

# BAHRAIN

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

The forward begins when Al Khalifa's reign of terror ends

As the time approaches for the election of the powerless shura council, the ruling family is waging yet another campaign of deception and misinformation to justify its policies and present the regime as democratic and progressive. However, it has now become clear that the election experiment has remained on the periphery of the political life. The past four years have polarized the political reality into two distinctive camps; the ruling family which is increasingly becoming anti-people, especially the natives the majority of whom are Shia Muslims. The two camps have adopted two diverging approaches, lifestyles, discourse and political agendas that would lead only to one result; the total and comprehensive divorce between the two camps. Unlike his predecessors, Sheikh Hamad, the present ruler, has become a symbol of everything the Bahrainis hate; dictatorship, building personality cult, employing iron-fist policy against the opposition and imposing an ugly sectarian Apartheid regime. The experience of those who had taken part in earlier elections to choose half the members of the shura council, has not been encouraging at all. Their anticipation that they would be able to introduce political reforms from within has proved to be a pure fantasy.

So what has gone wrong? And what are the consequences of participating in an illegitimate political experiment devoid of either constitutional or public legitimacy?

The living conditions of the people have deteriorated rapidly, with public debts rising to record levels as consumerism replaced productivity and competition to live beyond the personal means of the individual became fashionable. What has made the living conditions of the citizens more depressing is the rising cost of land and housing ownership. Few years ago every citizen would dream of owning a home once he or she started work. Today, this ownership has become far-fetched as the ruling family grabbed the land and made it easier for her wealthy allies from other Gulf countries to own land in Bahrain.

Sectarianism has been promoted as official policy by the Al Khalifa. The ruler installed the most notorious sectarian official in the country as his chief lieutenant

in charge of his royal court. Khalid bin Ahmad al Khalifa who is the minister of the royal court has sponsored sectarianism at every level of the society and sowed the seeds of discord among the citizens of the land. He is hated by both the Shia and Sunni patriots who see him as the source of the sectarian evil in Bahrain. This evil man has his own lieutenants even in the half elected shura council. Senior Shia jurists have been attacked openly by Jassim Al Saeedi, who is shielded by the Al Khalifa. He repeatedly attacked Shia Muslims who are the natives of Bahrain, as he feared no retribution for his stands and policies. The participation by some individuals in the political project of hate and discrimination imposed by the ruler, has turned them into tools of the oppressive regime. Some of them have even been utilized to give false witness to outside bodies that Bahrain did not suffer sectarianism, torture or political oppression.

The political naturalization process has claimed newer and more destructive proportions. Thousands of foreigners have been granted Bahraini citizenship in the past four years, thus further threatening the fabrics of the Bahraini society. Those who had participated in the political project of Sheikh Hamad have achieved nothing, and some of whom has been recruited to work against his own people in return for some material and political privileges. Dictatorships have never been honest with the people they dominate; and their interests have always been mutually exclusive with those of the people. The experience has clearly led to a clear split within what was once a unified opposition. There are now two distinct identities; those who have joined the Al Khalifa political project on the belief that they would be able to "change from within", and those who have opted out and declared their clear intention of bringing down that destructive project. These are serious people who have challenged bravely the hereditary dictatorship and are determined to bring about a change in the way the country is being held ransom by the Al Khalifa occupation.

The political experiment of the past few years has encouraged the rulers to adoption of torture against the pro-democracy activists. Hundreds of Bahrainis have been subjected to ill-treatment in detention and during street protests. The ruling family has failed to bring even those torturers to justice. They continued to deny the use of torture by their henchmen. However, international bodies have repeatedly condemned the Al Khalifa for torturing Bahrainis. Human Rights Watch's report "Torture Redux" published earlier this year has provided detailed testimonies by victims of torture. Other reports by international bodies are expected to emerge in the next few months. These are damning testimonies that have embarrassed the allies of the regime.

The Bahraini opposition has, over the past few years, succeeded in directing the attention of the world to the atrocities committed by the Al Khalifa occupiers who are increasingly becoming more brutal and lawless. The opposition has succeeded in maintaining the pressure on the regime with daily protests, consistent discourse and political agenda, ability to withstand the regime's pressures, intimidation and threats and mobilizing a wide section of the society to take a stand in the struggle for freedom and liberty.

