

# BAHRAIN

*Issued by the "Bahrain Freedom Movement" for promoting Human and Constitutional Rights*

## Al Khalifa and Bahrain: mutual agreement or eventual disengagement

Two years of deception have apparently convinced the Al Khalifa ruling family that they may be able to start putting into actions parts of their plan that have remained, hitherto, on the shelf. They are encouraged by their ability to execute the most difficult parts of their evil plans to transform the country into a fiefdom of factions with diverging interests and loyalties. They believe they have succeeded in settling the central issue of the constitution, by imposing their own laws and regulations tailored to safeguard their domination, and repealing the country's contractual one of 1973. Since February 2002, the new set of royal decrees in the form of a constitution has been systematically been put into effect, while the legitimate constitution has been abandoned. Despite the calls to take practical steps to resist the Al Khalifa's reign of constitutional despotism, the government has managed to continue its deception policies without real impediments, having drugged many of the activists through what was conceived by some of them as real reforms. The Al Khalifa capitalised on this state of affairs by embarking on their most daring project to date; the demographic change of the country. Over the past three years, they have succeeded in granting Bahraini citizenship to tens of thousands of foreigners with specific characters of loyalty to the ruling family and hatred to the natives of the land. If the demographic change has not yet been completed, it is certainly on the road to its final end. This is a cultural genocide that is contrary to the United Nations convention on genocide. It is being conducted in the most secretive way, and what is felt by the people is only a vague picture of the real process. This demographic change is the most dangerous and lethal policy of the Al Khalifa. Constitutions come and go, but the social composition is almost impossible to change once it is put in place with such policies as those adopted by the Al Khalifa.

In light of its achievements, with relatively little or no resistance from the public, it is now able to pursue the less important issues and execute the laws and decrees that were shelved pending the realisation of a suitable political and social environment. Among the contentious issues are the decrees issued by Sheikh Hamad to safeguard his rule. These include the press law, the immunity of the torturers (decree No 56/2002), the security law and other laws and decrees of similar nature. It has been the policy of Sheikh Hamad not to challenge the feelings of the public head on, but to bend in the face of the wind until it passes away. Many people were surprised by the sudden appearance of the information minister recently to confirm that the notorious press law is still in existence despite what the government had said of its intention to change it. Accordingly, the limited freedom of expression may be approaching its end and may be replaced by a more repressive regime. Nabil Al Hamar, one of the most hopeless ministers who served the ruling family for the past two decades in various capacities, has instructed the editors of the regime's newspapers to fall in line with what Sheikh Hamad and Sheikh Khalifa (the prime minister) want or face

unpleasant consequences. A recent show trial of one of the editors was in line with the policies of deception. It remains for the opposition to realise the futility of being carried away with the Al Khalifa's programmes of deception and misinformation.

What is at stake here is the future of the political system in Bahrain, and to an extent, the other Gulf states. The ruling families have refused to abide by the rule of the international democracy game, and opted to stay out of it altogether. Until the collapse of Saddam Hussain's regime, they had hoped to be excluded from the move towards democracy, arguing that it is not line with the traditions and religious values of the region, and that what they are offering to the people is much more suitable. They gambled on keeping their citizens shielded from the influence of the democratic movements in the world, and the various military and political crisis in the region provided the excuse for the lack of democracy. Now with the gigantic event in Iraq, it is difficult to imagine how the Gulf States can remain in the dark ages in terms of political reforms and democracy. The United States of America has supported the Al Khalifa form of democracy, that which gives the ruling family an absolute power over the executive, legislative and judicial sectors. Any separation between these areas is incomprehensible in the minds of these rulers. When they allowed some form of elections to the municipality councils they ensured these bodies have absolutely no powers and that they are subjugated to the ruling family through its hierarchical structure, and that they remain ineffective as means of putting right the wrongs committed by the prime minister for the past three decades. He has, hitherto, remained above the law and his confiscation of land and property of the people has continued. When the Al Khalifa allowed the election of half of the shura council (with the name of a representative council) they ensured it is also a tool in the hands of both the ruler and prime minister. Members of these councils are stooges who have no power to legislate, and can only look into what the government proposes and issue their non-binding observations.

