

Bahrain Monitor

A Monthly Newsletter on the Human Rights Situation in Bahrain



Bahrain Human Rights Monitor

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Political and Human Rights Turning Point

The detention and the filing of corruption charges against a Minister is an unprecedented step not only in Bahrain, but in the entire Gulf region. The existence of corruption in the high ranks of the Executive Authority is unsurprising, but interrogating those responsible is indeed unexpected.

In Bahrain, where there have been constant demands to combat corruption and hold perpetrators accountable, the news of the arrest of the Minister of State Mansoor bin Rajab on 18 March 2010 was welcomed. The Minister's offices were searched and his assistants' mobile phones were confiscated as well as his own computers. His assets were also frozen and his bank accounts and those of his partners were blocked. Additionally, all those involved were banned from travelling. Most citizens were happy to hear this news and were surprised when the Ministry of Interior announced filing accusations against the Minister for money laundering inside the country and abroad. The Minister had been under surveillance since the beginning of 2009, and his phone calls and meetings were subject to extensive monitoring until the day of his detention.

The reason Bahraini people welcomed the news is clear: there is much public resentment against corruption, and people have been waiting to see the implementation of anti-corruption policies on the ground, especially involving state officials.

There are still some calls demanding more transparency, accountability, and the equal treatment of citizens in the eye of law, without favoritism, political immunity or social red lines. Bahraini civil society organizations have welcomed the move and saw in it an indication of the development of the democratic atmosphere in Bahrain. They also believed this move would be followed by other strict steps against anyone who misuses public money and uses his position for personal gain, and making money illegitimately.

Fortunately, the Bahraini Constitution does not grant immunity to executive officials such as ministers and is limited to MPs. When some expressed their concerns over ministers' immunity, an official from the Public Prosecutor's Office Abdulrahman Al Sayed said on 19 March 2010 that there would be 'no compromise in punishing crimes related to corruption or money laundering, whether the perpetrator was a minister or anyone else'. On 22 March 2010, the King dismissed the Minister from office, putting an end to any speculations. So far this incident is of great importance and benefits democracy in Bahrain, as it promotes the authority of the law, transparency, accountability, and expands the free public debate in previously prohibited issues.

The Bahraini press, which enjoys a wide margin of freedom, covered the news of the Minister's interrogations and published several articles analyzing the issue. The press clearly revealed a strong desire among citizens to promote the foundations of the state of law. Despite the fact that the Minister is merely being investigated, and is so far innocent until proven guilty, the press exaggerated and politicized the issue. Some newspapers were even inclined to defame the Minister, which revealed a weakness in their professionalism.

On 22 March 2010, and as a result of an increase in press abuses, the Public Prosecutor advised the public through Nawaf Abdulla Hamza that 'some newspapers have speculated on the circumstances of the investigation, and some of what has been published is untrue and contradicts the information that the Public Prosecutor possesses' stressing that one should not 'rush to publish any information on the issue before verifying it.' He also said that 'arguments and competition in analyzing the evidence' should cease.

Despite the mistakes of some newspapers, it is unfortunate that on 25 March 2010, the Public Prosecutor prohibited the publication of any details regarding the Minister's case in order to guarantee justice and integrity of the investigation. Bahrain Human Rights Monitor believes that the issue should have been dealt with differently, especially as banning the publication will lead to even more speculation and politicization.

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Al-Dirazi re-elected Secretary General

After his resignation last February as the Secretary General of the Bahrain Human Rights Society, Abdullah Al-Dirazi was again elected on 27 March 2010 for the same position for two years. Al-Dirazi expressed his desire to continue leading the Society in order to implement human rights principles and defend victims without any discrimination or political influences. He also said that the existence of serious and balanced human rights organizations was crucial, as this increases the confidence of human rights activists to defend the truth and the interests of the people rather than their own.



Shia Section of Family Law is at a Stand Still

Officials in Al Wefaq Society and in the Olama (Scholars) Islamic Council stressed that Shia political and religious leaders still have reservations regarding the ratification of the Shia section of the Family Law. They added that these reservations are not related to the contents of the Law but to the constitutional guarantees of how it will be amended. On 13 March 2010, the President of the Women's Union Maryam Al ruwai said in an interview with Al Waqt newspaper that the Shia section of Family Law has reached a dead end. She added that some parties (which she did not name) participated in politicizing the issue and used it as a means of applying political pressure.

Al ruwai is convinced that 'solving this



file will only be possible if real pressure from inside the Shia community is applied to draw the attention of religious scholars to the importance of the issue, and prevent its marginalization. She added that 'no one is currently pursuing the issue of this law, and it is not the priority of the Government to issue the law after all the opposition that it had previously faced'. She described the latest meeting with Al Wefaq as 'disappointing': 'they repeated all the previous conditions which emphasized the necessity of putting into place constitutional guarantees', which is rejected by the Government.

