

# Bahrain Monitor

A Monthly Newsletter on the Human Rights Situation in Bahrain



*Bahrain Human Rights Monitor*

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## Bahrain Reborn after Tragic Events

The events that took place in the Louloua Roundabout in Manama, which resulted in human casualties were described as tragic by the Bahraini Crown Prince. Nations learn from past crisis and tragic events and build for a brighter future. What happened in the Louloua Roundabout demonstrated that there is light at the end of the tunnel and renewed hope for a better political system that respects human rights.

The recent events exposed our weak points, concerns and shortcomings. It showed the limits to any political game and proved that no party can isolate the other. It is our destiny to live together and build a new, free and democratic Bahrain, which respects the will of its people and values the cultural, ethnic, sectarian and religious diversity of the country.

We are not on the verge of sectarian conflict between the Sunnis and Shia, or political and security tension between the regime and the people. On the contrary, we are closer to dialogue, understanding and the establishment of a new political order, which rises above the suffering and past mistakes. Hopefully, the new order will result in constitutional amendments and speedy reforms, which were previously hindered by corruption, negligence and bureaucracy.

Despite increasing political tension, we hope that Bahrain will soon recover from the setbacks in the human rights and political arenas and that a new era emerges paving the way to address past hindrances that faced Parliament, political parties and human rights organizations.

There is nothing wrong in starting from scratch, but the problem lies in destroying what has already been built.

It is also not wrong to raise the bar of expectations and demands, but the problem lies in the failure to understand that others have similar rights that should be respected as well. It is important that the margin of freedom of expression is expanded, even if it leads to harsh criticism, especially during these exceptional circumstances. We should stop verbal insults against each other and against our political and religious symbols.

Everyone has the right to defend their individual rights, but at the same time everyone has obligations towards their fellow citizens, who have similar rights based on the principle of citizenship equality and non-discrimination.

Bahrain is a country for both Sunnis and Shia. It is a crime to translate the political disagreement into sectarian division between citizens who are destined to live together. Bahrainis should build and reinforce their national identity, especially during these times of hardship.

Politicians are strongly advised not to burn Bahrain with the fires of sectarianism and authoritarianism. The only solution to the problem is dialogue and compromise, for Bahrain's sake. Only then will the harsh lessons from the events in the Louloua Roundabout be beneficial and meaningful to us all.

## Bahrain's Events

# Human Rights and Media Coverage

Since 14 February 2011, Bahrain has had extensive media coverage from international media and civil society organizations. European, American and Gulf political delegations visited Bahrain in order to get a firsthand account of the situation, provide advice for the various political parties and support the regime.

The presence of international human rights organizations such as Amnesty International (AI), Human Rights Watch (HRW), and FIDH was noticeable. The delegations from these organizations came for fact-finding missions, and hence met officials, protesters, civil society organizations, NIHR, victim's families and political societies. The delegations also visited hospitals, which received the dead and met with the injured, nurses and doctors. These organizations issued many statements condemning the use of violence and called for an investigation into the reasons behind the death of protesters, and the reasons behind the clashes between security forces and protesters. They demanded that those responsible for human rights violations be held to account and to compensate the injured. In addition, legal and administrative measures should be taken in order to prevent the recurrence of these incidents. International human rights organizations issued statements welcoming the release of detainees held on security and political grounds, and also welcomed the establishment of an investigation committee, which was ordered by the king.

The noticeable presence of human rights organizations and their extensive communication with official bodies, civil society organizations and political societies helped all parties to

control their action and reaction.

Human rights organizations continue to monitor the events as they occur. Some of them are already preparing detailed and lengthy reports regarding the recent events. Usually these reports conclude with practical and legal recommendations, urging the Government to take specific steps to avoid more violations.

During these events Bahrain also witnessed unprecedented media coverage from Reuters, AFP, DPA, AP, and many other Arab and foreign news agencies. Satellite channels were also present in high numbers and constantly provided live coverage, including: BBC, CNN, and to some



extent Al Jazeera and Al Arabiya. Also, facebook and twitter provided live internet coverage of the unfolding events.

