

# BAHRAIN

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## Awaiting the 20th GCC summit in Manama

# Different atmosphere, same realities

As the leaders of the Gulf Co-operation Council prepare for their 20th summit in Manama, some of them may wonder what changes have taken place in the country which had hosted their summit six years earlier. In December 1994 the GCC summit in Manama was overshadowed by the events of the popular uprising against the Al Khalifa government. Sounds of cylinder explosions were heard by the journalists covering the summit at the Meridien in Manama. The atmosphere was gloomy and the escalating conflict was threatening the foundations of the regime.

At the end of this month, the GCC leaders are unlikely to encounter a similar situation. The Amir is preparing a different image of the country to show his guests. He has decided to present an extravaganza of events and shows during the two weeks prior to the summit. In mid-December, on the eve of Martyrs Day, he is expected to deliver a speech outlining his intentions with regards to the long-awaited reforms. So far, he has failed to deliver on his promises that he had made when he assumed power last year. Apart from superficial steps, the main demands of the Bahraini people have been largely ignored by the ruling family. Over the past year some prisoners were released and a Government-controlled human rights committee was formed. The Amir has not committed himself to the constitution, and his rule is largely viewed as lacking the necessary constitutional procedure.

Sheikh Hamad has tried to create an atmosphere of calm, but this has been hampered by the intermittent attacks by the vicious security service created and run by British officers. The legacy of Ian Henderson is still in the air, with a sadist British torturer, Colonel Donald Brian, carrying on from where Henderson stopped.

Human rights organisations have maintained their scrutiny of the Government of Bahraini. Last month, Amnesty International published a comprehensive report on human rights violations in Bahrain over the past two years. It concluded that although some progress had been made, the main mechanisms that facilitated human rights

abuses remain in force. The State Security Law of 1974, the State Security Court and other penal articles present ideal environment for human rights abuses. Furthermore, the government has not taken any step to curtail the activities of the torturers. In March this year, Sheikh Hamad, himself, presented medals to well-known torturers such as Ian Henderson, Donald Bryan, Abdul Aziz Atiyyatullah Al Khalifa and others. The Government has failed to take steps to contain the human rights abuses on any level. When a group of 18 people put a request to the government for an independent human rights organisations, their request was swiftly rejected. And when Amnesty International requested a visit to Bahrain last month they were told to wait "until the time was right".

In the light of these facts, the future of the political situation in Bahrain is not expected to be bright.

The opposition is determined to press ahead with its demands. The Government insists on its own agenda. Its new tactics aim at gaining time and delaying reform. One such step is the formation, by an Amiri decree, of a committee to process changes to the constitution under the pretext of preparing a national charter. Its members were carefully selected to achieve two things: endorsing the government's line on future policies and wooing some nationalist elements. Its membership is dominantly anti-constitutionalist and its mandate is blurred. Once it endorses the government policies, its "recommendations" will go to a hand-picked congress to endorse them.

The government believes it will then be able to establish a new political framework for the country. The Constitution has been totally side-lined by these proposals and is likely to be scrapped or dramatically defaced to legalise repression and despotism.

This is in contrast to progress in other Gulf states. Kuwait had reinstated its constitution after its liberation in 1991; Qatar is legislating for a democratically-elected parliament after it had adopted municipality elections. Oman has been advancing its form of Shura with the inclusion of women

and electing its members in a certain way. Saudi Arabia is likely to introduce more reforms.

The Al Khalifa of Bahrain are the only ruling family in the Gulf in many aspects. First it is the only government that consciously adopts policies less advanced than the policies it had thirty years ago. Secondly, it is the only regime that employs forcible exile to punish the citizens. Thirdly, it is the only tribe that refuses to engage in political dialogue with the people of the country. Fourthly, they are the only government in the Gulf that seeks to force a demographic change in the country, displacing its native inhabitants and importing mercenaries from the Syrian desert and elsewhere. It is also the only tribe that lacks the feeling of attachment to the land or the people and believes that it had invaded Bahrain and gained power through sheer force. They see any compromise with the people as the first step to total annihilation of the tribe.

