

Bahrain Monitor

A Monthly Newsletter on the Human Rights Situation in Bahrain



Bahrain Human Rights Monitor

مرصد البحرين لحقوق الإنسان

Issue 20 • September 2010

Confronting Violence and Respecting Human Rights

Sooner or later, violence and riots will result in confrontation between the Government and those behind it. In the beginning, the Government did not wish to use its legal rights against instigators of violence because it was focusing on the newly established democracy and political process. However, because the violence has stretched beyond the limit and has been continuing for years, the Government has reached the confrontation point and has decided it is time to enforce the law. The recent arrests were expected and can be justified legally. The Government has the right to enforce law and order within its jurisdiction in order to protect its citizens' interests and the stability of the country.

On the other hand, the security forces' failure to comply with the law and provide the detainees with their right of a fair trial is unjustifiable and unacceptable. It is clear that there were some violations during detentions such as preventing detainees from meeting their lawyers and delaying the announcement of their place of detention.

Confronting violence and riots has gained consensus in the country. This is clear from the statements of various political parties and civil society organizations, which condemn the escalation of violence and endangering the public interests.

But violating the law in order to confront advocates of violence is a different matter. For it is against Bahraini law and the Constitution and most importantly does not help in putting an end to the street violence. Also, violation of the law by some members of the security forces during riots pushes the public to provide support and sympathy to the rioters, and violation of the law also undermines the Government's justification to impose law and order.

The law can be imposed without the need for any violations as enforcing the law never contradicts human rights principles. In fact, the law intrinsically protects these principles. It is important to distinguish between firmly enforcing the law and between breaching it, which could lead to even more violations.

We know that Bahrain has suffered from unjustifiable violence for years and that the margin of freedom was exploited in an attempt to ruin the political process. We also know that the Government is looking for solutions for such exceptional situations. But when the Government decides to resort to severe measures, it is important to remember that Bahrain's strength lies in respecting the law and that the strength of its security will be tested when it confronts violence through the law.

In summary, there is consensus to condemn the continuing violence as well as respecting human rights. However, confronting violence should be only through the Bahraini law and in accordance with human rights principles.

In this issue

- 4 **Bahrain: Confronting Violence is Inevitable**
- 6 **Parliamentary Elections Promote Human Rights**
- 8 **Haggag: Great Achievements for Arab Activists**
- 10 **Are Human Rights Deteriorating in Bahrain?**

Strikes, Clashes and Investigations inside Jaw Prison

On 25 July 2010, 300 prisoners organized a general strike inside Jaw Central Prison demanding that the Government improve their conditions. According to the prisoners, food is prevented from getting in from outside and sports have been prohibited. They demanded that an impartial committee be established in order to investigate these allegations. On the other hand, the authorities say that a group of prisoners refused to eat, and obey orders. They also stated that some demanded that the doors of the cells be kept open, the time allocated for exercises be extended to midnight and to be allowed to possess dangerous tools such as razors. The strike led to clashes and resulted in one injury and, according to the Bahrain

Human Rights Society, ended with 150 inmates being punished by preventing them from receiving visits twice consecutively.

The National Institution for Human Rights presented an urgent request to the Ministry of Interior to visit the prison. The Bahrain Human Rights Society also presented a similar request and said that it received tens of complaints from prisoners and their families regarding their conditions. On 5 August 2010, the Secretary General of the Bahrain human Rights Society (BHRS), Abdualla Drazi, and some of the families of the inmates met the Inspector General of the Ministry of Interior Brigadier, Ibrahim Habib Ghaith, to discuss the latest developments in the prison.

On 10 August 2010, a delegation from the National Institution of Human Rights (NIHR) including its President, Salman Kamal Aldeen, visited Joe Prison and met several inmates. The delegation discussed



the circumstances of the strike, the clashes that took place and the measures that were taken. The delegation expressed its satisfaction with the level of services and transparency among prison officials. According to Al Wasat newspaper in an interview with Kamal Aldeen on 12 August 2010, the NIHR will issue its own report regarding the outcome of the visit and its recommendations.

Escalation of Violence against Women

The latest statistics compiled by female societies, which shelter female victims of violence, indicated that all forms of violence against

The King:

Implementing the Law to Protect Civil Peace

On 12 August 2001, H.M. King Hamad bin Esa Al Khalifa, announced at the beginning of the holy month of Ramadan that 'there are some citizens who insist on living abroad and insulting their country without any reason'. He added that these individuals 'can return to Bahrain and express their opinions freely as the door is open for all those who wish to join their families during this holy month'. On 13 August 2010,



the King stressed the importance of 'implementing laws without any hesitation against any act that aims to hinder our development, especially as they can express their opinions within the legal means that are available to all'. He also added that 'all forms of incitement should be stopped and instigators bear the full responsibility for this and should stop all shameful practices. The Ministry of Interior as well as other Ministries need to take the necessary measures to stop them in order to protect our families and children from danger and our beloved country and its respected citizens.'