The way forward, from the viewpoint of the opposition could only be made through clear vision, focused direction and clarity of purpose. The next few months will be crucial, as all attempts will be made to prevent the imposition of more draconian laws by the occupiers on the natives through the half-elected shura council that has been moulded in a way that makes it capable to issue any law demanded by the Al Khalifa without much resistance. The Al Khalifa are seeking to legitimize their occupation through what appear to be "democratic tools" but are devoid of the necessary elements of democracy. Elections on their own do not constitute democracy, especially if the bodies whose members are elected are powerless, ineffective and marginalized. There is a slow movement forward on the path to modern statehood based on the free choice of the natives, their real part-

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## The political turmoil continues and calls to boycott the regime's institutions

As the political turmoil takes ground, more Bahrainis are detained, tortured and jailed. Habib Ahmad Habib, from Karzakkan, was arrested by the Death Squads on 16<sup>th</sup> May. His arrest is a revenge to the testimonies given by the victims of torture to Human Rights Watch. All the members of the Karzakkan group who had been tortured are being re-arrested despite being "pardoned" by the ruler. As the turmoil continued in various parts of the country, the ruling family resorted to the use of more cruel means of repression. In a demonstration yesterday, one of the Karzakkan's youth was hit by a shotgun and was severely injured in his head and back. He lost consciousness and was arrested and transferred to the hospital. The youth was targeted although he was not present at the theatre of the protests.

As the protests continued, a human chain protest was organized near the Bahrain Mall and was attended by hundreds of Bahrainis. The protesters raised banners calling for an immediate end to the political naturalization process and revoke the steps taken to impose a demographic change in the country. It was called for by prominent personalities who are worried that the ruling family is taking serious steps not only to continue the occupation of the country but to fundamentally alter its demographic composition. Activists are planning more protests to highlight the plight of their country and attract the world's attention to the plight of the na-

tive Baharna who are being targeted for extermination. Khalid bin Ahmad, the notorious head of the royal court has been given the task of the demographic change, aided by Ahmad Atiyyat Allah Al Khalifa, who is the main villain in the Al Bandar report.

On 14<sup>th</sup> May, the brave people of Karba-bad marched on their street to challenge the authoritarian regime. They burnt tyres on the main road. The youth were pursued by riot police in heavy gear. More than 25 police cars attacked the town. The burning tyres sent columns of smoke into the air as the police struggled to put them down.

Meanwhile, the ruling family issued a judgment against a human rights activist whose work has been an embarrassment to the authorities. Mohammad Al Makait, president of the Bahrain Youth Society for Human Rights (BYSHR) was fined US\$1325 for operating nongovernmental organization without authorization from the ruling Al Khalifa family. Human Rights Watch condemned this barbaric decision and said: "Bahrain's criminal court judgment against Mohammad al-Maskati, leader of a human rights group, clearly violates the right to freedom of association and should be revoked immediately." "Bahrain's claim that it respects and promotes human rights is incompatible with this kind of arbitrary restriction against a group that may be critical of official policies," said Joe Stork, deputy Middle East director at Human Rights Watch.

"Mohammad al-Maskati tried to comply with the law, and the authorities responded by punishing him with a large fine." At the same time tyres were burnt on the Sheikh Jaber Al Sabah near Al Ma'amir and close to the Sitra traffic lights. The Highway near Al Rafa' was closed as more fires erupted there. The youth at Al Ma'amir went out on 13<sup>th</sup> May, burnt their tyres and closed the main road near the town of Al Ma'amir. The protests also continued against the attack on Karzakkan over the past two weeks as the Al Khalifa agents continued their efforts to arrest the Bahrainis who had refused to hand themselves over to the torturers. The Karzakkan Town was encircled and its subjected to ransacking and abuse. On another level, the main opposition movements issued a statement calling for the boycott of the elections of the Shura councils later in the year. Al Wafaa, Haq and BFM have taken a decision to boycott the Al Khalifa regime and its various bodies, including the Shura councils which have proven to be marginal, ineffective and rubber stamps to pass the Al Khalifa decisions as laws. The call will be yet another nail in the coffins of the doomed political programme imposed by the Al Khalifa on the people of Bahrain. Participation in the pseudo-elections is expected to fall dramatically as more Bahrainis become disillusioned and take more effective role with the opposition.

