

# BAHRAIN

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## Sheikh Al-Jamri's trial produces bad results for the regime A trial of the system of repression

Starting the trial on 21 February of the pro-democracy campaigner, Sheikh Al-Jamri, is not an ordinary event. To thousands of people in Bahrain, he represents more than a political figure. For two decades the man was subjected to enormous pressures and persecution for his principled beliefs and stands.

When Bahrain gained its independence in 1971, Sheikh Khalifa bin Salman Al Khalifa assumed the premiership of the cabinet, a post he has held uninterrupted ever since. It was he who stood against any political reform in the country, and under his direction, Ian Henderson introduced the notorious bill of the State Security Law in 1974, that had subsequently led to the dissolution of the partially-elected parliament and the suspension of key articles of the constitution. The event was more than an ordinary one in the life of the present generation of Bahrainis. It was a black spot in their recent history, a downturn to the worst in a country that had been ruled by an autocratic, reactionary and despotic system.

The past quarter of a century has been a nightmare for the country. Beginning from the last days of the brief flirtation with democracy, one group after another was taken hostage by the usurpers of political power. Year in, year out, the crisis deepened further, with mounting numbers of casualties. The bloody episodes that started in 1975 continued to escalate and observed no limits. Children, women, young and old men were killed or tortured-to-death by the regime, and it was only the few likes of Sheikh Al-Jamri who braved a stand, and in the process, sacrificed their wellbeing.

The world knew, though only lately, that the plight of Sheikh Al-Jamri was not very different from those of the freedom-fighters like Mandela. They had to pay a high price for the freedom not only of themselves but of their countrymen. Sheikh Al-Jamri, the judge, the poet and the politician, had the choice of enjoying a life outside the torture chambers if he was ready to abandon the people of Bahrain to their plight under the repressive rule, as many did. But a man of his calibre and ethical standing would certainly prefer to spend

his life with the dispossessed in the Al-Khalifa prisons.

He had to endure unlimited amount of torture, both physical and psychological, but that was his preferred choice. And in the courtroom at Jaw, Al-Jamri stood up to the charged levelled against him. He challenged the abusers of political power on every count, and had to be the master of the courtroom. He dismissed the charges as nonsense, and reiterated his determination to continue the struggle to attain democracy and respect of human rights for his people. The conscience of the world arose the passions of large numbers of human rights activists.

It suddenly became a trial of the regime by the celebrated judge. His chains did not prevent him from raising his voice challenging the judge on accounts of incitement, spying, falsifying news and forming illegal organisation. He said "I am here because of my insistence on the reinstatement of the elected National Assembly".

The chained champion had suffered immensely. He was firstly detained in solitary confinement for nine months and twelve days starting from 21 January 1996. Then he was subjected to rounds of solitary confinements, torture and threats. The peak of torture occurred in March and April 1998. In a period of six weeks, Sheikh Al-Jamri lost 6 kg of his weight and was near to death.

A British officer together with the torturer Adel Flaifel and several interrogators encircled him for hours on end, every day, and at all extreme and awkward times. During these interrogations, he had been placed in solitary confinement and had been subjected to all forms of smearing and threats. The torturers wanted him to sign papers saying that he is "responsible" for every thing that took place in Bahrain and that he is in contact with a foreign country.

The encircling torturers threatened: "we will kill all members of your family one by one", "we have your wife in the next room and she will be raped", etc. These torturers wanted Sheikh Al-Jamri to sign their prepared papers in front of an "investigating judge". According to the unconstitutional law, the State Security Court accepts

confessions signed in front of an investigated judge as admissible evidence. At the end, Sheikh Al-Jamri refused to sign the pre-prepared confessions in front of such judge. He declared on 21 February "You have no evidence against me".

Had it not been for the intervention of the Red Cross last April, Sheikh Al-Jamri might have lost his life under the torturous conditions he had been subjected to. Despite the fact that Sheikh Al-Jamri had completed his third year in detention on 21 January 1999, he had not been released. The court session on 21 February violated even the State Security Law that says a person must be released at the end of the third year. The court also violated its own rules since Sheikh Al-Jamri had not signed any paper in front of an investigating judge.

