

# BAHRAIN

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

## Political naturalisation is a crime worse than dictatorship

The fasad of democracy that has shielded the monarchical dictatorship in Bahrain is gradually eroding as the battle of existence has now taken the priority in the struggle of Bahraini people to safeguard their identity. When a ruler gives himself the right to alter the demographic balance of the society under his rule with the stroke of a pen, the notion of democracy becomes so distant that dictatorship becomes the proper description of the situation. For thirty years the people of Bahrain have strived to achieve a degree of civility through the establishment of the rule of law. Instead of heading the call for the reinstatement of the country's only legally binding document between the Al Khalifa and the people of Bahrain, the ruler sought to delay the crisis rather than solving it. For the past four years, he has adopted a policy of deception to derail the democratic movement, while he engaged in one of the most shameful acts a regime may indulge in. His decision to alter the demographic in a country that has enjoyed social balance and coexistence over the centuries, has shocked everyone on this island. Tens of thousands of foreigners, discreetly selected from regions in which extremism has flourished, were given Bahrain nationality outside any legal framework. The aim is to remove the historic notion that the country had been under minority rule ever since the Al Khalifa occupied in the late eighteenth century.

As political naturalisation continued, the Al Khalifa embarked on a deception process with the aim of gaining time to achieve their evil aims. They wanted to avert any public backlash against the illegal naturalisation by offering marginal freedoms and gracious acts. They have resisted the establishment of the rule of law and exploited every opportunity and means to prevent such an eventuality or at least delay it. Meanwhile, the process of political naturalisation has continued unabated. The opposition believes that if the Al Khalifa succeed in this project, then they may introduce more political concessions. They may even agree in one way or another to go back to 1973 Constitution. The problem is that the political reforms will then become ineffective. The Al Khalifa will rule over a country which is so divided that they will become the ultimate arbiters in any social or political dispute. No single political or religious entity will be able to pose a serious challenge to their rule. The situation will become similar to Israel. After changing the demography of Palestine, they introduced their democracy. Some Palestinian figures have become part of this democratic process, but what good can they achieve for their own people? Once the Palestinians became a minority in their land, the Israeli democracy became irrelevant to them. Political naturalisation is a very dangerous development that often leads to the desecration of the national identity of any nation or people. This is what the Al Khalifa have been striving to achieve.

The policy of deception adopted by Sheikh Hamad has managed to lure certain elements into his political programmes.

He is now exploiting their participation to influence public opinion inside and outside the country. The Al Khalifa have a total control over the country's finances, and have consistently exploited them to their own political ends. Over the past year alone, the oil revenues have more than doubled. It is estimated that the total income from crude oil exports amounts to no less than three quarters of a billion dollars. These extra revenues are not used to improve the welfare of the people. They are exploited by the Al Khalifa to finance their policies of deception and image-making. They have recruited international advisors and public relations companies to do the job, especially in the United States and Britain. They have spent lavishly on foreign "guests" and extend generous hands to many individuals and organisations outside the country. Some human rights organisations have fallen in this trap, and some of their officers may have received "generous gifts" either in cash, sponsorships or paid trips. A look at the register of some British members of parliament will reveal the extent of corruption.

The people of Bahrain are now deeply engaged in debate about the political situation in their country. They are anxious to see an immediate end to political naturalisation, and consider it the ultimate evil act to change the identity of people at the hands of rulers. It is an exploitation beyond imagination, and opportunism with no boundaries. Civil society institutions, both in Bahrain and elsewhere, are encouraged to take positive steps to curtail the excesses of the Al Khalifa, through condemnation, petitions, lobbying politicians and media exposure of both the political and cultural genocide.

When Sheikh Hamad attended the G8 summit in Georgia, the official machine of deception and brainwashing stepped up its activities in order to influence the leaders of the industrial nations. Money was lavishly spent on dignitaries, journalists and people of influence both in Georgia, Washington and London. Soon after Sheikh Hamad returned to Bahrain, six citizens were arrested allegedly for planning an attack against western interests. Within 24 hours they were released. This is an indication of the policy of deception. If these citizens were really linked to Al Qa'eda their detention would have lasted for weeks at least. It is yet another game that aims at convincing the Americans and the British that the Al Khalifa are the true defenders of western interests and that any pressure on them to introduce democratic reforms will be counter-productive.

