

BAHRAIN

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

Constitutional Conference certifies death of Hamad's programme

If any hope for a serious reconciliation between the people of Bahrain and the Al Khalifa ruling family had lingered following the political upheavals of the past three years, it must have been dashed after last month's head-on political confrontation. The third anniversary of Sheikh Hamad's charter was celebrated by the two sides in their own ways. While the Al Khalifa attempted to put a brave face and show a degree of joy, the people came out in full opposition gear to declare it a day of mourning. They had planned a constitutional conference in which international opinion would have been expressed against the legality of the 2002 document. The Al Khalifa exploited the powers in their hands and prevented the foreign guests from entering the country. In total, 25 constitutional and political experts had planned to address the conference and lend their support to the people of Bahrain, but the Al Khalifa mobilised their forces in an attempt to undermine the whole exercise. To their dismay, the people declared victory as the international media picked up the story and expanded on the underlying causes of the political unrest. The Al Khalifa intervention led to further diplomatic difficulties in the following days.

The leaders of the political societies that had invited the guests had planned to visit Kuwait and offer the people's apologies for the Al Khalifa's misbehaviour. Another saga thus unfolded to complicate the situation further. The Kuwaiti authorities had received a list of 16 people from the Al Khalifa who should be denied entry into Kuwait. Further complications emerged when the Al Khalifa attempted to blame the Kuwaitis for that. The Kuwaitis were so enraged that a planned visit by Sheikh Hamad to Kuwait had to be postponed. It is once again an old trick that the rulers of Bahrain attempted to play in order to preserve the image they had falsely created for themselves. To admit that they had asked the Kuwaitis to ban their citizens would amount to a treachery. To deny it would enrage the Kuwaitis and cause some tension in their relations. They

chose the second. The first would have caused greater damage to their image which had already been tainted by preventing the guests from entering the country. The people's victory has resonated in western capitals especially London and Paris from where some guests had made their journey to Bahrain.

The situation has thus retarded to well below the starting point. Today, the reputation of the Al Khalifa within the Bahrain psyche has been irreversibly damaged. The calls for an end to their rule have become stronger and more frequent. A regime that did not respect itself, its citizens and the guests of the country is not worthy of existence. The heavy-handed policies of the seventies and eighties are likely to lead to more tension and political polarisation. A fundamental pre-requisite for any government to achieve stability, popular support and recognition is the trust of its people. Once this trust disappears, it becomes almost impossible to reconcile the various players in the field. The trust cannot be established if the regime clings to old-style politics and outdated political tactics. It can be claimed with a degree of certainty that there now exists no trust between the two sides; the Al Khalifa have resorted to a demographic change in order to create a new balance of power within the country; the people have repeatedly called for an end to the despotic nature of the ruling family. The situation has thus become so polarised that it is difficult to see how trust could be built again on a new understanding.

For the people, there is an awareness of the necessity to uphold the rule of law in accordance with the country's contractual constitution. The insistence of the Al Khalifa on preserving the status quo is not conducive to building the necessary trust. The constitutional conference has been a boosting exercise to the anti-Al Khalifa opposition, especially in light of the international coverage it has received, thanks to the destructive mentality of the neo-democrats among members of the Al Khalifa family. It would certainly have passed without attention from the inter-

national domain. But the developments instigated by the ban on the conference have attracted the attention of the world to what is happening to this Gulf island. It is surprising that the ruling Al Khalifa family is devoid of personalities of common sense and sound political judgement who could stop the wrangling surrounding the visit to the country by foreign constitutional experts. Any sound judgement would make it a foolish act to try to stop these people who had been invited by the political societies and whose governments awaited to see the outcome of the conference. To cut their trip short, threaten them with deportation and give them a cause for more serious grievances have played into the hands of the opposition who had been searching for evidence to support them in their struggle against dictatorship. What the people of Bahrain have achieved through the Al Khalifa's foolish acts is more than what they had hoped for.

The next few months will be crucial to determine the nature of the struggle that would take place against this form of dictatorship. Meanwhile the goodwill of the people's guests will undoubtedly lead to more exposure of the reality of the ruling family. Even their allies have become embarrassed by the recent episode. The Americans are well-advised to retract their rhetorical comments that gave wrong impressions to the outside world when they declared their support to the dictatorship of the Al Khalifa. To continue unrestrained support to a discredited regime will threaten the American credibility in the regions, especially as they attempt to prop up a democratic regime in Iraq. There is unease amongst those relying on US support in the democratic domain, as Bahrain is cited on more than one occasion as a model for a developing democracy. What is needed is a bilateral contractual arrangement which compels all the parties to abide by the common understanding, shared willingness to co-habit on the island and exchange mutual recognition and respect. These values have, hitherto, remained alien to the Al Khalifa political etiquette.

