

BAHRAIN

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

The rise of Civil Resistance Movement to challenge dictatorship

The episode of the arrest and the subsequent release of Abdul Hadi Al Khawaja for calling for the prime minister's resignation has thrown the Al Khalifa's political agenda into chaos. They had to face up to their highly publicized "democratic" reforms, most important of which is allowing free expression of opinion. In a free political atmosphere, calling for the resignation of a government official, be it the prime minister, is a right and not a crime. The Al Khalifa have thus failed this simplest test. They arrested Mr Al Khawaja, maltreated him and dissolved the Bahrain Centre for Human Rights of which he is the Executive Director. Scores more were subsequently arrested for participating in demonstrations calling for Al Khawaja's release. None of them had committed any crime except taking part in peaceful protests and demonstrations. To their dismay, the international outcry has been much more than they had expected. The world has reacted angrily to this "hawkish democracy", labeled Al Khawaja "a prisoner of conscience" and demanded his immediate and unconditional release. The Al Khalifa were cornered. Even their allies could not defend their action. The British Government expressed "surprise" at the arrest while the US State Department was "dismayed" by their actions.

Al Khawaja protested his innocence throughout, gone into hunger strikes, filed his own defence, and started to try the regime in court sessions. It was a shambolic justice. Al Khawaja found himself surrounded by foreigners from all sides. The judge was an Egyptian, the Prosecutor a member of the Al Khalifa family, the police who arrested him Baluchis from Pakistan and his interrogators, possibly British. He was the only Bahraini in the whole saga. Eventually, he decided to boycott the court sessions and asked his lawyers not to attend. The Al Khalifa asked the judge, Mohammad Kafrawi, to pass a one-year jail sentence in order to end the hugely embarrassing crisis. The society was being more politicized and agitated, while hundreds of international human rights organizations

were issuing daily statements deploring the inhumane acts of the Al Khalifa. It had become clear from the first day that the longer they kept Al Khawaja behind bars, the more serious the crisis became. As had been expected, Sheikh Hamad issued an order to release Al Khawaja and all other prisoners on the same day that the sentence was passed. It was one of the most outrageous attack on justice and the justice system. It was a re-run of the trial of Sheikh Abdul Amir Al Jamri, five years earlier when he had been given a harsh prison sentence and hefty fines only to be released on the same day.

The implications of the case are too serious to ignore. First, it was meant to convey the message that the Al Khalifa members of government are immune from criticism and are beyond the hand of the law. Second, the saga has proven, beyond doubt, that the Al Khalifa are now being haunted by their slogans and claims of democracy and respect of human rights. Many more similar incidents are expected to occur because the people of Bahrain have paid in blood for their freedom and are unlikely to succumb to the Al Khalifa dictatorship. Third, the world has now become aware of the real situation in a country ruled by a hereditary dictatorship that cannot easily adapt to modern concepts of government. Forth, the people of Bahrain are determined to pursue their political demands for democracy, based on pluralism, free speech and accountability. Public figures are not immune from prosecution for their crimes, and the whole policy becomes meaningless if it fails to establish the rule of law. The prime minister is thus as accountable as anyone else, so are those accused of gross violation of human rights. If the Al Khalifa are serious about reforms, they have to uphold the rule of law, bring those responsible of crimes against humanity to justice, and abandon their despotism and dictatorship. For the past thirty years, December has been a month of political activism, volatility and instability. The Al Khalifa have often claimed to have uncovered plots against their regime for which thousands of Bahrainis were imprisoned, tortured or

banished. This year, the people are commemorating their victims on the Martyrs Day on 17th December, which will also be the tenth anniversary of the popular uprising that erupted in 1994. the arrest of Abdul Hadi Al Khawaja would have fuelled major unrest, but the Al Khalifa were forced to release him unconditionally. However, the Bahrain Centre for Human Rights has been dissolved and tens of young Bahrainis have endured weeks in detention for taking part in peaceful protests against the unlawful detention of Al Khawaja. The forthcoming events in December are likely to become a landmark in the civil disobedience campaign that has been called for by the opposition. Many issues remain unresolved while the country's political process is stagnant. Sheikh Hamad's political programme has failed to satisfy the people, and the political entities he created have remained totally ineffective.

