

BAHRAIN

Issued by the "Bahrain Freedom Movement" to promote human and constitutional rights

2005 balance sheet: the Al Khalifa loose, the people win

Is Bahrain on the verge of another uprising? The events of the past few weeks have illustrated the resilience of the people of Bahrain as they continue their struggle against the Al Khalifa dictatorship. Yet, the extent of popular anger is beyond anyone's ability to comprehend, and has manifested itself in the endless campaigns for rights, pickets and demonstrations. As the year draws to an end, the images of the political strife of 1994 have come to haunt the ruling family in relentless manner. It is becoming more evident that the ruler, Sheikh Hamad bin Isa Al Khalifa, his family and advisors have run out of steam, having spent the past five years trying to deceive the people inside and outside the country. There is no more talk of a "reform programme", the motto that accompanied the ruler's first few years of his rule following the demise of his father in March 1999. If anything, the ruling family has been dealt one of the heaviest blows it received in the past five years. Last month the Economist Intelligence Unit (EIU) issued a report on the state of freedom and democracy in the Middle East. It ranked 20 countries on 15 indicators of political and civil liberty. Bahrain was ranked 15th, a position that only few had expected. After several years of a gigantic propaganda programme that cost the country millions of dollars, the world has come to realize the emptiness of the Al Khalifa's slogans. It may be late, but it was a necessary realization for those who had claimed to be propping up democratic and human rights initiatives in the region.

The EIU report is more damaging to the reputation of the new ruler, his "modernist" son and the rest of his family, probably beyond repair. The position they have been allocated is certainly lower than what they would have been allocated ten years ago. They have been equated, in their democracy, to regimes like those of Libya, Syria and Saudi Arabia. Out of the six Gulf Cooperation Council member states, Bahrain attained 4th position after Kuwait, Qatar and Oman. It could not have been more humiliating. It could not have been nearer to the truth. The Al Khalifa are angry, but the people of Bahrain, while feeling the betrayal of some overtly pro-democracy countries like the United States and Britain, are joyful and satisfied that the world has, for the first time, refused to two

the line of the oppressing regime ruling Bahrain with fire and iron fist. The Crown Prince has been playing a more dangerous role, speaking to the Western powers, in their political and cultural language, while knowing that the situation in the country was nothing but an absolute dictatorship. He went as far as "inviting" Michael Jackson, only one year after he had convinced motor-racing champions like Schumacher to take part in the Formula 1 race. He had hoped that the presence of such high profilers would obscure the real picture of the country which has been under the hereditary dictatorship of his family for more than two centuries.

The year 2005 will go in the books of history as a watershed in the struggle of the people of Bahrain to achieve their freedom and democratic rights. Early in the year, many activists declared their rebellion against the Al Khalifa dictatorship and opted to carry their activities outside the official perimeters of the despotic regime. When the Bahrain Centre for Human Rights was dissolved last year by a decree ordered by the ruling family, its management decided to continue their work and ignore the dissolution order. Its senior figures had to pay the price. Sheikh Hamad ordered his mercenaries to attack them mercilessly as they marched in support of the unemployed. Marks of extreme torture was evident in the images of the victims. They were images that shocked the trust of even the Al Khalifa friends in Washington and London. Then came the first international breakthrough. In March, the Commission Against All Forms of Discrimination issued a damning report that charged the Al Khalifa with policies of extreme discrimination on religious and ethnic basis. It called on the Al Khalifa to provide a detailed breakdown of population composition within twelve months. The world is awaiting to see if they respond to this significant request.

Then came another setback for the Al Khalifa. In March, the Committee in charge of overseeing the implementation of the Convention Against Torture (CAT) issued a report condemning the Al Khalifa for sheltering torturers within its jurisdiction and asked them to rephrase Decree 56/2002 in a way that

does not offer a blanket amnesty to torturers. When Bahrain signed CAT in 1998 it became a duty on the government to ratify the Convention and bring those accused of gross violations of human rights to justice. Among those who should have been brought to justice are senior figures within the ruling family like Abdul Aziz Atiyyat Allah Al Khalifa, Abdul Rahman bin Jaber Al Khalifa, Adel Flaifel and Ian Henderson. Few weeks later, the International Crisis Group issued a lengthy report on the Al Khalifa policy that highlighted their continuous efforts to change the composition of the Bahraini society and transform the majority Shia into a minority. It was one of most embarrassing international indictment of the regime.

