

BAHRAIN

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

A gloomy December heralds a more hopeful year

As the year draws to a close, new realities are emerging in Bahrain, following seven years of inconclusive political experiment that has achieved little in terms of democracy, job opportunities or improvement of people's lives. The past twelve months have been a period of undeclared political emergency with both sides, the ruling family and the people of Bahrain, reluctant to declare it in the open for fear of dire consequences to both. The people are known for their peaceful nature and their willingness to accept much less than their expectations and would not like to be seen as contributing to a state of tension and political turmoil. The ruling family has invested heavily in public relations in order to convince outsiders that they are running a prosperous and "democratic" country. Both have now come to a conclusion that serious confrontations are unavoidable. This year has probably been one of the most useful to the cause of the opposition. With the participation of the Al Wafaq Society in the elections of half the members of Sheikh Hamad's shura council, a testing case was created to gauge the seriousness of the regime with regards to its democratic commitments. Twelve months of experience has now exposed the fallacy of this democracy and the incompatibility of a system based on hereditary dictatorship with modern values of democracy and power-sharing.

The situation had been so demoralising to those who had participated in those elections to the extent that several elected members of Sheikh Hamad's council were forced to admit the failure of the experiment. They said that the first year had produced no results in terms of legislation, monitoring and accountability. Members of the Al Wafaq failed to question one minister despite their repeated requests. Sheikh Hamad is adamant that Bahrainis have no right to question any member of the ruling family about what he/she does. He went as far as decreeing the notorious Law 56-2002 that offered impunity to perpetrators the most horrendous crimes against Bahrainis through torture or extra-judicial killings. Following the report of Dr Salah Al Bandar, the former advisor for the ministry of cabinet

affairs, Sheikh Hamad took several measures. First he ordered that local media to observe a total blackout on the report. Then he took every measure to protect Ahmad Atiyyat Allah Al Khalifa from prosecution. The report had produced many documents implicating him in anti-Shia crimes, some of which amounted to ethnic cleansing. His brother, Abdul Aziz, had been protected by Law 56 against prosecution for his dreadful acts of human rights abuses against Bahrainis extending over two decades. After the pseudo-elections of 2006 the ruling family felt that it had "triumphed" over the opposition, aided by the American Ambassador in Manama whose role had secured the participation of some factions of those who had boycotted the elections of 2002.

The enormous oil revenues, amounting to US\$7 billion a year, have helped the ruling family to extend its influence and domination over the political affairs of the country. They have, in their possession huge oil revenues that enabled them to hire international public relations and media companies to enhance their reputation abroad. In Last month they invited several journalists from the mainstream media to the country to have an audience with Sheikh Salman bin Hamad Al Khalifa, the son of the ruler, who is being prepared to replace his father in any eventuality (including that of a sudden death of Sheikh Hamad who suffers of cancer). Upon their return they published balanced accounts of their experiences. These reports have shocked the ruling family who thought their money could buy off anyone. Later, they invited another journalist from the Daily Telegraph who wrote a more favourable piece. The ruling family is aware of the importance of their image at a time when the world has moved forward to achieve more openness and democracy. Initially they appeared to have heeded the call for political reforms, but no sooner had these "reforms" begun to touch their interests, than they revoked almost every aspect of political liberalism and openness. Today, Bahrain is under the rule of a

ruthless military dictator who is relying on time and money to subdue the people of Bahrain and their legitimate representatives in the opposition. He appears to be crippled with illness but his desire for absolute rule and subjugation of people has never been greater. Isn't there a wise person who has the courage to whisper in his ear advising him of the futility of his evil actions and policies?

What lies ahead? The people of Bahrain have, once again, proved their resilience and ability to ride over stormy seas. As December approached, they had prepared themselves for show-downs with the oppressive regime. On 17th December they have a date with the Annual Martyrs Day, marking the black day in 1994 when the ruling family issued orders to kill Bahrainis who demonstrated against dictatorship and human rights abuses. On that day, two martyrs fell; Hani Khamis and Hani Al Wasti. From then on, the country has passed through several phases of repression before they were promised by Sheikh Hamad in 2000 that they should for what he called "the days that they had not yet lived". It now seems that those days are as far as ever with more gloomy days ahead. The hereditary dictatorship refuses to change and adapt to modern values of governance and pluralism. With oil money they believe they can gain more time to complete their evil project that is tantamount to ethnic cleansing. It is therefore with regret to forecast a bleak future for the security and stability of the country. It is also with sorrow to predict darker periods for our people as the ruler and his entourage strive to "conquer" the people in the same way as their forebears "conquered" the land. Another year is coming to an end, and another one is about to start. Year in year out, the victims of this evil regime count their miseries and pray for the long-awaited change. Meanwhile, their steadfastness has not diminished, their desire for a bright future never waned. While December has always been a month of gloom, blood-letting and oppression, the people have deep hopes of transforming it into a festival of change; a period of reflection, action and even more determination in spite of all the odds.