On 17 August 2010, the King called for correcting the legal status of institutions that work illegally. It seems that the King was referring to Haq Movement, Al Wafa Al Islami and the dissolved Bahrain Centre for Human Rights. He added that 'the legal statuses of these institutions need to be corrected. They should also work within the law which organises their activities in the Kingdom within a clear legal framework, which is the case in developed countries'. The King also stressed that the recent security measures will be within the framework of the law and stated that 'as we live in a country of institutions and law, all security measures taken recently will be referred to the judiciary'.

women have increased recently. During the first half of this year, the number of domestic violence incidents has reached 928 cases. According to the statistics, May 2010 witnessed the most cases of domestic violence with a number of 153 cases. On the other hand, according to new statistics, 10% of domestic violence cases affect men who are abused by their wives physically and verbally. Statistics also show that women are primarily subjected to physical abuse more than any other form and that wives are the main victims and then children.

Political Societies: Consensus to Condemn Violence

On 16 August 2010, six political societies expressed their concern over the recent security developments. They affirmed that

the detainees have the right to be released immediately or have a fair and un-politicised trial according to Article 20 (C) of the Constitution, which reads: 'the accused is innocent until proven guilty in a legal trial at which he has had all the guarantees necessary for the exercise of the right to defence in all phases of the investigation and trial in accordance with the law'. The societies also rejected all acts of violence, arson and vandalism of public and private properties. However, at the same time; they rejected the excessive use of force by the security forces.

These political societies include: the National Democratic Action Society, Waad, the Islamic Action, Amal, the National Brotherhood Society, Al-Wefaq and the National Democratic Assembly.

Al-Wefaq and the National Democratic Assembly also rejected the sectarianisation of political and human rights issues as this can

push the country to more political and security tension and threaten the civil peace and the security of the society. The societies also stressed in the statement their belief in civilised political dialogue between all political and social parties including official bodies. This is because dialogue is a meeting point and that understanding the requirements of the various parties can help diffuse any political or security tension.

The National Islamic Forum stressed the necessity of implementing the law without any hesitation. It also pointed to the fact that Bahrain enjoys a wide and unprecedented margin of freedom and is ahead of many countries in the region. Each citizen is able to express his opinion openly through the press or through their MPs in the House of Representatives. Therefore, there is no justification for breaching the law and using violence.

Ministry of Interior:

We will Use the Full Force of the Law

On 19 August 2010, the Minister of Interior, Sheikh Rashid bin Abdula Al Khalifa, commented on the recent arrests of tens of individuals who were involved in violence and riots



and said that 'anyone monitoring the security situation and the continued acts of incitement and vandalism during the past period, will understand the danger this causes to people's social and economic lives as well as the harm this causes to the country's reputation'. He pointed to the possibility of civil

confrontations and the increase in the accusations against the State for not taking swift measures. He stated that 'this has made it necessary to tackle the present security situation and put an end to the political and security lawlessness'.

With regards to increasing security measures, the Minister stated that this was carried out due to 'the increase of vandalism even through the holy month of Ramadan'. He also pointed out that 'an increase in dangerous acts will harm the civil peace and will have catastrophic consequences on the country, which is something that cannot be risked or delayed'. He also highlighted that 'in the past years the Government

dealt with similar situations with pardon and clemency till the number of individuals who were pardoned by the King reached 2387'. In addition to this, he stated that 'the Government's hard work to provide a decent living for citizens including housing, health care, social benefits, improving wages and passing legislations for their interest has failed to change the behaviour of those involved in vandalism. It is also clear that some re-offend after being pardoned'.

The Minister openly announced that offenders will be brought to 'account using the full force of the law in order to impose law and order'. He also added that 'it should be known that the violence taking place is a serious matter and such acts are dangerous and illegal crimes which are prohibited in Islam'.

Bahrain: The Inevitability of Confronting Violence Advocates

Hasan Moosa Shafaei

The recent events in Bahrain are a natural and logical result of the political and security path that the country has been taking for nearly a decade. The arrests which took place in the context of violence, riots and vandalism of properties were also expectable. These arrests represent a turning point in the confrontation with some parties that the Government accuse of instigating violence and riots.

The Government's decision to take tough measures came late for some observers, and came on time for other observers because violence had escalated and commercial streets, touristic and social sites, which have never been targeted before, were targeted this time. This pushed the Government to interfere firmly in order to stop the deterioration of the security situation in Bahrain.

It is difficult for violence and riots to become part of a newly established democratic process. It seems that the Government's attempt to separate security from politics in order to protect the new political process from any harm has failed. It also seems that the attempt to control extremists by letting them participate in the political process has also failed.

The political process has been harmed in a way or another due to violence, or at least has lost some of its vitality due

to violence escalation. The development projects have also been damaged in the areas that witnessed continuous rioting for several years.