This policy of deception, at a time when the country is undergoing a fundamental change in its demographic structure is a serious threat to its historic and human face. These policies have now been uncovered, but only to a few, while the majority are still carried away with the regime's propaganda, although they do not believe in it, in theory. What is needed is a mass movement to force the Al Khalifa to stop the building of settlements, end the importation of foreigners and start a real dialogue with the people. Meanwhile, the political struggle must continue, making use of all available legitimate peaceful avenues to achieve the goals of the people. The destiny of Bahrain must not be linked to that of the Al Khalifa; their presence in the government must be a transient phase which can be curtailed if they do not enter into a binding constitutional arrangement with the people. Unilateral decisions must not be allowed to become laws; that is against the wishes of the people and the international community.

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## Trafficking in Persons

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### BAHRAIN (Tier 2)

Bahrain is a destination country for trafficked persons in search of work who are put into situations of coerced labor, where they endure physical abuse or other extreme working conditions. Victims come primarily from the Philippines, Bangladesh, Indonesia, India, and Sri Lanka to work as domestic servants and in the construction industry. Female domestic servants also may be sexually or physically abused. Many low-skilled foreign workers in Bahrain have their passports withheld, their contracts altered, and suffer non-payment of salaries of varying degree and duration. The Government of Bahrain does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government has made great progress in the areas of prevention and prosecution, but it should expand services provided to victims, and needs to continue to expand prosecution efforts.

#### Prevention

A newly created interministerial task force drafted and distributed a manual on the rights and duties of expatriate workers in Bahrain to local embassies, Bahraini embassies abroad, and manpower recruitment agencies in Bahrain. It also drafted a simpler brochure for distribution to workers in their languages. A media campaign raised awareness nationwide about the manual and brochures. In order to certify that employers need the number of foreign workers for whom they are requesting visas and to inspect working conditions, the Ministry of Labor and Social Affairs increased the number of labor inspectors from 9 to 40. The government reformed work sponsorship rules to allow foreign workers to change sponsors or jobs without a "no objection" letter from their current sponsor. This allows foreign workers to legally remove themselves from potentially abusive situations.

#### Prosecution

The Penal Code outlaws forced labor and prostitution. Bahraini law en-

## A declaration of discontent

During the initial months of his rule following the death of his father, the King of Bahrain commented on his so-called reforms programme by saying "the happiest days have not been lived yet". In good faith and good will, the people of Bahrain offered their full support to the much-publicised reforms. The imposition on 14 February 2002 of the King's constitution on the political life in Bahrain represented the first major setback, resulting in widespread pessimism in the whole concept of reforms that made its first steps through undemocratic means.

The subsequent months witnessed events contrary to those words of the king. The short lived freedom of speech soon suffered serious repressive measures through tough legislations directed at curbing the flood of writers and public gatherings.

Another setback is the issue of union formation rights granted to the public sector employees by the 1973 Constitution, the National Action Charter and International Agreements signed by the Government of Bahrain, but confiscated by a Royal Decree, thus creating a legal complexity where right and wrong are no longer valid, and civil rights are continuously abused. The deprivation of the public sector employees from their right to form their own unions comes to con-

firm the Government's attitude towards accountability, transparency and abdication of autocratic means of dealing with its people.

The demonstration on Sunday (1st June) by taxi and bus drivers comes as another expression of anger against the uncontrolled legislations and policies that give little consideration to their working conditions. The licensing of private taxi companies, run by influential figures in the country, represents a serious threat to the driver's interests as these influential figures continue their business adventures without fear of legislations to control them. The state of despair within the drivers community was so significant that one of the banners raised by an old driver during the demonstration asked the question "where are the happiest days that have not been lived?". This implies that there is real dissatisfaction tantamount to the declaration of discontent caused by a series of failures of policies and a derailed reform programme. The march gathered momentum towards the office of the Prime Minister, where a cabinet meeting was in progress. But only if the Prime Minister would listen to the grievances of those who suffered, or is the cabinet again busy making legislations that further the widespread sufferings around the country?