As the battle of existence continues, so does the will to force real reforms in the country. The results of the deception programme are short-lived. The Al Khalifa must not only stop their programme of political naturalisation, but they have to allow independent investigation into all citizenships offered to foreigners in the past thirty years. Without this, democracy will remain a mirage, and any talk of political reform is meaningless. Real political reforms are only valid if they are transparent, real and comprehensive. That appears to be far away from Sheikh Hamad's present political programme.

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## Solving the crisis needs a meaningful dialogue

There is now talk of political dialogue to be initiated in Bahrain to narrow down the differences concerning the current political stalemate. The debate about this political dialogue is continuing while the Government has not yet taken serious steps to initiate a serious debate.

The opposition has been calling for dialogue to come up with agreements on critical issues like the constitutional changes, political naturalization, unemployment and sectarian discrimination. Again, the Government has not been moved by such calls, nor has it confessed that these issues are a problem at all. We believe that the success of political dialogue needs a number of important conditions to be met.

First, the political dialogue must be held as soon as possible between the Political Societies who are at difference with the political programme of the ruling family and many of its senior members. It is

meaningless if the dialogue takes place without the involvement of the true representatives of the political system in Bahrain. We think the main representative of the Government in any dialogue should be the Sheikh Hamad himself.

The dialogue needs to be monitored and documented. All deliberations have to be kept in records to register the proceedings and reflect the outcomes and agreements. The Government can always come back and deny any contacts with such dialogue, as it has always done in the past.

The dialogue has to be comprehensive covering all the political issues which have led to the present political stalemate. The Government may attempt to derail the dialogue by introducing issues that are of no relevance to what the Political Societies are after. The dialogue has to be governed by an agreed agenda and clear objectives.

The dialogue has to be transparent. Observers and those interested must have access to the progress of the dialogue. The political issues to be discussed concern all citizens, they should therefore be informed of the status of the dialogue as it develops at all stages. The Dialogue has to go through an agreed time table with agreed pre-defined milestones. It cannot progress open-ended with no known and mutually agreed stations to measure progress.

We hope that the Government does not use this initiative for dialogue to distract the attention of the people from its failures and the breaking of its promises. We also hope that the Political Societies concerned with this dialogue will stand against any attempts to confiscate further rights and put forward all the national issues that have to be resolved.

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### Statement: No impunity for torturers

The International Day in Support of Victims of Torture

*"Whoso is slain wrongfully, We have given power unto his heir, but let him not commit excess in slaying. Lo! he will be helped." The Holy Quran*

Every year on 26<sup>th</sup> June, human rights organizations and civil societies around the world celebrate the International Day in Support of Victims of Torture to commemorate the sufferings and pain that activists went through in order to be degraded and humiliated.

It is indeed a great national and international day when people around the world express their appreciations for torture victims' sacrifices in their struggle for noble goals: freedom, justice and happiness. As much as we take a pride in their sacrifices for their nations, we condemn all sorts of systematic torture, killings and genocide that were committed by torturers in Bahrain and around the world.

In the last three decades, tens of Bahraini were martyred; and more than 20 thousands citizens were physically and mentally tortured by the name of the National Security Law. However, with the struggle of our people this undemocratic Law collapsed. For decades, torturers like Adel Falifel and others who still maintain high rank posts in the security apparatus and whom had violated basic rights of our people, were sheltered behind this Law.

Today, through this international forum

that united us as individuals and civil societies, we renew and revive our pledge to the martyrs and victims of torture and to remind our community that what we enjoy today is the fruit of our martyrs' blood and the suffering of our heroes who were tortured and imprisoned. In this rally, we remind and demand the Government of Bahrain to bear the legal and humanitarian responsibility and to fulfil the following demands:

1. Recognition of all those who have unlawfully killed as national martyrs and provide fair compensation to their families.
2. Fair compensation for all victims of torture as well as rehabilitation for those who are still suffering from torture.
3. Bringing all those who have committed acts of murder or torture to justice in accordance with the international standards; and repeal Royal Decree 56-2002, that protects torturers and grants them immunity from prosecution.

Submission of the above demands is part of our effort to close this bloody chapter which may remain open till a brave decision is taken to put an end to it. These demands and rights are articulated in the Constitution of Bahrain and in the National Action Charter. In addition, Bahrain is one of the countries that ratified the Convention Against Torture, which is supposed to be incorporated in our national legislation. Therefore, acts of torture must be considered as a crime in our penal code and our laws must ensure punishment of those who commit such an offense.