Who is the guilty? Is it the man who employed the softest language in his popular addresses to the nation whilst calling for the establishment of the rule of law in the country or the torturers who killed more than forty young men, women and children and who tortured hundreds of detainees? Who carried out the carnage in Sanabis, Duraz, Shakhooora, Karbabad, Bilad al-Qadeem and Nowaidrat? Why is the trial being held behind a wall of secrecy?

The verdict of the trial of Sheikh Al Jamri has already been announced by more than twelve international human rights organisations, who have been denied access to the trial. They sensed a sinister motive behind the refusal of their attendance. If the regime had nothing to hide and the accused is guilty, why weren't they allowed to attend?

Statements, articles and communiques were issued to describe the whole event by these groups. Their wording may be different but the essence is the same. As long as the notorious State Security Court remains outside the bound of international laws and standards, its verdicts will always be considered null and void.

Sheikh Al Jamri is not guilty of any crime, and the criminals are those who kill and maim in the name of maintaining security outside the rule of constitutional law. Sheikh Al Jamri is too dear to the people of Bahrain to be sacrificed in this way.

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## Trial of Sheikh Al-Jamri

9 February: The Government contacted a lawyer and ordered him to take up the case of Sheikh Al-Jamri. The Government was intending to conduct a swift and secret trial in an attempt to get rid of national and international calls for releasing Sheikh Al-Jamri.

Mr. Abdulla Hashim, the lawyer defending Sheikh Al-Jamri was not informed about the case. The main drive of the Government has been to label the pro-democracy movement as a Shia one, and hence Mr. Hashim (a Sunni) is intentionally kept out of defending Sheikh Al-Jamri.

Mr. Hashim submitted a petition to the State Security Court on 21 January 1999 stating that "according to the State Security Law Article 5, any administratively held person must be released at the end of the three years". Contrary to all norms, the Court failed to address the case raised by Mr. Hashim.

21 February: The trial of Sheikh Al-Jamri was held near Jaw Prison in a special courtroom set up for conducting the first session of the trial, south of Bahrain, at 11.00 am. The State Security Court was chaired by Abdul Rahman bin Jaber Al-Khalifa with two Egyptian judges sitting by his sides. The court session was adjourned after 45 minutes to an unknown date. Sheikh Al-Jamri denied all charges and said he is calling for the restoration of the National Assembly.

"I am innocent. I committed no crime. All I call for is the restoration of the National Assembly" declared Sheikh Al-Jamri during the 45-minute session of the trial before the unconstitutional State Security Court. Sheikh Al-Jamri's lawyer Abdul-Shahid Khalaf, said five charges were read out, including spying for a foreign country, forming a party to overthrow the government and broadcasting false statements against the government.

The international attention to the case has enabled the wife and four sons of Sheikh Al-Jamri to attend the trial alongside the lawyer. The family of Sheikh Al-Jamri requested the formation of a team of lawyers comprising Mr. Abdul Shahid Khalaf, Mr. Rashid Al-Jar, Mr. Hassan Radhi, Mr. Ahmad Al-Shamlan and Mr. Abdulla Hashim, who will defend Sheikh Al-Jamri.

The trial falls short of all international standards. According to Bahraini oppressive laws, a person is first taken to an investigating judge to sign on confessions or papers prepared by the intelligence department. After that, the State Security Court considers these signed papers as admissible evidence. It is now known that Sheikh Al-Jamri had refused to sign any papers prepared by the intelligence department in front of any investigating judge. Hence the interior and justice ministries have jumped the process and submitted the case to the State Security Court.

The secret trial of Sheikh Al-Jamri is a watershed in the history of Bahrain. After

all, he is a member of the parliament that the Amir had dissolved in 1975, a judge, a celebrated poet and a campaigner for democracy. He has been persecuted for his political beliefs for many years. The message of the government to all the people of Bahrain (and not only the Shia) is that sheer force and repression will be comprehensively deployed to deal with any dissent. The people of Bahrain are bracing themselves to face a regime that disregards decent human behaviour and violates all laws, including its own unconstitutional ones.

## International calls:

More than a dozen international organisations asked to be allowed to send observers. These include the Geneva-based Centre for the Independence of Judges and Lawyers (part of the International Commission of Jurists), the UK Parliamentary Human Rights Group, Pen International, the Arab Organisation for Human Rights, the Arab Program for Human Rights Activists, the Arab Commission for Human Rights, Interfaith International, FIDH, Bar Human Rights Committee of England and Wales, International Bar Association, OMCT, Human Rights Watch and Amnesty International, amongst others. They also urged the Bahraini Government to respect international conventions as well as the country's constitution, but the authorities refused to answer positively and grant permission.