### Difficult times ahead

The movement towards democracy is gradually gathering momentum and is taking various shapes and forms. The ruling family is finally on the edge of losing the initiative having depleted their stock of deceptive policies. The march that took place calling for the trial of torturers is likely to become the starting point of more activities aiming at forcing the ruling family to accept the idea that absolute dictatorship is no longer a viable solution, and that the people insist on regaining their rights.

The next few months will be crucial as the opposition launches its new initiatives having realised the futility of relying on the goodwill gestures of the ruler. As corruption takes grip in the country, and the people become more aware of the realities of Sheikh Hamad's absolute rule, they are becoming less patient and are likely to take more practical steps in the political direction. The two year truce between the people and the government is about to expire.

forcement actively investigates allegations of abuse. In addition to criminal remedies, through administrative measure and mediation under labor laws, the government allows and assists domestic servants and foreign workers to seek redress against traffickers. There are no indications that government officials condone or facilitate trafficking.

#### Protection

The government does not regularly provide assistance to victims but does provide shelter in extreme cases. There is no established system for providing legal or psychological services, but emergency medical treatment is available to anyone in Bahrain.

In cases where mediation does not succeed, government officials assist workers in finding lawyers to pursue legal action. The government often allows temporary residency during disputes and permits a foreigner to work while he or she seeks settlement or legal redress.

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## Sectarianism is incompatible with any form of democracy

Thursday 26th June marks the International Day in Support of Victims of Torture. The day is regarded as a special occasion for Bahrainis who have suffered systematic torture by the authorities over the last four decades.

The government of Bahrain, headed by the Prime Minister Shaikh Khalifa bin Salman Al Khalifa, had always been on the top list of countries that practiced torture against political prisoners. International human rights organizations have persistently condemned such inhumane treatment of detainees in Bahrain.

The systematic torture was institutionalized soon after the arrival in 1966 of the British colonial officer, Ian Henderson. The Al Khalifa government justified the practice of torture on the grounds of 'national security' and 'fighting against terrorism'. Torture cannot be justified under any circumstances. The systematic and widespread employment of this evil practice

in Bahrain is a crime against people under domestic and international laws. Therefore, granting impunity to torturers by Sheikh Hamad under the Royal Decree 56-2002, cannot be tolerated. All criminals who have committed crime of torture and violated human rights like Ian Henderson, Adel Flaifel, A. Rahman Bin Saqar Al Khalifa, Mahmood Akori, A. Aziz Atiyyat Allah must be brought to justice.

Thousands of victims of torture and members of their families around the world are given assistance by local or international bodies; however, Bahraini victims have not received any help yet. On the other hand, the torturers and criminals are promoted and sheltered against prosecution.

There has been no attempt by the government for 'national reconciliation' although many civil societies in Bahrain have been calling for it. The ruling family is trying to avoid such a move and recently ignored a petition signed

by more than 33,000 Bahrainis asking the government to compensate the victims and punish the torturers.

We take this opportunity to remind the government of Bahrain to take the following actions:

1- Repeal Royal Decree no. 56 /2002 that protects torturers and grants them immunity from prosecution. All torturers must be brought to justice.

2- Compensate all victims of torture and their families and assist those who need medical, psychological, social, economic, legal and humanitarian assistance or rehabilitation.

3- Establish a mechanism and laws with which will allow any future incidents of torture to be investigated and in accordance with international laws. 4- Implement the international Convention Against Torture that was signed by the government of Bahrain by submitting the required report.