Foreign media and human rights organizations were given the freedom to broadcast their reports without any pressure or harassment. On the other hand, Bahraini state media was forced to change its rhetoric, in order to conform to the new political reality. The State TV channel sent reporters to interview the protesters at the Loulou Roundabout and at Al Fatih Mosque. The protesters aired their demands, opinions, and even insults during these interviews. Generally, the State TV channel presented all the different

points of view, unlike its counterparts in Egypt, Tunisia, Libya and Yemen.

In general, the extensive presence of foreign media coverage on Bahrain provided an accurate account of the political developments in the country. It highlighted the fears and demands of the different political parties, and revealed the size of the political movements in the street. It also reflected the concerns and aspirations of the public, and revealed the weakness in the Government's performance. Foreign media coverage also helped to expand the margin of freedom of expression, and helped develop the political discourse in the country.



It is noteworthy that many rumours were spread during the first days of the clashes. This forced the political parties to speak directly to the public in order to clarify their position e.g. the Crown Prince, the Foreign Minister, and prominent opposition figures. All of whom, gave statements and conducted interviews regarding the events in the media.

In summary, the local and international media coverage of Bahrain was useful, because the world was a witness to the events and was able to advise Bahrain. We hope that Bahrain remains open to all forms of media and human rights organizations.

## Guidelines for the Fact-Finding Committee

**In February 2011, Bahrain witnessed large demonstrations that were met with excessive force by the security forces against protesters and resulted in several deaths. The events shocked Bahrainis, human rights organizations and civil society institutions, which condemned the disproportionate reaction of the security forces and demanded an immediate investigation and to hold those responsible to account.**

The following are some suggestions of how to deal with the situation from a human rights perspective. These points, though not comprehensive, provide general guidelines and can assist the Bahraini authorities in conducting a comprehensive investigation:

- There is need to establish an independent committee in order to investigate the February incidents. The committee members should be independent and free from any political or sectarian affiliations. Such members should include human rights activists, civil society organizations, medical doctors and healthcare workers, experts in international human rights law and international criminal law, security and military personnel. Participation of non-Bahraini expertise to provide technical advice should also be welcomed.
- The committee should have clear and practical mandate, as well as a specific timeline for presenting its final report and recommendations. The Government of Bahrain is strongly advised to take into consideration the recommendations of this committee.
- Concerned parties such as human rights organizations and civil society institutions should participate in defining the mandate

of this committee.

- The committee should be given real powers, so that it can perform its duties without any restrictions including contacting the families of the victims and witnesses.
- The committee should have easy access to information from Governmental bodies including files and medical reports of those killed and injured. The committee should also have access to files relating to the law enforcement bodies, especially the orders that were given to them. These bodies should provide access to this information without any delay or bureaucracy.
- Devise a protection plan for victims and potential witnesses in order to ensure their protection from any acts of threat and retaliation especially those employed by the Government e.g. doctors, health care workers and law enforcement officials.
- The committee should be mandated to interrogate policemen and law enforcement officials who were involved in the shooting, or in inflaming the situation regardless of their position. The committee should also have the right to ask the Bahraini authorities to suspend those under investigation from work until the investigation is completed.
- The committee should have

the power to determine the proportionality of the force used by the police, security force and law enforcement. It should also monitor Bahraini security forces' adherence to international human rights law and the UN's basic principles regarding the use of force and firearms. The law states that "law enforcement officials shall not use firearms against persons except in self-defence or defence of others against the imminent threat of death or serious injury. They should also exercise restraint in proportion with the event."

- The committee should decide whether Bahrain's legal framework complies with international standards, which demand that Governments must ensure that arbitrary or abusive use of force and firearms by law enforcement officials is punishable as a criminal offence under their law.
- The committee should be mandated to look into allegations that doctors and health care workers were prevented from providing medical treatment to those injured and transfer them hospitals. It should also look into allegations regarding attacks on healthcare workers who were trying to assist those injured.
- The committee's report and recommendations should be made public so that those responsible be brought to justice in accordance with international standards and the Bahraini law. The report should also be published in local, regional and international media.