## National calls:

The Committee for Popular Petition (CPP), which is a coalition of all major political, ideological and religious groups in the country, and which had managed to collect some 25,000 signatures in 1994 calling for the restoration of constitutional rule, wrote a letter to the Amir urging him to order the release of the two jailed members of the CPP, Sheikh Al-Jamri and Mr. Abdul Wahab Hussain. Its argument is based on the need for dialogue, reconciliation and political reform.

Sheikh Isa Qassim, member of both the Constituent and National Assemblies called on the government to release Sheikh Al-Jamri in search for a peaceful outcome to the political crisis.

## Lord Avebury:

The BBC World Service covered the case extensively on 21 February: 1.00 pm News Hour. The broadcast featured a n important interview with the British parliamentarian and the Gulf specialist, Lord Avebury.

Q: Can Sheikh Abdul Amir Al-Jamri expect a fair trial?

Avebury: No, that is impossible. The State Security Court system under which he is being charged is itself a contravention of all the norms of internationally agreed judicial procedures and has been condemned by the International Commission of Jurists, by the British Bar Human Rights Committee and so on. They have all asked to attend these proceedings and they were

not notified that the trial was going to be in this morning. Even the British and American ambassadors in Bahrain did not know until the last minute he was going to brought before the court today. So is his lawyer saw him for the first time today an hour before the proceeding began. And so you can't imagine how in these circumstances anybody could possibly receive a fair trial.

Q: If he has been in fact held for three years without trial, why have the authorities decided to bring him to trial and attract what for them must be rather unwelcome publicity?

Avebury: Well, it is utterly absurd. Not only was he in prison since January 1996, but also before that in 1995. He was in prison from April to September. And the events which have occurred during those periods are (...) quite. He is supposed to have organised and planned all the disorders and the sabotage that have occurred during the last four and half years while he is being in prison, incommunicado much of that time.

Q: But, as a religious figure you can at the same time be an inspiration to people carrying out anti-government protests?

Avebury: If it is, it must be done by some kind of a tough process. You would have to transmit over the Ether to the religious leaders. Of course it is not just a religious protest. It is important to remind everybody that this is combined effort between the Islamists, the Sunnis, the Shia, the liberals and the leftists. They all came together in the so-called Committee for Popular Petition to demand the restoration of the constitution and the 1975 parliament which was abrogated by the Amir and Sheikh Abdul Amir Al-Jamri has repeated that demand in court this morning, when he said he was totally innocent of these charges, that they were fabricated and that there is no evidence whatsoever against him.

Q: If Sheikh Al-Jamri is part of a much larger opposition coalition, why has he been singled out by the authorities?

Avebury: I think that he is probably being brought before the court as a test case, and that if they manage to secure a conviction and there is not too much an outcry amongst the World opinion, that then all the rest of the people, who also have been in prison for over three years without trial, and other leaders of the Committee for Popular Petition will also be put on trial. They will all be charged and sentenced.

Q: You paint a very dismal picture of the state of human rights and civil rights in Bahrain?

Avebury: It is appalling. The Amir should listen to the voices of those people who are saying an absolute ruler who confronts an opposition in this way is (...) disaster. We know this because it is the 350<sup>th</sup> anniversary of the execution of our King Charles I. So if he wants to move into the modern world, he should start a dialogue and a process of reconciliation so that all the people of Bahrain can come together in a

movement toward democracy.

Q: And the attitude of the Westerns government, after all, who do trade with Bahrain?

Avebury: Not only that they do trade, but of course UNSCOM is based in Bahrain, and the (US) Fifth Fleet, and these things deter the Americans, and to a lesser extent the British, from intervening with the authorities there to say you can not go on like this; you must restore the rule of law and democracy and constitutional rule.

