

# BAHRAIN

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

## A final call to Al Khalifa to abandon ethnic cleansing

The recent upsurge in the anti-government feelings in Bahrain is a significant development in the struggle to prevent the policies of ethnic cleansing adopted by the Al Khalifa ruling family. The past few weeks, the real political agenda of the ruling family has come to the open, and the public awareness has now become a serious factor in the opposition to these policies. First came the massive seminar in July that brought the most important documentary evidence about the political naturalisation. Then came the House of Lords seminar in August that tested the Al Khalifa nerves to the limit. What followed in the local media is nothing less than a total madness of a regime that has become so obsessed by its policies of deception that it could no longer tolerate anyone who expresses a different view. Now the stage has been set for a more serious opposition, which may surpass anything that happened in recent years. The people of Bahrain feel betrayed by the Al KHALifa policies and hidden agenda, and they are determined to foil their plot against them. It is now clear that the central main policy decided by Sheikh Hamad (or for him) is the the demographic change. That is the strategic aim of the Al Khalifa, who had always had an inferiority complex since they occupied the land in 1783. Neither them nor the people have reconciled themselves to their bitter coexistence which had always been marred by suspicion and mutual mistrust. The past century was of particular significance in the people's struggle against the Al Khalifa rule, which did not observe the rule of the political game and insisted on total domination and subjugation of the natives. The Al Khalifa, on their part, never put their trust in the people, and, instead, depended on foreigners to protect them on almost every level of government and security. The first reforms were imposed on the Al Khalifa by the British Political Agent, Major Daly, in 1923. The ruler, who was instated that year, to oversee those reforms, insisted on a British Advisor, and in 1926 Charles Belgrave was appointed to take up that role, only to assume total political power. For the following 31 years he ran the

government in his own style, and countered any public opposition to the Al Khalifa rule, in 1938, 1948 and 1954-56. He became so unpopular that he was asked by the British Government itself to leave Bahrain in 1957. Then came the 1965 uprising followed by independence in 1971 and the short parliamentary process which ended in 1975. The following 25 years were the bleakest in the country's history, as the Al Khalifa rulers, led by the prime minister, enforced a reign of terror on the people.

When Sheikh Hamad took office in 1999, following the demise of his father, the Al Khalifa appeared to have the most daring decision since their occupation of the land; to change the demography of the country. In order to see this through without major opposition, Sheikh Hamad adopted a programme of deception that appears to be reformist. He release the political prisoners and allowed the exiles to return and took other symbolic gestures that earned him a degree of respect initially. He gave many promises to the people only to relinquish them in due course. Sheikh Hamad believed in a fundamental change in the composition of the country and leadership. He aspired for total domination which, he hoped, would go unchallenged. Thus he abrogated the contractual constitution and imposed his own. He crowned himself as a king, and transformed the hereditary dictatorship into a kingdom. These steps were only the tip of the iceberg. The main body of his programmed was to undertake a process of political naturalisation that would result in a fundamental change in the demographic composition of Bahrain. Over the past four years, tens of thousands of foreigners have been given Bahraini citizenship, in an attempt to create a new reality in the country that would give the Al Khalifa a leading edge in the moral argument that they represent the minority. He may move on other issues, even the constitution, but only after this process has been completed. This is nothing less than ethnic cleansing, cultural genocide, ethnocide or culturecide. The ruling family imposed a total blackout on this process, continuing its deception

policies and imposing their will on the people through various methods. They did not declare numbers of the newly-naturalised, neither did they even talk about it in detail. They talked of legal naturalisation and nothing else. It was only after the documentary film produced by a group of Bahraini youth which showed the extent of this crime, that the people suddenly woke up to the reality that is beyond what they had expected.

It is now a race against time between the Al KHALifa and the people of Bahrain. The rulers preferred to keep the lid on the whole affair, but, to their dismay, the lid has now been removed and the real treachery has appeared. When a seminar was held at the House of Lords last month, the Al Khalifa has become so furious that they panicked in their own media, swearing at Lord Avebury who organised the seminar and threatened those who took part in it with retributions. They will, in time, take severe action against anyone who opposed their evil plan, but the people of Bahrain have no choice but to oppose their policies of ethnic cleansing at any cost. The stage is thus set for an eventual showdown between the two sides. Now that an international campaign has been launched, the fallouts could be very serious for both sides. Sheikh Hamad is unlikely to abandon his evil programme, while the people are even less likely to accept his policies as a fate accompli. The policies of deception, cooption and containment may have worked for the past three years, but now, there is a tendency to tackle the situation with a degree of seriousness unseen in the past. A worldwide campaign against this oppressive ruling family is likely to emerge in the coming months, and the situation in these islands is likely to deteriorate further. The hope is that the international community, especially the friends of the Al Khalifa will take steps to tame their ambitions, force them to abandon their policies of ethnic and cultural cleansing and accept to uphold the rule of law within an agreed constitutional framework. Without this, the country is likely to slip into a state of anarchy and chaos. This is in no one's interest.