Fiasco of the human rights commission and MPs bribe

Controversy has surrounded the decision by the ruling Al Khalifa family to create a "human rights commission" as a prelude to the scrutinising by the UN Human Rights Council of Bahrain's dismal human rights record. In democratic states, such commission would be formed by parliament and would become under its jurisdiction. In Bahrain, however, the ruling family has taken over the roles of the legislative, the executive and the judicial powers. Out of 28 ministers, 16 are members of the ruling family. The judiciary is under the direct control of the prime minister who while the legislative power does not exist. The shura council (with both the elected and appointed members) has no legislative power and has been a rubber stamp to endorse the ruling family's decisions. The human rights commission has been created to replace civil society bodies which have taken up human rights violations and exposed the human rights crimes committed by members of the ruling family especially the notorious Abdul Aziz Atiyat Allah Al Khalifa who is now being sheltered by the ruler and his court. The ruling family is nervous that its black record would be scrutinised by the UN Human Rights Council. It had hoped that Bahrain's membership in the Council last year would have sheltered the ruling family from such scrutiny, but the courage by Louise Arbour, the Council's President has stunned the ruling family and forced it to take quick decisions that

are unlikely to work. Meanwhile social tension has been rising as the extent of the plundering of the country's wealth by Sheikh Hamad and his clique is exposed. It is now estimated that the oil revenue is US\$6-7 billions, less of which only finds its way to the country's budget. The extent of poverty has been exposed in the past few months by international TV channels. Two horrifying films were broadcast by CNN and Al Aalam channels which present bleak images of poverty in Bahrain. Two days ago the people have been horrified when they were told that the ruling family had decided to "bribe" those who agreed to work within its illegitimate system. Salaries of the elected and appointed members of the shura council were raised by 30 percent. Each member now receives more than US\$10,000 while more than half the working class receive no more than US\$1000 in wages. This disparity in salaries, coupled with high rising cost of living and housing has become a major source of discontent. Over the past week young Bahrainis picketed official departments to protest the lack of employment and low salaries. Three Bahrainis encamped themselves outside the offices of Civil Service Offices for more than three days, demanding jobs. Other young people have taken to the streets in protests against the excesses of the Al Khalifa ruling family. Yesterday, the village of Saar was the scene of a

picket in which tyres and dustbins were burnt to express disgust at the policies of the hereditary dictatorship. In Sitra, the residents took part in protests and pickets demanding the release of other activists who had been unlawfully detained by the ruling family for taking part in civil resistance activities against the hereditary dictatorship. Today, a pre-planned march in Manama was banned and police cars prevented people from entering the capital. The political unrest has been fuelled by the ongoing social tension between the Bahrainis and the new settlers imported to the country by Sheikh Hamad's royal court. The court is headed by the hated figure of Khalid bin Ahmad Al Khalifa, notorious for his anti-Shia sentiments and policies. The people have asked for his dismissal and trial. The woman activist, Ghada Jamshid, has today called for his immediate removal as a source of social tension and sectarian discord. Sheikh Hamad's reputation has been smeared by these people and he, himself, has lost the grounds that he had made initially when he had promised in 2001 political and economic reforms. As none of these promises has materialised, the ruler has become the focus for blame to the extent that when was exposed as suffering from cancer of the Lymph system, he received little sympathy from the people. The country is thus passing through one of its bleakest periods as the people plan their next move against the Al Khalifa hereditary dictatorship.

New information minister's initiative create negative images

Sources at Bahrain's ministry of information talk of an atmosphere of acrimony as the reputation of the regime has been tainted by articles published in the British press last week. The articles appeared in major newspapers such as The Times, The Guardian and the Independent, written by senior journalists in these newspapers after visiting the country at the invitation of the ruling family. The new information minister, Jihad Bu Kamal, attempted to present a respectable face for the regime, but what he achieved has been damning international verdicts against an antiquated political system that has failed to adapt to modern standards of democracy and human rights. The new minister sought to enhance his chances of survival by these invitations, but what come out is a fiasco. The British journalists proved to be far beyond the regime's hopes of containment or influence. Large budgets were assigned to a new media drive designed to counter the negative image of this hereditary dictatorship, especially after the decision of the UN Human Rights Council to scrutinize Bahrain's