Protest Demanding the Release of Detainees

On 26 February 2010, a peaceful protest was organized in Sitra, where religious and political figures joined to demand the release of some detainees arrested in connection with the death of a foreign worker more than a year ago in riots in Ma'ameer. The protest was the beginning of a chain of peaceful activities pressing for the release of the detainees. On 8 March 2010, another protest took place in the entrance of Al Ma'ameer village by a number of family members of the detainees for the same reason. Some political bodies had attempted to compensate and negotiate with the family of the victim, who had died in mysterious circumstances, but as the court is still looking into the case, these efforts were fruitless.

It is worth mentioning that a substantial number of innocents have been attacked with incendiary bombs, the last of which took place on 4 March 2010 when a 31-year-old man named Jaffer Makki Salman was attacked by two riotous youths while driving his car. The attack caused him to suffer burns in the back and neck.



Gas Emissions Disturb Civil Society

Gases from unknown sources covered the areas of Al Ma'ameer, Sitra and Isa Town last February and March. Citizens from these areas described these gases as suffocating and poisonous, whilst other sources said the gases were being emitted from nearby factories, especially the petrochemical plant. However, none of factories' owners have admitted responsibility. On the other hand, the Government promised to investigate the problem four months ago. Local citizens attributed the increase in the number of deaths caused by cancer to breathing in these gases. Health sources have also indicated that many babies have been born with deformities as result of an increase in air pollution.

On 01 March 2010, marking the end of the Sitra Environmental Festival, children from the affected areas released five thousand balloons as a protest against the poisonous air. A member of the Municipal Council Sadiq Al Rabee stressed that this civilized way used by the Sitra's citizens is an expression of their plight. He added that 250 palm trees have been planted in the area and seedlings have been distributed among schools, in order to encourage planting to reduce pollution and protect the environment. The Festival was organized under the patronage of the Minister of Municipalities and Agriculture Affairs.



Unfamiliarity with Children's Rights

The 'Be Free' Centre prepared a report on children's rights in Bahrain. The first part of the report included the results of a study on how familiar children were with the Convention on the Rights of the Child. The second

part of the report discussed civil organizations and their familiarity with the Convention. The study showed that children and participating organizations believe that the Government apparatus and Parliament are among the least informed on the Convention, and that children trust their families to possess knowledge and respect the articles of the Convention. The study also showed that the Convention is not known among children, and is not included in a curriculum which would at least guarantee familiarity with the minimum of its ideals.

Activities to Support Female Journalists

The International Federation of Journalists (IFJ) and the Bahrain Journalists' Society jointly organized several events under the title 'Equality in the Media/Press: Trade Union Actions and Leadership'. The first event began on 6 March 2010 with a seminar discussing 'the Status of Female Arab Journalists in the Media'. In the second day, in a workshop entitled 'Bahraini Journalists on the way to equality', Sara bo Shatoop from the IFJ talked about a survey on gender equality in the Arab World and the Middle East. Participants in the seminar included Mona bo Samra, Secretary General of the UAE Journalists Society, layl Al Sab'an from the Kuwait Journalists' Association, and journalists from Jordan and Iraq.

A study by the IFJ showed that women in Bahrain represent 50% of the staff working in the press, and 20% of staff working in the television and radio. The percentage of female members in the BJA is 15% and only two women are in the Board Council, which is 18%. The study also revealed that 61% of the Faculty of Media's graduates are girls from 2001-2007, and 20% of staff working in the official media are women. The study also showed that only a small number of women reach leading positions in the media. It is thus obvious that despite the large number of girls

graduating from universities and media schools, women in the region still lag behind in comparison with men with regards to reaching high positions in news rooms and trade unions.

Women's Union: the Quota is Temporary Choice

The spokeswoman of the Women's Union Fatima Rabia described the quota electoral system as a temporary procedure according to the CEDAW: 'we believe that a quota system could pave the way for women to win seats in Parliament, and will provide them with opportunities to prove their abilities to gain the trust of society'. She added that 'in the current situation I do not think that the situation is suitable for women, and I do not think that their chances are equal to those of men'. (Al Ayam newspaper, 5 March 2010)



The president of the Bahraini Transparency Society Abdulnabi Al Ekri also demanded that a national strategy be devised with regards to equality between men and women, and agreed upon by the State, the private sector and political forces. He also said 'we must admit that the existence of a minister or two, or a small number of women in Government is not sufficient proof of equality between men and women'. Ekri demanded that national legislations be amended and implemented in order to achieve equality, adding that the traditional values of society and government polices limit the political empowerment of women.

Training on Combating Corruption

On 11 March 2010, the Coordinating Committee of political societies decided

to organize training courses for members of these societies on transparency in monitoring and combating corruption. The members of the Committee listened to a detailed report by the Transparency Society regarding the comprehensive national project to measure the level of transparency. With regards to governmental financial support to political societies, the societies demanded an increase in official funding. The Committee consists of 14 societies/parties.