What distinguishes the current confrontation is the fact that the arrests in the past involved teenagers in general who were detained for a limited period of time then released. However, the recent arrests targeted political leaders and prominent figures who reject the political system and believe that the law does not apply to them. For instance, they refuse to register themselves as a political society or obtain a licence for organizing protests or demonstrations. These groups believe that it is not necessary to adhere to peaceful political action and that setting fires, using Molotov and cutting electricity off are peaceful activities. These leaders were hoping that the situation would escalate due to the response of the security forces to violence. They had hoped that clashes would take place injuring some people and result in the arrest of rioters and that the situation would finally develop and ruin the political process itself.

The regime in Bahrain was hesitant about taking tough measures knowing that this is not in the country's interest. But the extremists misunderstood this hesitation as weakness and used



Hasan Moosa Shafaei

violence and insulting language to extent that there was no room for reconciliation. The advocates of violence always wished to escalate the situation thinking that they could achieve their objectives, however this turned out to be contrary to their expectations.

Now that the Government has decided to carry out a comprehensive confrontation with the advocates of violence, it is legitimate to ask whether the Government will adhere to human rights standards with regards to detention, investigations and trial. It is clear that violations have taken place such as the failure to provide lawyers for the detainees, preventing their families from meeting them, failure of revealing the exact location of their detention and failure to identify the law according to which they have been detained. Some of these issues have been dealt with

but others have been delayed. This situation has caused some concern to international human rights organizations, which issued statements in this regard.

There is no objection to the Bahraini Government's right to impose law and order, confront riots and advocates of violence or detain and investigate with anyone who threatens the security of the country. The problem is how far the Government is willing to respect the legal and natural rights of the detainees as stated in the domestic legislations and international conventions. Failing to do so would be regarded as a human rights violation.

On the ground, there are many security procedures that prevent the continuation of violence, vandalism and rioting. Based on the large number of security forces on the street and the fact that internal instigation has almost stopped, violence should decrease. There is also political consensus between the different parties to condemn violence and riots and support the Government's right to impose law and order.

On the legal level, unlike previous situations, which ended with royal pardon, the detainees could be imprisoned this time. Most importantly, the trials should be public and fair and in the presence of human rights organisations.

On the political level, all confrontations and their repercussions should end before the elections on the 23rd of

next October. Some people believe that the elections will be less exciting due to the security situation and the existence of detainees. Others believe that the Government is going to provide sufficient incentives for the elections. On the other hand, Al- Wifaq Society, which is the largest Bahraini society, said that the incidents will not affect its participation in the next election. However, it seems that Al – Wifaq needs to put more effort in order to convince its voters to participate in the election. This is if it really wants to win the same number of seats it won in the 2006 elections.

Some people, including both Sunnis and Shias, view the situation from a sectarian perspective and describe the recent confrontations as a conflict between the 'Sunni Government' and the Shia citizens in Bahrain. Others emphasised this sectarian perspective for their own political interests and mobilisation. The extremist wing does not represent the Shia majority who are participating in the political process and have their own institutions, figures and interests. This Shia majority does not view itself as being in conflict with the Government and does not feel that it is targeted in the confrontation with violence advocates. The President of Al-Wifaq Society, Sheikh Ali Salman, stated during a Friday prayer that the majority of Shia are harmed and unhappy about the riots.

Also, there are some people

who perceive the recent events as being part of an Iranian conspiracy. For example, on 21 August Al Qabas newspaper published an article based on Bahraini intelligence information. The newspaper stated that a network of 250 individuals were arrested in Bahrain a few days ago and that the network has strong links to a military body in Iran and planned to act as soon as Iran is attacked. On 23 August 2010, the Bahraini national security denied the news and said that the detainees have no connections to Iran and also denied 'the existence of any connection between the detainees and the Islamic Republic of Iran'.

This does not mean that violence will end or that the political process is safe. There will always be some people who are against the political system in principle and not only the political process. However, the measures taken so far should prevent violence from occurring and stop those who instigate it.

After the situation calms down, the political process needs a new start in order to bring life back into politics, which has lost its vitality. This can be achieved through strengthening the relations between the legislative and executive authorities. This is in addition to a better performance by the House of Representatives and passing new laws that expand the margin of freedom including the new Press Law and the NGOs law etc.

Bahrain: Parliamentary Elections and Human Rights Promotion

Bahrain is approaching the date for holding legislative elections scheduled for 23 Oct 2010. It will be the third election since Bahrain started the political reform ten years ago making Bahrain one of the emerging democracies in the world. It is obvious that the next parliamentary elections are of paramount importance in order to strengthen democracy in Bahrain; handle conflict with the forces of extremism and violence, which want to sabotage the political process; as well as facing the regional negative tensions that are reflected on the region and Bahrain. That is why elections are so crucial for political stability in Bahrain.