human rights records. The visit to Bahrain by these "guests" has, once again, proven to be a losign game. The excesses of the regime were exposed. The Times article on Friday 2nd November described the failure of Sheikh Hamad's political programme which left the majority of Bahrainis with a feeling of subordination and humiliation as a result of the political naturalisation programme. The writer also described the systematic "discrimination by the ruling Al Khalifa rules against the majority Shia Muslims. He also talked of the "big demonstrations" against the regime that flare up regularly. The "invitation" of the press came as the ruler, Sheikh Hamad, was preparing to open a new session of his shura council, half of whose members are elected. It was evident that the regime had another motive. The ruler, Sheikh Hamad, is suffering from an unknown ailment and his health has become a matter of concern to the ruling family especially in light of the jostling to power by the various members of the Al Khalifa. It appears that the aim was to "prepare" the crown prince for the ultimate job, in case his father failed to

survive much longer. He received the journalists, talked to them in polished English and attempted to present a near-normal feeling of ease and power. The visiting journalists were shocked to see how inexperienced the cp had been and how the functions of the government has been sidelined by the persistent conflicts between the prime minister and his less experienced stage actors, headed by Sheikh Hamad. The crown prince has become one of the new thieves in the country, having usurped large areas of reclaimed sea lands and coasts. His preparation for succession is encountering resistance from the prime minister's camp as well as the opposition who view him as yet another corrupt member of the ruling Al Khalifa family. In the past few weeks more unsettling developments have shaken the stands of the ruling family. First came the revelations by the foreign minister, sheikh Khalid bin Ahmad Al Khalifa, that he had been holding secret meetings with the Israelis. This is in contradiction to the Arab governments directives that only Egypt and Jordan were to hold these meetings. .

Alert: Ban Continues to Media Access and Circulation of Al-Bandar report

Date: 28 November 2007

(BCHR/IFEX) - The following is a statement from BCHR, a member of IFEX:

A statement by the Higher Criminal Court (HCC) yesterday affirmed the permanence of the decision to stop publishing news or press comments on "Al-Bandar report", although the prosecution of conviction of Salah Al-Bandar, the issuer of the report was passed. The decision of extending the durability of the "publication ban order" was attributed by the HCC judge as «the ruling of the accused was made in his absentia, and thus susceptible to reversal and appeal, by default, meaning it had not yet become final, and so justifying maintain ban of any publication on the report».

The ban of any media coverage to Al-Bandar report, issued over a year ago, resulted in bringing many journalists (Mohamed Al-Sawad and Ahmed Al-Aradi from Alwaq newspaper) as well as some human rights activists (Nabeel Rajab from the Bahrain Center for Human Rights) to prosecution. Furthermore, the Bahraini Ministry of Information used this justification to activate articles 40 and 71 of the Press Decree Code of 2002, to issue an official order to prevent internet access (from inside Bahrain) to many Bahraini and non-Bahraini web sites, which make cover-

age or reference to the report. This ban is continued and includes electronic forums, sites of local political and civic organizations, religious, secular and ethnic groupings based outside Bahrain. It also covered ban access to web sites of human rights organizations the Bahrain Center for Human Rights and HAQ (inside Bahrain) as well as the Network of Human Rights Information (HRinfo), outside Bahrain.

Al-Bandar reports contains documents exposing "secret" organization lead and funded by known official organizations- mainly the Royal Court, and contains executive plans aiming at introducing sectarian sedition, rigging elections and undermining dissident groups, disenfranchising Shia local population, faking and funding non-governmental organizations, clamping and containing civic organizations, as well as managing a politically motivated change of demography scheme by importing thousands of nationalities from around the region. The report expose the existence of a newspaper and its team, funded and supported by the secret organization, dedicated to achieve the above objectives and endeavor to mislead and deceive people about the report and its content.

The Bahrain Center for Human Rights (BCHR) expresses its concerns about the officially guided ban to the media delib-

eration of Al-Bandar report, which reflects suspicions over the contents of such document and its manifestation. Furthermore, the BCHR is concern of the use of the legislations to introduce clamp on all forms of freedom of expression as well as limiting the space of work for human rights activists and their organizations.

RECOMMENDED ACTION:

The Bahraini Authorities are to be addressed on the following issues:

On the involvement on the curtailment and constraints on media access and freedom of expression, which include that exercised in the electronic webs.

On the use of legislations, in particular the Press decree code, to punish individuals (activists, professionals or otherwise) and groups (organizations of different disciplines, gatherings and syndicates) who attempt to express its views and stances on public issues.