Constitutional Conference rejects 2002 doc

In conclusion of the "constitutional conference" which was held in Manama on 14th and 15th February, four opposition Bahraini political societies called on the government for "dialogue" stressing "commitment to the national labor work and constitutional monarchy," including the principle of "political and party pluralism and a rotating authority."

The convening of the conference which included political parties, civil society groups, independents activists and observers raised a controversy during the two past days because of the government's banning of Arab and foreign participants invited to the conference from entering the country on Friday to attend it.

The conference was organized by the Islamic national reconciliation societies which represent the main trend among the Shiite and the democratic national work (a coalition of left, nationalists and independents) the Islamic Action, the democratic national coalition (Baathists nationalists). These societies boycotted the legislative elections in Bahrain in October 2002 in protest of constitutional amendments it considered living equal legislative authorities for the elected Parliament and the Shura

council that is appointed by the government.

In the final statement of the "constitutional conference," the societies stressed "total commitment to dialogue for every political agreement" and called on the party to "make a serious national dialogue with the opposition sides in order to reach a solution for the constitutional crisis."

The societies also stressed "commitment to articles of the national action charter so that the ruling system in Bahrain becomes a constitutional monarchy" and the constitutional amendment to be confined to the state and the two chambers system" and renewed rejection of any unilateral amendment of the constitution."

The societies indicated attachment to the "inheritance royal ruling system" and the ruling system to be democratic in which sovereignty lies with the people, the source of all authority. It said that it will issue "a popular petition expressing the views of the people of Bahrain, according to decisions issued by the conference."

Cairo 15 \ 2 \ 2004

Arab Program for Human Rights Activists

Bahrain keeps foreigners out of debate

MANAMA, Feb 13 2004 (AFP) - Bahrain's king said Friday outsiders should not take part in a debate on reforms, as authorities denied foreign activists entry to the Gulf state for a constitutional conference organised by opposition leaders.

A Bahraini official told AFP that entry was denied to three Kuwaiti MPs and activists from Britain, France, Kuwait and Jordan who had planned to take part in the conference due to start Saturday.

"Authorities have denied entry to a group of foreign activists who had arrived in Bahrain to take part in the conference, which has not been approved by authorities," said the official on condition of anonymity. "As such their presence would be illegal and would be considered an interference in Bahrain's internal affairs."

The official said those denied entry included Kuwaiti MPs Ahmad al-Saadun, Adnan Abdul Samad and Abdul Mohsen Jamal, Jordanian activist Saleh al-Armouti, two Britons and a French activist.

The authorities will resort to the judi-

ciary to prevent the conference from taking place, he said.

Earlier King Hamad said in a statement delivered on his behalf by royal court chief Sheikh Khaled bin Ahmed al-Khalifa that foreigners should not take part in debates over Bahraini reforms. "With all due respect to foreign experts, it is important that the debate over the kingdom's internal affairs remain restricted to its citizens and that no one else take part in it," said the statement carried by the official Bahrain News Agency. "It is a national duty that citizens take a responsible attitude when it comes to exercising their right to free speech."

The statement, said that a reform process launched in 2002 was "gradually bearing fruit." Four opposition parties, which boycotted legislative polls in 2002, have said they are pressing ahead with plans to hold a conference on Bahrain's "constitutional crisis", although the government said they needed prior authorisation. Organisers of the conference have said that they have in-

Urgent Action Bahrain

The Bahraini authorities has prevented Arab Human Rights Activists from entering Bahrain territories and participate in "the Constitutional Conference" organized by Bahrain Center for Human Rights, Bahrain authorities also ordered "Diplomat" hotel administration to apologize for hosting the conference which make clear the Bahraini authorities tendency to prohibit the conference. Two days before the conference, Bahraini minister of labor the described the conference illegal, for the Bahraini Center for Human Rights did not get the official permission.

The Arab Program for Human Rights Activists condemn Bahraini authorities behavior, which contradict with the right of peaceful assembly and association which Internationally recognized. APHRA express concern this act may reflect an official policy to restrict human rights activities.