The setbacks of the Al Khalifa continued throughout the summer. With preparations for the "Forum for the Future" conference in Manama, the activists engineered an intensive programme to influence the international forum. They flooded the would-be participants with enormous material on the bleak situation in the country, organized petitions, statements, pickets and demonstrations to coincide with the conference. As a result of bad policies, mismanagement and ill-intentions, the Forum for the Future conference failed to agree on a final communiqué and, to the dismay of the Al Khalifa, it was declared a failure. Then followed the recent disturbances that started by the unemployed demanding job opportunities. The ruler and his clique have failed miserably to grasp the mood of the hungry and the disposed who refused to obey orders not to march outside the royal court. They were ready to face the Al Khalifa killers with their fists of fury. They succeeded. The attacks by the Al Khalifa mercenaries on the civilian demonstrators has brought home to those supporting the despotic Al Khalifa regime the fact that this rule is doomed. The situation is becoming more polarized as more people join the struggle. It has now become a struggle of wills between the people of Bahrain and the Al Khalifa mercenaries and occupiers. The world community must intervene to stop this barbaric regime from its excessive policies as it seeks to avenge its failures and extreme damage to its image and reputation. Meanwhile the peaceful struggle of the Bahraini people will continue unabated.

Vicious attack on a peaceful demonstration

In a serious development in Bahrain, the police attacks a peaceful demonstration by the unemployed on Tuesday night, injuring many and arresting others.

The demonstration was originally intended to go to the royal court in order to express their dissatisfaction of the way the Government had handled the issue of unemployment. However, the intensive security and police presence made the organizers change the location in an attempt to avoid clashing with the police.

Prior to the start of the demonstration shortly after sunset, the area surrounding the Ministry of Interior and the roads leading to it were completely sealed off. No cars were allowed to enter, which created a two hour total standstill in traffic around the capital Manama.

Soon after the demonstration started and as it approached the American Mission Hospital, it was attacked from all sides by the police. Witnesses reported numerous casualties amongst the demonstrators as well as several arrests. Police prevented ambulances from entering the area. Citizens volunteered to take the injured to the accidents and emergency department of Salmaniya Medical Centre

for treatment using their own cars.

The demonstration is part of a series of protests taking place in Bahrain against the severe unemployment problem and the inadequate Government measure to tackle it. The problem has worsened over the past two years as no serious and comprehensive solutions were put forward by the Government.

In related developments, a citizen from Al Eker village, south of the Capital, was kidnapped by interior ministry agents for few hours and taken to the Sitra Industrial area, where he was abused, beaten and sexually assaulted. A couple of days ago, Jalal Fairooz, a political activist actively involved in the campaign to defend the unemployed, was dismissed from his work as a senior engineer with the Bahrain National Gas company.

The events over the past few days indicate a serious deterioration of the situation in Bahrain. While the unemployment problem continues unresolved, the Government is determined to use vicious means to answer the unemployed whenever they attempt to express their grievances.

People's demands presented to the Forum for the Future

The Al Khalifa ruling family in Bahrain has been dealt a serious blow as it failed to prevent the nomination of one of its strongest opponents, as a member of a delegation by the Non-Governmental organisations to the UN-sponsored conference in Manama. The two-day "Forum for the Future" will start tomorrow to discuss democracy and human rights in the Middle East. It will be attended by delegates from the Arab countries as well as the G8 as well as many NGOs from various parts of the world. In a preparatory meeting in the Qatari capital, Doha, on 7th and 8th November, the NGOs had prepared a list of recommendations and demands to the conference and chose a delegation consisting of six people to present them to the Manama conference. Among the elected delegates has been Abdul Hadi Al Khawaja, a prominent human rights activist who was jailed last year for criticising the Al Khalifa dictatorship. The Al Khalifa ruling family of Bahrain objected to the presence of Mr Al Khawaja among the delegates, and caused a fury among the NGOs. It immediately became clear to those organisations what the people of Bahrain have been enduring under the Al Khalifa hereditary dictatorship. The NGOs insisted on their choice and negotiations have continued to resolve the stalemate.