On the existence of "secret organizations" to mobilize media to target activists and their organizations.

APPEALS TO:

His Highness Shaikh Hamad Bin Isa Al-Khalifa- King of Bahrain
Riffa -Bahrain

His Highness Sheikh Khalifa bin Salman Al-Khalifa

Cabinet Prime Minister

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Second Case prosecuted according to Bahraini Terrorism Code

After carrying out the initial interrogation, the office of public prosecution (PP) at the Southern Governorate declared last Monday that it has taken steps to refer the accused of the University of Bahrain false alert to the Lower Criminal Court whose first hearing has been scheduled on 26 th of this month. The accused was detained after investigation and arrests of many students carried out in the aftermath of discovering that somebody, calling himself "Custodian of Islam", has spread an email in the University of Bahrain of the existence of a bomb in one of Sakhr Campus buildings. The alert was "false" and resulted in the adjournment of three major common examinations scheduled in the colleges of Art and Business administration.

As per PP, the accused will be prosecuted according to Code of Terrorism (CT) - Law no. 58 of 2006 concerning protection of society against terrorist acts- that he "falsely reported a crime of the use of explosives at the University of Bahrain, in violation of the law with the knowledge that it had not ne committed". The punishment for this charge - according to the law- is the imprisonment for a period not less than one year and a fine not less

than one thousand, but not exceeding, five thousand Bahraini Dinars.

On the other hand, the earlier on going case to be prosecuted according to the CT is what has been dubbed as the "Cell" case, in which five defendants are involved (Three are detained, while two are in absentia outside Bahrain). All defendants (one of them non-national) are accused of enrolment and cooperation with a group, which considers terrorist and training on it as means to commit acts against a foreign state. As per the PP, the first and second defendants are further accused of having received military exercises to perform terrorist acts, and conduct combatant operation against foreign state which could influence Bahrain's relationship with it. The third to fifth defendants are also accused of offering, with their knowledge, a financial support to a group carrying out a terrorist activity. They also share, in their conduct, the second crime facing the first and second defendants.

As per the PP investigation, the first and second defendants joined and cooperated with terror groups- Taliban and Members of Al-Qaeda- stationed in Wazirstan area at the Pakistani-Afghan borders. They

received military training on the use of weapons and explosives, as well as participated in terrorist acts against Governmental Afghani forces.

Investigation of Terrorism Combat Division indicated that the third and fourth defendants have carried out contacts and cooperation with members of Al-Qaeda, and were responsible for recruiting whoever wishes to join fighting, in Wazirstan or elsewhere. They were also supplying terror groups with money and humans.

The first session was convened on October 23rd, while yesterday session was the second. In front of the Ministry of Justice, a gathering composed of supporters of the accused and members of "Adalah" (Justice) Movement was held. After the first session, Abdulla Hashem, head of "Adalah" and one of two lawyers defending the group, stated that he will be challenging the constitutionality of the CT to stop the criminal proceedings. Further information could be obtained at:

www.alwasatnews.com/newspaper_pages/save_news.aspx?news_id=91562&news_type=LOC
<http://www.alayam.com/ArticleDetail.asp?CategoryId=2&ArticleId=292081>

Fifty NGOs call on Bahraini government to stop clamping down on freedom of expression

Date: 08 November 2007

The following is a joint action by 26 IFEX members and 21 other organisations:

We, the undersigned human rights organizations, express our deep concern about the recent serious deterioration of freedom of expression in Bahrain. This includes violations of:

- the right to post information about public issues on Internet sites,
- the right to print and distribute academic, documentary and artistic publications,
- the right to watch films of public interest (documentary, drama, action, fiction, etc),
- the right to express views, as journalists, writers, authors and bloggers,
- the right for human rights defenders and activists to access media.

The Bahraini authorities have taken severe measures against activists to prevent them from reaching the public through media outlets, have blocked access to websites, have banned films, prohibited the printing of fictional and non-fictional books, and, above all, they have prosecuted writers and journalists for practicing their professions and expressing their beliefs. Moreover, the Penal Decree Code of 1976 and the Press Decree Law of 2002 have both been used to nominally "legalise" the aforementioned violations.

We, the undersigned human rights organizations, call upon the Bahraini authorities to halt their attacks upon freedom of expression, to abolish abusive laws, and to respect their commitment to international charters and covenants, in particular Article 19 of the International Covenant on Civil and Political Rights.

