

# BAHRAIN

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

## Sheikh Hamad's constitution is the mother of all troubles

The crisis in Bahrain is two folds: human and constitutional. Both are inter-winding and adding to the increasing complexion of an already distorted political landscape. On the human side, the decision by the ruling family to engineer a fundamental demographic change has added a new and more serious dimension to decades of political bitterness between the two sides. It is a decision that aims at altering the human facts and figures extending more than 14 centuries back in history and eradicating the historic landscape of the natives. It is nothing less than genocide; albeit without the outrageous bloody campaigns associated with the genocides in places like Bosnia or Rwanda. It is taking several dimensions. First is the naturalisation process that has been taking hold over the past decade with tens of thousands foreigners granted Bahraini citizenship. It is done by the direct involvement of the royal court under the direction of one of the most hated figures in the ruling family; the minister of the court. Second is the systematic eradication of the Shia history from the land. Ancient architecture associated of their history has been destroyed under different pretexts; modernisation, planning or otherwise. Almost all towns and villages have, over the past four decades, been cleansed of their ancient architecture that would affirm the historic existence prior to the occupation of the land by the Al Khalifa ruling family in 1783. Thirdly, the ongoing process of changing the old names of towns and villages aims at drawing a line between the present and future generations on one hand and their history on the other. Forth, the gradual marginalisation of the Shia in the political and managerial hierarchy of the state has become central to Sheikh Hamad's policy. For example, prior to his reign, the cabinet would consist of 15 ministers distributed equally among the Shia, Sunni and the Al Khalifa with five for each faction. Today, under Sheikh Hamad's rule, there are 29 ministerial posts, of which 17 are allocated to members of the ruling family, seven to the Sunnis and four to the Shia. It is thus clear that the existence of the Shia in Bahrain is

under a serious threat, not at the hands of their fellow Sunni compatriots but by the ruling family itself which is becoming more sectarian, divisive and despotic. As for the constitutional crisis, one fundamental fact needs to be clarified. The boycott by the opposition of the elections for the election of half the members of Sheikh Hamad's shura council is not an act of mutiny or rejection of the elections themselves. The decision taken by the majority of the opposition factions in 2002 was based on the opposition to Sheikh Hamad's constitution which he had imposed on the country in February of that year. The opposition deemed it illogical and unhelpful to abide by a set of rules imposed unilaterally by the ruling family without reverting to the people. That constitution was written by an Egyptian lawyer, signed by the ruler and imposed on the people who had not been involved in any way in the drafting of its articles. It is a unique situation whereby the constitution of the country which defines the political system of the country does not emanate from people's participation. The people's reaction to the announcement by the ruler that his constitution would be implemented on the day it had been imposed (14th February 2002) the people reacted in fury. Most factions of the opposition rejected it outright. When Sheikh Hamad announced that elections would be arranged on the basis of that document the opposition swiftly declared a unanimous decision to boycott the elections. The boycott had always been for the constitution. This has remained the case ever since.

The subsequent political activism has aimed to achieve several goals. First, to draw the world's attention to the fact that Bahrain was still under a tyrannical, hereditary and sectarian rule. Second, to mobilise the people in a massive front against the idea that the country could be ruled in accordance with the wishes of the ruler himself and without the necessary approval of the people. Third, the natives of Bahrain are keen to make their plight known to the outside world, seek their support and continue their struggle

to safeguard their historic existence and cultural dominance in the country. Forth, the opposition has always considered itself the legitimate historic extension of decades of opposition to the ruling Al Khalifa family. They had acted together in the past; their leaders shared the same values, principles and aims and occupied same cells in the torture chambers of the Al Khalifa or in the remote island of St Helena in the Atlantic Ocean. Fifth; the opposition has always presented itself as a patriotic block aiming at reforming the political system that has remained stagnant for decades, with the prime minister remaining in his post since 1971.

The Bahraini opposition is still loyal to its fundamental aim of creating an all-inclusive society, shared by the people; Shia and Sunni on the basis of man-man-one-vote basis, with no preferential treatment on the basis of ethnicity, race, religion, sect or tribal denomination. This has always been clear in its discourse, despite the relentless efforts by the ruling family to project a distorted image of the whole political dynamism in the country. The participation of some factions in the elections to half the members of Sheikh Hamad's shura council does not provide it with legitimacy. The present constitution under which these elections are held and by which the government is being ruled has no legitimacy; it has neither been drawn up by the people nor has been approved in an open and free referendum. Imposing a set of rules by the ruler does not transform the country from dictatorship to democracy. This should be clear in the minds of those who are propping up the regime, and providing it with tools of repression against the pro-democracy activists. The torture chambers being run by Sheikh Hamad's torturers are currently home to many prisoners who are detained for no other crime than possessing independent and free opinion against the tyranny of the ruling Al Khalifa family. The people will continue their boycott of the illegitimate constitution and would not be intimidated by the mercenaries of the state. That will continue until real political change is implemented.