The people demand the immediate repeal of the 2002 document and reinsate the 1973 constitution, repeal the notorious Law 56 that protects the torturers, the removal of the ban on the Bahrain Centre for Human Rights, the trial of those responsible for attacks on the people in their peaceful demonstrations, the rehabilitation of the victims of torture and unlawful arrest and the initiation of a comprehensive process of national reconciliation.

These demands will remain in force, and Sheikh Hamad is well-advised to take them seriously. The country has suffered enormously under the rule of the prime minister whose immediate removal has become a public demand. His departure from the political scene, together with his clique, will be necessary to lead the country on a more civilized political path. It is clear that the steps that the Al Khalifa have taken over the past four years have failed to quell the emotions of the people, and a more courageous move is now needed. Without such an initiative, December could become yet another flash point in the struggle of Bahraini people against repression and hereditary dictatorship.

1994 uprising: Unfinished Business

The popular uprising that erupted in December 1994 was a culmination of two decades of anger and despair. Since the prime minister carried out his coup against the limited democracy in 1975, the country had been plunged in political strife and internal instability. The people, of various political trends and ideologies, were sucked into a peaceful political struggle that was met by fierce and violent reaction from the Al Khalifa family. Two people ruled the country during that period: Sheikh Khalifa bin Salman Al Khalifa, the prime minister and Ian Henderson, the British former colonial officer who had built one of the most vicious security apparatuses in the region. Scores of innocent citizens were tortured to death and thousands imprisoned. The situation became worse in the eighties, when the country became a police state.

Following the 1990 invasion of Kuwait by Saddam Hussain, the world was suddenly awoken on the reality of the Gulf region in which dictatorship was the order of the day. Voices were raised in the West calling for openness and democratization. After the end of Kuwait's war, the people felt the need to express their demands in a more serious way. The Bahrainis were the first to grab the opportunity. In 1992, the elite society signed a historic petition calling on the Amir, the late Sheikh Isa bin Salman Al Khalifa, to re-instate the 1973 constitution, release the political prisoners, allow the unconditional return of the political exiles and end the absolute dictatorship that had reigned over the country. The petition fell on deaf ears. Two years later, another petition was organized which was signed by 25,000 people calling for the same demands.

In December 1994, the uprising erupted. It was ignited by the arrest of a leading young cleric, Sheikh Ali Salman. For the following five years, Bahrain went through one of its most bleak periods in terms of human rights violations, repression and mass detention. The uprising continued unabated as more martyrs were killed by bullets as they demonstrated against the regime, or under torture. The world reacted angrily, and many international human rights organizations expressed outrage at Al Khalifa's repression. The opposition became stronger, and the ruling family became increasingly isolated. International bodies, including the European Parliament, took strong stands against the Al Khalifa dictatorship.

The first martyrs of the uprising fell on 17th December 1994, few days after the

uprising started. That gave the fuel for the people to become more involved in the struggle. They called that day, the "Martyrs Day", which has been celebrated regularly since then. This year, plans have already been made to make the occasion a platform to call for real political reforms and end the Al Khalifa dictatorship. Sheikh Hamad, who ascended to the throne, following his father's demise in March 1999, failed to introduce real reforms and has merely re-designed the political system in a different style to shield his family and to deceive the world at large that he was a democrat. Instead of responding positively to the people's demand to reinstate the 1973 constitution, he abrogated it and imposed a tailor-made document that institutionalized monarchical dictatorship more than ever before. He managed to stall the people's anger for one year in which political prisoners were released under international pressures, and the exiles were allowed back in order to be contained within the new political framework.

But by February 2002, all signs of reform

had evaporated when Sheikh Hamad imposed his constitution. The country slid back to political instability once again. What happened last month (the arrest of Abdul Hadi Al Khawaja and up to 40 other activists) reminded the world of the inability of the Al Khalifa to undertake real reforms. The response of the international human rights organizations to the arrest and maltreatment of those people has shaken the regime to the core. After years of intensive propaganda and deception, the reality has been exposed, and the world has now recognized the oppressive nature of the regime. It may need another uprising to force real change.

The story of the struggle of the Bahraini people to achieve freedom and democracy is a painful one. But it has created a formidable people who cannot be easily deceived by slogans or promises of dictators. After ten years of the flare-up of the uprising, the situation is being, once more, polarized on lines similar to those that existed in 1994. The hope is that Sheikh Hamad would realize the futility of his political programme which aims at institutionalizing dictatorship, adopting devious means.