**Bahrain Freedom Movement**  
26 June 2003

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## Zero tolerance towards Freedom of Expression

Nabil Al Hamar, the Minister of Information in the Al Khalifa government has confirmed that the draconian press law has been put into effect and anyone who does not conform to the wishes of the ruling family would be severely punished. In a meeting with the editors of the official newspapers he said that there would be zero tolerance towards "the abuse of democracy to undermine reforms, threaten national unity and sabotage achievements in the Kingdom. He insisted on referring to democracy as a justification for the crackdown on the freedom of expression. He believes the present dictatorial rule which is imposing itself on the people is democracy that deserves to be protected by preventing any criticism of its practices. This democracy is also clear from the hierarchical structure of the country where the members of the ruling family occupy the most important portfolios in government and refuse to abide by the rule of law. It is a democracy in which the prime minister has remained in his office for the past 32 years, unchallenged by anyone.

"We shall not, under any pretext, tolerate people abusing the democracy now available in the Kingdom in order to sabotage the democratic achievements. We have all to be aware that there is a huge difference

between benefiting from freedom and abusing freedom" Nabeel bin Yacoub Al Hamar, said. The minister tries to believe himself as he talks about democracy, a term that he was refusing to mention in his newspapers three years ago, arguing that it is not in conformity with our religion and traditions. He and his other colleagues who worked as mouthpieces for the despotic regime defended to the last the autocratic rule of the Al Khalifa, until they were ordered to use the term extensively in order to deceive people.

"We totally reject attempts by newspapers to incite the public through irresponsible Press reports that promote sectarianism and sabotage the reforms launched in the Kingdom," Al Hamar told the country's editors-in-Chief and editors. This threatening language could only come from dictatorship and despots, and the Al Khalifa have finally uncovered the reality of their totalitarian form of government.

The Minister deplored that a large number of commentaries and news were based on erroneous information and false premises, stressing that editors-in-chief would assume full responsibility for such negative tendencies. Should such cases continue, the editors-in-chief will be held responsible legally because in the state of law and institutions, the law, which serves the higher interests of the nation, will be

applied in the cases of journalistic transgressions," Al Hamar said. Tolerance of criticism has never existed in the country and Al Hamar has been at the forefront of ministers who banned the right to free expression.

The deception and lies continue: "Bahrain is a country where the legislative, judiciary and executive branches have vast and independent powers, and it needs the support of the fourth estate (journalism) to consolidate freedom and democracy, and not to publish articles and reports that seek to stir up the public and win supporters to the detriment of national values," he added. The three powers are controlled directly by the ruling family and there is no separation between them. The ruler and prime minister share the duty of appointing judges and members of the Shura Council, in addition to appointment of ministers. The king's constitution makes it a big offence to refer to the king in an critical discourse. He is above the law and his character is untouchable.

These are the features of the democracy lauded by Al Hamar. The people are now bent on moving against this dictatorship. Few pointers that the situation is volatile are already visible in the movement calling for bringing to justice the torturers shielded by the ruling family.

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## Sectarianism is incompatible with any form of democracy

The following is the text of one of the speeches delivered at the seminar organised last month by the Bahraini Centre for Human Rights, to debate the sectarian policies of the ruling family.

Thanks to the Bahraini center for human rights for organizing this seminar on the official sectarian discrimination in Bahrain. These practices reflect racist behavior close to the apartheid practices of the European whites against the original Africans in South Africa in the last century. Fortunately terminated before the end of the Twentieth century in S. Africa while becoming more colorful in Bahrain in the twenty-first century.

Although the Apartheid practices in S. Africa goes along the lines of ethnicity regardless of the religious belief, the discrimination in Bahrain goes along the line of the sect of your parents regardless whether you grown liberal, conservative, religious or not, the culprit in your suffering is that you are born from Shia' parent. This comparison seems silly but it's real and had negative practical reflections in our life and on the national morals.

