

L'OBSERVATOIRE

pour la Protection des Défenseurs des Droits de l'Homme

THE OBSERVATORY

for the Protection
of Human Rights Defenders

EL OBSERVATORIO

para la Protección
de los Defensores de Derechos Humanos

PRESS RELEASE

BAHRAIN

Head of the Bahrain Centre for Human Rights in Detention

Paris – Geneva, 27th September 2004 - The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), expresses its deepest concern about the arrest and detention of Mr. Abdul-Hadi Al-Khawaja, a prominent human rights activist and the executive director of the Bahrain Centre for Human Rights (BCHR).

Mr. Al-Khawaja was arrested on September 26th, 2004 at the Nabee Saleh police station, where he was summoned two days after his participation in a symposium called « Poverty and Economic Rights in Bahrain », organised by the BCHR in the Al-Oruba Club.

He was then brought to the Howdh Aljaf detention centre and presented to the public prosecutor, who remanded him in custody for 45 days. He was charged for « encouraging hate of the state » and « distributing falseness and rumours » on the basis of articles 165 and 168 of the Bahraini penal code. Mr. Al-Khawaja could face up to five years imprisonment.

Mr. Al-Khawaja is currently detained *incommunicado* and has not been allowed to receive the visits of his family nor his lawyer. He informed his family by phone that he was to start a hunger and speech strike.

During his participation in the symposium, Mr. Al-Khawaja presented a paper titled « *Combating poverty in Bahrain : campaigning principles and strategies* » based on a report from the BCHR, in which he criticized the government policy. Mr. Al-Khawaja addressed the issue of the contradiction between the deteriorating standards of living and the strong state economy « *caused by unequal distribution of wealth, waste of public money, financial and administrative corruption* ». During this seminar, the BCHR also launched a two-year campaign in order to create a partnership among civil society, related institutions and individuals to push for appropriate regulations, policies and reforms to solve the problems linked to poverty in Bahrain.

The Observatory is very concerned about the detention of Mr. Al-Khawaja and the charges against him, which it considers as arbitrary since they only aim at sanctioning his human rights activities and his freedom of speech.

The Observatory is also very concerned about the situation of the BCHR. Indeed, on 26th September, the Ministry of Labour created a Committee composed of different governmental institutions, with the aim of « taking punitive and legal actions against the BCHR ». Those acts seem to be part of a strategy to close down the BCHR.

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In this regard, the Observatory recalls that in October 2003 and May 2004, Dr. Majeed Al Alawi, the Minister of Labour and Social Affairs in Bahrain addressed some letters to the BCHR, threatening them to withdraw the Centre's operating license if they continued their "political activities", as they would contradict Law No. 21 of 1989 on Societies. Moreover, on June 30, 2004, in an interview with *Al Arabiya* TV Channel, the Minister openly threatened to shut down the BCHR because of "its political activities." The Minister called BCHR a political opposition body that had adopted a political agenda. Furthermore, Dr. Alawi criticized the organization's use of demonstrations as well as article and letter writing to defend and protect human rights in Bahrain.

Finally, the Al-Orooba Club, where the BCHR seminar took place, was officially closed down by the government for 45 days for having held such an event.

The Observatory considers these events to be the sign of a significant deterioration of the situation of human rights and fundamental freedoms in Bahrain. In particular, the Observatory recalls that in May 2004, twenty two activists were arrested for collecting signatures for a petition addressed to King Hamad Bin Issa Al Khalifa. The petition criticised the constitutional amendments adopted in 2002 and requested more powers to be attributed to the elected members of the parliament.

The Observatory urges the highest authorities of Bahrain to:

- i. to guarantee Mr. Al-Khawaja's physical and psychological integrity in any circumstances, and grant him access to his lawyers and relatives;
- ii. to release him immediately and unconditionally and to drop the charges against him, his detention and the charges against him being arbitrary;
- iii. to stop any kind of pressure on the BCHR;
- iv. to conform with the provisions of the Declaration on Human rights defenders adopted by the General Assembly of the United Nations in December 9, 1998, in particular its article 1 which provides that « everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels », its article 6b and 6c which provide that « everyone has the right, individually and in association with others, as provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms [...], to study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, though these and other appropriate means, to draw public attention to those matters »
- v. to conform with the Universal declaration of Human rights and all other international instruments of which Bahrain is a party.

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