Al Khawaja's case revived people's struggle

The release of Abdul Hadi Khawaja, few hours after the Al Khalifa family sentenced him to one year in jail for criticizing the prime minister, has highlighted the way the country is governed by this oppressive family. The message is clear: you are a criminal, but I pardon you. Sheikh Hamad ordered the release of the human rights activist who was sentenced to one year in prison earlier in the day for inciting political dissent.

Announcing the pardon, an official said the king issued a decree stipulating that "the imprisonment (of Abdul Hadi Al-Khawaja) should be limited to the period preceding the publication of this decree."

Khawaja, vice president of the now-disbanded Bahrain Center for Human Rights, was arrested on Sept. 25 after he publicly blamed Prime Minister Sheikh Khalifa ibn Salman Al-Khalifa for the country's economic woes and human rights abuses. A Manama court yesterday convicted him of the charges and sentenced him to one year in prison.

Khawaja, who pleaded not guilty to the charges, was not present at the brief hearing. His lawyers also boycotted the session saying the trial was "unconstitutional". "I am happy he is being released, but it is not a victory for me," his wife Khadija Al-Mousawi told Arab News in a telephone conversation.

"Why is he being pardoned? Why use that word? Why was he arrested in the first place," she asked.

"Is this the price we Bahrainis have to pay in order to express our thoughts? I know my husband; he will leave jail but will continue to have the same thoughts," she said. "What we need now in Bahrain is to amend the laws that are outdated," she said.

His four daughters were heard screaming with joy over the release of their father.

"I cannot believe he is going to come back home. I miss him," said his daughter Fatima. "We support him," she said.

Human rights activists welcomed the step but said that laws in Bahrain should be amended to grant freedom of speech and expression.

"We don't want to go through this all over again. Will Bahrainis be arrested every time they speak," said an activist who preferred to remain anonymous.

Khawaja, 42, made the scathing remarks while addressing a seminar on poverty. He criticized the government's management of the economy and called for the resignation of Sheikh Khalifa.

Khawaja's arrest sparked demonstrations on Bahraini streets. Yesterday, about 150 protesters gathered outside the court and denounced the verdict.

Continued on Page 3

BFM: The Systematic Repression of Freedom

On the advent of Eid Al Fitr, we extend our greetings to all Muslims, especially our people in Bahrain who are engaged in their struggle for freedom and democracy. Special greetings are due to the defenders of the dispossessed, Abdul Hadi Al Khawaja and the twelve other brave men languishing in the torture chambers of the Al Khalifa. A number of developments that generate great concerns amongst observers have developed in Bahrain over the past few weeks.

The first was the unlawful detention of the human rights activist, Abdul Hadi Al Khawaja, after publicly criticising the Government's performance in handling the issue of poverty in Bahrain. The second is the brutal and total clamp down of picketers and demonstrators sympathising with Al Khawaja after his detention. The third is the arrest of around thirty of the protesters on September 25, 04.

These actions of abuse to human rights and civil liberties by the Government of Bahrain led to widespread criticism by local and international human rights organizations, and place Bahrain, once again, on the list of countries that have gross violation of human rights. Embarrassed by these criticisms, the Government yet embarked on a step seen as an attempt to legalise the repressive measures against the people of Bahrain. The Government-initiated proposals for organising public gathering and demonstrations are seen by political groups, journalists and observers as a new and more serious set back in the defunct reforms programme. The absolute control that the proposed legislations give the Ministry of Interior make every protest, or any gathering not possible without the permission of the Ministry of Interior.

There is now growing public discontent

against the intended measures to repress freedom and restrict the activities of cultural and political groups. The present settings of the Al Khalifa-controlled parliament under the King's autocracy eliminates the ability of the elected members to stop the anti-human rights proposals. A democracy that threatens the citizens of Bahrain to "crash them with dozers" as has recently been demanded by Khalifa Al Dhahrani, the President of that entity, is certainly unable to reverse a government-initiated proposals to curtail freedom.

While the systematic repression of freedom continues in Bahrain, the opposition groups should unite together more than ever to ensure that this proposal is not passed. The world is, once again, put on notice, to take stands against these draconian laws that the Al Khalifa dictatorship intends to impose on the people of Bahrain.