On another front, the "parallel" confer-

ence by the domestic organisations has also been convened in Manama. The organising committee was heavily influenced by the Al Khalifa, who attempted in vain to prevent any negative comments on the final communiqué of the conference. To the fury of both the Al Khalifa and the organising committee, the participants issued a public statement with objectionable recommendations and demands. Among these are the repeal of the dissolution order against the Bahrain Centre for Human Rights, the rehabilitation of torture victims and the upholding of the rule of law. The organising committee, on its own initiative, attempted to remove the negative points, but were rebuked by the local NGOs. The recommendations are damning to the Al Khalifa hereditary dictatorship and have greatly damaged its reputation among the international delegations.

Meanwhile, a massive demonstration against an Al Khalifa-inspired family law attracted tens of thousands of people, thus showing the lack of popularity of the regime. Anti-Al Khalifa slogans were raised as the organisers attempted to confine the protest to matters relating to the proposed law. The religious scholars have objected to what amounts to be "the nationalisation of religious legislation" which constitutes a threat to the religious establishment which has been the focus for anti-Al Khalifa resentment.

Bahrain's "democratic beacon" smashed by EIU report

Neither the past nor the present shows any hope of a truly desired positive development in the political conditions and the state of liberties in Bahrain.

The government has been marketing for a democracy that has not lived to the expectations of the people of Bahrain, nor has impressed external observers.

The recent report by the Economist Intelligence Unit (EIU) has indicated the serious situation in Bahrain. On a scale of zero to 10, Bahrain gained a mere 3.85 points, thus scoring less than many other countries in the region. It ranked below other Gulf states like Kuwait, Qatar and Oman.

The report relied on Analysts observing evidence of democratization in the region. Its revelations completely reverse the propaganda by the Bahrain Government that it has established a beacon of democracy for others to follow suit. The level of civil liberties has suffered serious setbacks in the recent months. Demonstrations have been repeatedly organized to object to the Government's attempts to impose its laws through its defunct pseudo-democratic channels.

Major moves to restrict the framework of operation of political societies has been considered by leading politicians inside Bahrain as a blatant blow to the values marketed by Sheikh Hamad and his media.

The blundering of the national wealth and the confiscation of lands all over the country are on the increase. Expressing their concerns over the issue, economists and political groups have organized a number of events in an attempt to put an end to this irresponsible behaviour. However, the Al Khalifa Family, led by the King and the Prime Minister, continues its confiscation of land and marches towards the territorial waters around the shores.

The low score indicating the serious retreat in freedom didn't come as a surprise. The manifestations on the ground far exceed what has been mentioned above. The strategy of the Government has been to tighten the grip of the Al Khalifa Family on power, and limit the scope of movement for the opposition groups, politicians and pro-democracy activists. In Bahrain, political freedom is suppressed, and authoritarian rule continues until further notice.

**The dynamics of democracy
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Excerpts from Religious Freedom Report 2005

Released by the US State Department, the Bureau of Democracy, Human Rights, and Labor

The Constitution states that Islam is the official religion and also provides for freedom of religion; however, there were some limits on this freedom. There was no change in the status of respect for religious freedom during the reporting period. In the past, the Government did not tolerate political dissent from religious groups or leaders; however, in 2001 the King pardoned and released all remaining political prisoners and religious leaders. In 2002, the King issued a new Constitution and held municipal council and National Assembly elections. The Government continues to subject both Sunni and Shi'a Muslims to some governmental control and monitoring, and there continues to be government discrimination against Shi'a Muslims. Members of other religions who practice their faith privately do so without interference from the Government.

