

# BAHRAIN

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

## 14 February: a black spot in the modern history of Bahrain

The past three years have been a nightmare to the people despite the relative calm in security terms. The period has been a testing time for the country; and an opportunity to reflect on the real intentions of the ruling family headed by the ruler, Sheikh Hamad. His style of leadership has now become clearer. Unlike his uncle, Sheikh Khalifa, who had run the country with an iron-fist policy and adopted every possible means or repression against the opposition, Sheikh Hamad has adopted a policy of engagement with the opposition, in a way that has few parallels in other countries. This engagement, is however, engineered in a way as to appear more serious in solving the political crisis than it really is. Instead of having constructive engagement in which both the ruling family and the opposition play their parts on equal basis, Sheikh Hamad has introduced his style of "dialogue" based on "I speak you listen". Meaningful dialogue has never existed, and is unlikely to exist as long as the ruling Al Khalifa family feels that it can get away with murder.

Indeed, Sheikh Hamad has addressed the most sensitive issues; but in his own way and style. Again, the policy of deception has been the order of the day in these engagements. For example, While Sheikh Khalifa would dismiss any talk of democracy, and order the official media to not to use this phrase, Sheikh Hamad has adopted "democracy" and used it extensively in order to pull the rug from under the feet of the opposition. He, however, has emptied the term of its real meaning and significance. He has designed a "tailor-made" form of democracy that would enforce dictatorship but in a less dramatic way. This dictatorship is now protected constitutionally. While Sheikh Khalifa hated the word "constitution", Sheikh Hamad has adopted the term, and instead of allowing the world to criticise the Al Khalifa for failing to implement it, he unilaterally repealed the 1973 contractual constitution and imposed new laws and regulations and called it a constitution. His media now has no problem in talking in

constitutional terms. The 2002 constitution has been enacted from the day Sheikh Hamad imposed it two years ago. Thus the country is now governed by a constitution that has legalised despotism in a shrewd form. In order not to allow any debate on this constitution, the ruler rushed into putting it into effect and ordered a botched-up elections for the municipality councils followed by elections for Sheikh Hamad's council that he called "Council of Representatives".

Furthermore, he sought to shield those torturers who are now being prepared to carry out future duties to repress the people of Bahrain. When the victims cried calling for justice, he started preparations to buy off their criticisms promising to pay them some money as a gracious act. The rule of law has not been established, and those who had thought it possible to change from "within" the Al Khalifa establishment have now proven to the people that they, themselves, have changed while the system remained intact. Sheikh Hamad has thus engaged in these sensitive areas but in a way that secured his position and that of his family, while exploiting the country's resources to silence his opponents through coercion, containment, co-option or blackmail. He knows that these practices can only work for a short time, so he has also prepared for the long term. Over the past five years, Sheikh Hamad has engaged in the most daring of his evil programmes. Tens of thousands of non-Bahrainis have been given Bahraini citizenship by royal decrees. He even issued a decree giving himself the power to offer Bahraini citizenship to citizens of the GCC countries. People have been shocked to hear of the intention of offering the citizenship of a country whose native inhabitants are less than half million, to 20 million foreigners. This is indeed an outrageous act that could have no moral justification especially that other GCC countries have better economic and political life.

The engagement of Sheikh Hamad in these areas have enraged most people, and has given rise to a new trend of opponents who feel betrayed by Sheikh

Hamad's actions, especially those related to his unfulfilled promises. The country has thus been plunged in a new state of political chaos, despite the apparent normality.

There is no denial that these actions have led to a temporary respite in public opposition, and reduced the chances of immediate political tension. But this is not a sustainable state of affairs. And there is a widespread fear that the next stage of struggle could be more dangerous especially to the ruling Al Khalifa family. While the first few months prior and subsequent to Sheikh Hamad unfulfilled charter witnessed a relative respect to that them, the last two years have witnessed a dramatic change in people's attitude towards them. People are now calling publicly to the removal of the Al Khalifa from office. They have failed to reform and disappointed the people when they backtracked on their promises to uphold and respect the country's 1973 constitution. The change of the country's demography is further evidence of the widening gap between the people of Bahrain and their rulers. It is now just a matter of time before a popular movement erupts in the island.