### Middle East Mirror:

22 February: The London-based "Middle East Mirror" covered the trial of Sheikh Al-Jamri. The newsletter quoted statements from Mansoor Al-Jamri, who described the charges made against Sheikh Al-Jamri as "absurd". He noted that "Bahrain's rulers feel free to accuse any Shiite of being links to Iran. He said that the "the authorities probably decided to press charges rather than simply release him because they realise that if he is set free, he will again serve as a magnet for the opposition and resume his campaign for the restoration of parliament". He said "the authorities thought they could crush the opposition if they detained Sheikh Al-Jamri long enough. But although they have managed to contain the situation, keeping some 2000 people behind bars in the process, they have not solved anything". He accused Bahrain's ruling family of "picking on its Shiite citizens for three reasons. The first is its historical animosity towards the Shiite, whom it sought to subjugate since it migrated to Bahrain from the Arabian Peninsula in the latter part of the eighteenth century. The second is that it can bully the Shiite without triggering an outcry in the Gulf region. The third, is that by associating the Shiite with Iran, Bahrain's rulers hope to win Western-chiefly U.S. and British-support".

### The Henderson Factor:

A Scottish Newspaper revealed British documents on Ian Henderson on 7 February. The Sunday Herald, Page 5, lambasted the British government on what it termed a "double standard" policy towards Bahrain. In a leading investigative article, the "Sunday Herald" revealed the role of Britain in recruiting Mr. Ian Henderson to restructure the Bahraini Special Branch and to establish a reign of terror in Bahrain. The article entitled "Britain's Secret Role in Regime of Terror", by Neil MacKay, provided details from official documents of the United Kingdom and illustrated the end results of such a policy: the death under torture of Bahrainis calling for political reforms. The paper also revealed that Dennis Canavan, the Labour MP will be calling for an embargo on arm sales to Bahrain during a parliamentary session.

15 February: Mr. Dennis Canavan (MP) asked the Secretary of State for Foreign and Commonwealth Affairs several questions on Bahrain. He asked about the role of Her Majesty's Government in the appointment of a former serving officer in

the British Army in a leading security role on behalf of the Government of Bahrain. Mr. Derek Fatchett (Foreign Office Minister) replied to this question saying "The UK Government received a request from the Government of Bahrain in 1966 for help in recruiting a successor to the Head of the Bahraini Special Branch. Ian Henderson informed us that he wished to be considered for the post. We passed on his request to the Bahrainis, whose decision it was to appoint him."

### Increasing the burden:

Insider sources revealed that the prime minister had extracted a 20-year loan of 8 million dinar (\$21m) from the Pension Fund with preferential terms. The loan is in violation of by-laws and involves risks that will be suffered by employees of the public sector.

The Housing Bank (of the Ministry of Housing) increased the interest rate on mortgages offered to ordinary citizens to 35%. The government has wasted millions of dollars donated by the President of the UAE that were supposed to have been channelled for assisting the housing of citizens. It is believed that the donated money has been transferred to the ill-intentioned project for importing thousands of Bedouins from the Syrian and Jordanian deserts for destabilising Bahrain society. HH sheikh Zayed al-Nahyan of the UAE donated the money for the citizens, but it is being wasted on non-development programmes.

Local papers said on 2 February that the government signed two loan agreements worth \$117 million with the Kuwait Fund for Arab Economic Development and the Arab Fund for Economic and Social Development to finance government projects. At least 35% of the budget is wasted on security and defence expenditure and most of the loans will also be wasted on importing more mercenaries into Bahrain. The deteriorating state of the economy is increasingly being reflected in the articles and news published by the government-controlled press. Water supply is increasingly becoming a national problem. Some of the key issues are:

1. For each 1000-person increase in population, the demand on water increase by 507000 m<sup>3</sup> per annum. Nevertheless, the ruling family is continuing its costly and ill-intentioned programme of importing more and more thousands of Bedouins from the Syrian and Jordanian deserts for destabilising the structure of the society.
2. 70% of the water is consumed by farms, most of the which (as much as 80%) is free of charge, going to farms belonging to members of the ruling family. These farms are non-productive and are used for "special parties" hosted by members of the ruling family.
3. Education and health services are suffering because the government allocates a lion-share (more than one-third) of the budget for defence and security matters.

4. Begging and stealing are on the increase. Many members of the mercenary families resort to begging and stealing in the market while at the same time working as informers for the interior ministry.

### Hawar dispute:

4 February: the government-controlled newspapers started attacking Qatar ahead of the session to be held next month in The Hague. The International Court of Justice is to state its opinion on the admissibility of submissions made by the Bahraini and Qatari governments in relation to the dispute on the sovereignty of Hawar islands.

