

BAHRAIN

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

Khawaja's arrest exposed the true face of Al Khalifa dictatorship

The arrest of the human rights activist, Abdul Hadi Al Khawaja, has put an immediate stop to the Al Khalifa campaign of deception and lies. It has uncovered the ugly face of absolute dictatorship that could not abandon its evil practices or adapt to modern values of democracy and respect of human rights.

The autocratic rule of the Al Khalifa is taking a bolder step to ensure total compliance by the people to their dictatorship. Having failed to achieve the subjugation they had hoped for when Sheikh Hamad embarked on his project four years ago, they have now realized that time is not on their side, and decided to hasten the introduction of more repressive means to enable them to exercise their iron-fist policies. Over the next few months, Sheikh Hamad will impose more laws and decrees to make it illegal for citizens to oppose the rule of the Al Khalifa. He will start by imposing the "Law of the Societies" which is yet another tool of repression. This draconian law, in its present form, makes it mandatory on all societies to declare their acceptance of Sheikh Hamad's document that he had imposed in February 2002, by which he replaced the contractual constitution of 1973. Up and until now, the traditional opposition which had taken the form of four political societies, have been calling for the repeal of Sheikh Hamad's constitution and the re-instatement of the 1973 contractual constitution. Over the past few months, the Al Khalifa have exercised more pressure on these societies to accept their dictatorship by declaring their obedience to Sheikh Hamad and his constitution. They have failed.

In February 2004, the political societies held their constitutional conference in which they openly challenged the 2002 document, declared it illegal and vowed to oppose it. The Al Khalifa then took the decision to combat these societies by various means, including threats with closure. Sheikh Hamad's Councils are expected to obey his orders and pass the latest draconian law which is the first step to end any officially-recognised opposition to the Al Khalifa. It is now up to these societies to decide whether to end their opposition to the Al Khalifa by openly announcing their acceptance of Sheikh Hamad's document, or face the prospect of dissolution.

This battle of wills will mark a new form of internal stability. The political societies are facing difficult decisions, but the people of Bahrain are unlikely to submit to the will of Sheikh Hamad whose dictatorship has, so far, been the worst in the history of Bahrain. What the societies did not realize at the beginning was the fact that Sheikh Hamad had a grand design to transform the country into a fiefdom in which dictatorship is institutionalized beyond any limit. He introduced his project with the aim of ending all forms of opposition through an evil design that no monarch in the Arab world had done before. He, as the head of the Al Khalifa, had two fundamental problems that no other monarch faced. First, the Al Khalifa are alien to the land; they conquered the island in 1783 by force and are thus at odds with the native inhabitants. Second, they represent the minority and have been accused of institutionalized discrimination on religious and sectarian basis.

Sheikh Hamad's programme is thus directed to tackle these two problems. For the past few years, he has embarked on the most destructive of his plans; changing the demography of the land by giving Bahraini nationality to foreigners, most notably, from areas known for their religious extremism and fanaticism. It is now clear that Sheikh Hamad is giving the political societies only one choice: accept all my project or you will be dissolved. His project has several aspects to it, the most significant of which are: the demographic change, the 2002 document, produced and imposed by the Al Khalifa, the rule through gracious to run parallel to, or replace the rule of law, the fragmentation of the society into cantons each of which must have absolute loyalty to the Al Khalifa, and Sheikh Hamad in particular, the nationalization of every aspect of people's life and activities, including opposition, religious and social affairs and the formation of a formidable security apparatus on the lines adopted on the lines of the State Security Law and the State Security Court but in disguise.

Over the past four years, Sheikh Hamad had played a psychological warfare with the people, wooing them with gracious acts, deceiving them through marginal freedom of speech, using a language unheard before from the Al Khalifa and sowing discord in their midst to create social frictions leading to self-destruction. Instead of arresting dissidents he attempted to buy them off, offer them high posts and keep them talking. Many people, including part of the opposition, have all along maintained that it was not wise to accept Sheikh Hamad's project. It was a grand project which must either be accepted or rejected. These people have, long ago, realized the dirty tricks played by the Al Khalifa. First came the total humiliation of the most senior religious figure, Sheikh Al Jamri in 2000, when he was pulled from his cell to Sheikh Hamad's court and humiliated. This was shown live on television screens. Then came the promotions of the torturers including the most notorious of them like Ian Henderson, Adel Flaifel, Abdul Aziz Atiyyat Allah Al Khalifa and others. In parallel to these steps, Sheikh Hamad had already begun his demographic change programme, changing the constitution and his charm offensive. The idea was to confuse the opposition into submission.