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## Fear grows of religious and political polarization

The arrest of Sayyed Hadi Sayyed Ibrahim, from Bilad Al Qadeem two days ago has been received with anger and dismay, as the number of political detainees continues to spiral. He is an active young man who, like thousands other Bahrainis, aspire to a better life based on constitutional democracy. This adds to the public grievances resulting from institutionalizing torture as a means of breaking the will of the people of Bahrain at the hands of the torturers employed by the ruling family.

These feelings are further crystallized by the lack of action by the ruling family to protect Bahrainis when their lives become under threat. Its failure to secure the release of eight innocent Bahrianis detained illegally by the Saudi authorities three months ago has put into question its commitment as a government and exposed its inherent weaknesses and meaninglessness. The eight have been in detention since they were arrested when they lost their way in the vicinity of the capital, Riyadh. The Saudi authorities have, so far, refused any visit to them by their families whose anguish is being solidified day after day. Appeals have been to international human rights organizations to intervene directly and demand their immediate and unconditional release, after it became clear that the ruling family had failed to act.

On another level, an independent journalist has been summarily dismissed from the government-controlled "Akhhbar Al Khaleej". Mr Hussain Al Mahdi, has

been punished for writing an article in another blog criticizing the ministry of interior for its heavy handedness in dealing with detained Bahrainis. So far the Journalist Association has failed to take action, support him openly or call for his reinstatement. It is a well-known practice for journalists and writers to be dismissed for speaking out their minds and refusing to tow the official line. The local media has become a mouthpiece to the regime and failed to live up to what is expected from representative and responsible professional bodies, especially in defence of those who are aggrieved or wronged by the government, for expressing their opinion.

Another negative development has been the ratification by Sheikh Hamad of what has become known as the "Law of the Molotov". According to this draconian law, people caught in possession of a Molotov cocktail bottle risks being arrested, maltreated and given substantial prison terms.

As the Bahraini activists carried their case to Geneva last week, it has now emerged that the ruling family of Bahrain has adopted bribery as a means of influencing the stands of the UN bodies and other independent international human rights or media organizations. At the eighth session of the UN Human Rights Council, the case of the people of Bahrain was presented by Mr Abdul Hadi Al Khawaja, the President of the Bahrain Human Rights Centre took central stage to repudiate the ruling family's report on the

situation of human rights in Bahrain. Representatives of other oppressive Arab governments put enormous pressure on the officials of the Council to stop independent human rights bodies from speaking against the governments reports. Mr Al Khawaja continued his intervention but was silenced at the end. It was bad day in the history of the Human Rights Council which has become a mouthpiece to repressive regimes. Its performance has so far been disappointing, two years after its inception. There are calls against the policies of the Council which allows countries with dismal human rights records to sit on the Council.

Bahrain's ruling family has, meanwhile, protested against a report by the Washington-based American Islamic Congress in which it accused the Bahraini government of violating the rights of Mohammad Al Masqati, the President of the Bahrain Youth Society for Human Rights for his anti-regime activities. Several other human rights bodies have taken stands against Bahrain's ruling family for violating the rights of Bahrainis, including Human Rights Watch, Front Line and others. These criticisms have come at a time of increased activities against the regime. Today, a major demonstration took place in support of Sheikh Isa Ahmad Qassim, the most senior cleric in the country, who was attacked by extremist salafist members of Sheikh Hamad's half-elected council.

**Bahrain Freedom Movement**  
19<sup>th</sup> June 2008

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## Intensification of activists (men and women) ordeals

A peaceful protester has undergone a major surgery to repair his fractured skull following a vicious attack by members of Death Squads. Mr Majeed Al Qattan, 28, from Bilad Al Qadeem. He was participating in a public rally at an open land when the unprovoked attack took place. He was hit at blank range with a rubber bullet that shattered his skull. He went into coma and has since remained in a critical condition. His eyes were blackened in the attack. He and his wife are expecting their first child and it is hoped that the baby will see his father alive. Dr Nabeel Hamid, the surgeon, has revealed that the cracks in the skull had been much more serious than he had expected and only a miracle would save this Bahraini victim. Due to the restrictions imposed on the movement of the youth on Thursday night when the attack took place, Mr Al Qattan lost too much blood before he was transferred to the hospital. He has remained in intensive care while his family and friends have recited prayers for his speedy recovery. The vicious attack was launched as Bah-

rainis began arriving at the specified location for a rally organised to announce details regarding the popular petition that had called for the immediate removal and trial of the prime minister, Sheikh Khalifa bin Salman Al Khalifa, after 37 years in office. His reign has been marred by corruption, torture of opponents and blundering of the country's wealth at an unprecedented scale.