Parliament Discusses Criminalizing Discrimination

Al Wefaq Society presented a bill in order to add an article, which criminalizes discrimination, to the Penal Code. MP Jalal Fairuz said that the members of the Committee for Foreign Affairs, Defiance and National Security in the Parliament were in agreement that it was necessary to create a legislation which criminalizes discrimination in the Penal Code. He noted that there is a legislative gap in this regard, and that international agreements, which Bahrain has joined, oblige it to undertake procedures for introducing such legislation. He also stressed that this will improve Bahrain's record in the



MP Jalal Fairuz

eyes of international human rights organizations. This also coincides with the King's call to reject division and discord between citizens. On 10 March 2010, Parliament began discussing the proposed article, which includes the penalty of imprisonment for any influential official who practices discrimination, segregation and opposing the principles of equality and equal opportunities on the basis of colour, religion, sect, creed and political opinion.

The President of the Bahraini Journalists Association (BJA):

Some officials are easily annoyed by what is written

In light of recent developments regarding the Bahraini Parliament's discussion of the new Press Law bill, and due to the importance of freedom of expression as a distinctive feature of the human rights issue, the BHRM conducted an interview with the President of the BJA Issa Alshaiji. A number of urgent issues relating to the bill were discussed in the interview, including the activities of the BJA and its relations with regional and international organizations, as well as the BJA's views of the newly published reports on the margin of freedom of expression in Bahrain.

What is the BJA's position on the current debate regarding the Press bill? What are your standards in assessing this bill? And to what extent are the Parliament and Executive Authority responding to controversial issues, such as punishing journalists and Government censorship of the internet and the media?

The efforts of the BJA are not new, and since the issuing of the 2002 Press Law it has participated in all activities and meetings held to develop the Law. The BJA has also presented written comments to both the Government

International human rights reports on Bahrain are based on inaccurate information i.e. on the opinions of politicians, not journalists

and Parliament in this regard. As for the standards we adhere to, these represent the honorable position of His Majesty the King, which opposes the detention of journalists and calls for a contemporary Press Law. Our standards also include the principles put forward by the Activation of the National Action Charter Committee, chaired by HH the Crown Prince; international conventions and the varied experiences of the Bahraini media. As mentioned earlier,

the BJA presented its comments to the Government and Parliament, and both responded well to them. We hope the country will adjust to democratic life, annul detention as a punishment for journalists and separate the Press Law from the Penal Code.

With regards to the extent of Government censorship of the media, I can say that this is practically non-existent. However, the media is subjected to the supervision and censorship of Bahraini society and other organizations. The internet in particular is censored, and many web sites have previously been blocked for different reasons. The Press Law, which is expected to pave the way for the establishment of private radio and TV channels, is still under discussion in Parliament, and has not yet been passed.

How do you assess the experience of the BJA since its establishment? To what extent has it benefitted the freedom, political and intellectual independence of journalists? And what is your relationship with your



Issa Alshaiji

counterpart societies in the region, as well as international organizations concerned with public freedoms?

The establishment of the BJA was a result of considerable efforts by Bahraini journalists for many years, and we appreciate all their efforts and sacrifices. This establishment was difficult, but with these efforts all obstacles have been removed, and the BJA has continued its path with determination and has become an influential body.

Despite its limited resources, the BJA has tried and still strives to achieve gains for journalists, and today we are trying to establish a fund in solidarity with journalists, the details of which will be announced soon. BJAed on its objectives, the BJA defended journalists in courts and appointed lawyers for them, attended interrogations carried out by the Public Prosecutor's Office, issued solidarity statements with journalists, and settled many cases

friendly BJAed on the agreement with the Public Prosecutor. The BJA has strong and wide-reaching relationships with many regional organizations and unions, and participates with them in some activities. Also, the BJA is proud to be among the first organizations in the Gulf who have joined the General

Some officials refuse to cooperate with journalists and bar information and advertisements from the media as a means of pressure

Federation of Arab Journalists and was the second journalistic Arab organization after Palestine to be accepted as a member in the International Federation of Journalists (IFJ).

At the international level, the BJA enjoys strong relationships with several organizations concerned with freedom of expression, and organized joint activities and workshops. Recently, an office for the IFJ was opened in Bahrain, and the Committee for Ethical Journalism was established. This is a great achievement for Bahraini journalists and the Bahraini media.

The journalist and the politician in the Arab World are seen as representing two different visions and interests, let alone two authorities (the press, known as the 'fourth authority' and the Executive Authority) and are not necessarily in harmony with each other. How do you assess the relationship between journalists in general, and the Executive Authority? And how do you envision this relationship to be in the future?

There is no special relationship between journalists and the Executive Authority, as the Press Law regulates the work of journalists and their relations with various parties (although we still have some reservations regarding the Law). Despite the fact that the political leadership directs officials on different occasions to

cooperate with journalists, there are some officials in public institutions who do not accept any media criticisms. They therefore refuse to cooperate with journalists and conceal from them information and advertisements as a means of applying pressure. This also applies to some private institutions, which also attempted to conceal information and advertisement from the press when they were being criticized.

When His Majesty the King launched his democratic reform project, which included supporting the press, the position of the Bahraini press was promoted and it became an influential power. We urge officials for more cooperation with journalists, as we all share the same goal, which is serving the country and the people.

A number of international reports were issued recently regarding freedom of expression in Bahrain such as Reporters without Borders' report on the freedom of the press in the country. Some reports have criticized the level of press freedom in the country and freedom of expression in general. As a body concerned with promoting freedom of expression, how do you assess the status of freedom of press in the past decade, and since the beginning of the reforms? And how do you envision its future? And what is your opinion of these reports?