Now the question is, once again: to accept Sheikh Hamad's project or reject it. There is no way the people of Bahrain are going to endorse the Al Khalifa's indictment to slaughter their national identity, constitutional rights or the Al Khalifa dictatorship. For several years, we have called for the establishment of a moderate democratic practice based on the 1973 constitution, rejected Sheikh Hamad's designs to annihilate the opposition and effect a demographic change. From its inception, the 2002 constitution was rejected and the situation has remained ever since. The Khalifa and their backers must know that these evil designs cannot be allowed to succeed, because the identity of Bahrain and its people does not allow monarchical dictatorship, demographic change or the annihilation of the opposition. The struggle will thus continue, and Sheikh Hamad's programme must be defeated. It is an evil design that is both backward and inhumane.

Arrest of a Human Rights Activist, dissolution of BHRC

- The authorities in Bahrain detained a well known human rights activist Abdul-Hadi Khawajeh, on 25th Sept at around 11:00 pm, just one night after his speech at a seminar on 'Poverty and Economics Rights in Bahrain' which was held at Al-Orooba Club. Two days later, the Bahrain Centre for Human Rights was dissolved. Abdul-Hadi now is detained at Howdh Al-Jaf detention centre in Hidd District and now he is on hunger and speech strike as reported by his wife.

In his speech (see page 4), Abdul Hadi criticized the Government's approach to solve the problem of poverty in Bahrain. He considered the Prime Minister, who has been in his position for more than 30 years, as a barrier to solving the poverty problem in the island.

Abdul-Hadi is internationally well known human rights activist. He has participated in many international conferences and campaigns for human rights. He has conducted many workshops and studies. Recently, he was sent to Iraq to survey the human rights status by the Amnesty International. He was heavily behind the formation of Bahrain Centre for Human Rights.

Abdul-Hadi is one of the key members of The Ethical Globalization Initiative (EGI) which is a new human rights project led by former President of Ireland and the former United Nations High Commissioner for Human Rights Mary Robinson.

Protests launched

The people of Bahrain reacted angrily to the news of the arrest and started anti-Al Khalifa campaign to highlight the plight of the people under their despotic rule.

Around 50 people protested in front of the Public Prosecution office (in Manama) this morning at 9 am calling for immediate release of Abdul-Hadi Khawajeh who was detained last night at 11 pm. Among the protesters were Mr. Khawajeh's daughters. The protest was organized by friends, families and other Human Rights activists with a very short notice.

Abdul Hadi, who is on a hunger and speech strike, is held in Howdh Aljaf detention centre. Abdul-Hadi was arrested after presenting a paper titled "Combating Poverty in Bahrain: Campaigning Principles and Strategies" at a symposium called 'Poverty and Eco-

nomic Rights' a night prior to his arrest. In his speech, Abdul-Hadi criticized the government policies and especially the Prime Minister who is in the position for more than 30 years. He pointed out that the Prime Minister is an obstacle to any reform and any solution to the problem of poverty in Bahrain. The symposium was held in Al-Orooba Club which was officially closed down today for 45 days by Government authorities for holding such an event.

Abdul-Hadi was supposed to appear in front of the Public Prosecutor today morning. Till now, no formal charges have been made against him.

Abdul-Hadi is internationally well known as a human rights activist. He had formed the Bahrain Centre for Human Rights and he was chosen to be a consultative member of a human rights organization formed by Mary Robinson, former UN High Commissioner for Human Rights.

The organizers of the protest stated that they will organize more protests if he is not released by today.

International Body demands the release of Al Khawaja

Head of the Bahrain Centre for Human Rights in Detention

Paris - Geneva, 27th September 2004 - **The Observatory for the Protection of Human Rights Defenders**, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), expresses its deepest concern about the arrest and detention of Mr. Abdul-Hadi Al-Khawaja, a prominent human rights activist and the executive director of the Bahrain Centre for Human Rights (BCHR).

Mr. Al-Khawaja was arrested on September 26th, 2004 at the Nabee Saleh police station, where he was summoned two days after his participation in a symposium called "Poverty and Economic Rights in Bahrain", organised by the BCHR in the Al-Oruba Club.

