-Baqi cemetery in Medina contained the graves of Ibrahim (Abraham of the monotheistic faiths), the Prophet's daughter, a number of Shia imams, and others related to the Prophet. Demolitions of religiously significant cultural sites continued in the late twentieth century. In 1989, Saudi authorities removed and transferred the body of the Prophet's father, and bulldozed the Prophet's house to accommodate an expansion of the Grand Mosque. In 1998, authorities bulldozed and burned the grave of the Prophet's mother.<sup>21</sup>

The 2011 plan to modify and expand the Grand Mosque in Mecca entailed the destruction of many religious, historic, and cultural sites of significance. In particular, authorities turned the house of Khadija bint Khuwalid, the Prophet's first wife, from a library into a row of toilets for visitors to the Grand Mosque.<sup>22</sup> In 2012, authorities demolished the Ottoman and Abbasi columns of Dar al-Aqram, the first place where the Prophet taught Islam, in order to expand the mosque's plaza.<sup>23</sup> In an October 2014 report, the Ministry of Islamic Affairs and Endowments stated that 95 properties and 126 mosques will be destroyed before the Grand Mosque renovations are complete. A January 2015 report by the Ministry of Finance revised that estimate, identifying up to 10,000 properties for demolition.<sup>24</sup>

### **B. Destruction of Shia sites**

The Saudi government's early destruction of significant Shia sites was prompted by Wahhabism's intolerance of Shia heritage.<sup>25</sup> In 1926, the al-Saud family demolished most of the al-Baqi cemetery in Medina, destroying the graves of four Twelver Shia imams, an Ismaili Shia imam, and the graves other persons closely related to the Prophet.<sup>26</sup> The government's policies toward significant Shia sites has endured in the institutions of the Saudi state.<sup>27</sup> Contemporary Saudi authorities have consistently destroyed Shia mosques,<sup>28</sup> including the Ein Imam Hussien Mosque in Awamiyah.<sup>29</sup> In 2014, the government destroyed the house of Ali ibn Ali Talib, the cousin and son-in-law of the Prophet and the

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<sup>20</sup> *Communication regarding the destruction of sites of religious, historical, and cultural importance in Saudi Arabia*, *ibid.* note 17.

<sup>21</sup> "Mapping the Saudi State, Chapter 7," pg. 4.

<sup>22</sup> *Communication regarding the destruction of sites of religious, historical, and cultural importance in Saudi Arabia*, *ibid.* note 17.

<sup>23</sup> *Communication regarding the destruction of sites of religious, historical, and cultural importance in Saudi Arabia*, *ibid.* note 17.

<sup>24</sup> "Mapping the Saudi State, Chapter 7," pg. 4.

<sup>25</sup> "Mapping the Saudi State, Chapter 7," pg. 7.

<sup>26</sup> "Mapping the Saudi State, Chapter 7," pg. 3.

<sup>27</sup> "Mapping the Saudi State, Chapter 7," pg. 7.

<sup>28</sup> "Mapping the Saudi State, Chapter 7," pg. 7.

<sup>29</sup> "Mapping the Saudi State, Chapter 7," pg. 8.

first Shia imam.<sup>30</sup> Authorities' destruction of Shia mosques is part of systemic persecution of Shia across the country. The destruction of mosques forces Shia to hold private religious gatherings for which the government often detains and imprisons them.<sup>31</sup>

The destruction of Shia cultural and religious sites is only the outward expression of systematic Shia discrimination in Saudi Arabia, where Shia suffer social, legal, economic, and political discrimination.<sup>32</sup> Visiting shrines and other holy sites associated with family members and descendants of Prophet Muhammad is an essential part of Shia Muslims' religious practices.<sup>33</sup> The destruction of these sites thus disproportionately affects Shia. In this way, the destruction of such sites constitutes a violation of their freedom of religion. The systematic destruction of religious, historic, and cultural sites in Saudi Arabia prevents people, particularly Shia and Sufis from exercising their right to maintain and visit places of worship, and to enjoy and access cultural heritage.<sup>34</sup>

### **C. Destruction of other cultural sites**

The Government of Saudi Arabia also destroys non-Muslim and secular cultural heritage sites. In 1975, authorities destroyed the Tomb of Eve in Jeddah, filling it with concrete. The alleged burial site of the biblical Eve had already been destroyed in 1928 by then-Prince Faisal bin Abdulaziz bin Saud.<sup>35</sup> As part of urban development programs in Mecca, the government demolished two Ottoman castles in 2002 and 2005.<sup>36</sup> The completion of the Mecca Royal Clock Tower Hotel in 2012, required the demolition of approximately 400 significant cultural and historical artifacts.<sup>37</sup> The destruction of these sites is part of the government's attempt to craft a narrative in which, the history of Saudi Arabia begins with the al-Saud family. Their destruction represents the destruction of cultural heritage for the whole world.

### **D. Protecting cultural heritage defenders and good practices**

The top-down nature of Saudi Arabian politics and decision-making has effectively silenced many cultural defenders. The impetus behind destroying cultural heritage sites comes from the royal family and the Wahhabi establishment. The Saudi government demonstrated that international public opinion did not matter when it destroyed sites of importance to Muslims world-wide. Saudi Arabia gives its Shia population in the Eastern Province some level of freedom of religion by allowing them to gather for Ashura, a major Shia holiday. However, it has imprisoned and silenced any who speak out against the government, whether for religious or political reasons. Due to the nature of its campaign of suppression of religious minorities, there are no examples of good practices in the country regarding rehabilitating mosques, religious, historic, or cultural sites.

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<sup>30</sup> "Mapping the Saudi State, Chapter 7," pg. 5.

<sup>31</sup> "International Religious Freedom 2016 Annual Report," pg. 59.

<sup>32</sup> "Saudi Arabia 2014 Human Rights Report," United States Department of State, 2014, available at <http://www.state.gov/documents/organization/236832.pdf>, pg. 49.

<sup>33</sup> *Communication regarding the destruction of sites of religious, historical, and cultural importance in Saudi Arabia*, *ibid.* note 17.

<sup>34</sup> *Communication regarding the destruction of sites of religious, historical, and cultural importance in Saudi Arabia*, *ibid.* note 17.

<sup>35</sup> "Mapping the Saudi State, Chapter 7," pg. 8.

<sup>36</sup> *Communication regarding the destruction of sites of religious, historical, and cultural importance in Saudi Arabia*, *ibid.* note 17.

<sup>37</sup> "Mapping the Saudi State, Chapter 7," pg. 8.