Mr Hassan Mushaime, the Chairman of Haq Movement, the umbrella organisation for pro-democracy activists, has declared that more than 10 percent of the population had signed the petition, sponsored by his movement and presented to the Bahrainis for signing. The number of signatures collected so far has exceeded 54,000. The petition will be made available to international bodies and possibly permanent members of the UN Security Council. The aim is to create an international mood in favour of reforming the political regime in Bahrain, starting with the removal of this tyrant and his clique. The high number of signatures has surprised the people and the observers, given the fact that the ruling

family has employed every means at their disposal to prevent people from signing the petition. Public meetings were prevented and gatherings for signature collection were mercilessly attacked. Sheikh Hamad's office has refused to receive it, thus came the idea of submitting it to international bodies.

Meanwhile, Sajida Ali Al Jidhafi, the daughter of the prominent opposition figure, has been selected by the ruling Al Khalifa for her opinion. Following her ordeal last month when she was beaten up in the street by the Death Squads, she decided to document the suffering of women at the hands of police and other forces run by the ruling family. Instead of responding to her screams when attacked, she was ordered to appear in court at the end of October. However, when she decided to publish a written account of the Al Khalifa's crimes, the ruling family decided "teach her a lesson" by ordering her to appear at a kangaroo court on 26<sup>th</sup> June. Once again, a woman activist is persecuted for her opinion, rather than prosecuting her torturers. (*Cont on P 3*)

## Detention for expression of opinion

BCHR expresses its worry concerning the recent arrest of Abdullah Hassan Bu-Hassan, member of the Democratic National Action Society (WA'AD), after he expressed opinions concerning political decisions in the Kingdom of Bahrain, and also gave his opinion on a report issued by an ex-governmental consultant that revealed a reported government conspiracy to implement discriminatory policies. Bu-Hassan expressed his opinions in an article in "The Democrat", an official periodic publication of WA'AD. He had also recently displayed a political banner in his car.

Bu-Hassan was released on 21 June 2008, after three days in detention. Hafez Hafez, Bu-Hassan's lawyer, stated that "the prosecutor's office released Bu-Hassan on bail (. . .) after he was interrogated by the head of the prosecutor's office of the Moharaq governorate, Nayef Youssef, concerning the material published in 'The Democrat'."

Hafez clarified that the prosecutor's office charged Bu-Hassan with inciting hatred and insulting the ruling regime, both of which are offences under Article 165 of the Bahraini Penal Code.

BCHR notes that freedom of expression is one of the main pillars of any democratic system, with a government that respects human rights, and is guaranteed in conformity with international covenants that have been ratified by Bahrain, and with Article 23 of the Constitution of the Kingdom of Bahrain, which stipulates that freedom of opinion and expression and scientific research is guaranteed, and that everyone has the right to express themselves by speaking or writing or other means. It is not possible for freedom of expression to breathe and live without the authorities accepting criticism, even if at times that criticism is harsh.

BCHR vice-president Nabil Rajab commented: "We are frustrated that after we read in the press that the Cabinet is moving towards abolishing prison sentences for journalists, this incident proves that the legal system in Bahrain, and particularly the Penal Code, still contains provisions stipulating punishment through imprisonment for writing, publishing and distribution, even though the government said it had abolished the prison sentences in the press and publication law."

Rajab added that "the Penal Code of 1976 has been and remains a target of criticism by national and international organizations concerned with human rights, as the law makes criminals of people for exercising their civil and political rights, such as freedom of opinion and expression."

Rajab also added, "These consequences

are incompatible with the country's reform promises and pledges made by the government of Bahrain at the Human Rights Council of the United Nations while discussing its report within the comprehensive review of human rights, as well as during its candidacy for membership of the Human Rights Council."