Actually it's an issue that has been ignored by all political factions for different reasons. While the Sunnis kept quiet about it because they didn't suffer directly from these practices, the secularists ignored it because the Islam and its sects represent retarded belief that are not worth clashing with the government for. In its statement on March 1st 2002 ALMINBAR ALTAQADOMI ALDEMOQRATI issued a certificate of good conduct (SHAHADAT ZOOR) to the government of Bahrain when it declared, "the official sectarian practices have decreased" while in reality the sectarian practices taking a sharp turn to the worst ever. Unfortunately, the Shia' have avoided speaking up about this issue despite their widespread sufferings so that not to be accused of acting against the national unity, as if the national unity is possible only if the Shia citizen give up their right in equality and justice with non-Shia' citizens.

The programmed sectarian practices by the government of Bahrain against the Shia' proceeded through several axes: "Political Cleansing" by eliminating them from the high-

ranking posts in the civil administration of the government; "Economical Deprivation" by creating difficulties to their employments and their livings; and "Learning and Educational Retardation" through enforcement of hard measures against their students taken by the Ministry Of Education and by the University Of Bahrain.

Equally devastating are the sectarian strives that goes along the official political agenda in the official and semi-official media, and the statements by some ministers or some officials, the most recent example is the ugly statement of Mr. Aldharani the head of the Bahraini Parliament when he defended the shameful sectarian practices by the government of Bahrain against it's Shia' citizens.

It's logically understandable to accept statement about citizens if they are not trusting their government especially if the relation with their government is colored by blood, but

It is hard for and sound mind to accept rather than to judge statements, whether it came from Aldharani, A.R. Abdul Salam, or any columnists) that justify the sectarian discrimination by government against its citizens only because that government doesn't trust majority of its citizens because they are born Shia'.

If this government doesn't trust its citizens in jobs at Ministry of Interior, Ministry of Defense or National secur-

ity, or any other post in the government or political, economical or, educational or cultural activity because these citizens were born Shia', it is better for this government to leave and let the people choose the government they trust and the government that trust them. Ultimately governments go while people stay.

Finally to say, if thwas a single mistake in the national demands for political reforms in Bahrain in Nineties of the last century, it will be the ignorance of the big issue of the official sectarian discrimination for the sake of maintaining the national unity among the demanding forces and to win the neutrality of the Sunnis, strategy that have sent the wrong message and lead to wrong interpretation, and wrong conclusions to the different parties.

National unity can't be achieved by inequality and injustice. So political forces not willing to accept this equation and don't share the same ambitions can't be partners in the fights for political reforms but are closer to the government supporting the discrimination.

So, the movement to rectify the constitutional crisis created after Feb 2002 and its unconstitutional consequences should go hand in hand along with anti-discrimination measures be clearly stated to all parties and forces working for a just political reforms.

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## Torture Victims in Bahrain: PM Must Leave

Around Four thousands people demonstrated today 26th June 2003 in Bahrain, celebrating the International Day in Support of Victims of Torture. The demonstration passed though the Prime Ministers' Office to Manama center (Bab Al Bahrain). When the crowd reached the PM's office, they-chanted against the PM and asked him to resign since he was heading the government that was responsible for the death of tens of Bahrainis under torture and thousands of victims. They chanted "Khalifa sheel eidok; kel al shaab ma yeridok" [Khalifa remove your hand; all people don't want you. The demonstrators also demanded abolishment of the Royal Decree 56-2002 which gives impunity to torturers and human rights abusers. They particularly asked for bringing the torturer Adel Flaifel and Khalid Alwazzan to the justice. Many com-

munity leaders and figures participated in the demonstration. At the end of the demonstration, there were few short speeches. Most political organizations distributed their statements in support of victims of torture in Bahrain, whom have been ignored by the government. The demonstration was organized by The National Committee for Martyrs & Victims of Torture.'

Further demonstrations are expected in the coming weeks and months as the frustration of the public grows with the inability of the government to introduce real reforms in the country. Now that the prime minister's dismissal has become a national demand, Sheikh Hamad has only limited options to restore his integrity and political programme after more than a year of stagnation. It will be a war of wills between all involved in the politic4 struggle.