Thanks to His Majesty's democratic reform project which allowed the press to be free, the press in Bahrain has developed significantly and there has been a rise in the number of newspapers in the country. We as journalists felt the effects of this newly gained margin of freedom, and the influential role of the press. It is true that the courts have witnessed some lawsuits, but most were not filed by the Government against journalists, but rather from individuals and institutions. The Public Prosecutor has also cooperated positively with

journalists and with the BJA, and we appreciate this.

Since the beginning of the reform project, it is clear that the margin of freedom of expression in the press has widened, and journalism is now being practiced responsibly. With the ratification of a developed Press Law in the near future, it is expected that the press will play a more important role in the future.

With regards to the international reports, it is important to draw attention to an important point, which is that the sources of information of some of these reports are inaccurate. Therefore, their results are not realistic and do not meet the required standards. These reports are not BJAed on journalists' opinions, but reflect politicians' points of view. We urge these organizations to verify their information and depend on journalists themselves for their information.

Some people believe that the state of the press in Bahrain is declining, especially with regards to the level of professionalism and the lack of expertise and qualified staff. Others also think that the Bahraini press is dominated by politics and ideological polarization. To what extent do you think this is correct, and how it affects the role of the press in awareness raising?

To some extent what you have mentioned is true, for our press is suffering from polarization as well as the existence of some journalists with various political affiliations. In addition, some journalists refuse to attend workshops and training courses organized to develop journalistic skills. There is also the lack of well qualified staff. All these problems have affected the level of professionalism in the press. We hope that the administrations of these newspapers will make more efforts in order to develop the expertise of their staff, by encouraging them to participate in training courses. We also hope that journalists will adhere to the standards of professionalism and neutrality in their work.

Violence and Human Rights Question in Bahrain

Hasan Moosa Shafaei

Reiterating what has previously been mentioned in other articles, violence and riots themselves represent a human rights violation, and provide a suitable environment for violating the laws and human rights standards. It may be useful to mention that most human rights violations in Bahrain revolve around the use of violence and riots and failure to abide by the law. At the same time, according to the Government, there is not a single political prisoner in Bahraini prisons. However, there are no more than 30 detainees who are classified by international organization as prisoners of conscience, affiliated to political groups or labeled as human rights activists. On the other hand, the Government says that these individuals were detained on security and not political grounds, for all of them and without exception, were found to have assembled illegally. They are also accused of participating in incidents of violence and riots such as burning tires, blocking streets, and vandalizing public and private properties, in addition to using incendiary bombs against security forces, endangering the security of the citizens among other accusations which result in the loss of innocent lives, injuries and financial loss.

Moreover, all the after arrest allegations of human rights violations are in fact a result of breaching the law and involve violence. Some people claim that innocents have been arrested, subjected to torture and have not been provided with a fair trial. This comes within the

context of the main issue which is street confrontations with violent and rioting youths. No persons have been arrested because they protested or because they expressed their opinions through various legal means. On the other hand, no persons were prevented from taking part in a demonstration, or denied their legal rights of peaceful assembly.

There are street confrontations between security forces and rioters who continue on a daily basis to burn tires, block roads and attack police cars with incendiary bombs. This is the real backdrop against which the issue of human rights has been discussed. Ironically, some staff members from international organizations witnessed the violence unfolding when they accompanied violence advocates to witnessing the events under the slogan 'people's struggle on the ground.' In order to explain the violence, the Government itself also showed visiting officials from international organizations videotape recordings of the clashes, and how the security forces attempted to control the situation and defend themselves against incendiary bombs and locally made weapons.

A new case has arisen as a result of the violence which continued through the night. On 14 March 2010 in Karzacan, masked youths began blocking the roads with burnt tires, burning rubbish bins, and throwing Molotov cocktails at the security forces usually present in the area to open blocked roads for



Hasan Moosa Shafaei

citizens, protect their interests and keep the peace. The security forces then used loudspeakers to call upon the youths to stop and go back to their houses, but to no avail. The rioters then began to heavily throw incendiary bombs at the police which hit a nearby police car. The police then retaliated by shooting live ammunition in the air as a warning, but the rioters did not stop, so they used the shozin weapon to disperse the crowds and to save the policemen inside the car. As a result, one of the rioters, named Hussain Ali Hassan Al Sahlawi sustained injuries to his body, but was able to flee with the others. The incident escalated later on when Al Sahlawi was taken by his friends for treatment, not to the hospital, but to the house of one of the nurses named Ibrahim Damistani in the village of Al Draz. Al Sahlawi was then taken to the central hospital in Sulaymaniya, where Damistani works. He received treatment there without any record or details of the patient and was then smuggled outside the hospital. When his

condition deteriorated, Damistani returned him to the same hospital on 16 March 2010, and asked another nurse named Abdulaziz Shabeeb to take X-rays of the patient in order to remove debris from his body. Once again, the patient was smuggled out of the hospital without any records, as required by the law.