In contrast, the opposition is one of the most moderate and respected in the Middle East. For decades, many members of the opposition have been forced to live in exile. Those outside have presented a strong case to the world opinion for which they gained a great deal of respect and have not wavered in their commitment to their constitutional cause.

It is therefore expected that the unconstitutional approach of the Government will eventually fail to protect the regime from the wrath of the international opinion. The Al Khalifa have sought to defend their stands by allying themselves with the big powers. Bahrain is the main base of the US fifth fleet, and the government hopes these facilities will shield them from outside and even inside upheavals.

The Amir may try to score a point here and another one there, but the overall rating of his rulership is not seen to have fundamentally changed the situation. He has remained faithful to the legacy of his father and to his uncle the prime minister, and has not honoured his constitutional commitment. The repression continues, so does the peoples resolve and determination.

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## AI Concerns about Bahrain

21 November: While the human rights situation in Bahrain has improved in the last two years with the release of hundreds of political prisoners, the setting up of a human rights body within the Consultative Council and the ratification of the UN Convention against Torture, the mechanisms that have facilitated gross human rights violations in the past are still in place, Amnesty International said in a report released today.

Human rights violations continue to take place, albeit on a lesser scale than during the period of civil unrest in the mid-1990s. Anti-government protesters or suspected political opponents are routinely arrested and detainees are at risk of being held for up to three years without charge or trial, the maximum allowed under the Decree Law on State Security Measures, in force since October 1974. Several hundred people remain held without charge or trial. Among them are five prominent political and religious leaders, all prisoners of conscience, who have been in detention since January 1996. The five have recently been put in solitary confinement because they refused to sign statements apologizing for their past political activities and committing themselves not to be involved in any political or social activities in the future.

Political trials are still held before the State Security Court whose procedures fall far short of internationally recognized standards for fair trial, with defendants having no right to appeal against sentences and verdicts. Hearings before this court are invariably held in camera and defendants may be convicted on the basis of coerced confessions given to the police or a police testimony that such confessions were given.

Despite the ratification of the UN Convention against Torture in 1998 dozens of allegations of torture and ill-treatment have been reported but have rarely been investigated by the government. The Government continues to use forcible exile as a punitive measure against suspected non-violent opposition activists or critics. Hundreds of Bahrainis, including women and children, are prevented from entering the country and are being forced to remain in exile.

Many restrictions are imposed on non-governmental associations and no national independent human rights organization is permitted. In October 2000, the authorities rejected a request by a group of people, including lawyers, to set up an independent human rights organization. The authorities must allow human rights NGOs not only to function without hindrance or restrictions but be actively encouraged to engage in human rights promotion and protection, Amnesty International said.

Amnesty International has welcomed the positive steps taken to date but is urging the Bahraini Government to bring the country's laws and practice into closer harmony with international human rights treaties without further delay.

## Freedom of expression banned

The case of Bahrain was discussed during a session organised in Florida, USA, on 17 November, by Human Rights Watch and the Committee for Academic Freedom in the Middle East and North Africa. Speakers from the USA, Morocco, Tunisia, Syria, Egypt and Bahrain explained the state of academic environments in the various countries. Dr. Munira Fakhroo, the Bahraini scholar and leading pro-democracy thinker, delivered an important intervention on Bahrain and highlighted the type of environment imposed on academia since 1995.

The seminar came at a time when a senior university lecturer, Dr. Jasim Ali, was thrown in jail for ten days in November because the authorities did not like his articles. The authorities were forced to release Dr. Ali following high level international interventions. The French news agency, AFP, reconfirmed on 14 November that a "Bahraini lawyer said Tuesday that Ali, who was arrested November 1, was freed "during the visit to Bahrain of UN Secretary General Kofi Annan following pressure from human rights organisations" on Bahraini authorities. "

The authorities intervened on 15 November and banned a seminar that was to take place at Matam Al-Qassabin Manama. The people in charge of the community centre had advertised for a seminar on "pluralism and co-existence" that would have been addressed by Seyyed Kamil Al-Hashimi, Sheikh Abdul Shahid Al-Satrawi and Sheikh Abdul Mohsin Mulla Atteya. The interior ministry summoned one of the organisers, Mr. Hussain Al-Alawi and ordered him to stop the function. This is yet another proof of the lack of freedom of expression in Bahrain.