BCHR urges the authorities in Bahrain to reform the Penal Code and other laws restricting rights and fundamental freedoms. The legislative framework in Bahrain should be encouraging democratic reform and the development of an open atmosphere promoting and respecting press freedom and free expression. BCHR renews its demands for the Bahraini authorities to be transparent with regard to the circulation of the report published by Dr. Bandar and to investigate documents and details identified in it that impair rights and freedoms.

## Intensification of activists ordeal

*Continued from Page 2*

A group of young activists has been summoned by the Death Squads to appear at a notorious torture centre. Among them are: Suhail Saleh, Hussain Ali Baddao, Abdul Aziz Mahdi Al Marzooq, Sayyed Aqeel Al Sari, Hassan Abulla, the brother of Hassan Ahmad from Sitra who is serving a three years sentence for opposing the ruling family and Nabil Hassan Al Binni. Two other Bahrainis; Jawad Abdulla Al Salman and his brother, Muhsin, both from Iskan Jid Hafs, have also been summoned and forced to sign an undertaking not to take part in opposition activities.

On another level, eight Bahraini teachers are still languishing in Saudi jails more than three months after their detention. The are: Majid Abdalrasol Salman Al-Ghasra, Abbas Ahmed Ibrahim, Sayed Ahmed Alawi Abdullah, Issa A.Hasan Ahmed, Mohammed Hassan Ali Marhoon, Mohammad Abdullah Al-Moamen, Ebaraim Marzam and Mohamed Mahdi. They are held at Hayr prison in Riyadh. The ruling family in Bahrain has failed to take steps to achieve their release despite mounting pressures from their families and human rights bodies. They had gone on a tour to Saudi Arabia and had a map to help them move around. When they went to a police station to ask for guidance, security forces were alerted and they their ordeal began. They are now being persecuted for their faith as they belong to the Shia Muslim school of thought and are thus targeted by the Wahhabi salafists in Saudi Arabia. The Saudi authorities are well advised to release these innocent people who are persecuted for their faith and not for any other reason.

## Karzakkan detainees attacked with tear gas to end hunger strike

Recent reports from Dry Dock prison, in the north west of Bahrain, indicated that the security authorities has deployed armed special forces and used chemical tear gas before barging in chamber no 3 of the prison. This chamber has over 30 prisoners of which 28 of the Karzakkan incidents detainees, and until the release of this report, 5 detainees were reported to have been injured. The number is expected to be more, as resident of neighbouring cells reported hearing their mats in chamber 3 coughing for prolong period.

The incident goes back to issue of improving cell and visits conditions which were asked for by the detainees and were not entertained by the prison authorities. The latter were hesitant to schedule visits with closer frequencies and allow for food to be passed from the families to their detained sons. The Authorities had refused passing food, other than fruits, to the detainees, an issue which was refused by both the detainees and families. The families protested and refused the visits, which was further supported by the detainees who went on a hunger strike refusing all foods from the prison authorities. This has led to few detainees collapsing, but not assisted as usual by the prison administration. The other detainees were infuriated calling for help, but there was no cooperation from the Authorities after all negotiations the detainees failed this morning.

HAQ expresses its concerns over the situation inside the prison in the Dry Dock and is appalled by the use of force and chemical tear gas to silence the protesters inside the prison. The act of passing food has been a norm to all detainees and should not be an issue of discrimination or punishment to the Karzakan detainees.

HAQ calls for the Authorities to cease use of force to break the peaceful protest of the prisoners and should seek more civilized ways to resolve the issue. It is the right of the detainees to receive food from their families and should not be obstructed by the Authorities. Those ordering the use of force to barge in the cell and fire tear gas into it should be brought to court due to misjudgment which resulted in unnecessary injuries.

Haq Movement, June 25, 2008



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# IFJ: Freedom of journalists curtailed under repressive laws

CAPSULE REPORT - BAHRAIN

12 June 2008

Despite advances, journalists still face possible jail terms under prevailing laws, warns IFJ

SOURCE: International Federation of Journalists (IFJ), Brussels

(IFJ/IFEX) - The following is a chapter from IFJ's "Breaking the Chains 2007/2008" report on press freedom across the Arab world and Iran:

Bahrain is one of the Gulf States in which there is an active debate led by journalists about durable changes to strengthen press freedoms. Press Law 47, passed in 2002, includes 17 categories of offences and provides for sentences ranging from six months to five years' imprisonment for criticising the state's official religion, the king and inciting actions that undermine state security. Articles 160, 161 and 168 prescribe prison sentences of up to five years for possessing or disseminating thoughts that insult Islam, criticise the Monarchy or could "damage public interest". In addition, the law allows fines of up to 6,000 euros for 14 other offences, including publishing information related to any case that is under investigation or being tried, reporting any offence against the head of a state that maintains diplomatic relations with the country or its accredited representatives, etc. Additional restrictions on press freedom came with the anti-terrorism law enacted in August 2006 and a number of online publications, mainly of political content, are kept under close monitoring.