## A constitution, a monarchy but no constitutional monarchy

*Following is the text of the speech by Lord Avebury at the seminar that was held on 22 August at the House of Lords on Bahrain:*

We are here to mark two anniversaries: the 32<sup>nd</sup> anniversary of Bahrain's independence on August 15, and the 28<sup>th</sup> anniversary of the abrogation of the constitution in 1975 on August 25. You will remember the cliché of George Santayana, "Those who do not remember the past are condemned to repeat it". Obviously, what happened in Bahrain in the early seventies isn't going to be repeated in the 21<sup>st</sup> century. Almost everywhere in the British Empire, self-government was introduced before the colonialists departed. Hereditary rulers were reduced to ceremonial figures in large parts of Africa and Asia, and the ideas of democracy, freedom of the individual and the rule of law were left behind. It must have seemed to Bahrainis in 1971 that with the advent of independence, they would start making decisions on governance for themselves, and with a new constitution the following year, they had every reason to be satisfied that progress was being made. Few people would have expected that for the next quarter of a century Bahrain would step backwards into a political ice age, with all the apparatus of repression and dictatorship that followed the coup of 1975, when the Amir sent the infant Parliament into oblivion. The lesson of that event was that hereditary absolute monarchs do their best to hang onto power, as Europeans know from their own history. Charles I of England, Louis XVI of France, Ferdinand of Naples, and the Tsar Nicholas of Russia all fought tooth and nail to avoid giving up their privileges to the people.

Where King Hamad has been rather more astute than his royal predecessors has been that over the last three years he has removed the worst excesses of his father's régime, so that at first people thought genuine advances were going to be made towards democracy, but establishing only a painted façade of democracy, bearing no much resemblance to the real thing. People voted for the National Charter on the basis of assurances given by the Amir that the 1973 constitution would remain and would take precedence over the Charter; that legislative power would belong solely to the elected House; that the nominated Shura would be consultative only, and that the powers of the Amir would be limited to those prescribed in the 1973 Constitution.

Unfortunately, the Charter was a confusing and ambiguous document, and there was no mechanism for challenging its interpretation. There is to be a constitutional court, but you can't build a system of law from the top down. First, there has to be an independent judiciary, which has never

existed and does not exist in Bahrain. This was one of the matters dealt with by Cherie Blair in the lectures that she gave during her visit in January, just after I had been there. Mrs Blair's office sent me copies of her lectures, on the understanding that I would keep them for my own use and not reveal them to any third party, which seemed odd to me since I could hardly believe that she intended her words only for the select audience who attended the lectures, when presumably the visit was intended to emphasise the benefits of wider public participation in the affairs of Bahrain.

The National Charter said that Bahrain would 'join democratic constitutional monarchies', but the present system of government bears no resemblance to any other modern constitutional monarchy. Bahrain is only a constitutional monarchy in the sense that it has a constitution and a monarchy, but not in the sense that we use the term. The monarch has no power over the appointment of ministers in Britain, Spain, Japan or Holland. But in Bahrain, the King appoints and dismisses the Prime Minister and other Ministers; he appoints and dismisses members of the upper house; he chairs the Higher Judicial Council (Article 33); he amends the Constitution (Article 35); he has power to proclaim a state of national safety or martial law (Article 36); he appoints civil servants, military personnel and ambassadors (Article 40) and he has power to dissolve the Chamber of Deputies (Article 42). In the exercise of all these powers, he is constrained only by the need to maintain harmony among the principal members of the ruling family, who occupy leading positions in government without democratic legitimacy.

The National Charter, which was approved by the overwhelming majority of the voters, said nothing about a new constitution, and the abrogation of the previous constitution was an arbitrary act of state, hardly an auspicious beginning for a democracy.