Bahrain Freedom Movement

14 November 2004

The Systematic Repression of Freedom Continues

On the advent of Eid Al Fitr, we extend our greetings to all Muslims, especially our people in Bahrain who are engaged in their struggle for freedom and democracy. Special greetings are due to the defenders of the dispossessed, Abdul Hadi Al Khawaja and the twelve other brave men languishing in the torture chambers of the Al Khalifa. A number of developments that generate great concerns amongst observers have developed in Bahrain over the past few weeks.

The first was the unlawful detention of the human rights activist, Abdul Hadi Al Khawaja, after publicly criticising the Government's performance in handling the issue of poverty in Bahrain. The second is the brutal and total clamp down of picketers and demonstrators sympathising with Al Khawaja after his detention. The third is the arrest of around thirty of the protesters on September 25, 2004.

These actions of abuse to human rights and civil liberties by the Government of Bahrain led to widespread criticism by local and international human rights organizations, and place Bahrain, once again, on the list of countries that have gross violation of human rights. Embarrassed by these criticisms, the Government yet embarked on a step seen as an attempt to legalise the repressive measures against the people of Bah-

rain. The Government-initiated proposals for organising public gathering and demonstrations are seen by political groups, journalists and observers as a new and more serious set back in the defunct reforms programme. The absolute control that the proposed legislations give the Ministry of Interior make every protest, or any gathering not possible without the permission of the Ministry of Interior. There is now growing public discontent against the intended measures to repress freedom and restrict the activities of cultural and political groups. The present settings of the Al Khalifa-controlled parliament under the King's autocracy eliminates the ability of the elected members to stop the anti-human rights proposals. A democracy that threatens the citizens of Bahrain to "crash them with dozers" as has recently been demanded by Khalifa Al Dhahrani, the President of that entity, is certainly unable to reverse a government-initiated proposals to curtail freedom.

While the systematic repression of freedom continues in Bahrain, the opposition groups should unite together more than ever to ensure that this proposal is not passed. The world is, once again, put on notice, to take stands against these draconian laws that the Al Khalifa dictatorship intends to impose on the people of Bahrain.

Bahrain Freedom Movement

14 November 2004

Al Khawaja's case: *cont. from P 2*

"Where is the freedom of speech? Where are human rights?" said a banner carried by the protesters.

Amnesty International representative Joanna Oyediram, who attended yesterday's hearing, had demanded Khawaja's "immediate release without conditions".

"We consider him a prisoner of conscience. We are upset. ... We defend his right to freedom of expression," Oyediram said after the court issued its verdict.

When announcing the verdict, Judge Sayyed Mohammad Al-Kafrawi rejected objections raised "to the constitutionality of articles in the penal code in accordance with which Khawaja was judged."

Khawaja started a hunger strike on Nov. 14 and was briefly hospitalized late Thursday night after he collapsed in prison.

Khawaja lived in exile in Europe for 22 years and returned to Bahrain after King Hamad pardoned him.

Bahrain, a close US ally and headquarters of the US Navy's Fifth Fleet, has been touted by Washington as a model of a more open and democratic society to be followed by other Arab states.

King Hamad has responded to opposition demands for greater democracy and social justice by introducing political and economic reforms since he took power on his father's death in 1999. These steps have been deemed insufficient by the majority of the people. They see them as window-dressing by a regime that does not want to adapt to modern values of democracy.

Saudi Arabia: the ongoing struggle to force democratic change

By KHALID AL-DAKHIL

Published: November 27, 2004

In September, I was waiting for a CBS news crew to come to my home here to prepare for my interview with Ed Bradley of "60 Minutes." As I waited for the crew, I started reading the morning papers, and I was surprised to learn that the Saudi cabinet had issued a stern warning to public employees against talking to the news media,

domestic or foreign, with the intention of criticizing the government's policies or programs. I work for a public institution, King Saud University, so I should consider myself one of those warned.

Under the new law, public employees are prohibited from opposing state policies and programs, whether by signing statements, making speeches or by going on talk shows. Doing so, the cabinet says, means the employee has violated his "duty of neutrality and loyalty to public service." Any violation prompts the start of "the necessary procedures to implement the relevant laws."

Why did the Saudi authorities decide to narrow the meager extent of freedom of expression in the kingdom? Because it was starting to sink in that reform was coming.

