

BAHRAIN

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

Crackdown on freedom of expression by an ancient regime

The arrest by the Al Khalifa of three people for peacefully expressing their views and managing an independent website has exposed, once again, the true dictatorial nature of this despotic rule and engulfed the country into a new crisis. Ali Abdul Imam, the overall coordinator of "Bahrainonline" electronic site, Hussain Yousef and Sayyed Mohammad Al Mosaawi were arrested last month by the notorious state security apparatus which is run by the notorious torturer, Abdul Azia Atiyyat Allah Al Khalifa. More seriously, Atiyyat Allah ordered the holding of Mr Abdul Imam's sister, as a hostage until he handed himself to the Al Khalifa torturers. She was released after her brother handed himself voluntarily. The Al Khalifa arrested him for fifteen days pending further investigation. The two other prisoners of conscience are also accused of anti-government views.

In February, a young man was arrested for carrying a banner on his car rejecting Al Khalifa's 2002 document and demanding the 1973 constitution, the only source of legitimacy of the Al Khalifa rule. When the opposition held their second constitutional conference last month, the Al Khalifa banned foreign experts and guests from attending it arguing that no foreigners should be involved in the internal politics of the country. Yet the Al Khalifa are relying on a large team of foreigners for advice and security, and have invited many outsiders to support their dictatorship. Last year many people were arrested for collecting signatures calling for the reinstatement of the only contractual document between the people of Bahrain and the Al Khalifa. These are clear signs of the failure of Sheikh Hamad's programme of deception and absolute dictatorship. The constitution that he imposed on the people three years ago gives him absolute power that no other monarch in the world gives himself. He has attempted to sell his programme to the world as one of reform and democracy, and compared his kingdom to the "oldest constitutional monarchies" in the world.

The recent arrests are a clear manifesta-

tion of a regime that worried about the exposure of its true nature both to the general public and to the outside world. It is an indication of the depth of frustration within its hierarchy as it seeks to acquire international recognition on the basis of deception supported by the huge oil income which is denied to the people of Bahrain. Despite a three-fold increase in the oil prices over the past three years, none of the extra oil revenue has been spent to improve the welfare of the people. Instead the Al Khalifa have smuggled billions of dollars to their foreign accounts. They blundered the country's wealth to their own advantages; they used financial incentives to woo former opponents and foreign friends, while none of the social programmes needed by the people has ever materialized. There is no system of social security, while assets of the pension funds and the religious endowment were blundered by the prime minister and his henchmen. These practices are known to everyone but the Al Khalifa have guarded their details for fear of political backlash inside and outside the country. The Al Khalifa have nationalized almost every aspect of the political, social and religious life. Any activity that is conducted outside their system is banned and anyone involved is arrested and maltreated. They have designed the security, judiciary and media to work in coordination in order to present a favourable image. However, Sheikh Hamad has now reached a stage of deep confidence in his position that he has let loose his fascist soldiers in those departments to silence any sign of active opposition.

Over the past three years, the Al Khalifa have sought to close independent sites that are critical of their policies. They have directed the national telecommunication company, Batelco, to ensure that access to these sites is blocked. The genius of the new generation of Bahraini youth has rendered this policy a failure by using various proxies to these sites. Sheikh Hamad has attempted to woo the organizers of these sites but failed. His policy was to allow some room for expression in the mosques,

but he did not tolerate any written criticism of his rule. His constitution has serious contradictions and unworkable stipulations. It gives him absolute power in all branches of government, making him a practicing monarch, but it also makes him above the law and cannot be criticized for what he does. This is a legalized absolutism and dictatorship that no civilized society could tolerate. Sheikh Hamad's anger has now led to the arrest of these young men, who are highly educated and exposed to cultures of democracy, openness and civil society ideals that the cannot allow themselves to be governed by the Al Khalifa's ancient laws and mentality. Since local media is all but closed to any free expression of dissatisfaction of the regime, electronic sites have become an attraction that focused their activities. Now they are being persecuted for expressing their views against the Al Khalifa crimes.