There are two democratic experiences in the Gulf, the first is the Kuwaiti experience, which started in the sixties of the last century; and the other is the Bahraini experience, which was cut off in the seventies and then resumed in 2000 through a reform project championed by the King of Bahrain. It is clear that the Parliament of Bahrain does not have the powers enjoyed by the Parliament of Kuwait because the draft laws adopted by the House of Representatives of Bahrain must also be approved by the appointed Shura Council in order to be valid. However, this does not detract from the vital role played by the Bahraini Parliament. However, there is need to fully empower the Bahraini Parliament in order to keep up with the ongoing political transition in Bahrain.

Article 25 of the International Covenant on Civil and Political Rights recognized (the right of every citizen to take part in the management of public affairs, and the right to elect or be elected). Thus, the elections are an inherent right for every citizen to participate in the management of state affairs. Elections must be based on objective and reasonable criteria such as: ensuring the right of citizens to participate in the management of public affairs; conducting periodic, genuine and credible elections. Positive measures should be taken to overcome specific difficulties such as illiteracy, language barriers, poverty, or impediments to freedom of movement,

which prevent persons entitled to vote from exercising their rights effectively. Persons entitled to vote must have a free choice of candidates; such electoral participation cannot be realized without ensuring freedom of expression, assembly and association. Hence, comes the importance of political participation of all factions of society without exclusion. Elections are the most important mechanisms for political reform particularly when all political forces and segments of society are actively involved.

The need for the participation of all political societies

The upcoming Bahraini elections present a great opportunity to promote the process of political reform and democratization, as well as to identify the sizes of political and social forces and their weights in the Bahraini society. They present an opportunity to measure whether some political forces are declining or progressing for their participation in the political process.

The elections is also an opportunity for the political forces that boycotted the previous elections in measuring the extent of their national commitments to the political process as a whole, their willingness to contribute positively to the management of public affairs of the country and take responsibility. This is a human right guaranteed by Article 25 of the ICCPR referred to above. The parliamentary elections in 2002 were boycotted by four political societies namely: the Al-Wifaq Society, which is considered the strongest political society in Bahrain; the National Democratic Action, the National Democratic Alliance and the Islamic Action. But all societies (except the Islamic Action) took a u-turn and participated in the 2006 elections.

It must be recalled the importance of elections and the role of political elites and their impact on the containment of sectarian, tribal and ethnic tendencies

in the Bahraini society, and should not work to fuel them. Programmes of political societies should be based on a comprehensive national basis, and away from sectarian loyalty. The elections are the best peaceful means in the fight against violent tendencies that usually affect members of communities governed by oppressive regimes. Furthermore, the elections result in producing means and mechanisms for monitoring and hold to account officials as well as fighting corruption.

Role of civil society in the elections

To have a complete elections, it is necessary to strengthen the political participation of all without exclusion, and promote participation of all citizens in free and fair elections, which may require implementation of several actions and activities by political societies and civil society organizations such as round table seminars, conferences and panel discussions involving political societies and representatives of civil society and citizens to discuss ways and means to promote a free and fair elections and how to engage everyone in it. Such activities should aim to raise the awareness of citizens and civil society institutions of international standards for free and fair elections, and the role they can play in promoting participation in elections, as well as to promote the concept of citizenship. It is important to emphasize the concept of citizenship as the primary source of rights and duties, and that there is no place for discrimination between citizens on the basis of race, colour, religion, sex, belief and sect. In general, the electoral process should include the minimum international standards for elections, which we will cover in the next issue of this newsletter.

It is important to point to the need for civil society to play a role in activating the dialogue on the mechanisms required for holding credible parliamentary elections, as well as to its role in urging the political forces and citizens to engage

in the elections. Civil society should also work to encourage the political forces to promote youth participation in the electoral process at all stages, and should work to raise awareness among young people about the constitutional and international standards for free and fair elections and the importance of participation.

The quota system between acceptance and rejection

Bahraini women have been able to develop women's political participation in the management of public affairs in Bahraini through the institutions of local authorities and municipalities and involvement in civil society organizations and voluntary institutions and national advisory councils such as the Supreme Council for Women's Affairs. But women



failed to access Parliament through elections for many reasons including the culture of society, weak potential of women and lack of support from political societies. Thus the idea of applying the quota system was born to reserve seats in Parliament for women. The idea was endorsed by the Women's Federation and its affiliates but rejected by the Supreme Council for Women's Affairs.

Supporters of the quota system believe that the system is a procedure to enhance the progress of women's political participation through the allocation of seats for women in either Parliament or the municipalities, or a mechanism to address the marginalization of women in decision-making bodies. The question remains about the extent to which the quota system will help in promoting women's representation in Parliament of Bahrain. The Bahraini women participated for the first time in the 2002 elections as

candidates and voters but did not win any seats. In the 2006 parliamentary elections there were 16 female candidates but only one woman won a seat.

On the other hand, opponents of the quota system argue that the Bahraini society must mature, culturally and politically, so that it does not see the nomination and election of women a strange or unfamiliar phenomenon, and that women themselves need to make efforts to reach Parliament on equal footing with men without the need for a special resolution or sympathy. Moreover, there is a difficulty in making constitutional amendments acceptable to all and which will enforce the quota system and give women the proportion of seats in the House of Representatives (e.g. 30%).