He was then brought to the Howdh Aljaf detention centre and presented to the public prosecutor, who remanded him in custody for 45 days. He was charged for "encouraging hate of the state" and "distributing falseness and rumours" on the basis of articles 165 and 168 of the Bahraini penal code. Mr. Al-Khawaja could face up to five years imprisonment. Mr. Al-Khawaja is currently detained incommunicado and has not been allowed to receive the visits of his family

nor his lawyer. He informed his family by phone that he was to start a hunger and speech strike.

During his participation in the symposium, Mr. Al-Khawaja presented a paper titled "Combating poverty in Bahrain: campaigning principles and strategies" based on a report from the BCHR, in which he criticized the government policy. Mr. Al-Khawaja addressed the issue of the contradiction between the deteriorating standards of living and the strong state economy "caused by unequal distribution of wealth, waste of public money, financial and administrative corruption". During this seminar, the BCHR also launched a two-year campaign in order to create a partnership among civil society, related institutions and individuals to push for appropriate regulations, policies and reforms to solve the problems linked to poverty in Bahrain.

The Observatory is very concerned about the detention of Mr. Al-Khawaja and the charges against him, which it considers as arbitrary since they only aim at sanctioning his human rights activities and his freedom of speech.

The Observatory is also very concerned about the situation of the BCHR. Indeed, on 26th September, the Ministry of Labour created a Committee composed of different governmental institutions, with

the aim of "taking punitive and legal actions against the BCHR". Those acts seem to be part of a strategy to close down the BCHR.

In this regard, the Observatory recalls that in October 2003 and May 2004, Dr. Majeed Al Alawi, the Minister of Labour and Social Affairs in Bahrain addressed some letters to the BCHR, threatening them to withdraw the Centre's operating license if they continued their "political activities", as they would contradict Law No. 21 of 1989 on Societies. Moreover, on June 30, 2004, in an interview with Al Arabiya TV Channel, the Minister openly threatened to shut down the BCHR because of "its political activities." The Minister called BCHR a political opposition body that had adopted a political agenda.

Furthermore, Dr. Alawi criticized the organization's use of demonstrations as well as article and letter writing to defend and protect human rights in Bahrain.

Finally, the Al-Orooba Club, where the BCHR seminar took place, was officially closed down by the government for 45 days for having held such an event.

The Observatory considers these events to be the sign of a significant deterioration of the situation of human rights and fundamental freedoms in Bahrain. In particular, the Observatory recalls that in May 2004, twenty two activists were arrested for collecting signatures for a petition addressed to

Bahrain to probe human rights activist al-Khawajah for 45 days

27th Sept 2004, By Shereen Bushehri
German News Agency (dpa)
Manama (dpa) - Bahrain's public prosecutor has ordered that leading human right activist Abdulhadi al-Khawajah will be held in investigative custody for 45 days after criticizing the prime minister. He stands accused of public incitement against the ruling family and spreading controversial rumours that could disrupt public security and harm public interest - and could face a long jail term.

Al-Khawajah, director of the Bahrain Center for Human Rights, was detained after making a speech on Friday. He accused Prime Minister Sheikh Khalifa bin Salman al-Khalifa for the country's "economic downfall and rising poverty". A source at the public prosecutor's office said the accusations, should they turn into convictions, would involve jail terms of between two and three years, "We have submitted the evidence in form of tapes of the seminar to the Ministry of Information for transcription. A report will then be written on the context of the tapes," the source said.

Khawajah is still on a hunger and speech strike, his daughter Zainab confirmed. He would not end it unless the prime minister resigned. "He believes in this cause," she added.

Sunni-ruled Bahrain, headquarters to the U.S. Navy's Fifth Fleet, is the least wealthy of the Gulf Arab states, with high unemployment, especially among its

Shiite population. Khawajah, a Shiite himself, said in his speech that Sheikh Khalifa, the king's uncle, was the "obstacle facing Bahrain's economic development". The issue is a cause of tension between the Sunni Moslem rulers and the Shiites who make up about two-thirds of the population.

Bahrain's young King Hamad bin Isa al-Khalifa has tried to resolve opposition demands for greater democracy and so-

cial justice since he took power in 1999 after his father's death. However, many Bahrainis see the prime minister as a main hurdle to reforms. Sheikh Khalifa has been in power for over 30 years. King Hamad said on Sunday that "Bahrain's leaders and symbols should not be defamed...The right of freedom of speech should not be exploited by provoking differences and spreading rumors designed to damage national unity."