As Sheikh Hamad and his family prepare to celebrate their charter and constitution, the people are preparing a period of mourning, protests and mutiny against the tyrannical rule that has become to represent everything evil in the country. Changing the demographic composition of Bahrain cannot be allowed to become a reality, and the people are serious in their rejection of what they consider a cultural genocide. They call on the people of the world to support their struggle for a better life in which democracy replaces dictatorship, and where unilateral decisions and royal decrees of Sheikh Hamad are invalidated. The friends of the Al Khalifa are better advised to distance themselves from their tyranny, entice them to enter into a contractual constitution in order to legitimise their rule. Their rule is devoid of legitimacy as long as they refuse to abide by the 1973 constitution.

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## The grave state of unemployment in Bahrain

Unemployment is on the rise in Bahrain. This has been the conclusion of a report prepared by an American consulting firm and released in December 2003 for the account of the Economic Development Board (EDB). The report has disclosed the grave situation facing new entrants to the job market. EDB is a governmental institution mandated to develop economic strategies.

As of end-2002, foreign nationals comprise the majority of the workforce in Bahrain. Of the total of 305,000, there were some 198,000 foreign employees, constituting almost 65 percent of the workforce. The balance of 107,000 or 35 percent made up the Bahraini nationals. Thus, local employees are the minority in their own country. The number of unemployed Bahrainis ranges from 16,000 to 20,000. Worse, projected figures put the number of unemployed Bahrainis to reach some 60,000 by 2013 unless officials take corrective measures.

True, foreign employees make up around 85 percent of the total workforce in the United Arab Emirates and Qatar. However, the comparison in not

warranted, as unlike the other regional countries, Bahrain is suffering from unemployment problem.

Amongst others, the report has revealed some cracks in Bahrain's employment system. Some 45,000 jobs for non-locals could not be tracked in the private sector. Apparently, the foreign employees' category refers to what is known in the country as Free Visa. These are foreign nationals brought to Bahrain for no specific jobs. Influential people including members of al-Khalifa family are arranging for the arrival of these would be employees in order to profiteer from their presence. Accordingly, these foreign employees are required to make monthly or quarterly payments to their sponsors depending on the agreement. Ostensibly, the presence of such a large number of foreign employees applies downward pressure on prevailing wages. Also, they are not entitled for basic benefits; hence this amounts to human rights violation.

The utmost majority of the jobless happen to be followers of the Shiite faith. Shiites comprise around 70 percent of the total local population. Possibly, this marks a deliberate policy by the regime to revenge

from the Shiites for their insistence on seeing through a comprehensive democratic programme in Bahrain.

It is fair to assert that the government of Sheikh Khalifa bin Salman al-Khalifa (in office since independence from Britain in August 1971), has failed in a key economic objective, namely avoiding serious unemployment. In short, Sheikh Khalifa has virtually done nothing to address the joblessness problem. However, this recent extraordinary admission about a serious unemployment problem reflects power struggle between the two camps of the regime, that of the ruler Sheikh Hamad bin Salman al-Khalifa and his son Crown prince Salman bin Hamad al-Khalifa versus the other camp led by Sheikh Khalifa. Suffice to say that the EDB, which belongs to Sheikh Salman, commissioned the study. Sheikh Salman personally presided over the meeting in which the consulting firm briefed the audience. Both Sheikh Hamad and Sheikh Salman wanted to suggest that Sheikh Khalifa should be blamed for the unemployment debacle. At the end of the day, the Bahraini nationals are paying the price of the infighting between al-Khalifa factions.

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## Time for real democracy in the Arab world?

There is a widespread anxiety with regards to the reformist policies that need to be undertaken by the rulers of the regional states. The Americans have insisted that they wish to see some political reforms in these states, but have failed to present a cohesive programme to that effect. Some of their allies are worried by the call for reforms emanating from Washington, and have already embarked on some steps to pre-empt further pressures from the international community. Even those who claimed to have reformed their regimes are aware of the serious implications of their policies of deception. The rulers of Bahrain, for example, have been caught in a very difficult situation, having to deal with mounting criticisms from their people who call for real changes and not cosmetic ones.

Now the Saudis are attempting to join the "democratic" bandwagon, and have allowed women for the first time to present TV news and take part in international conferences. They have also yielded to the American pressures to curtail the excesses of the Salafi movement which is linked to the Wahhabi school of thought, the dominant religious cult in the peninsula. Last month a group of opposition figures met in London to further their calls for reform and openness in the king-

dom. At the same time, the Syrians have released many political prisoners, one day after the Israelis released hundreds of Palestinian and Lebanese detainees, in accordance with a deal with Hezbollah, brokered by the Germans.