Candidates must include human rights in their programs

There is need to include human rights in the programs of candidates for the upcoming elections because this commitment will lead to a greater political stability and respect for human rights, and will work as a barrier against sectarian violence. The importance of this commitment is that it makes MPs engaged in policy-making that seeks to reform the human rights situation as a matter of high priority in their agenda when they reach Parliament. This entails a moral obligation on their part to fulfill the promises they made during the campaign. Reform of legislation to conform to international human rights instruments is the beginning of the right track towards respect for human rights by institutions and executive bodies concerned. It is the responsibility of civil society in Bahrain to put pressure on all candidates for the inclusion of human rights in their programs.

Election monitoring

Monitoring the elections is an internal matter related to the state. The State must therefore provide an appropriate environment for national observers. The Transparency Society and the Bahrain

Human Rights Society participated in monitoring the last elections in Bahrain, also participated in monitoring the elections in several countries including Kuwait and Lebanon. It is important to mention the availability of national expertise to accomplish this monitoring work. But some countries have reservations against the presence of foreign observers for elections, or even against the U.N. to monitor the elections process. It is known that the U.N. has monitored the electoral process in a number of countries in various regions, particularly in countries with fragile democratic experiences especially in the post-armed conflict and civil wars, or when the U.N. provides assistance in the context of the process of building State institutions (Bosnia and Herzegovina is an example). In general, the nature and quality of assistance provided by the U.N. for the elections is determined in light of the particular circumstances of the State concerned.

So far, the Bahraini government has a position against the presence of foreign observers but has agreed to have local observers. Furthermore, there seems to be no insistence from civil society to have foreign observers for the elections. The experience of the last election did not show fraud, which requires the presence of foreign observers. However, the Bahraini Government should provide all assistance and create conditions to help civil society organizations and local observers to do their work. Such domestic monitoring task is essential in order to give credibility to the electoral process. The monitoring process should cover all stages of the elections including: the preparations for the elections including the campaign period; registration of voters; vote counting; results and follow-up.

The BHRM calls on the parties concerned to facilitate monitoring the upcoming legislative and municipal elections, and to facilitate the work of the observers to do their work to the fullest, in order to ensure fair elections and to prevent interference by government agencies. It also emphasizes the need to avoid any practices that might cast doubt on the credibility and integrity of the elections.

Haggag Nayel:

The Arab Human Rights Movement has Achieved many of its Ambitions

The Arab Program for Human Rights Activists (APHRA) is a regional human rights organization concerned with defending human rights in the Arab World. The objectives of the organization are similar to those of Front Line which works on an international level from its base in Ireland. The APHRA was registered in Cairo in April 1997 as a practical and positive development in collective dialogue regarding the problems, needs and aspirations of activists working in human rights in the Arab World. For many years this Program has served and strengthened the Arab human rights movement in various Arab countries. The BHRM interviewed the President of the APHRA, Haggag Nayel and asked him the following questions:

To what extent have you been able to achieve the ambitions of the APHRA?

The APHRA was established as non-profitable and non-governmental organization in 1997. During this period, the political and human rights situation in the Arab World was quite different because the number of activists was no more than 600. Also, defending human rights was restricted politically and legally. For example, the Egyptian law of Private Association and Institutions Act No. 32 of 1964 did not allow civil society organizations to work in the human rights field. For this reason, the human rights activists in Egypt resorted to establishing non-profitable companies according to the civil law in order to avoid the restrictions of this law which was referred to as Act. 37.

Moreover, the NGOs at that time did not succeed in spreading a human rights culture in the region. As a result of this, controversies spread regarding the political backgrounds of human rights activists, which accused them of following Western agendas. Additionally, several human rights activists were arrested and detained during this period in Egypt, Tunis, Morocco and Syria. The program started its practical activities during a time of great restrictions in the Arab region. During this period, countries

such as Saudi Arabia and Libya had no human rights organisations whatsoever. There were also some countries in which the human rights movements worked abroad. For instance, the Sudanese human rights organisation conducted their activities from Cairo. Also, during the eighties, the Bahraini Human Rights Society carried out its activities from Europe and the Bahraini Committee for Human Rights established its headquarters in Damascus. In addition to this, the Arab Organisation for Human Rights, which was rejected by all Arab countries, was registered in Cyprus. From this came the need to establish the APHRA in order to defend activists wherever they may be and discuss their problems and needs as well as their requirements and ambitions.