Last year was a testimony to the possibilities of reform. In 2003, the focus on changing Saudi Arabia was unprecedented; it became the issue of the day.

The concept and extent of reform developed as a legitimate question of public contention. Even the government, or so it seemed, recognized the need for change. Some concrete steps were taken, like the creation of a center for national dialogue, and municipal elections. There was a remarkable outpouring of literature on reform that was impressive not only in its volume, but also in its boldness.

By year's end, however, the scene started to change. Conflicting voices were heard from government circles. These voices warned against reform activities. Officials stopped talking about reform the way they used to. Then came the arrest of some reformists; after that the new law that extensively limits every form of expression. The latter suggests that the reform literature was the development that most upset the government, or officials within it.

That much is clear. But a split over the proposed reforms had been developing within the government for quite some time. A final agreement between the two parties, it would seem, could not have

been reached before the government dealt with the terrorist bombings. But as soon as it started to get the upper hand on this war, the government felt justified to silence any call for reform.

Does this mean that reform represents for the authorities as much of a threat as terrorism does? It should not.

The galling thing is that for all of their sacrifices and support of their government in its war with the terrorists, the Saudi people have been rewarded by being stripped of their right to speak freely.

The reward was wrapped in vagueness; the public employee is required now to maintain his "loyalty" and "neutrality" toward public service. How in the world could the two terms be reconciled? The message is still blunt; everyone who dares to criticize the government has to face the wrath of "the relevant laws."

The government move is baffling indeed. In making the announcement, the government cited Article 12 of the Basic Law of Governance (the Saudi Constitution), but that does not make the new law constitutional. There is absolutely nothing in the Saudi constitution that renders criticism of the government equivalent to disloyalty.

Further, there is no opposition calling for the downfall of the government to justify this draconian law. There was not even a call for a demonstration. There is a reform movement, largely unorganized, calling for more openness and a dialogue with the government. The people are faithful and supportive in the face of terrorism. Yet the government sees a threat.

Along with this action, the government took another step that was unfair. Two days after announcing the crackdown on public freedoms, the government rewarded all members of the military and security services with an extra two months' payment in salary. Civilians, meanwhile, lost some freedom, and didn't get compensated for it.

With that in mind, the question for me was: should I go ahead with the television interview? I did, because the interview was scheduled before the new law was imposed. My comments have yet to be broadcast. But more important than the timing is this: I chose to grant the interview because this law is legally baseless, and politically uncalled for. It criminalizes any criticism of the government, when such criticism is a given right for every citizen.

Besides, to criticize the government is to stand for better policies, a better future. And this is a cause to celebrate enlightenment, not to inflict punishment.

Khalid Al-Dakhil is an assistant professor of political sociology at King Saud University in Riyadh, and a columnist at Al Ittihad newspaper in Abu Dhabi.

Amnesty International's qualified response to Bahrain's situation

AMNESTY INTERNATIONAL
Public Statement

AI Index: MDE 11/005/2004 (Public)
News Service No: 298
22 November 2004

Bahrain: Amnesty International welcomes the release of Abdul Hadi al-Khawaja

On 21 November human rights activist 'Abdul Hadi al-Khawaja was given a one-year prison sentence on charges which included "inciting hatred" and accusing the authorities of corruption, under provisions prescribed by the 1976 Penal Code. 'Abdul Hadi al-Khawaja decided to boycott the court hearing and consequently stayed in his cell on the day of the hearing.

However, later on the same day, 'Abdul Hadi al-Khawaja was released after the King, Shaikh Hamad bin 'Issa Al Khalifa, issued a decree which exempted him from spending the rest of his sentence in prison. The King also ordered the release of 13 other people who had remained in detention since their arrest on 28 October during a public demonstration.

Amnesty International sent a trial observer who attended the court session of 21 November. Having studied the charge sheet, the organization concluded that it considered 'Abdul Hadi al-Khawaja to be a prisoner of conscience and called for his immediate and unconditional release.

Amnesty International welcomes the release of 'Abdul Hadi al-Khawaja and the 13 other detainees but remains concerned that the 1976 Penal Code may be used again as a justification to restrict freedom of expression. The organization reiterates its call for the Code to be reviewed as soon as possible to ensure compliance with international human rights standards.