How genuine these moves are is unclear.

What is clear, however, is that these repressive regimes have now felt the dangers of insisting on the status quo that had led to internal strife and external terrorism in some cases. The hope is that the rulers of Bahrain follow suit and acquiesce to the demands of the people for a transparent and democratic regime, instead of the policies of deception and demographic change.

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### Political arrests herald a new era of repression

The authorities in Bahrain has arrested four youth in relation to the riot on 17<sup>th</sup> December 2003 (The Martyrs Day) that was called by the National Committee for Martyrs & Victims of Torture in Bahrain. It is said that the list of 'wanted people' is longer than the four arrested young Bahraini men. One person is not yet arrested as he did not submit himself to police. The police has been searching for him for couple of days. He is still on the run from. Among the detainees are:  
Mahmood Hassan Saleh  
(from Daih Village – 20 yrs old)  
Ahmed Abdulla Shaban  
(from Sanabis – 18 yrs old)  
Abdul-Monem Sami Saleh  
(Karraneh village – 17 yrs old)  
Mohamed Ali Naser (from Sanabis)  
Abdul-Ameer Taher Al-Samia  
(Jid Hafs – 32 yrs old) (on the run).  
Families of detainees are worried about

their children as they could not visit them in the past few days. Human rights activists are also concerned about the arrest of these individuals 'in isolation'. Today, the head of Bahrain Center for Human Rights, Deputy Chairman of The National Committee for Martyrs .. , and The Head of Human Rights Committee at Al-Wafaq Society visited the police station where the above individuals were held. The visit was to investigate the reason of their arrests and to ensure the treatment that they were receiving. They also visited the Public Prosecutions office in Manama for the same reason. The above activists could not get any answer about the reasons behind the arrest of these young men; however, the names were confirmed by officials. And some assurances were made that they will not face any ill-treatment.

The Bahraini constitution defies against discrimination, and guarantees equality and equal job opportunities. Nevertheless, for decades, there has been a common and institutionalized practice of discrimination and favoritism based on sectarianism and family status.

The Bahrain Center for Human Rights took the initiative to raise the problem of discrimination, by organizing two public seminars this year in Bahrain. Papers were presented by members of parliament, religious figures, political and human rights activists. The papers highlighted the deferent aspect of the issue, legal, historical, social, political and human rights. Concluding in recommendations to tackle the problem

At the two seminars the Bahrain Center for Human Rights, launched a report in Arabic that contained shocking facts and statistics highlighting three type of discrimination:

Discrimination against women in high rank posts in the public sector,

Discrimination against citizens belong to Shiite sect of Islam

Privileges enjoyed by members of the (Al Khalifa) Royal Family

Before the second seminar, the report was sent to all ministries and government establishments, published to the people, and transmitted on the internet. Only three out of 30 ministries and government establishments send a response.

The King Hamad bin Isa Al-Khalifa, responded publicly to the seminars saying that he would not accept harming his family, but he declared that no one is above the law, and the issue of discrimination is open for discussion.

Nevertheless, the authorities staged a campaign in the press accusing the people behind the seminars as the enemy of the society who are trying to harm the image of good families and provoke social instability. The report itself, or its finding was not published in the media. On the other hand, the Ministry of Labor sent a letter threatening to close the Bahrain Center for Human Rights if such act happened again.

### **Firstly: Discrimination against women in public jobs**

#### **General information:**

As for the year 2001, the total of working women in Bahrain is 32,800, representing 26% of total manpower.<sup>[1]</sup>

#### **Conclusions from the report:**

The percentage of women in high-ranking posts stands around 7% only, as women hold 42 of a total of 572 jobs.

In 14 out of 32 government establish-

ments and bureaus, there is no woman occupying a leading post. Out of the total number of high-ranking jobs occupied by women, only 24% are from the Shiite sect. While women from the Royal Family occupy 17%. Post which include the posts of undersecretary, president of university and ambassador.

### **Secondly: Discrimination against Shiite-Muslims**

#### **General Information:**

Followers of the Shiite comprise about 70% of the total number of citizens<sup>[2]</sup>

#### **Conclusions from the report:**

Out of 572 high-ranking public posts covered by the report, Shiite citizens hold 101 jobs only, representing 18% of the total.

When the research was conducted, there were 47 individuals with the rank of minister and undersecretary. Of these, there were 10 Shiites, comprising 21% of the total. These do not include the ministries of Interior, Foreign, Defense, Security and Justice.