Looking at the situation of the activists in the Arab World- despite the existence of complications, problems and violations- it is possible to say that:

-the Arab movement for human rights has achieved a lot of its aspirations on both quantitative and qualitative levels. On the quantitative level, the number of organisations concerned with defending human rights in the Arab World has increased significantly as well as the number of activists concerned with defending human rights. On the qualitative level, the Arab movement has accomplished greatly



Haggag Nayel

such as developing a human rights syllabus for schools and universities. Also, terms such as human rights and civil society have now been included in the official discourse of Arab countries. The laws of Arab countries have also permitted the establishment of human rights organisations and the security forces no longer interfere directly in their activities. In general, the APHRA has succeeded in achieving a large part of its ambitions and objectives with the cooperation and partnership of the Arab human rights movement.

You say that part of your objectives is to create new mechanisms to protect human rights activists in the Arab World and support the continuous communication between human rights activists; in addition to creating an independent voice for expressing their needs and problems. How far did you succeed in this?

Undoubtedly, the objectives of the APHRA were put forward during special historical and political circumstances. Hence, these circumstances affected our visions and objectives during the establishment of the program. However, we have succeeded in achieving many of our aspirations. For instance, in 1999 we discussed the issue of female activists in Morocco

and also brought together activists and their organisations in the Arab World and those working in exile in Paris in 2001. We also published reports and recommendations and organised media and legal campaigns, which allowed us to say that we were behind the return of many exiles to resume their activities in their countries.

Moreover, the Al-Nushata' magazine- we have published 32 editions so far- has become an independent voice for all activists' opinions and problems despite their diversity. The continuous communication with the activists is a constant mechanism and objective of the Program. This is achieved through the use of modern technological means as well as an enormous network of coordinators and correspondence, which covers the whole Arab region.

There are many national legislations in the Arab World that need to be made compatible with international conventions and agreements; especially those which constitute an obstacle to human rights activists. What is the role of the APHRA in encouraging the Arab governments to achieve this?

Generally, the legislations in the Arab World need to be changed in order to agree with the International Bill for Human Rights especially, the laws relating to civil society organizations, the media, publications, state security, martial law, penal codes and political parties.

Due to the importance of this issue, it has always been at the centre of the attention of the APHRA since its establishment. The APHRA is in the process of releasing a series of reports to discuss this subject, seven of which have already been published and discussed the legislations in: Egypt, Tunisia, Sudan, Bahrain and Yemen. This is in addition to publishing the first edition of Railings, which discusses

the Arab laws and regulations that restrict civil and political rights in the Arab World. The second edition of Railings, which is still under printing, tackles laws and regulations that limit or restrict the economic, social and cultural rights in the Arab World. Moreover, the 'urgent statement' method is used by the Program as an active and quick mechanism constantly throws the light on one of the legal articles, which need to be changed or amended in the Arab countries. The APHRA organised a comprehensive project for two years entitled 'Together for the Elimination of Laws and Special Courts' in Egypt which resulted in the abolishment of some military orders as well the State Security Law of 1980 that was established in accordance to Law No. 105.

Most reports issued by international human rights organisations criticise the human rights situation in the region. Is there a plan by the APHRA, with the cooperation of Arab human rights organisations and governments, to improve the human rights situation?

We don't believe that the reports are criticising human rights in the region. The reports describe the reality of human rights and hence it seems that they are criticising the governments. The real problem lies in the fact that security forces are given wide authority in the Arab World. Therefore, we find that most human rights reports always end with recommendations directed at governments in order to develop human rights. The main objective of all human rights organisations is to develop human rights in the region

The APHRA cooperates with organisations and sometimes with ministries on several human rights projects. For example, we have organised a training project on the fair trial standards in Egypt, Bahrain and Morocco. The Bahrain Ministry of Justice launched this project and

read the opening speech. We have no objection to cooperating with Arab governments as long as this will promote and improve human rights. APHRA has an ambitious project since 2005 entitled 'Towards more Effective Roles for Activists in Social Issues'. The APHRA has been working on the issue of education in Egypt in order to improve the quality of educational products. This is in addition to increasing the role of civil society organisations in the partnerships of administering education in 2009-2011. Also, the APHRA has been working towards combating corruption in Egypt and emphasising the role of human rights organisations in this issue since 2008. The APHRA is also working on a project to support the decentralisation of councils. The strategic plan is available and is being implemented in steps and phases for assessment and amendment purposes.

The Arab human rights organisations are facing many difficulties and problems. Can you tell us about the difficulties and problems that have affected your performance?

The answer is quite difficult because we really did not have many problems and obstacles that stopped us from achieving our goals. This does not mean that our work is completely free of problems. It is possible to summarise our difficulties in the following:

Funding problems:

Local funding for human rights activities is almost non-existent in the region and most organisations depend on foreign funding for their human rights and development projects. Sometimes, the number of projects decreases due to the lack of funding, which affects our cause and objectives negatively.

Despite the lack of funding, we in the APHRA are able to maintain the continuation of certain activities such as: our magazine Al- Nushata', the

urgent statement and the regional reports concerning human rights.