### Silencing mosques:

16 February: the cabinet issued a law for banning the use of loudspeakers to curb speeches in mosques and community centres. The new law imposes fines and jail sentences on the citizens. Such fines ranged from 100 to 500 dinars 91 dinar=\$2.65), confiscation of equipment; to three months in jail and a fine of 200 to 1,000 dinars. Anyone wishing to install loudspeakers must get prior approval from the government, which may approve and then cancel, at any time, the use of the loudspeakers. All mosques must apply for using their existing loud speakers within 60 days, otherwise the interior ministry will confiscate their loudspeakers. Electricians who install loudspeakers in violation of the law also risk a fine and jail sentence, and their shops will be closed for up to seven days. More than fifty mosques had been attacked and damaged by security forces in the past three years alone.

### Domestic Protests:

Detainees held in the Dry Dock prison camp started a hunger strike at the beginning of February demanding their immediate release. There are about 500-600 innocent citizens held for indefinite periods without charges or trial.

19 February: The residents of Daih went out in a peaceful demonstration, chanting slogans demanding the release of Sheikh Al-Jamri and calling for an end to atrocities committed by the security forces. The latter attacked the demonstration and the attackers reportedly arrested several citizens.

In Daih, Abo-Saiba'a and Karzakkam clashes were reported to have taken place between the citizens and security forces. Karzakkam was besieged on 20 February until early hours of 21 February. In the University of Bahrain stickers spread on the walls demanding the release of Sheikh Al-Jamri and all political prisoners.

24 February: Security forces were put on high alert and have been deployed in mass numbers around the capital and around the country. Many residential areas switched off lighting on 24 February and many students stayed away from classes protesting against the government's move to put Sheikh Al-Jamri on trial. Several main highways had been blocked by protestors who burnt tyres and exploded gas cylinders.

## State vs. civil Society in Bahrain - Part 3

The first attempts at forming modern non-governmental organisations "NGOs", started early in the century. In 1919 Al-Adabi Club was established to exchange views and to enhance cultural debate. This was closed down in 1920s by the authorities when members started debating political issues. In the 1930s, three clubs were formed, Bahrain Club in 1937, Al-Ahli Club in 1939 and Oroba Club in 1939. The participants were business people, teachers, students, workers and employees.

At present, the Labour and Social Affairs Ministry recognises 138 NGOs: 4 for women, 12 social purposes, 2 charity, 3 religious (Sunni), 21 professional, 51 Clubs and expatriate societies, 41 local charity funds (Sandook Khayri). There are other types of traditional organisations, which attract non-governmental activities. These are mosques (both Sunni and Shia) and Shia community centres/assembly halls or "Matams". There are about 300 Sunni mosques and more than 1000 Shia mosques and assembly halls.

The charity funds (Sandook Khayri) represent one of the excellent examples of NGOs in Bahrain.

The government failed to support poorer sections of the society due to the lack of a welfare system. The affected sections of society turned to each other for solidarity and support. Their number rose from 6 in 1993 to 41 at the end of 1994. The mushrooming of their number reflects the strength of social solidarity amongst the people and their speedy response to the failure of the State. The government allowed their growth to release itself from the burden of supporting the poorer sections, but in 1998 it moved to tighten control over their activities. The government is expected to further interfere in the activities of these NGOs and may even attempt a crackdown. Reports in government's controlled press continue to call for "direct control" over the financial management of the charity funds.

These social centres are not free from governmental control. The Labour and Social Affairs Minister is empowered by Law No. 21/1989 to dissolve any club or society, to attend any meeting, to demand permission for any function performed by the association and punish any person objecting orders.

In February 1984, the Labour Minister ordered the closure of the (Shia) Islamic Enlightenment Society and its three schools. Within a year of this closure, at least three other local libraries (with teaching services) were closed down by the authorities. This followed the arrest of members of some members of the Society by the security forces. Closing down the Islamic Enlightenment Society has further alienated the Shia population which is severely targeted by the State.

Virtually all NGOs are controlled by the State through various means. However, The Bahraini Lawyers Society, the

Oroba Club and a few others retained their semi-autonomy and as a result have suffered from intervention by the government.