Regarding the post 'with rank of undersecretary' in all ministries and government establishments, Shiites occupy only seven posts out of a total of 62, making up 11% of the total.

Out of 32 establishments and bureaus covered by the report, there are seven ministries and government establishments where the Shiite citizens do not hold any key posts. Among these institutions are : the Ministry of Defense, the Ministry of Information and the Bahrain Center for Studies and Research.

### **Discrimination against Shiite in the General Prosecution Office and the National Assembly**

#### **Introduction:**

Whilst previous sections displayed high-ranking posts in government establishments, this section demonstrates examples of whole employment cadre, underlining the percentage of Shiite citizens.

These institutions are:

- 1- the General Prosecution Office
- 2- the Shura Council
- 3- the Council of Representatives

These three establishments have two significant distinctive characteristics:

First: being judicial and legislative, these bodies should protect the rights, implement justice and guarantee equality and equal opportunities.

Second, these establishments are relatively new, as they were set up after the reformation and voting for the National Charter Action in 2001.

The total number of jobs in **the General**

**Prosecution Office** is 64; of these, the Shiites occupy only four jobs, representing nearly 6% of the total number of employees.

Administrative jobs in the **Shura Council** are 64. The Shiite citizens hold none of the eight key posts (director of directorate, secretary general and assistant secretary general. As for the other jobs, which in total are 56, the Shiites hold 13 jobs, comprising 20% of the total employees. Looking closely at the table, it becomes obvious that six jobs out of a total of 13 are drivers.

Table No. 8 demonstrates that the number of jobs in the **Council of Representatives** is 108, of which the Shiite citizens hold only 39 jobs, representing around 37%. None of these is decision-making job. They are: driver, office boy, administrative technician, secretary of a committee and committee technician.

### **Sectarian discrimination: Worshipping Places**

#### **Introduction:**

Mosques in Bahrain cannot be built or repaired without an official permit. Although mosques fall under the umbrella of the Endowments Directorate, but the bodies assigned to grant permits are the ministries of Justice and Housing.

In some areas such as Riffa, south of Manama, the authorities have basically banned the building of Shiite mosques. In other areas, only restoration permit is allowed.

Records of the past five years indicate clear discrimination against the Shiite. For example, the Jaffariyat (Shiite) Endowments Directorates has not been granted new mosques permits. Out of 21 new mosques were built during the period, not a single for the Shiite faith.

#### **Conclusions from the report:**

This report highlights the allocation of mosques in four districts and areas specified for government housing. These are Zayed Town, Hamad Town and Isa Town, in addition to Al Dair and its surrounding areas.

**Zayed Town** (south of Manama): a new housing project in which two lands were allocated to build mosques, but neither for the Shiite sect.

**Isa Town** (south of Manama): Out of a total of 24 mosques in this town, there are four Shiite mosques, representing 17% of the total.

**Hamad Town** (southwest of Manama): Out of a total of 24 mosques, there are four Shiite mosques, comprising to 17% of the total.

**In Arad and neighboring areas** (north of Manama): Out of a total of 22 mosques there are six Shiite mosques. The Shiite mosques are only found in Arad village.

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## US Delegation informed of the harsh realities of the political situation

On 28th January, the National Committee for Martyrs & Victims of Torture submitted a letter to the delegates of the USA Free Trade Agreement (FTA) in their residence Sheraton Hotel in Manama, the capital of Bahrain. Another copy was delivered to the Embassy of the United States of America in Bahrain.

The letter was signed by the board member, Ms. Iman Shuwaiter (the widow of a martyr who was killed under the torture by Bahraini security police in 80's).

The US FTA delegate is currently in Bahrain discussing and negotiating terms and conditions of the Agreement with authorities in Bahrain. The negotiation will continue for four days, from 26<sup>th</sup> to 29<sup>th</sup> January 2004. It is anticipated that the Agreement between the US and Bahrain to be signed on June 2004.

The National Committee for Martyrs & Victims of Torture which was established in 2003 is a civil society body representing families of martyrs and victims of torture in Bahrain. Their main demands are: bringing all torturers to the justice, and asking for financial compensation and rehabilitations for families of martyrs and victims of torture in Bahrain. A new Board for the Committee was recently elected by its members on 1.1.2004.