Legal problems concerning funding:

The response of the government to funding requests is always delayed. According to Egyptian law Article 17, organisations are prohibited from receiving any funding from a foreign body, whether it is based in or outside Egypt, without the prior permission of the Ministry of Social Affairs. It is also prohibited to send any donation without prior permission- excluding books, newsletters, art and science magazines. For this reason, a delay in any funding request for more than six months threatens our activities. This has been the case over the last two years.

Problems relating to activities:

Sometimes governments have

political calculations regarding specific human rights activities. Therefore, at times it forces hotels and clubs in which the activities take place to cancel their bookings. The APHRA has encountered similar problems during the project 'Together to Save Darfur' when the Egyptian Government cancelled the project in the first quarter of this year due to the Sudanese elections. This was based on the excuse that the project could strain relations with the Sudanese Government.

Currently there are many human rights organisations in all the Arab countries, and the APHRA is no longer alone in the region. What role do you play and what distinguishes you from international, Arab and regional

organisations?

It is good that there are many human rights organisations in the Arab World and we hope to see even more in each Arab country. As this will improve the situation in the region and expand the foundation of the APHRA which aims to communicate with, and defend, human rights activists. However, a closer look at the new established human rights organisations during the last ten years shows that none of them is specifically concerned with defending human rights activists. For they are all concerned with human rights in general or specialise in defending a specific group of people or a specific right. Therefore, the APHRA is the only Arab institution in the region which is specialised in defending human rights activists in the Arab World.

In the Light of the Recent Incidents:

Are Human Rights Deteriorating in Bahrain?

International and regional human rights organisations were surprised by the recent arrests of individuals who have been accused of inciting violence and terrorism in Baharain. The surprise related to the performance of the security forces during the first days of their detention and the public statements regarding what had occurred. However, for close observers the arrests were expected for some time because of the political dimension of the escalation of violence and riots. Hence, there had to be a time when the Government would take firm steps to put an end to it.

This escalation attracted the attention of many international human rights organisations including Amnesty International, Human Rights Watch, the British Bar Association, the Committee to Protect Journalists, the International Federation for Human Rights, the World Organisation Against Torture, the Arab

Program for Human Rights Activists and Cairo Centre for Human Rights Studies. All the statements of these organisations are similar in content and objectives, although some were stern and inaccurate. For example, Amnesty International stated on 18 August 2010 that the 'The latest arrests mark an increased clampdown on opposition and civil society activists'.

The reactions of these human rights organisations raised several questions including:

1-The legal framework for detention:

Since the first days of the arrests, there has been discussion over the Government's violation of the law when dealing with the detainees. The statements of both Amnesty and Human Rights Watch highlighted that

the detainees must be released or be brought before the Public Prosecutor within 48 hours of arrest as required under the penal code.

No one expected that the recent security measures were based on the Law 'to Protect Society from Acts of Terrorism' which was passed by the Parliament in 2006. This Law was criticised by human rights organizations inside and outside the country. According to this Law, the security forces have the right to detain individuals for a maximum period of 15 days before bringing them before the Public Prosecutor or releasing them. Hence, the fact that the detainees were prohibited from contacting their families or legal representatives was covered by this Law.

What caused a misunderstanding is that the security authorities failed to clarify the law it based its procedures

on. Human Rights Watch stated that the authorities did not point to the Law for Combating Terrorism regarding the recent arrests. However, after some delay, on 21 August 2010, a security source announced that the arrests were in fact based on this law. Within the required legal period of 15 days, on 26 August 2010, Abdul Jalil al-Singace was brought before the Public Prosecutor, allowed to meet his lawyer and his detention place was revealed. This was the issue which was raised by Amnesty on 18 August 2010, which called upon the authorities to reveal the whereabouts of the detainees.

2- The relations between human rights organizations and the authorities in Bahrain:

International human rights organizations expressed their concern regarding the future of human rights and providing detainees with their legal rights in Bahrain. Although Bahraini authorities have constantly announced that they will adhere to the law and guarantee fair trials, this has not had a positive effect on the reactions of human rights organisations. This has made Bahraini officials feel that these organisations do not accept information provided by them. And since these organisations do not search for varied information sources, this renders their prospective inaccurate and imbalanced. Therefore, the Government considers their reports to be biased and exaggerated.

It is feared that the Government's increasing sense of disappointment will reflect badly onto its relationship with international human rights organisations. If the policy of openness and cooperation with international human rights organizations has been neglected by some actors from within Bahrain, this will weaken relations with

such organizations and will eventually lead to ignoring their reports. According to the Government and some observers, the international human rights organizations did not understand the nature of the political change taking place in Bahrain as well as the available margin of freedom. They also did not understand the aggressive nature of the opposition's work and the harm that they could inflict upon the country.

This issue is not related to freedom of expression or with practicing peaceful political activities.

3- The future of human rights:

There are many questions relating to what has already been discussed such as: are human rights going to deteriorate in Bahrain, especially if relations with international organizations are weaken? Is the Government less keen on adhering to international human rights standards, the Constitution and the local law? Will the existent security campaign continue for a long time and stop human rights from developing and improving?