The Arab Program for Human Rights Activists express unlimited solidarity with the Bahraini Center urges the Bahraini authorities for immediate investigation on this violation and respect international human rights declaration that it has ratified

APHRA call on regional and international human rights institutions for strong solidarity with the Bahraini center for human rights to pursue peaceful human rights activities.

Arab Program For Human Rights Activists

Banning Bahrainis from Kuwait

The Kuwaiti authorities prevented Shaikh Ali Salman, the chairman of Al-Wefaq society and Ibrahim Sharif (National Democratic Action Society) from entering Kuwait this morning. Both were put on the same plane back to Bahrain.

The officials in Kuwait stated that the Bahraini authorities had recently submitted a list of names to Kuwait Ministry of Interior consisting of political activists; and asked to deny them entry to Kuwait for security reasons.

Shaikh Ali Salman and Ibrahim Sharif were both in a trip to visit Kuwaiti figures to apologize to them face to face for what these figures had gone through last Friday when they were barred from entering Bahrain to attend 'Constitutional Conference' in Manama. Many other guests were also refused admission to Bahrain including British lawyers, Professor Martin Lau, and Ms. Samantha Knights.

Sending lists to other countries by authorities in Bahrain to prevent Bahraini citizens from entering those countries for no legitimate reason is a clear violation of human rights and freedom of movement.

vided foreign and Arab legislators to attend.

The parties are mainly opposed to the equal legislative powers accorded to the appointed Majlis al-Shura consultative council, which like its elected counterpart has 40 members.

The first parliament was dissolved in 1975 after its members rejected the state security law.

The sad realities of institutionalised dictatorship

Three years ago, the people of people were lured by the ruling Al Khalifa family into endorsing a document that had promised reforms but later transpired to be nothing more than an attempt to legalise despotism and dictatorship. The "National Charter" much hailed as a way out from the 25 years black era, was endorsed by the people after Sheikh Hamad had given his personal promises that he would abide by the 1973 constitution. A year later, the people of Bahrain were shocked to see the "reformist" Sheikh Hamad embarking on a programme that had exceeded anything that his predecessors had done. He crowned himself a king, changed the small island into a "kingdom", and imposed a new constitution that had legalised despotism in its ugliest forms. Shekh Hamad has given himself powers that no other monarch in the world had, and forced his constitution on the people without fulfilling any of the promises he had given t h e p e o p l e .

Among the written undertakings by the ruler prior to the endorsement of his charter were: that the 1973 Constitution would be superior to the charter, that any changes to that constitution would only be done in accordance with article 104 of that constitution and that the legislative powers are confined to an elected chamber while an appointed council would only be consultative. These undertakings were given in writing by Sheikh Hamad himself at the house of a senior cleric, by the minister of justice in a statement that was published on 9th February 2001 by local newspapers and by the Crown Prince in an interview at the time. It was these undertakings and promises that had enticed the people to give their approval to Sheikh Hamad's charter. At no time did they ever imagine that the highest authority in the land would renege on written and widely circulated conditions agreed by the two parties: the people and the ruling family. Most opposition figures and organisations were also lured into believing these promises and urged the people to approve the charter. The announcement by Sheikh Hamad on 14th February 2002 amounted to nothing less than treachery and a coup against the people's wills and wishes. He announced the introduction of his new constitution in defiance of the people's demands for which they had struggled since the contractual 1973 constitution was suspended in 1975, and had offered huge sacrifices including more than forty martyrs, thousands of prisoners

and exiles and unlimited human sufferings. Sheikh Hamad appeared, for a time, to be the saviour of the country from the illnesses it had suffered at the hands of the Al Khalifa despotic dynasty. He proved to be just another tyrant who would allow no dissent. He has become an absolute ruler with powers who still holds the ancient belief of his dynasty that they owned the land and the people. Later that year he called for the elections of a subservient council which has no power of legislation, and whose working orders would regularly come from the ruling family. It is not allowed to initiate legislations and would only act within the framework of what the Al Khalifa would allow. It is subordinate to the prime minister and his clique, a bunch of old-minded folks some of whom are accused of masterminding one of the most horrific torture regime in the region. In order to tighten the Al Khalifa's grip on power, Sheikh Hamad undertook several initiatives. First, he decided to run the country by royal decrees rather than upholding the rule of law. In t his respect, he issued several decrees, the most notorious of which is decree no 56-2002 which offered torturers immunity from prosecution. Under this decrees senior members of the Al Khalifa, such as Abdul Aziz Atiyyat Allah Al Khalifa, Abdul Rahman bin Saqer Al Khalifa, Mohammed bin Khalifa Al Khalifa who had leashed a campaign of terror in the country for 25 years, have been offered immunity from prosecution, and some of them have been promoted. Soon after his ascendance to the throne following the demise his father in March 1999, Sheikh Hamad had granted many of them honorary medals for their services in the torture apparatus. Second, Sheikh Hamad had decided to rule the country