## Opposition calls for proper debate

The Gulf Cooperation Council summit is expected to be held on 30 and 31 December. Last time, in 1994, the summit was held in Bahrain at the start of the pro-democracy demonstrations that were sparked-off in December of that year. Six years on, Bahrain has undergone several changes that have not yet addressed the core issues of concern to the people of Bahrain. The people have staged their protests demanding their basic rights in their homeland. Up until now, the government has not positively responded to the moderate demands of the opposition.

However, the Amir has met with members of the ruling family, members of the powerless Shura Council, staff of Bahrain University and other groups. He said that he intends to announce his proposals for changing the constitution on 16 December. The changes will include the introduction of bicameral parliamentary system and several other significant changes aimed at limiting the scope of authority of any body that may be elected. The opposition has

called for freedom of expression to allow all people to debate the proposed changes and insisted that any changes must be approved by the people, either through a referendum or through the elected National Assembly. These are the legitimate means that can be accepted constitutionally and/or internationally.

## AI Urgent Action on Arrest of Dr. Jasim Ali

9 November: Jasim Hussain 'Ali, aged 41. A university lecturer, who has provided written analysis to a business information service about the political and human rights situation in Bahrain, has not been heard of since he was detained by the security forces on 1 November. He is believed to be held incommunicado and there are fears that he may be tortured or ill-treated.

Jasim Hussain 'Ali, a senior lecturer in business administration/economics at Bahrain University and a father of two, was arrested by the Security and Intelligence Service (SIS) at his home in Hamad Town, south of the capital Manama. He is reportedly held at the SIS headquarters in al-Qal'a, but when his family asked for permission to visit him, they were apparently refused.

The exact reasons for his arrest are not known, but may be related to the fact that since 1997 he has provided written analysis about the human rights, political and economic situation in Bahrain to the Economist Intelligence Unit, a business information provider which is part of the Economist Group.

In September, Jasim Hussain 'Ali was apparently interrogated by the authorities at Bahrain airport when returning from abroad, and had a computer disk confiscated. Since then, the SIS has reportedly searched his house several times, confiscating more computer disks and questioning him about his links with the Economist Intelligence Unit.

On 6 November Amnesty International wrote to the Bahraini authorities seeking clarification of the reasons for the arrest and detention of Jasim Hussain 'Ali. No response has been received so far.

## Jasim Ali freed

Following international pressure and contacts that reached the highest level, Dr. Jasim Ali was freed from jail on 10 November after ten days in detention. Dr. Ali, who is a senior lecturer at Bahrain University, was detained on 1 November, after a raid by the intelligence department on his home in Hamad Town. His papers and floppy discs were confiscated. Dr. Ali, a well-known writer, was detained because the government did not like his articles.

Mr. Anan visited Bahrain for two days last week, and during his trip the government wanted to impress him by several means. One of the things the government did was to donate premises and called them the UN House combining the various of-

ofices of the UN that operate in Bahrain. The government of Bahrain has been trying to impress the UN in an attempt to influence the outcome of the forthcoming visit by the UN Working Group on Arbitrary Detention next February. The visit is the first of its kind and will be investigating cases of arbitrary detention in Bahrain. There are hundreds of people who are detained arbitrarily and many of whom had not been charged. The government has been condemned by UN teams for its abuse of basic citizens' rights through the implementation of the unconstitutional State Security Law.

## Major crackdowns on citizens and journalists

A new crackdown against peaceful citizens is underway in Bahrain. The atrocious security forces have been conducting house searches and arbitrary arrests in Sehla, Daih and Sanabis for the past few days. On 8 November, they attacked the house of Ali Al-Mullah, 31, in Sanabis. Since he was not there, they went on to search many houses in the neighbourhood. Earlier, the security forces had arrested Badar Al-Sabagh, 24, Ali Al-Asafrah, 26, Amin Ibrahim Isa, 28, and Abdul Nabi Al-Hashash, 27. The latter was being treated at Salmanya Hospital as part of a regular therapy for his leg that had been operated on. The security forces attacked him in the hospital and took him to a detention centre. His family insisted to see him and when they were allowed to look at him on 8 November, he was in a very serious condition. In addition to his medical condition, he had been subjected to severe torturing by Khalid Al-Wazzan at Al-Khamis Police Station.