The Observatory Cont from Page 2

King Hamad Bin Issa Al Khalifa. The petition criticised the constitutional amendments adopted in 2002 and requested more powers to be attributed to the elected members of the parliament.

The Observatory urges the highest authorities of Bahrain to:

- i. to guarantee Mr. Al-Khawaja's physical and psychological integrity in any circumstances, and grant him access to his lawyers and relatives;
- ii. to release him immediately and unconditionally and to drop the charges against him, his detention and the charges against him being arbitrary;
- iii. to stop pressure on the BCHR;
- iv. to conform with the provisions of the Declaration on Human rights defenders adopted by the General Assembly of the United Nations in December 9, 1998, in particular its article 1 which provides that " everyone has the right, individually

and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels ", its article 6b and 6c which provide that "everyone has the right, individually and in association with others, as provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms [...], to study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, though these and other appropriate means, to draw public attention to those matters "

v. to conform with the Universal declaration of Human rights and all other international instruments of which Bahrain is a party.

Political Societies Law Rings an Alarm Bell

The Bahrain Centre for Human Rights is following-up with great concern the draft law on political societies, initiated by the Council of Representatives and approved by the government. If the above mentioned law is approved the two councils (the appointed Shura, and the elected Representatives) a new era will commence where the two councils legislate restrictive laws.

The draft law on political societies, published in the press two days ago, was not presented to the public opinion, nor consulted with the concerned institutions of the civil society. The law does not organize or support political activities, nor is based on freedom of association. It is rather, based on banning, restricting, incriminating and penal punishment political activities. That includes imprisonment sentences for disregarding the new regulations when forming political groups, even if the formation is covered. The punishment could reach life imprisonment for broadly-described actions, such as "hostility towards the structure of the society".

The draft law includes heavy restriction on foreign funding and communication,

and on utilizing unions and charity societies, without specifying the nature of this utility. The draft law also prohibits political societies to have influence among military and security personnel. According to a previous decree law, the government has the right to decide on the participation of the personnel of these bodies in any election.

The new draft law not only restricts the functioning of the political groups, after separating them from other societies under the general law on societies, but also gives legitimacy to the harsh law of 1989, to govern the other societies, such as human rights, youth and women societies, stressing that these societies are banned from involvement in political activities. It is worth noting, that the government defines political activities as any activity related to political topics or affairs.

The BCHR and other local and international human rights organizations have for long criticized harsh laws that restrict basic freedoms in Bahrain, which had been issued by administrative decrees. Hope was laid in the new-born democratic experience, to allow amendment of

these laws in accordance with the principles of the constitution and standards of international human rights. However, until now, the elected council of representatives has failed to amend any of these restrictive laws, whether those of the past, such as the penal code and the law on societies, or the ones issued by the government in the new era, i.e. the amended 2002 Law on the Press, or law no. 56, providing immunity and protecting persons involved in torture. The council also failed to amend its internal regulations imposed by the government. The enactment of the draft law on political societies by the two councils will violate the basic principles of the constitution and human rights standards. It would be a dangerous precedent, reflecting the level of default in the structure and performance of the two councils. Thus, putting them in direct confrontation with local and international human rights organizations. The government's rush to approve this law, unlike other draft laws, provoke doubts, and reveals the reality of the legislative system in the country which is dominated by the executive power.

Half of Bahrainis suffer from Poverty and Poor Living Conditions

The seminar that was held on 24th September by the Bahrain Centre for Human Rights was taken as an excuse to arrest its Director and dissolve the Centre. So, what was said in that seminar?

Bahrain Centre for Human Rights stated that half of Bahraini citizens are suffering from poverty and poor living standards. This figure was based on official statistics and studies on number of unemployed Bahrainis, beneficiaries of social aid who are unable to work, and employees with low income.

In its report, released today, BCHR stated that based on official figures and studies there are 20,000 unemployed Bahrainis, while the oppositions estimate the number to be more than 30,000. If the average of these figures is taken, in addition to their dependents who are affected by the unemployment, the number will exceed 80,000 people. It worth mentioning that the unemployed and their dependents are not receiving any social security aids in contradiction with the Constitution.

The report also revealed that the number of households who are unable to work and those who receive financial assistance from Ministry of Labour and charitable contribution from charity funds associations exceeds 20,000 families, which are around 80,000 people whom each receive BD18 per months. While, the poverty level (Poverty Income Threshold) for a household, according to official studies and statements, is BD309 per month.