It is time that the outside powers understand the reality of the Al Khalifa dictatorship. Those powers who seek to spread the culture of freedom and democracy must not be blinded by the Al Khalifa policies of deception. They need to look no further than the Al Khalifa constitution itself to realize how dictatorship has been legalized. The recent arrests offer a further evidence how old habits die hard. Arrests, hostage taking, maltreatment are all familiar in this tiny island in the Gulf. These developments must be condemned in the strongest terms by anyone who seeks to promote democracy and freedom in this troubled area. The Al Khalifa mentality is definitely unsuitable for the creation of a modern society run by democracy and pluralistic government. Efforts must be made to ensure the immediate release of these prisoners of conscience, those who ordered their arrest must be punished in accordance to international laws and the Al Khalifa must be remanded for their uncivilized actions. Meanwhile, the peaceful struggle of our people will continue until the Al Khalifa dictatorship is defeated and real democracy established.

Massive protests against the Al Khalifa repression

A major crackdown against the opposition has unfolded in the past few days, with arrests, threats and closure of electronic sites as the Al Khalifa struggle to preserve the false image they had created outside the country. The week started with the arrest of three writers who have been running an independent electronic site known as "Bahrainonline". For the past four years, this site has become stronger than the official media put together, and has attracted young writers disenchanted with the Al Khalifa dictatorship. The Al Khalifa have employed technological and political means to close Bahrainonline and other independent sites, but the young generation have mastered modern techniques which allowed people to access banned sites adopting other proxies. The arrest of these young men: Ali Abdul Emam, Hussain Yousef and Sayyed Mohammad Al Alawi is a sign of desperation and a further conclusive evidence that Sheikh Hamad's programme is nothing but a sham. They have been charged with five offences in accordance with antiquated laws dating back to the black era, and the notorious Press Law imposed by a royal decree in 2002. These draconian laws curtail the freedom of expression and are in contravention of international laws and standards.

More arrests followed on Wednesday evening (2nd March). Three people (from Sitra, Jurdab and Hamad town) belonging to the recently-formed Committee of the Unemployed, were arrested as they distributed leaflets urging people to support the committee and join a planned picket in the capital over the weekend. They were maltreated by the officials of the security apparatus run by the notorious torturer, Abdul Azia Atiyyat Allah Al Khalifa, and interrogated as to who is behind their committee, their aims, what they intend to do. They were threatened with further reprisals if they took more anti-Al Khalifa civil actions.

Furthermore, the Al Khalifa issued a verdict against the well-known human rights activist, Abdul Ra'uf Al Shayeb, and sentenced him to two months imprisonment and a payment of BD300 (\$700) for allegedly entering a house without the permission of its owner. The charge was refuted in court by eyewitnesses who testified that Mr Al Shayeb was arrested in the street by a gang of pro-Khalifa thugs. Mr Al Shayeb is known for his pro-democracy and human rights strong stands and his unwillingness to sell out to the Al Khalifa dictatorship. After a trip to Geneva last year

to attend the annual meeting of the UN Human Rights Commission, he was arrested and held for a week during which the charges were forged against him. He was planning a demonstration against the torturers during last year's Formula 1 race in Bahrain. International Human Rights groups and organizations issued statements in his support as they clearly saw the political dimension in his arrest and the trumped charges against him. More protests are planned for this year's races and Al Shayeb's arrest is seen as an attempt to forestall these protests. It is yet another flagrant oppressive measure in which the rights and freedom of citizens are violated for the sake of image making. Mr Al Shayeb is also viewed by the Al Khalifa as one of the main obstacles to their plan to settle the case of the torture victims without taking action against torturers, several of whom are from the Al Khalifa themselves. He is the official spokesman of the Committee of Martyrs and Torture Victims which has refused all offers from the Al Khalifa short of charging the torturers headed by Abdul Aziz Atiyyat Allah Al Khalifa. The latest sentence passed against Mr Al Shayeb is well-calculated. First it was passed one day after he left Bahrain to attend the annual meeting of the UN Commission for Human Rights which is underway. Second, the sentence itself is

made up such that it will ensure his absence from the scene for the duration of the Formula 1 race. His arrest has been ordered as soon as he sets foot on the airport in Bahrain.