The 'Vienna Declaration' that was adopted in World Conference on Human Rights recommends states of the world to '... abrogate legislation leading to impunity for those responsible for grave violations of human rights such as torture and prosecute such violations, thereby providing a firm basis for the rule of law.' Therefore, the Royal Decree 56-2002 is considered unlawful nationally as well as internationally as it violates the Constitution of Bahrain, National Action Charter, and international agreements. A true reform must grant rights to people by compensating victims and bringing torturers to justice.

In this regard, we shall not forget to condemn the systematic killings and torture of detainees in Palestine, Iraq, Guantanamo and in many other nations. We hereby call upon the international community to stand firmly against all acts against human rights values and to bring all violators to justice.

#### Societies:

*Bahrain Centre for Human Rights, Bahrain Human Rights Society, Bahrain Society for Freedoms and Support of Democracy, The National Committee for Martyrs and Victims of Torture, Al Wafaq National Islamic Society, Islamic Action Society, National Democratic Action Society, Al Wasat – Islamic Arab Democratic Society, Progressive Democratic Forum Society, Pan Arab Democratic Society, and Bahrain Bar Society.*

25<sup>th</sup> June 2004

## Seminar on Constitutional Crises in Bahrain

*A presentation conducted by Mr. Husain Abdulla, BFM representative in the United States of America; University of South Alabama; Mobile, USA  
June 17, 2004*

Mr. Husain Abdulla, a Bahraini citizen and a representative of Bahrain Freedom Movement in the United States of America conducted a presentation that was host by the Political Science and Criminal Justice Department at the University of South Alabama.

The presentation started at 8:30 am by Mobile, Alabama time and ended at 10:30 am.

Mr. Abdulla started his presentation by giving some historical background about Bahrain and its ruling Al-Khalifa family. He talked about the demographic balances and the early political history of the country and the relationship between the ruling Al-Khalifa family and the people of Bahrain.

Then he entered into more recent era when he introduced Bahrain after its independence from Great Britain and the first and only legal constitution of the country, which was establish in 1973. Bahrain had its first elected parliament in 1973, but soon after that the then Amir Shaikh Issa bin Salman Al-Khalifa dissolved the parliament and entered the country in along political unrest, which continues till today. After the Amir dissolved the parliament the country was ruled by royal decrees, which mean there is no rule of law in the country.

Al-Khalifa controls the country politically and economically. According to Mr. Abdulla the Shia majority does not enjoy rights of citizenships that is giving to any citizen in any civilize country; they cannot join the arm forces or the police forces just because they belong to the Shia sect of Islam. "It is a clear discrimination against the majority people of Bahrain" Mr. Abdulla said. "One of the first questions on the job application for the Arm forces is: Are Shia or Sunni? What is your sect? Is this an act that is conducted by a government claimed to adopt reforms and democratic changes?" Mr. Abdulla asked.

In February of 2001 the Bahraini regime announced their plan, which they had been preparing for months secretly away from any public hearings or participations. The plan was about a referendum on National Charter that would take the country out of its Political unrest and transform its legal status to a kingdom.

The people of Bahrain did not endorse this plan till Shaikh Hamad and his regime promised them that the Constitution of 1973 would not be touched. The ruler of Bahrain and his Government started their secret efforts to design a new constitution that would undermine the rights of the people, which were guaranteed by the Constitution of 1973. On February of 2002, the ruler and his Prime Minister (his uncle also) announced their 2002 document claiming that the people of Bahrain had given them the right to change the constitution when they agreed on the national referendum, which is a clear lie.

Then Mr. Husain Abdulla talked about the recent development in the country and the recent arrest of over 20 young men who were gathering signatures on a petition calling on the ruler to re-instate the country's 1973 constitution.

Mr. Abdulla ended his presentation with an appeal to sign a petition, which would be used to send to the US congress, White House, Department of State, and some other Organizations. Almost all the people

signed the petition that was presented by Mr. Abdulla, which call for pressure to be exercised on the Bahraini regime to reinstate the Constitution of 1973. There were many questions from the attendance about social, Political and economical aspects of Bahrain, which were answered by Mr. Abdulla.

Among the attendance were University students, good numbers of Professors, University press, local TV channel. The University press and the local TV station had an interview with Mr. Abdulla who said:

"These are the beginning of series of activities that will be held by the opposition in the United States to clear the image of the Al-Khalifa's governmental propaganda and the myth of the Political reforms in Bahrain", and finally he said that: "the people of Bahrain do not believe that there is real change or real reform in the country, but a well-entrenched program of deception to the public opinion outside the country and our job in the opposition is to clarify the myth."