From Ras Romman, the security forces arrested Abdul Amir Dhahi Abdulla, 27 and Abdul Hussein Makki Salman, 27. These were amongst others who had been arrested following the pro-Palestinian demonstrations in Ras Romman. Amongst those arrested was Bushra Makki Salman, the sister of Abdul Hussein Makki Salman. She had been released together with her brother after ill treatment and torture.

Last week, Mohammed Ali Yaqub, 23, and Bashir Al-Shajjar, were detained during one of the crackdown operations. They remained inside the jails. Hassan Abdulla Saad was arrested upon his return to the country across the causeway with Saudi Arabia. He was tortured and then released. Salman Yousif Al-Sayegh, 16, from Abu Saibaa, was arrested for three days, tortured and then released.

The fate of Hussain Mahdi Ahmed Obaid, 17, from Samad, is still unknown since his arrest on 28 October. A security unit comprising seven armed men stormed the house of Mr. Obaid's parent during a dawn raid. The house was ransacked and even sacks of sugar and rice were emptied on the floor, the tiles were removed and belongings were smashed. The raiders

attacked the house for a second time on 28 October and committed further savage acts. Mr. Obaid had been detained four times in the past years.

One of the recently released people explained a new method of torture invented by the intelligence department. The detainee is put inside a large sack (similar to the large sack used for packaging rice) and this sack is then suspended from the ceiling. The sack is then swung and smashed on the surrounding walls while the detainee is inside it.

The interior minister issued an instruction to Dr. Fuad Shehab, who was appointed to head a powerless committee for human rights as part of the unconstitutional Shura Council, ordering him to pass copies of all letters and information he receives from the public regarding the political prisoners and detainees as well as any complaint of torture or ill-treatment. The committee was also threatened that it is not allowed to communicate with the outside world without clear permission from the interior ministry.

The Editor-in-Chief of Al-Ayyam newspaper (who is also the information advisor to the Amir) dismissed six leading columnists Ahmed Al-Boostah, Khalid Al-Bassam, Radhi Al-Mosawi, Saeed Mohammed, Mohammed Fadhil and Mohammed Al-Mansoor. This follows a similar action by Akbar Al-Khalij where one of the columnists, Omran Salman, was also dismissed. This is the start of a sweeping operation aimed at replacing all those journalists who do not obey the information ministry. It is expected that more will be dismissed and a new obedient staff will be used for a misinformation campaign being planned by the government.

On the other hand, a Bahraini exile, Dr. Majid Al-Alawi, was allowed to return to Bahrain after 18 years outside the country. A spokesperson for the BFM commented that the case of Dr. Al-Alawi might serve to highlight the situation of hundreds of Bahrainis who had been forced to live outside their homeland because of their beliefs and political views. Since the Amir came to power in March 1999, more than 50 citizens were forcibly exiled. Bahrain is the only country in the world, which employs forcible exile as a means of punishment of its opponents. There is an international pressure on the government to abandon this inhumane policy. In the past, the government has allowed some individuals to return on the condition that they abandon their political beliefs and opposition activities.

## Arab HR Activists on Bahrain

6 November: State authorities in Bahrain charged exiled human rights organizations of conspiring with the political opposition against the national interests of Bahrain. Meanwhile, human rights NGOs are not guaranteed legal existence in Bahrain and no organization may undertake the

task of monitoring or documenting the violations committed by the authorities.

Bahrain's authorities also dismissed an application presented by 18 public figures to form a non-government committee for human rights. The Minister of Labor & Social Affairs justified the government's dismissal of the application on the pretext that time was not ripe for the formation of such a committee. He claimed that the existing committee, formed by the Shura Council, was adequately qualified for the task of defending human rights in Bahrain. Though it is a governmental committee, the minister insisted that there was no need for another committee to carry out the same task.

The government's dismissal of the application was based on article 11 of Bahrain's law on association. This article grants the administration the right to reject any association in case there is another association operating in the same field of activity.