with "gracious acts", i.e., offering the people personal favours in the forms of grants or sorting out personal problems, and undermining the rule of law. Today, Bahrain is subject to the decisions of the ruler who would issue royal decrees and orders to deal with outstanding issues relating to the lives of the people. The ordinary citizen has no legal rights, and has to ask for favours of the ruler in order to alleviate poverty or other social problems.

Perhaps the most significant and far reaching decision undertaken by Sheikh Hamad has been to change the demographic composition of the country. In 2002 he issued a decree that makes citizens of other Gulf states comprising the Gulf Cooperation Council, the right to obtain Bahraini nationality while maintaining their original nationalities. This means that up to 20 million people are allowed to get the nationality of a country whose natives are less than half a million. This is a political prostitution at its worst. Tens of thousands of non-Bahrainis have been made nationals at the stroke of Sheikh Hamad's pen. They were chosen from countries and areas where the most extremist elements of Al Qaeda were recruited in Southern Arabia, Pakistan, Jordan and Syrians. The aim is to create a unique power base that would offer a balance with the natives with whom the ruling Al Khalifa had never been able to make fraternal relations. The feeling of superiority among members of this family together with the mentality of ownership of the islands (as a result of conquering it militarily) have always been impediments to a peaceful and practical coexistence between the two sides. Sheikh Hamad has thus sought to alter the situation fundamentally by changing the human composition of the land in favour of his dynasty. This is a cultural genocide that aims at undermining local human culture and identity. *Continued on Page 4*

Bahraini Prisoner in Saudi jail

The health of *Shaikh Mohamed Saleh Ali*, the Bahraini prisoner in the Kingdom of Saudi Arabia since 22nd July 2003, is deteriorating. He was recently admitted to Incentive Care Unit (ICU) in a hospital in the Kingdom with a heart trouble that resulted in loosing consciousness.

Shaikh Mohamed Saleh has been unlawfully detained with no official charges last July by Saudi authorities while travelling to Saudi Arabia via King Fahad Causeway in a business trip. He was ill-treated and not given the right to have a lawyer who can defend him and protect him from any unlawful act.

We would be grateful if you call upon

the authorities in Saudi Arabia to:

- Release Shaikh Mohamed Saleh immediately since there are no charges against him;

- Take care of his health as the Kingdom is responsible for this breakdown;

- Stop all kinds of ill-treatment (physical and psychological); and

Allow him to Return home to his family in Bahrain as soon as he gets well.

The news about the health of Shaikh Mohamed Saleh was published in all Bahraini daily newspapers on 1st February 2004. For more details, you may contact the Coordinating Committee in Support of Shaikh Saleh at: Telephone: (973) 39609656 ; (973) 39064228 ; (973) 39400954; Fax (973) 17778967 or (973) 17761923.

Discrimination against Shiite citizens: More facts

According to recent statistics, unemployment rate in Bahrain is 15%, of which an estimated 95% are Shiites

Shiite citizens are forbidden from occupying jobs (especially high-ranking) in the army and police due to their sectarian origins. This led to an increase in the number of unemployed Shiites.

On the other hand, in order to change the demographic structure of the country, and without taking into consideration the social damages to be caused, the Government secretly and by-passing the normal laws^[10], resorted to naturalizing big numbers of tribal Arabs and their families, who were brought to the country to work in the army and the security force.

The Government has also allowed GCC citizens from tribes, historically loyal to the ruling family, to obtain the Bahraini citizenship, yet maintain their original citizenship, and without having to fulfill the criteria for residence in Bahrain^[11].

Discrimination has also penetrated the elections of both the Representatives and the Municipal Councils. The Government divided the country into imbalanced sectarian constituencies. For example, in the southern governorate, which the many newly naturalized persons reside, a block of around 2000 voters hold a seat in parliament, whilst in the central and northern governorates, that are majority Shiite areas, block of around 7800 voters hold one seat.