### American citizens sign petition to support Bahraini people

#### *The following is the text of the petition*

We were shocked when we heard in the news that the King of Bahrain Shaikh Hamad bin Isa Al-Khaleefa will be visiting the US to attend the G8 summit in Georgia, and he will be meeting with our President George W. Bush and with the leaders of the great democracies of the world. This person is a head of a regime that has no respect for Human Rights, Freedom of Speech, or the Democratic rights of his citizens. This person and his government led by his uncle Shaikh Khalifa bin Salman Al-Khalifa (holding this position since 1971) have done lots of harm and was responsible for many atrocities, which were done to the citizens of Bahrain during his ruling or even before when he was a crown prince. This person gave amnesty to the torturer who have been torturing the citizens of Bahrain for decades for nothing, but just because they have asked for their rights to live free like we do here in the US. Even the parliamentary election that was held in Bahrain was boycotted from the citizens of Bahrain, because of the new constitution that he has forced on the citizens of Bahrain. This new constitution that he made and forced on the Bahraini citizens, took every right from them to practice their rights as a free citizens and to questions the government of Bahrain for their wrong doing in the country in the past or in the future. We would like you to know that the Bahraini regime has a long list of Human Rights violations. We are urging you to exercise all kind of possible pressure on the Bahraini regime to reinstate the 1973 Constitution of the country and to adapt real reforms.

#### **Signatories:**

*Jack Adamos, Grant Addison, Tyler Banks, Kimberly Balius, Marguerite Coan, Marilyn Burkett, Brian Burt, Teresa Chaney, Philip Kellar, Mavis Jenkins, Tara Geranis, Alison Amos, Tracey Schwoebel, Donna Ryan, Rachel Robbins, Stephanie Nemeth, Scott Owens, Kasey Wilkinson, Cynthia Williams, Meagan Wilkins, Maya Watts, Mark Washington, Alexandria Sollie, Justin Scott, Jana Smith, James Spearman, Evelyn Taylor, Victoria Tennimon, Natasha Tucker, Jered Tomlinson, Susie Strawn, Cheryl Sublet, Jeffrey Roper, Kimberly Sandoz, Brian Sheffer, Tracy Sayer, John Shugrue, Michael Odair, Brittain Orr, Triana Moss, Kelly McCollough, Anthony Lawson, Joseph Lovitt*

Citizens of the United States of America, June 17, 2004

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## Lord Avebury's letter to G-8 summit

*On May 29, 2004, Lord Avebury sent the following letter to the G8 summit.*

I note that you are holding a discussion at your forthcoming Summit of how the G-8 can support political, economic, and social freedom in the "greater Middle East". President George Bush hopes that the leaders of the "greater Middle East" states will speak about their efforts to pursue democracy and reform in their countries, and no doubt you will hear from King Hamad bin Isa Al Khalifa of Bahrain, who has announced his intention of attending. Bahrain has ended the state security courts, freed political prisoners, and allowed exiles to return. However, the present constitution was introduced after a referendum in which the people were asked to approve a 'National Charter' which they believed would involve the restoration of the 1973 constitution as a preliminary to further progress towards democracy. Instead, the royal family's power is entrenched, and it is impossible for the people to have any effect on the government through the ballot box. The King appoints and dismisses all Ministers in his unfettered discretion, and the most important Ministers are members of the royal family. The Prime Minister Sheikh Khalifa bin Salman al-Khalifa is his uncle; the Minister of Islamic Affairs is Sheikh Abdullah bin Khalid al-Khalifa; the Foreign Minister is Sheikh Muhammad bin Mubarak al-Khalifa; the General Commander of the Defence Force is the Crown Prince Sheikh Salman bin Hamad al-Khalifa; the Elections Executive Director is Shekh Ahmad bin Atiyatalla al-Khalifa, and so it goes on. A government whose members never have to go before the electorate, and are not appointed by an elected body or person, has no democratic legitimacy. The King is the head of the three branches of government: executive, legislative and judicial. 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, many of whom in the important Embassies are also members of the royal family (Article 40) and he has power to dissolve the Chamber of Deputies. The National Charter, which was approved by an overwhelming majority of Bahraini 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 self-proclaimed democracy. That 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 of experience and expertise who would give advice as necessary'. The constitution, by contrast, 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', having 40 elected members, and the 40 appointed to the upper house by the King. It has been argued that the King doesn't automatically get his way, because it is possible that not all appointees would follow the royal line on any particular measure. But equally, not all the elected members will oppose the King, and if in spite of stacking the odds so heavily, 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.