## Concrete Reform Requires Immediate Dialogue

Hasan Moosa Shafaie

Discussions on the reform project in Bahrain have been ongoing for over a decade. Hardly a week passes by without government officials issuing statements stressing the importance of the rule of law and the Constitution, respecting human rights, complying with international conventions, transparency, freedom of expression and respecting the opposition. The reform project's achievements include holding general elections, allowing a wide margin for freedom of expression and improving social services. All of these achievements were undermined when peaceful protesters were gunned down by the security forces.

These incidents came as a great shock to most Bahrainis, who could not believe that these events were taking place in front of their eyes. Government officials realized from the beginning that a big mistake had taken place, and as soon as the King gave his condolences on 15 February 2011 to the families of two victims, another shocking tragedy took place. The tragedy was described by the Crown Prince in a broadcast speech, on 18 February 2011 as: "the most difficult day we have ever seen....what we have lost in these days is hard to regain, but I am convinced that there are sincere people working for Bahrain .... I don't feel this is the real Bahrain, and I didn't expect Bahrain to be in this situation." He also added "we are at a crossroad; the youths took to the streets because they felt that they had no future in this country. Others took to the streets out of

love and in order to protect this country, which belongs to everyone. It does not belong to the Sunnis or the Shia, it belongs to all Bahrainis".

In an interview with CNN on 19 February 2011, the Crown Prince said: "this is not the Bahrain I know, I never thought I'd see the day that something like this would happen."

Distrust is the main reason for the recent tragic events, which unfortunately has increased between officials and the opposition after the death of the protesters. It is very hard to build a stable political system without having the minimum amount of trust between the decision-makers and political parties. The Crown Prince was fully aware of this problem when he spoke to CNN on 19 February 2011: "my role is to build enough trust with the moderates in the country, so that we can transcend this problem; we nearly lost our souls, yesterday was a very difficult day".

The use of excessive force against the protesters resulted in the death of seven and injured dozens, including some in the security forces. It is impossible to forget what took place, and view it as a trivial event. Hopefully this tragedy will result in positive changes inside the country. The Crown Prince said: "there is a lot of sadness and anger, and I would like to express my condolences to all the Bahraini families who have lost loved ones and to all those injured. We are very sorry about this terrible tragedy."

The Bahraini Government admitted making a big mistake and



Hasan Moosa Shafaie

the Interior Minister apologized on State TV and a day of national mourning was declared. We hope that this mistake will not be repeated and that problems are not resolved through the use of force or the street. Officials and monitors did not understand the details of the human rights violations that took place. For this reason, a committee has been set up to investigate the tragedy by the King. The Crown Prince said that he needs more time to assess the situation and that "what happened needs to be discussed, studied and understood".

The Crown Prince understands that there are hidden backgrounds behind the recent incidents. He did not condemn the protesters and did not say that they had no right to protest. He even did not doubt their intentions: "the protesters represent a very significant proportion of our society and our political beliefs and we will ensure their safety" He also said that the 19 February 2011 demonstrations were held with good intention.



The Crown Prince highlighted the reasons behind the tension and demonstrations in many statements, they are as follows:

**\*\*Slow pace of reforms:** On 18 February 2011, and in a live interview with State TV he said that the pace of reforms were slow and had it not been for the slow pace of reforms, we would not have been in this position. We should seek ways of avoiding this type of situation. In answering the question of “how Bahrain reached this state”? He answered: “there are many reasons, including indifference and the marginalization of some basic demands, we want to solve the problem, and we do not want to repeat it again.” On 19 February 2011, he spoke to Al Al-Arabiya TV channel and said that “what is obvious now is that what has been

we can concentrate on political development, the economy, equality and social services such as education, health and housing.”

**\*\*The need for deep reforms:** there is a general feeling that deep reform of the political system is required. Public demands and expectations have sharply increased because of regional developments in Tunisia, Yemen and Libya, which are radically reforming the region. Furthermore, we believe that this is the right time to revitalize the reform project by taking big steps and introducing constitutional and administrative reforms.

The Government supports reforms but they must take place through dialogue. It announced its readiness to discuss all issues without any exception. On 27

to damage the public interest.