The Arab Program for Human Rights Activists denounces the unjustifiable decision of dismissing the application to form the first non-government committee for human rights in Bahrain. In this context, APIRA reasserts the inherent right to form associations as guaranteed by the international conventions of human rights and in accordance with article 27 of Bahrain's Constitution.

The Arab Program, therefore, urges the state authorities of Bahrain to legally recognize the formation of the new independent committee and not to restrict human rights activity to the governmental committee formed by the Shura Council. Moreover, the Arab Program stresses the urgent need to reconsider the extremely restrictive law on association in Bahrain, which limits public associations to a very marginal role compared with civil society organizations elsewhere in the world.

Finally, the Arab Program for Human Rights Activists encourages all Arab organizations to support citizens of Bahrain in their struggle for the freedom to form associations, which undoubtedly will contribute to the development and promotion of public activity in Bahrain.

Arab Program for Human Rights Activists, Cairo, Egypt.

## Citizens support the formation of a human rights NGO

The refusal of the Bahraini government to allow the formation of an independent non-governmental organisation (NGO) for monitoring human rights situation has been condemned by civic groups inside the country. One of the journalists, Radhi Al-Mosawi reflected in his articles the astonishment of the people upon hearing the decision of the government to ban the formation of such NGO.

Eighteen distinguished personalities submitted an application in early August requesting the labour minister to allow the



formation of the NGO. The 18 personalities are Ms. Hessa Al-Khameeri, Salman Seyed Ali Kamal-u-Din, Dr. Sabeeka Mohammed Al-Najjar, Nabeel Ahmed Rajab, Fathi Abdulla Salim, Abdulla Mohammed Saleh Al-Abbasi, Dr. Monthir Jaffer Isa Al-Khor, Ms. Fatima Hassan Al-Hawwaj, Abdul Shahid Hussain Omran, Mohammed Jaffer Hassan, Isa Ibrahim Mohammed, Ahmed Ibrahim Fakhro, Ali Ibrahim Bu-Hejji, Ali Abdulla Ali Fakhro, Khalid Saleh Khamis Al-Zayyani, Hassan Ahmed Ali Al-Mahmood, Ms. Sham Hamid Ali Salim Sangoor, and Mahmood Mohammed Jawad.

These distinguished citizens represent all sections of Bahraini society and are trusted by the citizens. The government refuses to see the people of Bahrain united on political and human rights issues. The human rights NGO is critically needed in Bahrain as citizens continue to suffer arbitrary detention and intimidation. Scores of pro-democracy leaders, such as Mr. Abdul Wahab Hussain and Mr. Hassan Mushaimaa languish in jails without charges for many years.

### **Fiction at the Shura Council**

Mohammed Al-Motawwa, the information minister and spokesman for the prime minister, announced on 1 November that the premier "listened to the wishes of the Shura Council and decided to withdraw the article of decree that would have charged the citizens "studying at secondary schools". The government was at pains to give some fictitious victory for the powerless Shura Council. The council rejected only one proposal submitted by the government since its creation in 1993. This was when it objected to the ban on satellite dishes. The government ignored the powerless council and went ahead with its ban. However, to give an impression that this council has teeth, the government proposed a ridiculous and unbelievable decree to charge Bahrainis for studying at secondary schools. The bill was not believed from the beginning and all people knew the game from the start. The powerless Shura Council doesn't command respect from either the government or the public.

### **Citizen versus mercenary**

Mr. Lafedh Al-Sheikh was prevented from publishing one of his columns in Akhbar Al-Khalij. The column appeared instead in the Qatari newspaper Al-Sharq on 2 November.

Mr. Al-Sheikh said that freedom of expression is curtailed in Bahrain and people are not allowed to participate in the consultations that the Amir has always spoken about. He questioned why did the information minister issued a ban on reporting with regard to the ongoing court case between himself and the mercenary Abdul Adhim Al-Baboli who works in the information ministry. Mr. Al-Sheikh had

criticized the blunder caused by Abdul Adhim Al-Baboli following the Gulf Air disaster. Since then, the information ministry brought a court case against him.