The Charter provided (in Chapter V) that Bahrain would have a bicameral system; one chamber 'that is constituted through free, direct elections whose mandate will be to enact laws, and a second one that would have people with experience and expertise who would give advice as necessary'. The Constitution, however, gives the Consultative Council a veto over legislation passed by the Chamber of Deputies. In the event of a disagreement between the two Houses, they meet together as a single entity, the 'National Assembly', in which there would be the 40 elected Members, and the 40 Members appointed to the Consultative Council by the King. It is argued that the King nevertheless does not

automatically get his way, because it is possible that some of his appointees may not follow the royal line on a particular measure. However, not all the elected Members will oppose the King, and if in spite of all the precautions, the National Assembly fails to agree on a Bill within 15 days, the King can enact it by decree (Article 87).

These are not minor flaws which can be corrected with the passage of time, because only the King has power to amend the Constitution. I think that the King agreed with me when I said that democracy had to be a dynamic process, but there is no discussion about the next stages that might be acceptable.

I did get some response when I talked about the provisions in the Constitution which mention equality, and it was agreed that I would send them material on the CRE and the EOC, which the Foreign Office have now asked those bodies to provide. If we can get them to think in these terms, it might enable them to address the problem which is not discussed in polite company, of discrimination against the Shi'a majority who constitute 65% of the population. Shi'a are not employed in the armed forces, the Ministry of the Interior, the police, the customs and other public sector bodies. In the organisations that do employ Shi'a, they are concentrated in the lower ranks.

The Shi'a feel threatened because of the government's policy of granting citizenship to foreign Sunnis from other Gulf countries, as well as to Syrians, Yemenis, Pakistanis etc, recruited into the armed forces and the police. They believe that the policy is one of demographic engineering, to make Bahrain a Sunni majority state. However, the foreigners are increasingly causing resentment among Sunni natives, because of their privileged lifestyles. Unless there is a political will to implement the constitution's promise of equality there can never be harmony and social cohesion.

Another serious grievance is Decree 56, which exonerates public servants for any acts they committed before July 2002. This means that the torturers who killed and severely injured many people under the previous Amir cannot be prosecuted. I did venture to suggest that this Decree was not compatible with Bahrain's obligations under the Convention Against Torture, and it would be agreed that if Bahrain is to take its place among democracies, obedience to the rule of international law is essential.

Finally, there is another taboo subject which I found was discussed behind closed doors in Bahrain, but not in public: the endemic corruption, which infects business and causes investors to look elsewhere for opportunities in the Gulf

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## Lord Avebury's letter to GDN

Following the successful seminar at the House of Lords, the Gulf Daily News made an interview with Lord Avebury for one full hour on phone. Three days later, they published a very short part of the interview claiming he had supported the political programme of the Al Khalifa family. Lord Avebury became furious at this systematic deception, and sent the following letter to the newspaper.

**Dear Sir,**

I have now seen the article you printed following my interview with you on the GDN.

This is an unbalanced account of our discussion. You picked out my commendation of the reforms made so far, but left out all the detailed comments I made about the defects in the process, and particularly the three taboos which are not discussed in Bahrain, thus neatly illustrating the other point I made about self-censorship.

The three subjects that are not politically correct to write or broadcast about in Bahrain are: the monopoly control by the royal family of most of the principal offices of the state including ministries, diplomatic posts, the governorship of Manama etc; corruption and lack of transparency at senior levels of government, and discrimination against the Shi'a majority of the population.

These problems were discussed extensively at the seminar I chaired last Friday, and they were covered again during the interview. You had the text of my remarks at the seminar in front of you also, and you decided to ignore all but one paragraph of it.

This is not responsible journalism, and I hope that in accordance with the practice of newspapers in other countries where freedom of expression exists, you will afford me the right to make these comments through your letters page. I reserve the right, however, to take other measures to inform the Bahraini public of the while truth.

## Last month Amnesty International issued the following Urgent Actions circular in defence of the rights of prisoners in Bahrain

### BAHRAIN Over 200 prisoners at Jaw Prison

Amnesty International has received information that more than 200 prisoners have been on hunger strike for about 10 days in Jaw prison in south Bahrain. There are concerns for the possible deterioration of the health conditions of the striking prisoners, who are protesting about their ill-treatment and lack of access to lawyers and human rights organizations. Earlier this year, following a previous hunger strike, a prisoner called Yasser Makki allegedly died in detention on 3 March, as a result of him not being given timely access to medical treatment for his deteriorating health.