These are some valid and worrying questions and not merely hypothetical. Some of these questions have been raised by prominent human rights figures during the last three weeks and by those who have been following the current situation closely. We would like to emphasize that the worsening of the relations between the Government and human rights organizations is not in the best interest of the country. We do not think that human rights in Bahrain are

deteriorating or that Bahrain is moving towards becoming a police state or to retract the achievements it made at the



political and human rights arenas. We also do not think that the stability of the country can only be maintained if its accomplishments are undermined.

Moreover, despite the Government's disappointment regarding the lack of appreciation of international organisations for its accomplishments, we think that there is a strong will to continue with the reforms started a decade ago. The excitement over the reform project is probably not going to be the same as before due to the constant violence and the limited trust between politicians and between the Government and international human rights organisations. A mature performance by all politicians and activists will play an essential role in developing Bahrain politically and on a human rights level in the near future.

This time, it is most likely that the Government will not be lenient with violence advocates. However, it is also likely that it will not decrease the available margin of political and civil freedoms. Human rights activists inside and outside Bahrain are demanding more adherence to human rights standards when confronting violence and riots.

Bahrain Human Rights Monitor Condemns Attack against Journalist Mohanad Abu Zaytoun

On 26 August 2010, the Bahrain Human Rights Monitor (BHRM) issued a public statement condemning the violent assault against Mr. Mohannad Abu Zaytoun, chief editor of Al Watan newspaper that took place on 25 August 2010 in the capital Manama. It is believed that two masked men violently assaulted and wounded Abu Zaytoun in the shoulder with a sharp object, and attempted to burn his car by throwing a petrol bomb (Molotov) on it. Following the assault, Abu Zaytoun was taken to the hospital for treatment.

In solidarity with Abu Zaytoun, the BHRM announced its full support to him stressing his right to physical safety and security. The BHRM confirmed the need for concert efforts to protect press freedoms and journalists from all attacks aiming at the freedom of opinion and expression guaranteed by the reform project as well as the Charter of National Action and the Constitution of the Kingdom of Bahrain. Furthermore, BHRM called for serious work and collaboration with the Bahraini press to strengthen the state of the rule of law and protect freedom of opinion and expression cautioning at the same time from the violence and attacks on civilians especially opinion writers, who

represent the first line of defense of public freedoms.

It is widely believed that this attack on the chief editor of Al Watan newspaper, which is the first of its kind, is attributable to the fact that Al Watan newspaper was the toughest among the press in the face of currents of riots and violence. The BHRM pointed to the sequence and acceleration of the recent violence after the Government had announced the arrest of dozens of people described by the Government as instigators and participants in riots and violence that continued for a long time.

The BHRM called upon everyone to resort to the voice of reason, sound arguments and logic far from the methods and means of violence that undermine human rights in Bahrain, warning of the danger of widening the circle of violence. It also called for the adoption of a national strategy to combat violence pointing out the need to by-pass persons who intend to disrupt the legislative elections to be held on 23 October, and not allow them to undermine this important national right because it is one of the significant political rights guaranteed by international conventions, the Constitution and national law, and because elections are the best way for the community development and stability.

BHRM Condemns Violence and Calls for Respect for human rights

The Bahrain Human Rights Monitor (BHRM) condemned the unjustified violence that occurred on 15 August 2010, which included arson, assault on public property and blocking the streets with burning tires, throwing Molotov cocktails at policemen, and endangering the lives of civilians. At the same time, the BHRM calls upon the Government to respect human rights, and abide by the Constitution and all international conventions, which the Government has pledged to implement, especially with regard to freedom of expression, arbitrary arrest and detention, and fair trial guarantees at all stages, from the stage of arrest and until the later stages of appeal.

The acts of violence and vandalism have been going on for several months in several areas in the provinces of Bahrain and they are likely to continue by reason of the arrest of seven people for allegedly inciting violence and encouraging youth groups and minors to resort to sabotage. According to security authorities, the arrested persons belong to an organized network designed to damage national security and that could undermine the stability of the country.

President of the BHRM, Hasan Moosa Shafaei said:

“Violence and freedom do not meet. It is strange enough that some people have used violence at a time a climate of freedom is available in Bahrain. Violence does not serve the cause of democratization, human rights and the upcoming elections in next October”. He went on to say: “All should respect different opinions and the right of peaceful expression. Those who don’t accept this, they put human rights in a difficult position, undermine human rights achievements and block the progress of human rights and democracy.”

The BHRM urged everyone to calm down and, further, to find practical solutions to help the peaceful expression of different views and not turn them to an instrument of violence, warning of widening the circle of violence and counter-violence at this critical time where Bahrain is about to conduct municipal and legislative elections. BHRM also called on security agencies not to use the events, whatever their size, to undermine human rights. In this regard, BHRM called the security authorities to bring charges against those arrested and refer them to the court for fair trials or release them immediately.