The incident developed further when the Public Prosecutor detained both nurses for one day, and the Ministry of Health banned a scheduled meeting in solidarity with them. For this reason, the two nurses received more attention than Al Sahlawi himself. A number of international human rights organizations issued statements condemning the detention of Shabeeb and Damistani and the



banning of the meeting. According to the information received by these organizations, Sahlawi was not involved in the violence that day, and was leaving his grandfather's house, situated in the same area. Coincidentally, I was in Bahrain on a business trip and had an appointment with Police Major Rashid Mohammed bu Nijma, the Director of Legal Affairs, and a member of the Human Rights Committee at the Ministry of Interior. The meeting was scheduled to discuss issues related to human rights, including the recent incidents in Karzacan.

Based on the available information, I could say the following:

Firstly, Hussain Al Sahlawi was one of the masked rioters in the violence which took place in the night of 14 March 2010, so he was not an innocent visitor to his grandfather as he claimed. The fact that he did not go directly to the hospital, or the police station to file a complaint, confirms this fact.

Secondly, with regards to the detention of the two nurses and their interrogation by the Public Prosecutor, it is obvious that they violated the laws and regulations of the Ministry of Health in failing to record the medical details of the patient, and hiding him from the law. The issue is not that they provided him with humanitarian medical



assistance, as this obviously not a crime.

Thirdly, with regards to the banning of the Nursing Society's meeting and even changing the door locks to achieve this, this is an unjustifiable action, and contradicts Bahrain's democracy and human rights standards. Whatever the reason was and whoever made the decision, it was a wrong one which harms the reputation of Bahrain and its reform experience, and strongly contradicts the King's reform project and public freedoms.

Fourthly, there are some organizations such as Amnesty

International who regarded the use of Shozin as an excessive use of force. We believe that the security forces have displayed a considerable amount of self restraint and that confrontations with rioting youths are far from being confrontations with peaceful individuals, rather there was a real threat to their lives. Proof of this lies in the number of innocent citizens who have been killed or injured. Additionally, during the same period, the citizen Jaffer Makki Salman was attacked with an incendiary bomb, sustaining burns in his back and neck while in his car and was saved by some passers-by and the police. In other words, rioting is in essence violent and dangerous, and only the police can assess the magnitude of this danger. However, the security forces should provide evidence of being targets of assault, and prove that their retaliation with live ammunition was a necessary form of self defence and was used to protect innocent lives.

We are certain that violence and riots escalate when Bahrain is under the spotlight. As Amnesty International stated, this recent incident came when Bahrain was hosting the Formula 1 races, and Karzacan village is close to the place where the races were launched. We re-stress that violence is a constant source of human rights violations as well as many debates on human rights issues. This reveals the fact that violence represents a barrier against positive and constant developments in the human rights situation. Unfortunately, such developments go unnoticed, as violence and its repercussions are the ones which grab the headlines.

US 2009 Human Rights Report: Bahrain

On 11 March 2010, US Department of State launched the 2009 Country Reports on Human Rights Practices. The report covered 19 countries in the Middle East and North Africa including Bahrain. Regarding Bahrain, the report differed much from the previous annual reports in reflecting some positive aspects in the overall assessment of the human rights situation in Bahrain. However, the report highlighted a number of concerns, in many areas, including: restriction of civil liberties, such as freedoms of speech, press, assembly, association, and some religious practices; domestic violence against women and children; discrimination on the basis of gender, religion, nationality, and sect; trafficking in persons; restrictions on the rights of foreign workers; restrictions on freedom of association and expression that hinders investigation and public criticism of the government's human rights policies; discrimination against women was systemic in the country, especially in the workplace; women cannot transmit their nationality to their children, therefore, children of some citizen mothers and non-citizen fathers are born stateless; trafficking in persons continued to be a significant problem, some victims were trafficked for commercial sexual exploitation; there was a lack of transparency in the naturalization process; practices of forced or compulsory labour, particularly among domestic workers; employers and recruiting agencies beating or sexually abusing foreign women working in domestic positions.

On the positive side, the report did not register any politically motivated killings or disappearances during the year; there were no reports of political prisoners or detainees; there were no government restrictions on academic freedom or cultural events; there were no restrictions on freedom of religion; there were no reports of forced exile; rape was not a major problem in the country;

the establishment on 11 November of a national institution for human rights to protect and promote human rights in Bahrain; on June 30, a new law went into effect granting resident children born to citizen mothers and non-citizen fathers free access to some social services, including health care and education; there were no reports of forced or compulsory child labour; there was no concrete evidence in relation to arbitrary interference with privacy, family, home, or correspondence despite that many Shia believe the contrary. Additionally, on April 11, the king announced amnesty for 178 persons, including many charged for rioting.

Below is a summary of some concerns raised in the report.

Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The report referred to allegations of torture and other cruel, inhuman, or degrading treatment during the year committed by security forces in response to tire burnings and disturbances by demonstrators.

The youths involved in demonstrations routinely alleged that security forces beat them in custody, according to the report. To substantiate this, the report mentioned the acquittal of 19 defendants on 19 October of charges relating to the 2008 death of a police officer in Karzakan. In this case it was reported by the media that the court was influenced by the defendants' claims that they confessed under duress.