Section I. Religious Demography

The country has an area of 231 square miles, and its population is approximately 710,000. The citizen population is 98 percent Muslim; Jews and Christians constitute the remaining 2 percent. Muslim citizens belong to the Shi'a and Sunni branches of Islam, with Shi'a constituting as much as two-thirds of the indigenous population.

Foreigners, mostly from South Asia and other Arab countries, constitute an estimated 38 percent of the total population. Approximately half of resident foreigners are non-Muslim, including Christians, Jews, Hindus, Baha'is, Buddhists, and Sikhs.

Section II. Status of Religious Freedom
The Constitution states that Islam is the official religion and also provides for freedom of religion; however, there were some limits on this right. In the past, the Government did not tolerate political dissent from religious groups or leaders; however, in 2001 the King pardoned and released all remaining political prisoners and religious leaders, including Shi'a clerics. The Government continues to register new religious nongovernmental organizations, including some with the legal authority to conduct political activities. In 2002, the King issued a new Constitution and held municipal council and National Assembly elections. In the 2002 municipal council elections, candidates associated with religious political societies won 40 of the 50 contested seats. In the 2002 legislative election, candidates associated with religious groups won more than half of the Council of Representatives' 40 seats. In both elections, candidates from religious political societies conducted their campaigns without any interference

from the Government. The Government continues to subject both Sunni and Shi'a Muslims to some governmental control and monitoring, and there is some government discrimination against Shi'a Muslims. Members of other religions who practice their faith privately do so without interference from the Government and are permitted to maintain their own places of worship and display the symbols of their religion. Every religious group must obtain a license from the Ministry of Islamic Affairs to operate. Depending on circumstances, a religious group also may need approvals from the Ministry of Social Affairs, the Ministry of Information, and the Ministry of Education (if the religious group wants to run a school).

Restrictions on Religious Freedom

The Government funds, monitors, and closely controls all official religious institutions. These include Shi'a and Sunni mosques, Shi'a ma'tams (religious community centers), Shi'a and Sunni Waqfs (charitable foundations), and the religious courts, which represent both the Ja'afari (Shi'a) and Maliki (Sunni) schools of Islamic jurisprudence. While the Government rarely interferes with what it considers legitimate religious observations, in the past it actively suppressed any activity deemed overtly political. The Government permits public religious events, most notably the large annual commemorative marches by Shi'a, but police closely monitor such events. At least one unregistered ma'tam was established in March 2003. The Government did not hinder its activities Towns that were developed and expanded in the past 10 years, such as Hamad Town and Issa Town, have mixed Sunni and Shi'a populations. In these new areas, there are a greater number of Sunni than Shi'a mosques. In June, King Hamad approved the construction of a large Shi'a mosque on a site in Hamad Town that had been the subject of a dispute between the two branches of Islam. In March, residents of Muharrag submitted a petition to the Ministry of Information requesting that the government-run TV station make live broadcasts of Friday sermons from Shi'a mosques, and not just from Sunni mosques. According to the petitioners, a similar request sent to the Ministry in 2004 did not receive a response.

Although there are notable exceptions, the Sunni Muslim minority enjoys a favored status. Sunnis often receive preference for employment in sensitive government positions and in the managerial ranks of the civil service. Shi'a citizens do not hold significant posts in the defense and internal security forces, although they are allowed to be employed in the enlisted

ranks. In September 2004, the Interior Ministry established a community police program to train 500 Shi'a men and women.

The Shi'a Al Islamiya bloc in the Council of Representatives (COR) proposed early in 2005 that the country's public schools teach the four main Sunni schools of thought and the Ja'afari school. The proposal was rejected by the Services Committee and by the COR.

Since 1985, the Ministry of Islamic Affairs verbally has denied Shi'a applications and petitions to establish a mosque and ma'tam in Riffa to serve that community's Shi'a population. Riffa constitutes approximately 40 percent of the country's land and is home to the Sunni ruling family. In 2004, the Ministry of the Royal Court formally denied the application, citing that land in Riffa cannot be allocated for commercial enterprises since it is reserved for the ruling family.