**Bahrain Freedom Movement**  
18<sup>th</sup> May 2010

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## Ruling family suffers more international scrutiny as it intensifies repression

Another damning report by Human Rights Watch (HRW) has shattered the dreams of Bahrain's ruling family that it could continue deceiving the world opinion. In the latest report on 30<sup>th</sup> April, HRW accused the ruling Al Khalifa family of disregarding the torture evidence against its agents. The government had appealed an October 2009 lower court ruling that acquitted the 19 because of the apparent coercion of their confessions and the absence of any other evidence linking the suspects to the death of a security officer. The appellate court made its ruling despite a report by government doctors that found most of the accused men had injuries consistent with their accounts of abusive interrogation techniques. "This appeals court decision flies in the face of Bahrain's claim that it has a policy of zero tolerance of torture during interrogation of criminal suspects," said Joe Stork, deputy Middle East director at Human Rights Watch. "The government hasn't offered a single shred of evidence linking the defendants to the incident other than these thoroughly discredited confessions."

Earlier in the week the occupation Al Khalifa regime had suffered a major setback when a hearing held at the United

States Congress brought together three international witnesses who scrutinized its policy of torture and other human rights abuses. The Tom Lantos Human Rights Commission organized the hearing on Tuesday 27<sup>th</sup> April and lasted two hours. The hearing listened to Joe Stork, of Human Rights Watch, Stephen McInerney, Director of advocacy for the Project on Middle East Democracy and Katie Zoglin, Senior program manager for Middle East and North Africa at Freedom House. The ruling family sent one of its agents, Mohammad Al Ansari, to counter the witnesses but he failed drastically to present a case of any substance. The ruling family has not only failed in its attempt to alter the facts surrounding its systematic human rights abuses, but it has also destroyed the chances of success of its newly decreed human rights commission. Under the repeated punches from the international community, the Al Khalifa decided to create its own human rights arm, comprising several of its notorious agents. On the day of its inception, one of its members was at the Congress hearing presenting a weak case that fatally harmed the commission and brought it to outright disrepute.

These developments have come at the backdrop of intensifying internal pressure relat-

ed to the continued human rights abuses, the failure of the ruler's political programme and the anti-Shia Muslim campaign that has polarized the government policies against the majority of the population.

The US-based International First Aid Organisation has honoured Mr Ibrahim Al Demstani for giving first aid to a victim of the Al Khalifa terror in mid-March. Mr Al Demstani was arrested for helping the victim who had been hit by the Death Squads with a shotgun. He was subsequently released and has now been honoured for living up to the international standard of morality expected from nursing staff. This step has angered the ruling family which has suffered many setbacks in its international standing and reputation in recent weeks.

Meanwhile, Bahrainis have been outraged by the recent attacks that targeted Hamad Town, Mhazza in Sitra and Malikiya. Sitra was encircled for several days as the ruling family wanted to enforce their decision to re-arrest 19 Bahrainis in revenge for speaking to Human Rights Watch. The people of Sitra were subjected to vicious aggression by the foreign-staffed riot police and Death Squads.

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## HRW: Bahrain: Set Aside Ruling Against Activist

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Source: Human Rights Watch

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(New York) - Bahrain's criminal court judgment against Mohammad al-Maskati, leader of a human rights group, clearly violates the right to freedom of association and should be revoked immediately, Human Rights Watch said today. Al-Maskati, president of the Bahrain Youth Society for Human Rights (BYSHR), was given a heavy fine for operating an unregistered organization, after the government refused it a license.