There is concern that the opposition will lose control of the street just like the Government. In their recent statements, political societies called for calm and condemned the irresponsible behaviours, which prevented students from going to schools and what took place in the Financial District. On 22 February 2011, the Government represented by the King said that: “public squares are not the suitable place for national dialogue. The most suitable place is the national dialogue table.” The Crown Prince immediately called for calm and said: “We cannot continue living in chaos for days”. He expressed his concerns saying that: “many countries went through civil wars and fell apart because wise people did not say ‘enough’. Bahrain has never considered itself to be a police State. Mistakes were made, political posturing took place and we changed ourselves. Today we are at a crossroad, and I will not accept that our sons are fighting each other” (18 February 2011).

Political parties used the street to exert pressure on the Government in order to get political concessions. Seemingly, the Government partially gave in to their demands. However, the continuous use of the street will lead to further deterioration of the situation, especially since a new Sunni protest is beginning to emerge and express itself in public squares.

In order to keep the situation under control, Bahrain’s political structure needs to change in order to avoid social divisions and sectarian schism. We believe that the right moment to engage in national dialogue has arrived.



achieved so far is not enough and more is needed.”

**\*\*Discrimination:** The Crown Prince was questioned on discrimination on 27 February 2011. He did not deny it and said: “Bahrain is a diverse country that is made up of different components. It constantly has issues and challenges that need to be solved, but this needs time”. On 21 February 2011, he also said that the way out of this crisis requires “re-assessing the distribution of development funds so that

February 2011, the Crown Prince said: “all issues should be put forward for discussion on the national dialogue table; there are no red lines.” On the other hand, political parties put pre-conditions before entering into dialogue with the Government leading to its postponement. Some parties rejected the very idea of dialogue and are pushing towards civil disobedience. However, the majority believe in reform, reject sectarianism, avoid confrontation with the security forces and refuse

## Amnesty International: Human Rights in Bahrain at the Crossroads

On 11 February 2011, Amnesty International issued a report on the human rights situation in Bahrain under the title: **(Crackdown in Bahrain ... Human Rights at the Crossroads)** in which Amnesty International pointed to the deteriorating human rights situation in Bahrain since mid-August 2010. The report addressed a number of important human rights issues including: torture, fair trials, freedom of expression, and freedom of movement.

The report said that Bahrain is at crossroads with regard to human rights, that the reforms that have been made since 2001 are now not in conformity with the ambitions set by Bahrain, and inconsistent with international human rights as well as the Constitution of the Kingdom of Bahrain. The setbacks in human rights included violations of freedom of expression, association and assembly, as well as increased restrictions on human rights associations. In the context of justice and fair trials, the report highlighted the trial of the so-called the (Terrorist Network). The report pointed out that the Anti-Terrorism Act of 2006 contains a broad and vague definition of 'terrorism', which undermines the principle of legality that requires laws to be clearly and precisely formulated in order to enable individuals to know what constitutes a crime. The law also constitutes a threat to exercising the legitimate right to

freedom of expression, association and assembly.

The report pointed to the creation of more than 500 NGOs in Bahrain over the past decade working on a wide range of human rights issues including children's and women's rights, rights of migrant workers and trafficking in persons. The report pointed out that a few of such NGOs work on monitoring and documenting human rights violations. The report added that two of these organizations, namely the Bahrain Center for Human Rights and the Bahrain Youth Society for Human Rights had been banned in 2004 for violating Law No. 21 of 1989, which regulates the activities of NGOs. The report continued that despite the ban, the Centre and the Youth Society continue, through the Internet, to publish reports on various human rights issues and violations, especially violations by the security forces.