The past week has witnessed numerous protests as the country embraced itself for more political tension. On Monday 28th February, the first protest in solidarity with the three prisoners of conscience was held in the capital. It was attended by hundreds of people who raised banners against the Al Khalifa dictatorship. A second protest was held on Tuesday which was also well-attended. A committee for the defence of the prisoners of conscience has now been formed and is expected to organize more protests in the coming days. It was supported by the Bahrain Centre for Human Rights which was infuriated by this flagrant violation of the most basic of human rights. The committee comprises activists as well as relatives of the detainees. The next days are likely to witness more pickets and protests as the Al Khalifa attempt to enforce their heavy-handed policies and adopt repressive measures against the rising tide of opposition to their totalitarian rule.

Worldwide condemnation of Al Khalifa repression

There has been an international reaction to the arrest of the prisoners of conscience, with an ample coverage of the case by news agencies. Reuters, the French News Agency and the Associated Press published daily reports on the struggle between the people of Bahrain and the Al Khalifa ruling family. The case of Abdul Rauf Al Shayeb, the human rights activist who was sentenced in absentia to two months imprisonment on fake charges was also highlighted.

On 28 February, Reuters referred to Bahrainonline, the site which was run by the young men: "The Web site, a forum where users often post views critical of the government and the royal family, has been banned by the government. It is blocked by Internet provider Bahrain Telecommunications, but it frequently changes its Web address to circumvent this".

On the same day, Journalists Without Border commented on the arrests. T worldwide press freedom organisation said in a letter to information minister, Muhammad Abdul Ghaffar: "Imprisoning someone for their journalistic work or posting an article on the Internet cannot be acceptable in any circumstances". It further added: "Bahrainonline gives Internet-users the opportunity to post their comments on political, social and religious issues and it regularly posts messages

that are very critical of the authorities. Like vob.org, the website of Bahrain Freedom Movement (BFM), it cannot be accessed within the country.

On 1st March AFP said: "In 2002, Bahrain's information ministry censored Internet sites on the grounds of inciting sectarianism or propagating lies, sparking protests by Bahraini activists". The Egypt-based Arabic Network for Human Rights Information has also condemned the arrests, as did Bahrain's Al Wafaq National Islamic Society. The Malaysian Staronline said; "About 30 demonstrators, some with their mouths taped to protest against censorship, gathered outside the prosecutor's offices to support the arrested website moderator".

On 2nd March, AP said: "Human rights activists are now planning a series of demonstrations to call for their release. These include daily vigils outside the Public Prosecution from around 4pm". Independent websites in the country have condemned the barbaric acts of the Al Khalifa and vowed to continue their editorial policies of independent and critical reports and comments. The situation could deteriorate further if the detainees are not released soon.

Urgent Appeal on Al Shayeb

Urgent APPEAL

Anti-torture activist is sentenced in absentia to two months imprisonment in Bahrain

Mr. Abdul Raof Al-Shayeb is now in Geneva campaigning for human rights. Fear for his arrest when he comes back to Bahrain

The human rights activist and the official spokesman for The National Committee for Martyrs & Victims of Torture in Bahrain, Abdul Raof Al-Shayeb was sentenced by the Court for 2 months imprisonment. The verdict was handed down in absentia on 27th February 2004 while he is abroad, campaigning for human rights in London and Geneva.