Signed,

Arab Archives Institute, Jordan,,The Arabic Network for Human Rights Information (HR Info), Egypt, Article 19, United Kingdom,,Bahrain Centre for Human Rights, Bahrain,,Cairo Institute for Human Rights Studies (CIHRS), Egypt,,Cartoonists Rights Network, United States,,Centre for Human Rights and Democratic Studies (CEHURDES), Nepal,,Centro de Periodismo y Etica Publica (CEPET), Mexico, Centro para la Comunicación Social (CENCOS), Mexico, The Egyptian Organization for Human Rights (EOHR), Egypt, Foundation for Press Freedom (FLIP), Colombia, Free Media Movement (FMM), Sri Lanka, Freedom House, United States, Independent Journalism Centre Moldova (IJC Moldova), Moldova, Index on censorship, United Kingdom, Initiative for Freedom of Expression, Turkey, Institute for Reporter Freedom and Safety (IRFS), Azerbaijan, International Federation of

Journalists (IFJ), Belgium, Institute of Mass Information (IMI), Ukraine, Journalists' Trade Union (JuHI), Azerbaijan, Maharat Foundation, Lebanon, Media Institute of Southern Africa (MISA), Namibia, Pakistan Press Foundation (PPF), Pakistan, Reporters Without Borders (RSF), France, World Press Freedom, Committee (WPFC), World Association of Community Radio Broadcasters (AMARC)

Non-member organizations:

Nadeem Centre for Psychiatric Rehabilitation for Victims of Violence, Hisham Mubarak Centre, Land Centre for Human Rights, Habi for Environmental Rights, Civil Observatory for Human Rights, The Egyptian Society for Democratic Development, Andalus Centre for Anti-Violence and Tolerance Studies, Ibn Khaldoun Centre for Development Studies, The Arab Organization for Civil Society and Human Rights, Alhorrya Centre for Political Rights and Democracy, Bahrain Journalists Association, Women Petition Committee, The Egyptian Center for Human Rights, Sisters Arab Forum for Human Rights, Health Work Committees/Palestine, The Egyptian Association Against Torture, International Justice, KARAPATAN, the Alliance for the Advancement of Peoples Rights, Ecumenical Movement for Justice and Peace (EMJP), Network Integration of Arab Youth, Defend International



7 November 2007

ARTICLE 19 joins its name and voice to the appeal initiated by the Bahrain Center for Human Rights calling on the Bahraini authorities to stop violating freedom of expression, eliminate abusive laws, and respect their commitment to international charters and covenants, in the first place article 19 of the Universal Declaration of Human Rights .

Background:

The collective appeal was prompted by a recent crackdown on freedom of expression by the Bahraini authorities, including the banning of books and films, the blocking of websites, and the prosecution of individuals, such as writers and journalists, for exercising their right to free expression.

According to the data collected by the Bahrain Journalists Association (BJA), 27 cases were filed against journalists in 2006, of which only 7 were considered by

ARTICLE 19 supports collective appeal for stronger protection of freedom of expression

the Public Prosecution . In 2007, 32 cases were filed against journalists of which 12 were considered by the Public Prosecutor. These cases are a clear indicator of the dramatic deterioration of freedom of expression in Bahrain .

Since the beginning of 2007 the Publication and Press Directorate of the Ministry of Information effectively prevented the publication of two academic books by failing to respond to the authors' publication request, without which publication is impossible. The first is Dr. Kathem's book *Memory Exploitations: In a Pluralistic Society, Saddled with History*, addressing the historical and cultural constraints which prevented the establishment of cultural pluralism in Bahrain. The second is by well-known writer Abdullah Khalifa Omar bin Al-Khattab; a Martyr. The Ministry of Information had also issued a formal decision to ban an earlier novel by Mr Khalifa entitled *Husain's Head*.

In 2007, The Hollywood film "The Kingdom", exploring the "war on terror" through a fictional story unfolding in Saudi Arabia, has also been banned in Bahrain. The banning was confirmed by

the Publication and Press Directorate of the Ministry on Information, without any indication of the reasons behind it. The Bahraini authorities had also previously banned other films, including the "The Passion of the Christ", which was banned in 2006 on the grounds that it was against Islam for depicting a prophet (Jesus).

At least 22 websites, including the site of the Bahrain Center for Human Rights and the Arabic Network for Human Rights Information, have been banned as a result of the authorities' repression of free expression. The websites had been blocked by Batelco, the only Internet Service Provider in the country, which is owned by the Bahraini government. Article 47 of the 2002 Press and Publication Law, and Article 15 and Article 365 of the 1976 Penal Code have been used in recent months to interrogate and prosecute more than 14 journalists as well as bloggers and website administrators. These provisions have been criticized locally and internationally for their failure to comply with international standards of freedom of expression.