Amnesty International report stated that NGOs continued to face severe restrictions under the Law No. 21 of 1989, which prevents them from engaging in political activity. The law allows the Ministry of Social Development to intervene in internal affairs and activities of NGOs, access their files, suspend their executive offices, and withdraw their licenses. NGOs must obtain permission from the Ministry of Social Development in order to be

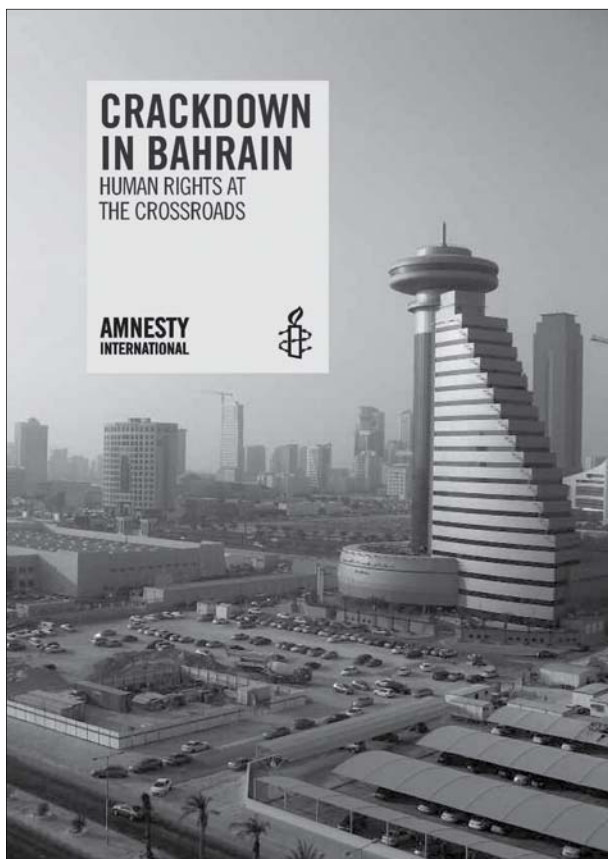
able to obtain funding from outside the country, and must declare the purpose of funding. They must also get permission to organize local and international meetings, training seminars, or workshops on human rights issues.

The recommendations of the report were comprehensive and in line with the findings of Amnesty International delegation, which visited Bahrain in October 2010. The report urged the Bahraini government to take a number of immediate steps to address alleged human rights violations, and prevent the committing of more of them. The report also called upon the Bahraini authorities to carry out prompt, thorough and independent investigations into all cases of allegations of torture, publicly condemn the practices of torture, and declare unequivocally that Bahrain will not tolerate such violations.

The report also noted the need to establish effective judicial mechanisms to ensure the right to fair trial, in practice, including the right of the accused to be tried before an independent and impartial tribunal, the right to have defence counsel of one's choice at all stages of the proceedings, and the right to be presumed innocent until proven guilty according to law.

In the area of freedom of expression, the report urged the Bahraini authorities to respect and protect the right to freedom

of expression, including media freedom, in line with Bahrain's obligations under international law. The report called upon the Bahraini authorities to respect and protect the right to freedom of movement and freedom of assembly and association, and to guarantee that all human rights organizations, as well as human rights defenders are able to carry out their work without interference or hindrance.



On the other hand, the report called upon the Government of Bahrain, with the participation of civil society organizations, to conduct a serious review of a number of Bahraini laws, in order to make them fully compatible with international humanitarian law and international human rights

standards, and in order to meet Bahrain's obligations to the Human Rights Council under the Universal Periodic Review mechanism.

Within the reforms process, the report pointed to the ratification by Bahrain of the main human rights treaties such as the Convention on the Elimination of All Forms of Discrimination against Women in 2002, the Optional Protocols to the Convention on the Rights of

the Child in 2004, the International Covenant on Civil and Political Rights in 2006, and the International Covenant on Economic, Social and Cultural Rights in 2007. Bahrain has also become a party to the Arab Charter for Human Rights in 2006. Furthermore, the Bahraini government adopted new laws regarding the administration of justice and the formation of political

associations. Bahrain has also established the Supreme Judicial Council in 2000 and the Supreme Constitutional Court in 2005.

In October 2010, Amnesty International sent a fact-finding delegation to Bahrain to research concerns associated with the August/September 2010 incidents,

which resulted in arrests and ill-treatment of detainees. The report is based on the results of that visit. The report pointed to the meetings held by Amnesty International delegates with senior government officials including the Ministers of Interior, Justice, Islamic Affairs, Social Development, Foreign Affairs, Information, as well as the Public Prosecutor. The delegation also met with members of the National Foundation for Human Rights, several human rights organizations, civil society organizations, women and youth. The delegation monitored some of the trials held at the time of the visit.