The political dynamic of Sunni predominance in the past has led to incidents of unrest between the Shi'a community and the Government. There were no reports of significant religious unrest during the reporting period.

Abuses of Religious Freedom

During the period of internal strife in the 1980's and 1990's, the Government held in detention hundreds of Shi'a, including religious leaders, for offenses involving "national security." There were no reports of religious detainees or prisoners during the reporting period.

Section III. Societal Attitudes

Although there are exceptions, the Sunni Muslim minority enjoys a favored status. In the private sector, Shi'a tend to be employed in lower paid, less skilled jobs. Educational, social, and municipal services in most Shi'a neighborhoods are inferior to those found in Sunni communities. To remedy social inequalities, the Government built numerous subsidized housing complexes, which are open to all citizens on the basis of financial need.

In 2003, unknown assailants vandalized the Sa'sa'a Mosque. Witnesses reported that four persons broke into the mosque and destroyed the ablution faucets and lights surrounding the mosque. The Director of the government-funded agency responsible for managing government-held Shi'a properties (Ja'afari Awqaf) did not seek police assistance or an investigation; however, the mosque caretaker has closed the mosque daily at 4:30 p.m., denying Shi'a parishioners the ability to perform evening prayers.

In 2004, unknown assailants vandalized the Zainab mosque. The mosque restrooms were rendered inoperable. The assailants destroyed all water faucets, fans, electrical switches, lamps, microphones, clocks, and audiotapes. The Director of the Ja'afari Awqaf sought police assistance to investigate the crime.

Using the Forum for the Future to Advance Democracy in Bahrain

By Eunice Youmans. November 9, 2005

On November 11, Bahrain will welcome government officials and civil society groups to the second meeting of the Forum for the Future. The forum was founded at the 2004 G-8 summit at Sea Island, Georgia, as the centerpiece of the Broader Middle East and North Africa Initiative to promote change in the region. Political reform tops the forum's 2005 agenda with two-thirds of the conference sessions set to address political reform, human rights, women's empowerment, and the rule of law. The agenda, U.S. deputy assistant secretary of state for Near East affairs Scott Carpenter says, reflects the Bahraini government's willingness to discuss sensitive issues of reform, and U.S. secretary of state Condoleezza Rice will address the conference. King Hamad bin Isa al-Khalifa has brought many changes to Bahrain since coming to power after the 1999 death of his father, Isa bin Salman al-Khalifa. In 2000, amnesty was granted to political detainees and exiles. In 2001, Bahrain's state security law was repealed and King Hamad promised an elected government and an independent judiciary by 2004; he also proclaimed himself king, rather than the traditional title of emir. In 2002, women were given the right to vote, the 1973 constitution was amended, and municipal and legislative elections were held—the first since Hamad's father dismissed the legislature in 1975. However, a closer look at the practical application of the Bahraini reform agenda calls into doubt King Hamad's commitment to real democratic change.

Elections and the King

Opposition groups boycotted the 2002 elections; they objected to the king's amendment to the Constitution splitting legislative power between an elected parliament and an appointed consultative council. Though Hamad's amendment divided legislative power equally between the two houses of the National Assembly, no law originated by the parliament has ever been enacted (though laws proposed by the council have passed the parliament to take effect). Furthermore, the election districts for the parliament vary considerably in population to the disadvantage of the Shiite majority. And the elected parliament has little if any control over the appointed governors of the five governorates who, along with the Ministry for Municipal Affairs, are Bahrain's most powerful domestic officials. Ultimately, the power of both elected and appointed officials can be countermanded by the king, who has the authority to veto laws passed by the legislature, dissolve parliament, rule by decree, amend the constitution, and enact or

reinstate laws.