The final verdict came just a month before the Formula-1 (F-1) auto race in Bahrain. Mr. Al-Shayeb had repeatedly announced in the public that the Committee will be organizing a rally to promote the cause of victims of torture to the F-1 visitors from different places of the world. He has also announced the timetable of the Committee activities that will be held during 2005 especially in the next two months.

Mr. Al-Shayeb was detained on 30th March 2004 just a few days after returning back from Geneva and was accused of having a sexual relationship with an Indonesian maid. This was the authorities approach to blackmail him. The Bahrain's public prosecutor ordered al-Shayeb to be held in custody for one week for investigation. Bahrain normally does not publicize arrests in al-

leged vice cases until after convictions, and even then suspects are identified only by their initials. In this case, government-controlled dailies al-Ayyam and Akhbar al-Khalij on 1st April 2004 reported Al-Shayeb's arrest and identified him by name, citing a press release from the Ministry of Interior. Two days before his arrest al-Shayeb had returned to Bahrain from Geneva, where he met with Theo van Boven, the U.N. Special Rapporteur on Torture, and members of the Committee against Torture.

The National Committee for Martyrs & Victims of Torture was formed to campaign for victims of torture. Among the Committee's demands are to compensate the victims and their families; rehabilitation; bringing torturers to justice. Two years back, the Committee circulated and presented to King Hamad bin Issa Al Khalifa a petition signed by more than 33,000 Bahrainis, calling on him to annul Decree 56 that give immunity and impunity to torturers; and to establish an independent commission to investigate allegations of torture by security officials. This Decree was denounced by most international human rights organizations like Amnesty International and the Human Rights Watch.

Recommendation,

- Call upon the authorities in Bahrain to drop charges and sentence against Mr. Al-Shayeb

- Ensure that Mr. Al-Shayeb will not be arrested in the airport once returns home from Geneva

The National Committee for Martyrs & Victims of Torture

Webmasters' release sought

By Robert Smith of AP, 28 February

PROTESTS are mounting over the arrest of three Bahraini webmasters over comments that appeared on the Internet.

Friends and relatives of Ali Abdulemam, Hussain Yousif and Mohammed Al Mousawi gathered outside the Public Prosecution building, in Manama, yesterday to call for their release. Mr Abdulemam was arrested on Sunday, while the other two were arrested on Monday. Reporters Sans Frontières, an international organisation dedicated to defending Press freedom, has added its voice to the protests.

"Imprisoning someone for their journalistic work or posting an article on the Internet cannot be acceptable in any circumstances," said the organisation in a letter to Information Minister Mohammad Abdul Ghaffar.

"This incident demonstrates that the 2002 Press Law is in urgent need of reform."

The three were arrested because of com-

ments that appeared on their website Bahrainonline.com, which is critical of the government.

They are now facing charges that include spreading hatred of the regime.

The Egypt-based Arabic Network for Human Rights Information has also condemned the arrests, as did Bahrain's Al Wafaq National Islamic Society.

Human rights activists are now planning a series of demonstrations to call for their release. These include daily vigils outside the Public Prosecution from around 4pm.

Activists also expressed concern that more arrests may follow - either of people working on the same website or different ones. Meanwhile, the arrests have sparked calls for clearer publishing laws in Bahrain. Bahrain Internet Society (BIS) chairman Ahmed Al Hujairy said there was nothing in the current legislation to distinguish between print media and the Internet.

He is concerned that there are too many grey areas - especially when Press laws are applied to the web. "The laws we have

Reporters without Borders- 28 February Online forum moderator arrested

Reporters Without Borders has called for the release of Ali Abdulemam, moderator of the discussion forum Bahrainonline, who was arrested by security services on 27 February 2005. He faces five possible charges, including defaming the king.

"Imprisoning someone for their journalistic work or posting an article on the Internet cannot be acceptable in any circumstances", the worldwide press freedom organisation said in a letter to information minister, Muhammad Abdul Ghaffar.