As a clear practice of segregation, Shiites and Sunnis of Persian origins are prohibited from inhabiting in one of Bahrain's largest district, that is Riffa, which consist more than 40% of Bahrain land¹, in which a majority of the members of ruling family reside. It is the only city that requires a prior permission from the Royal court.

Thirdly: Superiority and privileges enjoyed by members of the (Al Khalifa) Royal Family

The Al Khalifa warrior tribe arrived in Bahrain in 1783, and concurred the country by force and ruled the country ever since. They maintain a large portion of public income, and huge area of the land. In 1971, Bahrain gained its independence from Britain and witnessed a short period of democratic experience between 1973 and 1975.

Bahrain became a constitutional monarchy in February 2002.

According to the new constitution, the King appoints:

the prime minister and cabinet members of the Supreme Council for Judiciary members of the Constitutional Court and

members of the Shura Council, who make up half the members of the National Assembly.

The King also shares the legislative power with the National Assembly.

The Al Khalifa family, is made up of several thousand members, around 2% of the citizens. They belongs to a Sunni tribe, while the majority of citizens are of urban origins (non-tribal), either Sunni or Shiite, and some are of Persian descendants.

Conclusions from the report:

Of 572 leading public posts covered in the report, 100 jobs are held by members of the Royal Family, representing 17% of the total.

The figures and would have been higher should five institutions provided full information:

The National Guard

The National Security

The Financial Monitoring Court

The Royal Court

The Crown Prince Court

Likewise, the statistics increase in significance by acknowledging that members of Al Khalifa hold more than half of the posts of ministers and with rank of ministers, including Prime minister and Ministers of Justice, the Interior, Foreign affairs, Defense. They occupy other important posts such as governors of districts, heads of courts, president of the university and the Supreme Council for Women. The representation of members of the Royal Family occupying high-ranking public jobs varies from 3% (University of Bahrain) to 60% (the Survey and Estate Registration). Plus, Al Khalifa members

The Sad Realities - Continued from P3

This is a crime that must be stopped.

To address this political and human crisis in Bahrain, the opposition societies organised a constitutional conference on 14th-15th February to highlight the new forms of despotism that is both legalised and practices. With the participation of international and local constitutional experts, the hope is that the international community would come to the aid of the Bahraini people in their struggle against this tyrannical regime. It is time that policies of deception and extravagant public relations would not be allowed to hide the truth, and that the new form of tyranny and dictatorship would be exposed. The hope is that the removal of Saddam Hussain from power would help uncover other evil regimes in the region, and that of the Al Khalifa has proven to be as cunning and deceptive as that which reigned in Iraq.

comprise a quarter of top positions at the Ministry of Defense and half of leading jobs at the ministries of Interior and Justice.

Members of the Royal Family serve as board chairmen of 19 sport federations and holding the post of vice chairman in 10 of these federations. These members hold such posts either by appointment or internal elections, reflecting the influence they enjoy.

Table No. 17 provides additional details by listing names and high-ranking posts occupied by members of the Royal Family in the Kingdom of Bahrain.

Recommendations:

First, to abolish the system that distinguishes and favors members of specific families and those loyal to them, over the rest of the people. Family or sectarian preferences and inferiority thinking must be considered as socially wrong and should be condemned.

Second, there should be a law to forbid, incriminate and punish all forms of discrimination. Officials must be held accountable for practices of discrimination taking place in their institutions. Victims of discrimination should be granted justice and compensated.

Third, jobs in public establishments must be made available to all citizens, of different sects and origins, such as in the national guards and the police. Ministers and other officials.

Fourth, the principles of the International Convention on the Elimination of all Forms of Racial Discrimination, which had been signed by the Government of Bahrain, should be activated, as well as the principles of the Bahraini Constitution, which included justice and equal rights.

Fifth, National committees, Governmental and NGOs should be created, empowered to investigating into the implementation of justice, equal opportunities, opposing discrimination in State bureaus and institutions. Mechanisms for Monitoring on the aggravation of all forms of discrimination should be set up.

Sixth, all forms of discrimination should be put to an end in employment, freedom of movement, housing, education, private^[13] and public scholarships, government tenders and services rendered by the state bodies.

Seventh, political and random naturalization based on tribal and sectarianism should be stopped, naturalization of some segments should be reviewed in the light of consistency with the domestic and international law.

Eighth, NGOs, Religious leaders and civil societies should discuss this phenomenon, away from religious sensitivity and in an open and transparent manner, considering the fact that social harmony is threatened by it.