Limitations of Existing Laws

The enforcement of troubling laws, old and new, continues to limit Bahrainis' access to human rights, curtailing the freedom of speech, representation, and assembly. The following laws have all been exercised in the last two years:

- Decree 56 of 2002 effectively allows perpetrators of torture immunity from prosecution. Since Decree 11 of 2001, which repealed the state security law, not one torturer has been held accountable for his actions, nor have victims of torture been given any form of restitution.

- The press law of 2002 gives the information minister the authority to seek prison sentences for those who criticize Islam or the king, or who undermine state security. Three Bahrain Online writers were arrested and detained for two weeks in 2005 under this law.

- The Public Gathering Code of 1973 includes such general terms as "public interest, security, good behavior or other dangerous reason," that it effectively leaves the interpretation of the law to the discretion of the security director. Authorities cited the code in March 2005 when informing the opposition Wefaq party that its planned rally for constitutional reform was illegal.

- The Nationalities Act of 1963 effectively gives the king absolute power to grant citizenship. King Hamad called upon this authority as recently as July of 2005 when he granted Bahraini citizenship to two thousand foreign nationals—said by the opposition to be part of a continuing strategy to increase the Sunni proportion of the population. The issue is particularly sensitive, because the Shiite opposition has long criticized the ruling Khalifa family as foreigners; the king's ancestors moved to Bahrain from Qatar in the late eighteenth century.

In addition to these laws, political parties continue to be banned and discrimination against the Shiite majority and foreign workers remains legal. A counterterrorism law currently under consideration would resurrect in essence the revoked state security law, with all its attendant human rights abuses. Beyond the Nationalities Act, voting rights have been extended to Saudi citizens, effectively altering the demographic makeup of the electorate in favor of the Sunnis. The institutional and practical discrimination faced by the Shiite majority, foreign workers, and women are alarming indicators of the ruling dynasty's commitment to human rights for some.

Other Human Rights Issues The fundamental human rights issue in Bahrain remains discrimination and unequal access to opportunity faced by the Shiites who make up more than 60 percent of the population. Yet Bahrain faces a number of other sig-

nificant human rights issues, including the status of foreign women, unequal treatment of women citizens, sharia law, prisoner mistreatment, and the harassment of civil society groups.

In spring 2005, the UN Committee on the Elimination of Racial Discrimination noted the special prejudice against Asian women who do not benefit from protections in the labor code. These women suffer from problems of debt bondage, passport retention, illegal confinement, rape, and physical assault.

Women who are Bahraini citizens do not fare much better. A Bahraini woman married to a foreigner cannot transfer her citizenship to her spouse or her child; the wives and children of Bahraini men can become citizens. The absence of personal status laws gives sharia judges, both Sunni and Shiite, free reign to interpret Islamic law. The limited education and conservative views of the bulk of the sharia judges does not bode well for the fate of the woman who stands before them.

Additionally, the treatment of prisoners in Bahraini prisons remains a problem, with UN reports and prison strikes painting a picture of mistreatment and denial of care. And in 2004, the government banned the Bahrain Center for Human Rights and arrested its director, Abdel-Hadi Khawaja, for criticizing the prime minister.

Bahrain and the United States

The U.S. Navy's Fifth Fleet has made its home in Bahrain for more than fifty years, and in March 2002, President George W. Bush officially designated Bahrain a major non-NATO ally, recognizing the close relationship between the two countries. U.S. officials frequently praise Bahrain as a model of democratic reform in the Middle East, and Bahrain receives aid from several U.S. economic and military assistance programs.

The Forum for the Future will give Rice an opportunity to strengthen Washington's commitment to democracy in the region. She could use the forum, like she used her June speech at the American University in Cairo, to press the host government for reform. Rice should call on King Hamad to improve the pace of reform, address the human rights shortcomings of Bahrain's legal system, and commit to an increase over time in the power of elected officials. Rice should also press the king consistently to provide international human rights organizations with information they request. Hopefully King Hamad would listen to such advice. But even if he did not, a strong stand by Rice in Bahrain would further chip away at the skepticism of regional democrats, showing that Washington will press its friends to open up and broaden the base of their regimes.

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