King Hamad is to be congratulated on putting an end to the torture that used to be practised under his father, but the torturers were granted immunity for their crimes. Decree Law 56 has so far allowed known torturers including Ian Henderson, a British citizen, and Adel Flaifel, to escape retribution for the suffering they inflicted on hundreds of people. That Decree was unlawful, and a breach of the state's obligations under the Convention Against Torture. Sooner or later, Bahrain is going to be called to account in the Committee against Torture, unless Decree Law No 56 is repealed.

The advances mentioned were all gifts of the monarch, not the result of progressive action by the people and debate in the legislature. There have been no further steps towards freedom, democracy and the rule of law, and the elected members have not been demanding rights on behalf of the people because they too are in the main the willing accomplices in the domination of masses by the hereditary élite. The Parliament shows no inclination to overturn the gravy train which has smoothly taken them to a hollow prestige and fat salaries, so they make no radical proposals, and turn a blind eye to the corruption and nepotism in which they all wallow.

The Parliament has even turned a blind eye to the flagrant violations of the law on citizenship, evidence of which is available on video. An unknown number of people from Saudi Arabia and other neighbouring states were given Bahraini citizenship, when they had no qualifications other than being Sunni. If this was done by royal prerogative, it was a gross abuse of power that a genuinely democratic Parliament would have been certain to condemn.

In February 2004 the ruling family tried to sabotage a conference on constitutional reform convened by the four political societies which are recognised as forming the opposition in a political system which does not allow political parties, and in particular they refused entry to Bahrain of a number of invited experts including two UK constitutional lawyers. At this conference, the participants rejected the 2002 constitution, and decided to present a popular petition with

that as its central demand. They intended to launch the petition at a public seminar, and to make it available to all citizens to sign. The government first claimed that it was illegal to ask non-members of the societies to sign, an arbitrary restriction that was not consistent with the basic principle of freedom of expression. In late April the societies opened their membership to any citizen who wished to join, and tens of thousands of people began signing up, especially to Al Wefaq, the largest of the four societies. Within a few days the government deployed their militia to attack the villages, arrest those who were collecting memberships and signatures and issue warnings to others. Over a period of two to three days at the beginning of May about forty young men and children were arrested, and on May 6 another five were arrested. A former senior Interior Ministry official Dr Abdul Azia Atiyyat Allah Al Khalifa, the former head of the Interrogation Committee and Abdul Rahman bin Jaber Al Khalifa, Chairman of the notorious State Security Court warned those involved in the petition that they were liable to life imprisonment. According to Reuters, the Deputy Public Prosecutor, Ahmed Shinaishin, said "they faced charges of calling for change to the political system, provoking hatred and trying to destabilise public security". This was enough to deter the organisers from collecting further signatures.

On May 21, the religious leaders had called for a peaceful protest to urge the American forces not to attack the holy places in Najaf and Karbala in Iraq, and against the continuous repression against the Palestinian people by the Israeli occupiers. The demonstration was physically attacked with rubber bullets and tear gas, injuring senior figures of the Shia religious hierarchy including Sheikh Isa Qassim, a former member of Parliament from the seventies.

Clearly, there are tight limits on freedom of expression when it is treated as illegal to collect signatures on a reform petition, or to demonstrate about events of public concern throughout the whole region. It is also impermissible to utter a word of criticism of the royal family, to mention the high level corruption, or to speak about discrimination against the Shi'a.

Hind Bint Salman Al Khalifa, the Assistant Undersecretary for Ministry of Labor & Social Affairs, threatened the Bahrain Center for Human Rights on May 16, 2004 that the Center's licence would be withdrawn if it should conduct any political activities in breach of Article 18 of the Law on Civil Societies issued by decree No 21 -1989. This followed the campaign led by the Bahrain Center to release the people arrested in the constitutional Petition case.

It would surely be inconsistent if the G8, while supporting the democratisation of Iraq, were to ignore the stalling of the reform process in Bahrain. The ruling family believe that since Bahrain is the Gulf's banking hub, and home to the US Navy's Fifth Fleet, they can hang on to their privileges indefinitely. The G8 has a unique opportunity of telling King Hamad directly that in the 21st century, a hereditary dictatorship is no longer acceptable, even when covered with a thin veneer of meaningless elections.