On May 6, 2010, Bahrain's Lower Criminal Court fined al-Maskati 500 Bahraini Dinar (BD, US\$1325) for operating a nongovernmental organization in violation of the Civil Associations Law, which requires groups to register with the Development and Social Affairs Ministry. The group applied for a license in 2005, but the ministry never responded. The society nevertheless openly carried out activities, including public events and workshops regarding the human rights situation in Bahrain and neighboring states.

"Bahrain's claim that it respects and promotes human rights is incompatible with this kind of arbitrary restriction against a group that may be critical of official policies," said Joe Stork, deputy Middle East director at Human Rights Watch. "Mohammad al-Maskati tried to comply with the law, and the authorities responded by punishing him with a large fine."

The law, No. 21/89, stipulates in article 11 that failure to respond to a license application within 60 days constitutes rejection of the application. The authorities initially summoned al-Maskati to court on November 27, 2007, and the May 6 ruling followed numerous delays in the case. Article 89(2) of the law stipulates a fine of 500 BD and/or six months' imprisonment for establishing and operating an unregistered nongovernmental organization.

The government has also targeted other human rights organizations. In 2004, authorities revoked the legal status of the Bahrain Centre for Human Rights (BCHR) and ordered it dissolved after its then-president criticized the prime minister for alleged corruption and human rights abuses. The Ministry has refused to register the National Committee for the Unemployed as well as al-Maskati's group.

On March 23, authorities ordered the Bahrain Nursing Society (BNS) closed down. The organization was planning to celebrate the release of Ibrahim al-Dimistani, the group's secretary-general, who had been arrested for allegedly "harboring" a suspect who had been shot

during an anti-government demonstration and providing medical treatment to the person. In August 2008, the Office of the Public Prosecutor had accused al-Dimistani and another high-ranking member of the group with defaming and insulting Health Ministry officials.

In 2007, the Development and Social Affairs Ministry drafted new legislation on civil society organizations, but the government has not yet submitted the draft to parliament. The draft law contained some improvements over the existing law, but also includes provisions incompatible with international standards. A version of the draft law circulated in November 2007 authorizes the Social Development and Social Affairs Ministry to close any organization for up to 60 days without a court order if it deems the organization to have violated any Bahraini law, including the associations law itself. Other provisions of the current associations law are also problematic. Article 11 states that the ministry can reject an association's registration request if it determines, among other things, that the "creation of such asso-

ciation undermines the welfare and security of the state." Article 63 of the law prohibits the registration of organizations that engage in "political" or "religious" activity. The law does not elaborate on what constitutes "political" or "religious" activity. These elements of the associations law violate article 19 (guaranteeing the right of free expression) and 20 (guaranteeing the right of free association) of the International Covenant on Civil and Political Rights (ICCPR), to which Bahrain acceded on September 20, 2006. Any restriction on free expression or association can only be for specific grounds, should be clearly set out in law and should be the least restrictive possible. Vague restrictions such as those in Bahrain's Civil Associations Law, or complete bans on political or religious activity, are clear violations of the ICCPR. "The government should immediately vacate the judgment against al-Maskati and should swiftly enact an associations law that leaves Bahrain in compliance with its international legal obligations," Stork said.

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## Bahrain authorities must investigate shooting

20 May 2010

Amnesty International has urged the Bahraini authorities to conduct an independent investigation into the shooting of an anti-government protester in disputed circumstances on Monday. Hassan 'Ali, 20, is in hospital recovering from shotgun wounds he sustained when a member of Bahrain's anti-riot police fired a shotgun at him in Karzakan, a predominantly Shi'a village on Bahrain's west coast. He is reported to have been struck by 12 shotgun pellets, three of which struck him on the head.

According to a senior Bahraini police officer, Hassan 'Ali was shot when he was among a group of masked youths who had thrown Molotov cocktails at anti-riot police stationed in the village.

However, according to a leading human rights activist, 'Abdallah al-Derazi of the Bahrain Human Rights Society, Hassan 'Ali says he was not involved in the violence by youths and was shot while he was outside his grandfather's house.

"The Bahraini authorities must undertake a prompt and thorough independent investigation to establish the circumstances in which this young man was shot," said Malcolm Smart, Amnesty International's Middle East and North Africa Programme Director.