But the report did not point to the fact that the security services, which implicitly admitted the occurrence of some abuses by its staff members, have referred a number of them to investigation. It has to be said that torture was not systematic nor is it part of the nature of security investigations. The problem lies in that the security services have accused some of those arrested on security grounds that they were not truthful regarding their torture allegations. Therefore, there is



need to form an investigating committee to ascertain such allegations.

Prison and Detention Centre Conditions

Despite allegations by some detainees that pre-trial detention facility guards physically abused them, the report recognized that prisons and detention centre conditions generally met international standards. In line with this, the report relied on the finding of the Bahrain Human Rights Society (BHRS) that men were held in separate facilities from women, and juveniles were held separately from adults.

Arbitrary Arrest or Detention

The report referred to some allegations of arbitrary arrest and detention during the year despite constitutional safeguards. However, the report did not criticize Bahrain in arrest procedures and treatment while in detention.

Freedom of Speech and Press

This is one of the areas where the report flagged a number of concerns, particularly when government censorship occurred. The report mentioned that the government enforced the press law to restrict freedom of speech and press. The Ministry of Culture and Information (MOCI) actively monitored and blocked local stories on sensitive matters, especially those related to sectarianism and national security or neighbouring countries, or judges. The report noted the suspension by the MOCI of Arabic daily Akhbar Al Khaleej for one day after the newspaper published an editorial by a Shura Council member criticizing Iranian political and religious leadership. Of a major concern highlighted in the report in this area is the issue of restricting use of the Internet by prohibiting access to

Internet sites considered antigovernment or anti-Islamic. Approximately 100 Web sites were blocked by the government during the year including political and human rights Web sites.

The report did not indicate that the banned sites related to incitement of violence, according to the Government. The Government added that the number of such sites is limited and much lower than the figure mentioned, and furthermore, the sites were not expressing peaceful political opinion, but were encouraging the use of riots and violence.

Freedom of Peaceful Assembly and Association

The report mentioned that the government specifically limited political gatherings. The law regulates election campaigns and prohibits political activities at worship centres, universities, schools, government buildings, and public institutions. The government did not allow ma'tams (Shia religious community centres) or other religious sites to be used for political gatherings without permission.

Antigovernment demonstrations occurred regularly in numerous Shia villages around the country. Bands of Shia youth, allegedly instigated by members of the unregistered Haq Movement and the newly organized al-Waf'a Islamic Movement, regularly appeared at both registered and unregistered demonstrations where they burned tires and trash and threw Molotov cocktails and stones at riot police.

Police often dispersed demonstrations with tear gas. Local human rights NGOs alleged that riot police used tear gas against peaceful demonstrators; however, the MOI countered that it used tear gas in response to attacks by demonstrators. Periodically security forces fired rubber baton rounds at the ground to disperse demonstrations.

Freedom of Association

The report noted that some NGOs were denied registration by the government such as the National Committee for the Unemployed, the Bahrain Youth Human Rights Society's (BYHRS), allegedly

because of its ties to the dissolved Bahrain Centre for Human Rights (BCHR).

The report referred to human rights reports issued by three Bahraini human rights societies in 2009. The first report issued by the Bahrain Human Rights Society, which is seen as an ally of Wa'ad Society, a socialist party; the second report issued by Bahrain Human Rights Watch Society, which considers itself independent, although some leaders are members of the appointed Shura Council, and its former president served as ambassador; and the third report issued by the Bahrain Centre for Human Rights, which is classified by the report as not registered, but the Centre was dissolved in 2004 for violating its Statute, involving in political issues, and allying with radical political parties that incite street violence. According to the U.S. State Department report, the Centre continued to issue reports and coordinate activities with the oppositional Haq movement.

Also, the report noted that senior government officials met with civil society organizations to discuss human rights issues, transparency and the reports of those organizations. On 11 November 2009, the King ordered the establishment of the National Commission for Human Rights, which its objectives include the protection of human rights, and receive complaints about violations, and issue periodic reports on the human rights situation.

In recent years, the government allowed more interaction between local civil society organizations and international human rights organizations. In 2009, members of Amnesty International organized many activities without government interference. On 11 April 2009, the International Federation of Journalists founded its first regional branch in Bahrain. On 3 June 2009, the ICRC visited Bahrain for the first time since 2002 in order to train officials and members of civil society on the management of detention and imprisonment.

Societal Discrimination

The report noted with concern government and societal discrimination

against the Shia population. Some sect group received preference for employment in sensitive government positions and in the managerial ranks of the civil service. The defense and internal security forces were also predominantly Sunni, and few Shia members attained high-ranking positions.

However, the report did not refer to the Government's views, which include: the Government does not practice discrimination; there is a legacy from the past which the Government is trying to address by various means; some forms of discrimination are societal and not official; the Interior Ministry has increased its efforts in recruiting Shia in the security institutions

Women

The report noted the participation of women in different walks of public life including 10 women in the Shura Council, one woman in the Council of Deputies, two women served as cabinet ministers, three women sat as judges in the criminal courts, and one was a judge in the Constitutional Court.