The prisoners are reported to have taken over Camp Number Four in the

prison, following complaints of ill-treatment, such as the alleged assault of prisoner Ghazi Munshed, who was said to have been beaten in front of his family.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Arabic or your own language:**

- asking for medical treatment to be provided to the prisoners, and for them to be given immediate access to lawyers;
- calling on the Bahraini authorities to carry out an immediate, thorough, independent and impartial investigation into the allegations of ill-treatment at Jaw Prison;
- calling for those who are suspected to have been involved in the ill-treatment of the prisoners such as Ghazi Munshed, to be brought to justice;
- calling for an immediate, thorough, independent and impartial investigation into the death of Yasser Makki.

## BCHR comments on the hunger strike

Bahrain Centre for Human Rights (BCHR) vice-president Nabeel Rajab said the prisoners, who have taken over camp number four in the prison, claimed they had been badly treated and were demanding that society representatives were given permission to enter the jail. The families of the prisoners also gathered at the jail yesterday and demanded to speak to someone in charge. Mr Rajab said their requests had been rejected. He added that the society had brought the prisoners' previous claims of ill-treatment to the attention of the authorities but nothing had been done.

## Unemployment a culmination of a derailed reforms programme

As the picketing by the unemployed enters its second week, many observers criticized the government for its brutal action against the pickets which resulted in the arrest of a number of unemployed people. The government response to the picketing actions organised by Bahrain's unemployed citizens has caused great concerns about their future. The unemployed are motivated in their pickets by the deplorable conditions they are going through and the diminishing hope that surrounds them, with no clear policy to resolve their ordeal.

The government needs to adopt a comprehensive approach to the issue of unemployment. The minimum pay scale is not sufficient to guarantee a decent standard of living, and cannot lead a successful future. The phenomenal rise in prices of basic commodities over the past two decades has not reflected in similar trends in payment scales.

Furthermore, the legislations granting other Gulf citizen the right to buy land in the country has worsened the problem. With stronger purchasing powers, the Gulf citizens' entry into the market has caused a sharp rise in land

prices, thereby limiting the ability of normal and low pay citizens to buy land.

The government has persistently attempted to portray the picketing as politically motivated. This is an attempt to cover its failure in addressing the issue with a reasonable and a realistic approach. The deterioration of this issue to the present level has been caused by decades of organised sectarian discrimination and uncontrolled influx of cheap labour from a number of Asian countries.

This unbalanced approach and incomprehensive policy has consolidated the problem of unemployment. It indicates that the government is not serious to resolve the issue, thereby describing the pickets as unjustified.

The unemployed have expressed their genuine demands for proper jobs, decent pay and social insurance to take a more productive role in society. Their demands also included allowing the employment of the majority of the population in the ministries of Defense and Interior. Will the government respond positively to these genuine demands? History tells us this will not be the case.

## Bahrain's relations with Qatar remain unfriendly

Relationships between Bahrain and Qatar remain uneasy. If any, bilateral relationships have only worsened in the recent past on the back of Bahrain charges that Qatar must be blamed for the delay in achieving progress in a proposed causeway link. Besides, other reasons such as dispute of fishermen rights, limited diplomatic contacts and exchanges of media assault suggest that ties remain unfriendly between the two countries despite the peaceful resolution of the long-standing border dispute in March 2001 after the international Justice Court (ICJ) issued its final and binding verdict. This reports investigates the sources of troubles encountering the hostile ties between the two neighbouring states.

### 1) No progress on the proposed causeway link

The supposedly "friendship bridge" linking Bahrain and Qatar has failed to materialise. Worse yet, Fahmi al-Jowder, Bahrain's works and housing minister, has recently accused Qatar of lacking political determination to go-ahead with the causeway. Earlier, al-Jowder has declared that preliminary studies for the proposed 40-km Bahrain-Qatar causeway had been completed. Thus far, no tenders had been issued, while construction would take five years from the starting date. The Bahraini minister desires to see progress in the proposed link. "For every reason in this world, the Bahrain-Qatar causeway is feasible. It will mean a shorter period of travel and better transportation link for people in the GCC. It will mean a smoother connection between the two countries for people in Bahrain and Qatar" said Mr. al-Jowder. Cost of the causeway is put anywhere between US\$3 to 5 billion.