"In particular, the authorities need to establish whether he was the victim of excessive force, in which case the police officer who shot him and any others responsible for the use of excessive force should be held to account. "Police are entitled to use force, including firearms, in certain, narrowly prescribed circumstances when their own or others' lives are at risk, but the allegations here are that Hassan 'Ali was shot while he was posing no threat."

Hassan 'Ali is reported to have sustained a punctured lung, among other injuries, yet he was still interrogated by police while in hospital and charged with participating in riots and planning to burn a police patrol vehicle - which he denies.

Hassan 'Ali's shooting follows a recent wave of protests by members of Bahrain's Shi'a majority against the Sunni royal family and the government, which is dominated by the Sunni minority, who they accuse of discrimination against the Shi'a community.

Two months ago, after Shi'a demonstrators in Karzakan burnt tyres in protest against the government, the security forces shot and injured Hussain 'Ali Hassan al-Sahlawi on 14 March and left him lying unconscious. He was subsequently charged with participating in an illegal protest.

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## More international scrutiny

*Cont from P 2*

Five Bahrainis were arrested: Jaffar Juma, Mohammad Radhi, Isa Hassan and Jaffar Akbar. People commemorating a religious festival were attacked at Hamad Town on 26<sup>th</sup> April. A similar attack on Malikiya on 19<sup>th</sup> April led to the arrest of a five young Bahrainis: Abdul Hadi Mazal, 33, married with three children was arrested on 26<sup>th</sup> April. Hassan Abdulla Bu Rashed, 32, married with four children was arrested on 25<sup>th</sup> April. Sadiq Ali, 18 was arrested on 13<sup>th</sup> April. Abdulla Hassan, 18 was arrested on 13<sup>th</sup> April after sustaining horrific shotgun wounds. and Muhammad Awn, 19 was arrested on 19<sup>th</sup> April.

**Bahrain Freedom Movement**  
3<sup>rd</sup> May 2010

# Bahrain: Court Ruling Disregards Torture Evidence

April 30, 2010

New York) - A Bahrain appellate court's March 28, 2010 conviction of 19 men on charges of murder and attempted murder badly undermines the government's claim that it does not tolerate torture, Human Rights Watch said today.

The government had appealed an October 2009 lower court ruling that acquitted the 19 because of the apparent coercion of their confessions and the absence of any other evidence linking the suspects to the death of a security officer. The appellate court made its ruling despite a report by government doctors that found most of the accused men had injuries consistent with their accounts of abusive interrogation techniques.

"This appeals court decision flies in the face of Bahrain's claim that it has a policy of zero tolerance of torture during interrogation of criminal suspects," said Joe Stork, deputy Middle East director at Human Rights Watch. "The government hasn't offered a single shred of evidence linking the defendants to the incident other than these thoroughly discredited confessions."

The case arose from confrontations between demonstrators and security forces in the village of Karzakan in April 2008, which left an unmarked police vehicle ablaze and resulted in the death of a plainclothes officer, Majid Asghar Ali, a Pakistani working for Bahrain's Interior Ministry. The Public Prosecution Office said that 17 of the 19 defendants voluntarily confessed to their roles in the incident and implicated the other two. The 17 subsequently recanted their confessions in court, claiming that they had been tortured and coerced into confessing. Human Rights Watch issued a report in Manama on February 8 documenting the repeated use of painful physical coercion by Bahrain security officers to secure confessions.

On the basis of the torture allegations, the lower court ordered Health Ministry doctors to examine the defendants. The examinations took place in July 2008. In September, the Health Ministry physicians provided a report to the court detailing their findings regarding 28 defendants (the 19 defendants involved in this case and 9 others in a case arising out of a separate incident in Karzakan). The medical report found, among other things, that:

17 of the 28 had scars, bruises or both; Five had scars or bruises on their wrists caused by "handcuffing this area or being hung from the ceiling as most suspects testify;" and

The other scars and bruises could have "resulted from beating."