### US FTA Delegation to Bahrain

Embassy of the United States of America  
P.O. Box 26431  
Manama – Kingdom of Bahrain

### Re: 'Rule of Law' and 'Impunity' in FTA – USA & Bahrain

The National Committee for Martyrs & Victims of Torture (NCMVT) in Bahrain would like to bring to your kind attention few vital issues before drafting or signing the Free Trade Agreement (FTA) with authorities in Bahrain.

The NCMVT supports free trade among nations regardless of their religions, races, or cultures as long as the trade leads to dialogue among civilizations with which can help mankind to have peaceful and just life. Throughout the history, commercial trades played an important role in exchanging and transferring noble values and principles among people from different regions and cultural backgrounds. It is anticipated that most free trades in the world produce similar outcome.

The NCMVT hopes that the FTA can help ordinary American people as well as Bahrainis to achieve better living standards. From our point of view and in order to ensure popular satisfaction and

support, the Agreement should consider some human right issues related to people of Bahrain which include Rule of Law and impunity.

**Rule of Law:** In spite of existence of constitution and law, authorities in Bahrain do not respect nor honour them. Furthermore, the judicial system is not an independent nor separated from the executive branch of the Government since both are appointed by the King. The Constitution does not provide mandates to approve or disapprove any appointed judge. Similarly, if the judge is corrupt, there is no mechanism for impeachment. Judicial courts in Bahrain are subject to the Government influence. (For more details on this, please refer to Country Reports on Human Rights Practices – US Dept of State).

**Impunity:** In Bahrain, Government officials who have committed crimes and violated human rights in the past are left with impunity under Royal Decree 56-2002. This Decree does not allow any victim to bring these criminals to justice. In fact, records show that courts have rejected many cases filed against torturers in Bahrain.

This decree is against the Constitution of Bahrain and international agreement

ratified by Bahrain such as 'Convention Against Torture' which states: in article 4: "each State Party shall ensure that all acts of torture are offences under its criminal law. The same shall apply to an attempt to commit torture and to an act by any person which constitutes complicity or participation in torture", and in Article 13: "Each State Party shall ensure that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to and to have his case promptly and impartially examined its competent authorities."

Bahraini Government does not adhere to its own Constitution and the law, let alone the international treaties.

With the comprehension to the importance of effective respect of Bahrainis rights and values, as human beings, in supporting, prolonging and popularity of the FTA, the NCMVT seeks that the US-FTA delegate considers the followings: Denote and discuss the above issues including 'Rule of Law' and 'Impunity' with the Government of Bahrain on human rights grounds and obtain an official commitment to honour and abide the law and international treaties. The FTA should include a mechanism to materialise such commitment, even if it requires conditional penalty.

Nullification of the Royal Decree 56-2002 as it is violation to the constitution and the international treaties ratified by Bahrain. Investigation in all murder and torture cases carried out outside the law by officials during the process of confronting the people of Bahrain in their peaceful and rightful demands for the reinstatement of the constitution and the elected parliament. Such process should involve a national committee consisting of representatives of human rights organisations and civic societies.

Bring all those who committed murder or torture to justice in accordance to the international standards.

Financial compensation for victims of torture and rehabilitation for those who are still agonized and suffering.

With the fulfilment of the above points, FTA can be appreciated and will help the people of Bahrain as well as of America. We are in support of all efforts to bring about mutual benefits and respect to both nations.

**National Committee for Martyrs & Victims of Torture**

27<sup>th</sup> January 2004

### ***NCMVT Chair Holders***

*Manama – Bahrain 4/Jan/2004. The National Committee for Martyrs & Victims of Torture held its general meeting on 1<sup>st</sup> January 2004 at AL-Orooba Club. In the meeting, a board member presented the past activities and achievements of the Committee inside and outside Bahrain. Other issues such as the date of 'The Martyrs Day' and election policies for the Committee were discussed by the members.*

*There was a general consent (by voting) on holding the election every two years and to have a quota for one 'female' member in the board. Seven members were elected for the Committee board, they are: Abdul-Raof Al Shayeb, Majeed Milad, Sayed Jaffer Al-Alawi, Mohamed Mehdi Al-Ekri, Shaikh Ali Saleem, Mahmood Ramadhan, Iman Showaiter (quota for female member).*

*The above elected members chose posts for the Committee among themselves as the following:*

*Majeed Milad – Chairman*

*Sayed Jaffer Al-Alawi – Deputy Chairman*

*Abdul-Raof Al Shayeb – Spoke-man*