### 2) Fishermen suffering

An emerging issue bothering ties concerns the rights of Bahraini fishermen looking for substances to live. During the first months of 2003, Qatari authorities arrested several Bahraini fishermen entering Qatari territorial waters. In one incident, a Qatari court ordered Bahraini fisherman Sayed Hytham Sayed Hassan to pay 5,000 Qatari riyals (which is equivalent to \$1,373) before being released. Evidently taking advantage of the case, Bahrain's ruler, Hamad bin Isa al-Khalifa ordered financial compensation to the Bahraini fisherman, who suffered losses while fishing in Qatari waters. The owner has

told Bahrain newspapers that the Qatari action has undermined his livelihood. While acknowledging retrieving his two dhows, he claimed that they were wrongly stripped of valuable equipment. Two Indian captains employed by the owner were serving a jail sentence in Qatar until August. In the past, or prior to ICJ resolution, Qatari coastguard used to overlook breaches by Bahraini fishermen. Fact is that Bahraini fishermen prefer fishing in Qatari waters on the grounds that the areas contain substantial amount of fish.

### 3) Limited diplomatic contacts

Press reports hardly mention of diplomatic contacts between officials of both countries. In this context, king Hamad stayed away from the annual Cooperation Council (GCC) held in Qatar in the closing days of 2002. The king was expected to take part in the meeting, not least because his Qatari counterpart, Sheikh Hamad bin Khalifa al-Thani, attended the earlier GCC summit held in Bahrain. Many observers felt that the move was unnecessary, as Bahrain's ruler was merely required to spend a single night in Doha. The development illustrates the extent of deep-rooted hatred between the political leaders of Bahrain and Qatar. In deed, this marks the second time that a Bahraini ruler shunning a GCC summit taking place in Qatar. The late Sheikh Isa bin Salman al-Khalifa boycotted the Doha summit in 1996, the first deliberate action by a GCC head of state. But unlike the son, the father developed a pretext for boycotting the gathering, namely charging a Qatari national of engaging in spying activities in Bahrain.

However, the son found it not necessary to provide any justification for his behaviour. Nevertheless, other Gulf leaders such as those of Saudi Arabia, the United Arab Emirates (UAE) and Kuwait have failed to take part in the annual gathering but on the grounds of health reasons. Likewise, Bahrain's king Hamad boycotted the summit of the Organisation of Islamic Countries (OIC) held in Qatar in 2000. Truth is that king Hamad enjoys travelling. He pays frequent trips to Abu Dhabi to meet Sheikh Zayid, president of the in the United Arab Emirate. In fact, hardly a month passes without king Hamad making "brotherly" visit to the UAE. Also, the king pays repeated trips to Saudi Arabia not mentioning his frequent private trips abroad. However, he found it not possible to attend a vital GCC meeting in Qatar.

### 4) Media exchange assault

Government-influenced media sources in Qatar and Bahrain continue exchanging attacks. For its part, Bahrain considers al-Jazeera, the Qatar-based satellite TV station, as a barrier to normalizing relations with Qatar. In 2002, Bahrain's ministry of information has indefinitely banned al-Jazeera from operating in Bahrain.

Officials charge al-Jazeera of intervening in Bahrain's local politics. Bahrain reacted angrily to al-Jazeera's coverage of the Bahraini opposition function held in London on August 22nd. In the gathering, amongst others, participants accused the al-Khalifa regime of orchestrating demographic changes in the country.

On August 23rd, the daily al-ayam, produced a "document" claiming that the former regime in Iraq used to make regular financial contribution to al-Jazeera. More importantly, Bahrain's media sources depicted the change of crown prince in Qatar in early August as a sign of internal rivalry. Some reports charged that Sheikh Jassim bin Hamad al-Thani, the former heir, was plotting with his grandfather against his father. Sheikh Hamad bin Khalifa al-Thani seized power in 1995 while his father Sheikh Khalifa bin Hamad al-Thani was vacationing in Europe.

Clearly, leaders of both Bahrain and Qatar have failed to overcome years of animosity despite the border resolution. Unlike the leaders, ties between the people of Bahrain and Qatar remain cordial. In fact, there are inter-marriages between Bahraini and Qatari nationals. It is widely believed that the troubled ties between Bahrain and Qatar must be attributed to rivalry between al-Khalifa and al-Thani families rather than reflecting the true nature of Bahraini and Qatari people.

### No constitutional monarchy

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Let me end on a positive note. I found, during my visit, that there are many new NGOs springing up, including an independent women's organisation which was awaiting approval. There were new trade unions, human rights organisations, and bodies that could become political parties if allowed to do so. Friends of Bahrain should encourage the growth of civil society, and perhaps there is more we can do from the UK to help the process. But let us remember the events of the early seventies, and acknowledge that as long as all effective power remains in the grip of the ruling family, fundamentally nothing has changed.