### **Dictatorship to be consolidated**

A new phase in Bahrain has already begun. This is a phase that is characterized by attempts to impose de facto unconstitutional practices. The Amir has announced the formation of a committee to process changes to the constitution and to provide a window-dressing to the dictatorial practices of the regime. As part of this policy, the regime has increased its clampdown on freedom of expression and is enforcing a ban on all voices that may raise objections to the changes being imposed on the nation. After dismissing leading columnists from Akhbar Al-Khalij and Al-Ayyam newspapers, the interior ministry has launched a campaign of terror to prevent citizens from organizing any seminar for debating the proposed unconstitutional changes. One seminar was banned last week in the capital, Manama.

Moreover, the Secretary of Samahij Club, Abbas Abo Safwan, was arrested during a dawn raid on his house on 27 November. The Secretary was organizing a seminar on the changes proposed by the Amir. He invited the lawyer Abdlulla I lashim and one of the people who were appointed in the committee for changing the constitution, Dr. Abdul Aziz Obol. Mr. Abo Safwan was ill-treated, intimidated and ordered to cancel the seminar. These practices are proofs that the Bahraini regime is planning to impose dictatorship that will be camouflaged as "reforms".

Opposition forces inside and outside Bahrain have repeatedly stated their views towards any steps for reforms. That such reforms must abide by the country's constitution, that they must not curtail public freedoms and that the end result must be the empowerment rather than the disempowerment of the people.

The opposition views the attacks on freedom of expression, the continuing detention of pro-democracy leaders, such as Abdul Wahab Hussein and Hassan Mushaimaa, the continued house-arrest of Sheikh Al-Jamri, the existence of the State Security Law and Court, and banning political exiles from returning home (without conditions) are all indications of the lack of seriousness of the regime to start a reform process.

The government violated and continues to violate the constitution's articles that specify the basic rights of citizens. Article 1 clearly specifies that Bahrain must be ruled through a democratic system, not through decrees, as has been going on since 1975. Article 17, C, states, "No citizen shall be deported from Bahrain, nor shall he be denied re-entry". Article 22 guarantees freedom of conscience, the inviolability of places

of worship and the freedom to perform religious rites and to hold religious processions and meetings. Yet the government has been imposing a clamp down on all religious gatherings. Article 42 states that "No law may be promulgated unless it has been passed by the National Assembly and ratified by the Amir". Yet the National Assembly is banned all together since 1975. In summary, the regime prefers to deal with the people of Bahrain through the security forces and the intelligence department that are run by the likes of Donald Bryan and other mercenaries. The people of Bahrain demand that their relationship with the government must be through an elected and constitutional parliament.

### **Plans for disenfranchising the nation opposed**

Bahraini opposition groups and personalities met in London on 26 November to discuss the plans announced by the Amir of Bahrain on 23 November for setting up a 46-strong committee to agree on the clauses of a proposed "charter" for changing Bahrain's constitution. A decree issued by the Amir intentionally ignored any reference to Bahrain's constitution and instead referred to ambiguous "values and practice common to the State of Bahrain and the Bahraini people." The decree declared that the appointed committee will then pass the prepared charter to a "popular congress" to be handpicked by the regime for rubber-stamping the charter.

The appointed body comprises eight members of the Al-Khalifa family, 13 members of the powerless Shura Council and 11 government's officials. Only 16% of the appointed people can be described as independent or semi-independent people, with the rest 84% being government's stooges. The appointed body will not refer to the constitutional due process. The government's stooges will swamp the presence of a handful of independent and semi-independent individuals in the appointed committee.

The people are being denied their freedom to debate the politics of these major changes with freedom of press curtailed and interior ministry personnel continuing their atrocities against pro-democracy activists. The appointed committee shamelessly comprises the head of the State Security Court who had arbitrarily sentenced hundreds of citizens in the past years.

The changes proposed by the Amir include creating an appointed upper chamber whose votes will be necessary in case the lower chamber (which could be elected) wants to debate the budget or to conduct legislative or monitoring duties. In other words, the government will have an army of appointed individuals blocking a lower chamber that will also be stripped from its constitutional powers. The proposals of the Amir are below the basic demands of the Bahraini people.