On October 13, 2009, the lower court, whose presiding judge was a member of Bahrain's ruling Al Khalifa family, dismissed all charges against the 19 de-

fendants. In explaining the acquittal, the court cited the medical report's conclusion that the defendants had "bruises on their wrists, which [they] said are because of hanging from the ceiling" and that the defendants had other "bruises and traces of wounds." Because the court "[was] not comfortable with the confessions attributed to the defendants, and [had] doubts that the confessions were voluntary and by their choosing," the judges elected to "annul all confessions." The lower court ruling also noted the absence of other evidence against the defendants.

The Human Rights Watch report released on February 8, "Torture Redux: The Revival of Physical Coercion During Interrogations in Bahrain," detailed abusive interrogation practices by Bahraini security forces between late 2007 and early 2009. "Torture Redux" cited the Health Ministry report regarding the Karzakan defendants and the court's subsequent dismissal of all charges. In response, the Interior Ministry vehemently denied that it tolerates any physical abuse.

The appellate ruling statement that prosecutors, when they conducted the formal questioning of the suspects, observed no evidence of injuries that could be attributed to the abuse they alleged, is inconsistent with earlier Interior Ministry statements. In a written response provided to Human Rights Watch on February 7, the Interior Ministry said that prosecutors had in fact observed wounds on the suspects but that they attributed these to injuries sustained during the violent demonstration rather than any abuse inflicted during interrogation. The appeals court decision also provides no corroborative evidence linking the defendants to Ali's death. According to the written ruling, Fahd Fadalah, a captain with the Interior Ministry's General Directorate of Criminal Investigations, "testified that his investigations revealed that the mentioned accused set on fire a police car and killed Majid Asghar Ali," but provides no information about the content or any specific findings of Fadalah's investigation. Fadalah is one of five officers named in "Torture Redux" as among those allegedly responsible for physically abusing suspects during interrogation.

The only forensic evidence cited in the appellate ruling identified blood samples from the scene as belonging to the deceased victim and damage to the police vehicle consistent with an attack involving

stones and Molotov cocktails. The ruling also cites the testimony of Ammar Mus'ad and Saleh Ali Saleh Mansur, two other police officers who were on the scene at the time of the attack, but does not indicate that either officer was able to identify any of the 19 defendants as having been involved.

The Higher Criminal Appellate Court convicted all 19 defendants, including the two who had refused to confess. The appellate ruling argued that the defendants' complaints of torture were baseless, citing Public Prosecution Office officials' claims that they had not observed any injuries to the defendants when they questioned them in the days immediately following their arrest. The appellate ruling also said that the Health Ministry doctors could not conclude definitively that the defendants had been tortured and that some of the observed wounds predated the original arrests and therefore did not constitute evidence of abuse. The defendants, the appellate court concluded, confessed freely.

"The court's written decision cannot withstand even gentle scrutiny," Stork said. "Our report demonstrated that the Public Prosecution Office is very much part of Bahrain's torture problem, with a clear interest in discrediting the defendants' allegations. The Health Ministry doctors, on the other hand, had no identifiable interest in any particular conclusion."

The doctors did state that they could not definitively conclude that torture had caused the injuries they observed, given that months had passed by the time of their examination, but they also stated that the injuries they observed were consistent with the defendants' accounts of torture.

The notion that the Health Ministry doctors observed old wounds is wrong, Human Rights Watch said. The doctors carefully noted that in two cases the injuries they found were old, but those two cases are not among the 17 in which they found scars or bruises consistent with physical abuse.

Human Rights Watch also said that the court's decision to sentence all 19 defendants to three years' imprisonment for killing a police officer appeared to be political. Article 333 of Bahrain's penal code mandates the death penalty for the murder of "a public servant or an officer entrusted with a public service..." The court made no apparent effort to determine which of the individuals were allegedly responsible for the policeman's death, sentencing them all indiscriminately to three years each.

"These three-year sentences make it apparent that the authorities don't actually believe these individuals killed a policeman," Stork said. "This is a transparently political ruling, and indicates Bahrain is still some distance from having an independent judiciary at all levels."

<http://www.hrw.org/en/news/2010/04/30/bahrain-court-ruling-disregards-torture-evidence>