"This incident demonstrates that the November 2002 press law is in urgent need of reform," the organisation added.

Bahrainonline gives Internet-users the opportunity to post their comments on political, social and religious issues and it regularly posts messages that are very critical of the authorities. Like vob.org, the website of Movement for the Liberation of Bahrain (MLB), it cannot be accessed within the country.

The five possible charges facing Abdulemam are : defaming the king, inciting hatred against the regime, publishing information to undermine the country's security and violating the press and communications laws.

Abdulemam also edits a weblog (<http://abdulemam.blogspot.com>) which promotes itself as providing "another perspective from Bahrain".

A diplomat in post in Bahrain, who requested anonymity, said Abdulemam had not been imprisoned. "He is being held in custody for a maximum of two weeks, for the purposes of the investigation. If no charge is made against him he will quickly be released," he said.

King Hamad bin Issa Al-Khalifa promulgated a press law in November 2002 that guaranteed the right to "express one's opinion and to disseminate it orally or in writing". However offences "against the Islamic faith, the unity of the people and the person of the king," and "inciting division or sectarianism" were to be punishable by six months to five years in prison.

The government has said on several occasions that it wanted to amend the law, of which the Bahrain independent journalists' union has been highly critical, but it has as yet failed to act.

in Bahrain relate to journalism," he said.

"There is nothing that refers to the Internet. They just refer to the media.

"There is a gap. What they did was call on the existing laws of Bahrain and treated what was written as though it was put down on paper.

"There is a gap that does not distinguish paper from the Internet. Both are published media."

Excerpts from US report on Human Rights violations in Bahrain

Country Reports on Human Rights Practices - 2004

*Released by the Bureau of Democracy, Human Rights, and Labor
February 28, 2005*

Bahrain is a monarchy, which in 2002 adopted a constitution that reinstated a legislative body with one elected chamber. The Al-Khalifa extended family has ruled the country since the late 18th century and continues to dominate all facets of society and government. The King, Sheikh Hamad Bin Isa Al-Khalifa, governs the country with the assistance of his uncle, the Prime Minister Sheikh Khalifa Al-Khalifa; his son, the Crown Prince Salman bin Hamad; and an appointed cabinet of ministers. Members of the Al-Khalifa family hold 8 out of 23 cabinet positions, including all strategic ministries. The 2002 Constitution provides that the King is head of the executive, legislative, and judicial branches of the Government. The King also chairs the Higher Judicial Council, which appoints members of the Constitutional Court. The bicameral National Assembly consists of the elected Council of Representatives and the appointed Shura (Consultative) Council. The Constitution gives the Council of Representatives a role in considering legislation, but most legislative authority still resides with the King, and he appoints members of the Shura Council. The Constitution provides for a nominally independent judiciary; however, the judiciary was not independent because courts were subject to government pressure regarding verdicts, sentencing, and appeals.

The Ministry of Interior is responsible for public security. It controls the Public Security Force (police) and the extensive security service, which are responsible for maintaining internal order. The Bahrain Defense Force (BDF) is responsible for defending against external threats. It also monitors internal security. The Government maintained effective control of the security forces. ... Impunity remained a problem, and there were no known instances of security forces personnel being punished for abuses of authority committed during the year or in the past. Problems remained in the Government's respect for human rights. Citizens did not have the right to change their government. The Government prohibits political parties, and none exist. Impunity of government officials remained a problem, as did the lack of independence of the judiciary and discrimination against the Shi'a population, women, and foreign nationals. ... The Government continued to infringe to some extent on citizens' privacy rights, and it restricted the freedoms of speech, the press, assembly, and association. Journalists routinely practiced self-censorship. The Government also imposed some limits on freedom of

religion and freedom of movement. Violence against women and discrimination based on sex, religion, and ethnicity remained a problem. There was reported discrimination in the job market. In May, the Council of Representatives rejected a law making discrimination a crime punishable under the country's 1976 Penal Code. Abuse of foreign workers occurred, including numerous instances of forced labor and instances of trafficking.

Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits torture and other cruel, inhuman, or degrading treatment or punishment. During protests on May 21, two civilians were injured by rubber bullets fired by the police. On October 28, rubber bullets or tear gas canisters fired by the police injured two protestors (see Section 2.b.). There were no known instances of officials being punished for human rights abuses committed either during the year or in any previous year.

Several cases of police abuse remain unresolved since 2002. In April 2002, police beat a human rights activist who came to the aid of another demonstrator. The investigation into this incident concluded that the police were not at fault. In May 2002, the Department of Military Intelligence (DMI) reportedly kidnapped a citizen and beat him in retaliation for his involvement in another demonstration. At year's end, there was no government investigation into this incident nor was any punishment exacted.

In September 2003, three ex-detainees filed a criminal complaint against an ex-senior intelligence official and a retired security intelligence officer, Colonel Adil Jassim Flaifel, accusing them of torturing detainees from 1981 to 1996. Colonel Flaifel denied any wrongdoing, and the Public Prosecutor rejected the detainees' complaint. In 2002, lawyers for eight citizens made allegations against Colonel Flaifel for routinely engaging in torture and mistreatment of prisoners. According to Amnesty International (AI), the general prosecutor in the Legal Affairs Bureau did not acknowledge receipt of the complaint. He asserted that the general amnesty issued by the King in 2001 applied to government employees as well as citizens. In 2003, credible reports of prisoner beatings and mistreatment surfaced during three strikes at Jaw prison, in the southern part of the country. In August 2003, a prisoner was allegedly beaten in front of his family. News of the mistreatment reached 282 prisoners in Building 4, who proceeded to take over the building and stage a 14-day hunger strike. Press reports stated that the prisoners sought better living conditions, medical treatment, monitoring by human rights organizations, and a halt to beatings by prison guards. The Ministry of Interior

negotiated the end of the strikes by promising to establish a joint parliamentary and Ministry of Interior commission to investigate claims. The commission began work in April 2003; however, findings of the commission's investigation have still not been made public.

In December, several dozen prisoners at Jaw Prison started a hunger strike and called for an end to delays in the justice system. The press reported that some inmates were held for up to 9 months while waiting for the courts to hear their cases. The prisoners claimed that once they started the strike, they were denied hot water, phone calls, and outdoor exercise.

Arbitrary Arrest or Detention

The Constitution prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions. At year's end, there were no reports of government investigations into claims that the Directorate of Military Intelligence (DMI) officers detained and beat a citizen in 2002. There continued to be no known instances of police officers being punished for human rights abuses committed either during the year or in any previous year.

On March 30, police arrested the President of the National Committee for Martyrs and Victims of Torture days before his group planned to demonstrate against Law 56, the government decree that gives immunity to past and present government officials responsible for serious human rights abuses. Facing charges of un-Islamic behavior and indecency, he was denied legal representation for the 5 days he was detained in jail. This case was still pending at year's end. The Government also broke its own laws and released his name and the nature of the case to the local press. Releasing such information is illegal in alleged vice cases.

In 2002, a press law was issued by royal decree. The Government began implementing the law but "froze" it due to a public outcry. Although suspended, the law continued to be enforced at the Government's discretion. The suspended press law provides for freedom of press and speech; however, it also contains restrictions on these "rights." The law provides for prison sentences in three general categories of offenses: criticizing the State's official religion; criticizing the King; and inciting actions that undermine state security. In addition, the law allows fines up to BD 2,000 (\$5,300) for 14 other offenses, including publicizing statements issued by a foreign state or organization before obtaining the consent of the Minister of Information; publishing any news reports which may adversely affect the value of the national currency; reporting any offense against the head of a state which maintains diplomatic relations with the country; or publishing offensive remarks towards an accredited representative of a foreign country because of acts connected with his post.