Parliament passed, and on May 27 the king ratified, the Sunni personal status law. At year's end, the government continued to work with the Shia community toward a new Shia law.

Women faced discrimination under the law. A woman cannot transmit nationality to her spouse or children.

A noncitizen woman automatically loses custody of her children if she divorces their citizen father without just cause.

Civil Judicial Procedures and Remedies

The report mentioned that citizens can bring civil suits before the court seeking cessation of, or damages for, human rights violations; however, the government maintained that the 2001 general amnesty granted immunity for alleged human rights violations committed before 2001. Coupled with this, the report mentioned the disciplinary action by the Ministry of the Interior (MOI) against 23 police officers during the year for committing human rights abuses.

The wrong message:

Defending the victim or the executioner?

Throughout the world, human rights defenders are frequently targeted and victimized. However, the experience of human rights in Bahrain has exposed some activists as executioners falsely claiming to be victims.

Only in Bahrain we can find human rights activists defending and publicly inciting violence and rioting. Only in Bahrain we can find human rights activists monopolizing the truth and accusing their counterparts of treason, exclusively seeing themselves as independent and legitimate. Only in Bahrain we find the most pessimistic human rights activists who do not see any glimpse of hope or positive aspects, however small. Only in Bahrain we can find human rights activists clash and accuse politicians, journalists and academics of treason. These so called human rights activists apply the label 'human rights activist' literally to any detainee regardless of the reason behind his/her detention.

Human rights defenders throughout the world revise legislations and laws and provide alternatives, participate in spreading human rights awareness and build on existing steps. They unite the efforts of activists, push towards the establishment of institutions, invent mechanisms that promote human rights to serve its ultimate goals and work towards a more mature society and government policies. On the other hand, these 'fake' human rights defenders in Bahrain do nothing but cause tension on the street, spread lies, mislead international organizations, defame holders of different views to their own, and accuse others of being government agents just because they believed in positive developments here and there.

Now these fake human rights

defenders appear as victims. A letter dated 25/03/2010 was adopted by the Cairo Centre for Human Rights Studies, which we believe was sent by the Bahrain Human Rights Center. The letter was directed to Navi Pillay, the United Nations' High Commissioner for Human Rights, before her visit to Bahrain and included a complaint that human rights activists in Bahrain are being subjected to pressures and harassments from the Government. It also demanded that the issue be taken up with Bahraini officials. This letter represents an example of what we have described above; that some human rights and extremist organizations in Bahrain mislead regional and international human rights organizations. This is harmful to the political and democratic process, and to the efforts to develop human rights in Bahrain. The letter also revealed that these bodies have gone too far to justify violence and tension. Therefore, one can easily conclude that they do not like to see any democratic or human rights development as they are politicized and extremist. The letter began with an expression of 'deep concern about the media campaigns and the continued legal pursuit, headed by the Bahraini authorities in order to restrict freedom of expression and prevent human rights defenders from conducting their activities'.

We will discuss the activities of these so called human rights defenders, and the reason why they claim they are being targeted after they 'provided

information to a number of international media agencies and civil organizations, which issue statements and reports that criticize Bahrain's human rights record. They also claim to have been targeted due to 'their support for human rights and for providing legal aid for victims of torture and ill-treatment, and for organizing peaceful protests or participating in them'.

We would like to state here that the Bahrain Human Rights Centre and its official staff conduct most of their activities inside Bahrain without any interruption. This is despite the fact that the legal cover of this Centre has been withdrawn due to its violation of the Centre's regulations. For years the Centre has continued its work inside and outside the country, issuing statements, holding meetings and organizing seminars. It also organizes talks which incite violence as the Center's former President Abdulhadi Khawaja did. The Centre is present in the political scene with its ideas, figures, activities and alliances with extremist political organizations such as the Haq movement without being restricted, to the extent that the decision to dissolve it seems to have had no effect. Moreover, some daily newspapers publish its news, activities, meetings and statements issued by its leaders, and have never been subjected to any questioning or pressure.

It is noteworthy that the local press in the country is private and is not run by the Government. The latter, even if it wanted, could not incite the press against the Centre due to the wide margin of freedom that the press enjoys. In the official media, i.e. Radio and TV, the Centre was criticized for its violent discourse and misleading international opinion with lies and distorting facts. This criticism is acceptable and does not constitute defamation. Most of

these criticisms are occasional and the Centre is not singled out for its faults. Furthermore, even if a journalist did accuse the Centre without evidence, the ICentre can resort to court and, in fact, the Centre has filed a case against one local newspaper; this case is still pending.

All this reveals that the Centre is not a victim and its claims that the media is owned and controlled by State, and that the Government is conducting systematic campaigns to distort the reputation of human rights defenders

Bahraini Government'. It is obvious that the two above names did indeed publically incite violence and call for the overthrow of the Government. Any person can trace back what they had published in this regards. It is thus surprising that despite that both were pardoned by the King, but the website of Singace Al Faseela and the website of the Centre have been blocked because they contain inciting material.