The report revealed that according to official figure, quarter of employed Bahrainis live below the poverty level of BD309 per month. That brings the total of Bahrainis suffering from poverty and poor living conditions to around 200,000 people (half of total Bahrainis).

The report that was released yesterday during the 'Poverty and Economic Rights' seminar tackled also the problem of housing in Bahrain. A large portion of the society lacks decent housing. Unemployed citizens and those who are receiving financial assistance cannot receive housing loans granted by the Government. Whereas, around 44,000 families with a low income are waiting in the waiting list for Government subsidised housing for up to 12 years or more. The official statistics shows that there are 6,000 ruined houses and that there is a project for rebuilding or maintaining 45,000 houses but in a period of 8 years.

The report stated that the poverty rate is increasing in Bahrain at the same time as the average income is increasing. This shows the large differences between classes of income and living standards. A survey conducted by Bahrain Mone-

tary Agency found that there are 5,200 wealthy people in Bahrain. The survey showed that the average wealth of each of them reaches US\$4.2 millions, which is above the international average of wealthy people of US\$3.8 millions. The same survey indicated that the private wealth in Bahrain worth around US\$20 to 30 billions.

Bahrain is proud of being one of most liberal countries in terms of its economy and in attracting foreign investments and of its tax-free system (no tax on income and sales); however, there are 23 types of high fees imposed by the Government on people in return of services.

Bar HR Committee asks for more information

Ambassador Shaikh Khalid Bin Ahmed-al Khalifa
Bahrain Ambassador to UK
30 Belgrave Square
London
SW1X 8QB

27 September 2004

Your Excellency,

Following our letter dated 17 September expressing our appreciation of your Government's invitation to visit Bahrain, BHRC has learned that the Executive Director of the Bahrain Centre for Human Rights, Abdul Hadi al-Khawajeh, has been arrested and is being detained at Howdh al-Jaf detention centre.

We are informed that Mr. al-Khawajeh has begun a speech and hunger strike and we are concerned for his well being. BHRC met with Mr. al-Khawajeh in December 2003 when he was in London and we have been anticipating meeting him and other representatives from the Bahrain Centre for Human Rights upon our visit to Bahrain.

We are concerned that the arrest and detention of Mr. Al-Khawajeh challenges the credibility of the Center and the important work that it carries out, especially concerning the issues of migrant workers, discrimination, torture and the promotion of the freedom of expression and association in Bahrain.

We respectfully request additional information about the situation and we thank you kindly for your attention on this important matter. We very much look forward to visiting Bahrain.

Yours sincerely,

Peter Carter QC

The report pointed out that the poverty and poor living conditions of citizens are caused by unequal distribution of wealth, waste of public money, financial & administrative corruption, poor planning, and dumping the market with low wage foreign workers who constitute 60% of the labour force. The report also pointed out that the continuation and dominations of a small group of influential powerful people on the national economy, both in private and public sectors, are considered as a barrier to real reforms.

The above influential powerful people have taken over large land areas in Bahrain, especially the reclaimed lands and the ones that will be reclaimed in the future. The decree that was passed by the Government to allow foreign investors to own lands in Bahrain caused sharp increased of lands' prices. This will lead to accumulate more wealth for these powerful persons, and will make it more difficult even for middle class to have a piece of land. In addition to the above, the price of building materials have dramatically gone up in the last few years which makes it more difficult for a citizen to build a house.

The report also tackled the social and security impact of poverty in Bahrain. Statistics shows that the crime rate, especially robbery, have escalated. Divorce rate and number of people choosing to be single have also increased. Additionally, number of working women and children with bad working conditions have increased.

BCHR warned that increasing number of citizens classified as poor and the deteriorating of living standards will definitely reflect on the political and social tranquillity of the country, especially when official reports indicate that the unemployed people will boost from 20,000 to 80,000 people in the next decade and that the average salary will drop by 19%. There will also be an increase of citizens seeking Government housing to 80,000 people.

BCHR made many recommendations in its report; among them are: implementation of the Constitution's article that grants social security and benefits for unemployed and people who are unable to work; to regulate a fixed rate for minimum wage; reforming both Administrative and Legislative establishments; and establishing active supervision over administrative and financial activities in the Government to fight against corruption.

In its seminar, BCHR has launched a two year campaign with the aim of creating partnership among civil societies, related institutions and individuals to press for appropriate regulations, policies and reforms to solve the poverty problems in Bahrain.