Founded in 2000, the Bahrain Journalists' Association (BJA) represents the broad range of media and is predominantly concerned with protecting press freedom and defending individual journalists from prosecution through legal assistance, public protests and lobbying. It is active in helping draft the new media law and lobbying for over 40 amendments to the original. It has proposed recognition of electronic media in the new law, its statute, rights and obligations. It also monitors the introduction of Bahrain's new labour law, which will enable it to transform itself into a trade union and defend journalists' working as well as professional rights. A strong campaign spearheaded by BJA to make deputies amend the law failed after Islamist MPs in the Lower House insisted on including a clause to imprison journalists who criticise officials or parliamentarians. A new press law draft prepared and endorsed in May 2007 by the more liberal Upper House (Majlis Al-Shura or Consultative Council) is scheduled to be debated by the Council of Representatives.

In the latest developments, the Bahraini

government introduced on 4 May 2008 amendments to press law 47/2002, of which the most important eliminate prison sentences for journalists and prior censorship on publications.

However, it is still possible to charge and jail journalists on the basis of the penal code and anti-terrorism law. BJA plans to launch a strong campaign to lobby the Council of Representatives in order to improve further the law to meet journalists' demands.

King Hamad Bin Eisa Al Khalifa appears to be supportive of "progressive laws that guarantee the independence of the press and the freedom of honest

and responsible expression". No journalists have been imprisoned since he became the country's leader in 1999.

For further information visit the BJA website: <http://www.bja-bh.org/en>

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## Peaceful seminar attacked by Special Forces

A Heavy armed Security Special Forces (SSF) and militia forces in civilian dress have attacked the audience of a public seminar scheduled for 8,30 the evening of June 5, 2008 in Bilad Al-Qadeen in the outskirts of The capital Manama.

Political and human rights figures were supposed to take part in the event, which was going to discuss what to be done next with the petition that was sign by 54 thousand citizens, and demanded the prime minister to step down for his gross human rights violations during his 37 years as prime minister. The attack took place just one hour before the seminar has started.

Several people were injured and several others have been arrested. A among the injured the critical case of Majeed Jaffar Al-Qatan (26 years) from the Nabih Saleh village, and he is in state of coma as a result of crack in his skull due to a rubber bullet that hit him in the head and was fired from a short distance.

According to his friends, Majeed fell on the ground and lost his consciousness immediately after was hit by the rubber bullet. Elements of the Special Security Force started hitting and kicking him. Later his friend took him to the Hospital. He suffered crack in his skull, swelling in his right eye, bruises and blood accumulation in his skull led to coma. He was kept under closed observation till yesterday 8 of June, where he went through open skull surgery. Previously the authority had informed Karbabad, events venue, that it will not allowed to hold a public seminar scheduled for 25 April 2008. The security officer stated that, if necessary, the Security Special Forces (SSF) would intervene by force to prevent the event from taking place. The organizers of the event told BCHR that these threats were made by the head of the Exhibition police station on 24 April.

The SSF have previously used violence to prevent gatherings, such as a 2006

conference, in which there was a show of a video clips of the public petition sent to the United Nations and signed by 83,000 citizens, demanding the drafting of a new constitution. Violence was used to disperse the event despite the fact that among the participants were some Members of Parliament. On another occasion, the SSF attacked protestors in the area of el Malkeyia shore, firing rubber bullets and tear gas at them when they gathered in Seminar. Another gathering was attacked by SSF in the village of Noaydarat last year, where political figures assembled to show their solidarity with the secretary general of Haq Movement, Mr. Hasan Moshaymea, and Abdulhadi Khawaja, the head of BCHR, who were being brought to trial after giving speeches in which they criticized the government.

Please Write to Bahraini authorities urging them

To respect The rights to freedom of expression, opinion and assembly in accordance with international standards;

To refrain from using, or threatening to use violence against peaceful Seminars, meetings, conferences and gathering;

To implement the government promises and obligations made during the Universal periodical review of Bahrain by the Human Rights Council that took place last April, especially those relating to freedom of peaceful assembly.

To stop excessive force against peaceful gatherings

MORE INFORMATION:

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**Bahrain Centre for Human Rights**