The letter also contained many claims such as that there are continued legal pursuits of human rights defenders.

and some have temporarily lost their jobs. The letter also gave an example of what happened in January 2010 to a German news agency, despite the fact that the Ministry of Information denied the closure of the Agency's office or preventing it from conducting its activities. Most international press institutions have offices and reporters in Bahrain, and their representatives are following all events, including violence and rioting, which unfortunately is still on-going.

The conclusion reached by the letter is unlike any other conclusion reached at by any international human rights organization. It mentions systematic violations of freedom of expression and human rights, and consequently demands lifting the ban imposed on the Bahrain Human Rights Centre. It is surprising that the first thing the letter demanded from the High Commissioner is to encourage her to meet with legitimate and independent organizations, meaning excluding anyone opposing the ideology of the Centre.

In summary, the letter to the Cairo Centre fabricated a non-existent problem, whether the issue relates to the margin of freedom of expression or the status of human rights activists. The letter presents human rights violators as victims. In Bahrain, freedom of expression and freedom of human rights activities are wider than the expectations of a foreign monitor. The Cairo Centre for Human Rights should verify the information included in the letter, especially as it contains implicit accusations to certain Bahraini human rights organizations and activists.

It is commendable to benefit from the visit of the High Commissioner in the service of Bahrain, but not by forgery, exaggeration and fabricating issues which have no basis.



are unfounded claims. These claims have never been used as basis for accusing anyone of a crime. On the contrary, the faults and mistakes of the Centre have largely been ignored, even in the clear issue of publically inciting violence. The letter also included the following statement: 'Abdulahdi Khawaja, Abdeljaleel Singace and other activists have been accused of inciting hatred against the regime, and publically calling to overthrow it in their speeches and critical writings of the

Anyone following the developments in Bahrain will be surprised because these claims are unfounded. Even the visit to Israel by the former President of the Bahrain Human Rights Centre Abdulhadi Khawaja did not lead to filing a case against him as expected, as he had visited a country the law dose not allow to visit.

Another claim in the letter was that foreign media in Bahrain is subject to harassment and restrictions when they attempt to cover sensitive issues

Activities of the BHRM in Bahrain

The President of the BHRM Hasan Moosa Shafaei paid a two-week working visit to Bahrain in March 2010. During the visit, he met with a number of political, human rights and security figures and discussed with them the situation in Bahrain, especially in relation to the scope of human rights and means of developing it.

The President of the BHRM met with the Chairman of the Shura Council, Ali Bin Saleh Al Saleh in his office in the Shura Council. The meeting discussed efforts of the BHRM in dealing with various human rights issues as well as relations with other human rights organisations. Additionally, Hasan Moosa explained the role of the BHRM in documentation as well as its proposals to different official bodies to bring national legislations in conformity with international standards. Al Saleh confirmed the role which the Shura Council could play in spreading awareness regarding the democratic and human rights achievements in the country. He also praised the BHRM for its efforts which he said were closely followed and appreciated by the Legislative Authority.

BHRM's President also met with the Undersecretary of the Ministry of the Interior and the Head of Human Rights Committee Brig. Tariq bin Daineh and the Director of the Legal Affairs Directorate Major Rashed Bu Najma. The meeting discussed the latest report of Human Rights Watch, as well as the efforts of the Ministry of Interior to apply the human rights standards and international agreements signed by the Kingdom of Bahrain. In addition, the meeting discussed the role of the Human Rights Committee at the Ministry in investigating

abuses.

Moreover, Mr. Shafaei also met with Dr. Salah Ali, Second Vice Chairman of the Council of Representatives in his office. Dr. Ali praised the BHRM's activities and welcomed all kinds of cooperation and coordination, which would benefit Bahrain and support the democratic reform project. He also met with Chief of Media at the Council Mahmeed Al Mahmeed, and Al-Wefaq MP Mohammed Al Mazel. An important meeting held with the Project Coordinator of the IOM in Bahrain, Sura Louri at the UN headquarters in Manama, with whom he discussed the issue of human trafficking, which is of particular importance to BHRM. Louri briefed the President of BHRM about the role and activities of the IOM in Bahrain.

With the presence of the Chairman of the Bahrain Institute for Political Development Nabeel Al Hamer, Mr. Shafaei met with the Executive Director of the Bahrain Institute for Political Development at his office, Dr. Isa Alkhayat. The meeting discussed ways of cooperation between the Institute and the BHRM. Mr. Shafaei was briefed about the Institute's activities in promoting political awareness and democratic culture. In this connection, Mr. Shafaei attended a seminar organized by the Institute entitled 'Political Participation 2010'.

Finally, Mr. Shafaei met with the Director of Research and Studies at the Institute for Political Development Abduljalil Al Noaimi and the Director of the UN Information Centre for the Gulf Countries Nejib Friji at the UN headquarters where he discussed mutual cooperation in the media field and participation in human rights activities.



with Ali Bin Saleh Al Saleh



with Brig. Tariq bin Daineh



with Major Rashed Bu Najma



with Dr. Salah Ali



with Dr. Isa Al-Khayat



with Nejib Friji



with Sura Louri, IOM