On 1 February 1998, the President of Bahrain Lawyers Society, Dr. Abbas Helal was interrogated by Interior Ministry officials about a seminar organised by the Society on 14 January 1998, during which the pro-democracy figure Dr. Monira Fakhroo and the journalist Mr. Hafedh Al-Sheikh mildly criticised the government. On 4 March 1998, the government replaced the elected board of the society with a new board headed by a member of the ruling family.

On 2 April 1998, the government prevented its own ambassador to France, and ex-minister, Dr. Ali Fakhroo, from delivering a lecture at the Oroba Club (scheduled for 20 May 1998) in Manama about the responsibilities of citizenship.

On 14 September 1997, An-Nahda Women Association was holding a meeting to discuss details of the commemoration of the late Ms Aziza Al-Bassam, when security officers stormed the Association and brought the meeting to a halt. The participants were also summoned for interrogation the next day. On the next day, executive members were threatened that if any activity takes place, the Interior Ministry will hold them responsible. They were also banned from publishing anything in press or as a booklet for commemorating Ms Al-Bassam. The latter had been dismissed by the authorities from her position in Radio Bahrain following her support for a pro-democracy petition.

On 4 April 1998, the Governor of Bahrain Monetary Agency abolished a scheme organised by Al-Ahli Commercial Bank for presenting awards for high achievers in the society. The Governor, Mr. Abdulla Hassan Saif addressed the Board Director of Al-Ahli Bank, Mr. Mohammed Jalal, saying, "I refer to the Achievement Prize that is annually presented by your Bank. While appreciating the motives for distributing such a prize... you are notified that presenting prizes is a function performed by the State only".

All the above actions can not be compared to the severity of State intervention when it comes to social set-ups of the Shia community. Since 1994, mosques and community centres had been ransacked and desecrated. At least 50 Shia mosques and community centres had suffered extensive damages and several of them were, and remain, shut down since 1994. Attacking the Shia community has become a customary exercise for the State. For historical reasons, the tribally-controlled State treats the Shia community as a "traditional enemy".

The regional and international political environments of the 1980s and 1990s merely provided an excellent cover for singling out the Shia community. The authorities implemented severe crackdowns,

including collective punishment, arbitrary detention, death under torture, extra-judicial killings and forcible exile.

One of the strategies adopted by the authorities for winning support to its repressive programmes has been the labelling of all activists emerging from the Shia community as members of a "Hizbollah". This labelling is intended for attracting Western, and especially US, sympathies to the crackdowns and collective punishments.

It is a policy similar to the one adopted by the Serbs against people from Bosnia and Kosovo. There, the Serbs attempted (but generally failed) to win US and Western sympathies by saying that they were standing against the threat of Islamic extremism spreading to Europe.

Indeed, one can read all what the government of Bahrain is saying and can replace all references to "Hizbollah" by the word "Shia", and the true picture emerges. It will bring out to the surface the semi-official policy of discrimination against a wide section of the population.

It is not surprising, therefore, that in 1997, the government formed the "High Council for Islamic Affairs" for the sole purpose of confiscating the remaining religious freedoms retained by the Shia community within their mosques and community centres.

In 1995, the authorities militarised the education sector. Two military officers were put in charge of the Ministry of Education and the University of Bahrain. The University of Bahrain was turned into a high-security fortress with full authorities given to security forces to operate in and around the campuses. The main drive for such an action is that fact that the University campuses attracted interaction of ideas and activities amongst the various sections of the society.

### 5. Neo-fiefdom Rule

The past two decades provided the State with an opportunity to return to pre-modern policies. Within the Bahraini context, pre-modern refers to the period before 1923, i.e. fiefdom rule. As Khalaf (1998) explains the government has an "unfinished business" to go back to. By now Bahrain is controlled by "despotic powers of a pre-modern state" with an "infra-structural power of a modern state".

By 1996, the government implemented fundamental changes to the structure of the "State of Bahrain". These structural changes were facilitated by the financial injection the government had received in that year from the neighbouring Gulf countries. In response to a plea from the government, the UAE pledged to invest around \$1 billion in infrastructural industrial projects. More importantly, Saudi Arabia relinquished its shared revenue of Abo-Sa'afa offshore oil field, in favour of the government Bahrain.

(To be continued.....)