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## HUMAN RIGHTS DEFENDERS AT RISK IN BAHRAIN

**August 2007**

Front Line is concerned about the ongoing persecution of human rights defenders in Bahrain. Despite provisions for basic rights in Bahraini law and its adherence to a number of international human rights treaties, in practice these rights are substantially limited. Human rights defenders in Bahrain continue to face high levels of insecurity and are victim to various forms of repression, such as arbitrary arrest, judicial proceedings based on false or unfounded charges of “encouraging hatred of the state and distributing falsehoods and rumours”, threats, physical assaults, ill-treatment, torture and numerous other acts of harassment by the authorities and government security forces.

### Attacks on Human Rights Defenders

Since 2005, Nabeel Rajab, the Vice-President of the Bahrain Centre for Human Rights (BCHR), has been the subject of ongoing harassment. As of 1 July 2007, Nabeel has been followed by individuals travelling in civilian vehicles to and from his home. In 2005, Nabeel and his wife Somaya were the target of a smear campaign from an anonymous source. This campaign has been linked to secret network of government officials and other people close to the government and is allegedly headed by a member of the royal family.

Nabeel Rajab's case has been presented to the public prosecutor, but as yet no action has been taken. On 19 July 2005, Nabeel was physically assaulted by police officers while attending a demonstration. In October 2006, he was summoned by the Public Prosecutor's Office for questioning in relation to BCHR's article on the 'Bandargate Scandal' on its website.

Abdulahadi Al-khawaja, the Chairperson of the BCHR, Hassan Mushaima, Secretary General of HAQ Movement and Sahker Abdul-Aal, member of the Unemployed Committee, were targeted in February 2007. Security forces surrounded the neighbourhoods where they lived and masked security personnel forcibly entered their homes with arrest warrants issued at the request of the Public Prosecutor. The three human rights defenders were then taken to the Criminal Investigation Department (CID) and after 7 hours of detention including interrogation by both the CID and members of the Public Prosecution, they were released on bail. The charges against them related to “*state security crimes*” including: the intention to change the governing system of the country, circulating false information, insulting the King and inciting hatred against the regime in accordance to articles 160, 165, 168, 172, 173 & 214 of the 1976 Bahraini Penal Code. If convicted, they faced

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a maximum sentence of 10 years imprisonment. The human rights defenders were released following demonstrations in several different parts of the country. Their trial was due to take place on 21 May 2007, however it was postponed by order of the King of Bahrain.

Abdulhadi Al-khawaja has been arrested and detained on four occasions. In 2004 he was detained for two months, for having allegedly referred to the Prime Minister as corrupt in a public seminar on poverty. He was sentenced to one year imprisonment but later released. He has been subjected to severe beatings by the Special Security Forces on a number of occasions. None of these incidents have been allegedly investigated by the authorities.

Ghada Jamsheer, President of the Women's Petition Committee has repeatedly faced fabricated legal charges including "insulting the judiciary" as a result of her work on the rights of women in Bahrain's family courts. In 2007, Ghada Jamsheer has been victim of anonymous threats and harassment by phone calls and SMS messages. She has been followed by security police cars.

### **Freedom of assembly and peaceful gathering**

Bahraini law prohibits unauthorised public gatherings of more than five persons and public gatherings need to be notified to the Ministry of Interior twenty four hours prior. Front Line has received a number of reports of the use of excessive force by security forces when dispersing demonstrations. Amendments to the 1973 Law on Public Gatherings and Processions that were signed into law by the King on 20 July 2006 further increased the number of legislative constraints. According to these amendments, demonstrations organised in public places close to "sensitive" places are strictly prohibited; any public meeting or demonstration has to be notified to the head of Public Security at least three days in advance; organisers and participants of prohibited demonstrations face prison sentences of up to six months and/or a minimum fine of 100 dinars (200 euros). Since these amendments came into force, many demonstrations including those organised by human rights activists have been violently repressed by police authorities.

### **Freedom of association**

New legislation, under the guise of counter-terrorism, has contributed to further infringements of the freedom of association. The Societies Law no. 21 of 1989 requires that all societies and organisations be registered, prohibiting any activity by an unlicensed society. The Ministry of Labour and Social Affairs is reported to hold strong discretionary powers in these matters and the authority to reject the registration of any organisation deemed to be against the interest of state security. The Ministry also has the right to appoint management of the societies and to close down any society temporarily. This legislation is designed to prevent the creation of independent organisations and impede the existing ones from carrying out their activities successfully. On 29 September 2004, the Labour and Social Affairs Minister Majid al-Alawi decided to close the Bahrain Centre for Human Rights (BCHR) because of "activities contravening the Societies Law of 1989". The order prohibits members of the BCHR from resuming activities and freezes all funds.

In May 2007, the Women's Petition Committee, the Unemployed committee, the Bahrain Youth Human Rights Association and other non-registered human rights organizations received official letters from the ministry of Social Development to halt activities or face legal persecution. The

same was stated by the ministry in the local press.

The Bill on 'Protecting Society from Terrorist Acts', which was signed into law by the King on 14 August 2006, is likely to intensify acts of repression. This law has been criticised by Bahraini civil society and international organisations, because it can be used to prevent civil society to associate and human rights defenders to operate free of all restrictions. Article 1 describes a terrorist act as one that threatens national unity and without any further articulation on what this means, the vagueness of these provisions paves the way for criminalisation of the activities of human rights defenders. The United Nations Special Rapporteur on the Promotion and Protection of Human Rights while Countering Terrorism had publicly urged the King to seek amendments to the Bill passed by the legislature, expressing concern that it contained an excessively broad definition of terrorism and terrorist acts.

### **Freedom of expression**

The Constitution provides for the freedom of speech and freedom of the press, albeit with certain restrictions. In practice, these rights are limited in particular in relation to the media. The Press Law (47/2002) contains measures that unduly restrict press freedoms, such as prohibitions on insulting the King and on reports that "threaten national unity." Journalists exercise a considerable degree of self-censorship, particularly on issues such as corruption implicating the ruling family. The Bahraini authorities continued to severely ban all statements and press releases issued by organisations denouncing human rights violations in the country. As such, the websites of about twenty civilsociety organisations, including the BCHR, have been or remain inaccessible in the country.