The report stated that Amnesty International delegates had received assurances from the Bahraini officials they met affirming the Bahraini government's commitments to human rights as well as addressing any allegations of human rights violations that Amnesty International brings to their attention. The report also noted the commitments made by Bahrain under the international conventions ratified by Bahrain including the International Covenant on Civil and Political Rights (ICCPR), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). Amnesty International said in this regard: *(In ratifying these treaties, the Bahrain government promised both the people of Bahrain and the ... international community that it would uphold and respect their provisions. It must do so).*

### Al Ayam Interviews the President of BHRM

## Dialogue is the Solution to Human Rights Setbacks

**On 4 March 2011, the President of the BHRM Hasan Moosa Shafaei was interviewed by Al Ayam newspaper where he discussed the recent political and human rights developments in the country. Shafaei said that there was a setback in Bahrain in relation to human rights, and that dialogue, political and human rights changes are essentials. He also called for preserving what has been achieved during the last ten years.**

**How do you view the unfortunate incidents from a human rights perspective?**

The incidents came as a shock to everyone, especially the large number of people who are killed and injured. Everything happened so quickly, there was no time for preparation and planning. The division of Bahraini society into two streets was also surprising. The Government's poor performance was also shocking, as well as the increase in public demands, which revealed that the street was influenced by events in other Arab countries. There are many surprises, but the main issue is whether these surprises can be absorbed. My answer is that, not yet.

**What happened? And why do you think the incidents took place?**

The main reason is that there are shortcomings in the reform project itself, which has lost its momentum for some time. The Crown Prince said that the reform project was slow and had failed to reach all segments of society. The Executive Authority performance was below par, and had failed to implement the big decisions that were taken. Also, the performance of the Ministries

was bad, especially regarding public services. Moreover, the reform project failed to keep up with the developments and the aspirations of the people. At first a giant leap was made, but then things slowed down. Some people were unenthusiastic about reform and that negatively affected the performance of the State apparatus.

The recent events were encouraged by regional climate and the political developments in both Egypt and Tunisia. It was possible to deal with the situation differently, if not for the floundering and the lack of preparation in Government performance. This caused one problem after another and ruined Bahrain's reputation, which it worked hard to build during the last ten years.

It could be said that Bahrain was a victim of the static regional situation that discourages political reforms and respect for human rights. Bahrain was also under pressure from neighbouring countries, who did not want to be embarrassed when compared with a reformed Bahrain.

**Was the opposition shocked at what took place on 14 February?**

What took place was a big shock

to both the opposition and the Government. The latter wondered that: "Is this our people?" And the opposition wondered that "Is this our Government?". It was as if each party was re-discovering the other, and distrust between them went so far as to cloud their vision.

The opposition faces many challenges including losing public support. The opposition's ability to control the street has weakened. In these circumstances the street becomes a monster, which scares both the opposition and the Government. The Government's mistakes made the street uncontrollable and hence weakened the moderate advocates. The moderates felt marginalized by the Government and that their demands not met, such as combating corruption, fair distribution of wealth, improving public services and solving both the housing and unemployment problems.

**What is the solution to this problem?**

The dialogue between the Government and the opposition has not materialized yet, and it should be so regardless of the escalation. There is no alternative to dialogue, which will guarantee the birth of a new Bahrain. What we are witnessing can be described as signs of dialogue since each party tries to ensure that their demands are met before proceeding to dialogue. Delaying dialogue will increase the escalation in the street and will





## NHRI: Faces the Challenge of Proving Itself

After many calls and hesitations, the National Human Rights Institution (NHRI) in Bahrain was established. The decision was not easy, and rather slow in fulfilling the requirements of NHRI, which have not been met until today.

NHRI faced the problem of gaining people's trust, whose demands were more than a new institution could withstand. Despite the fact that the NHRI was established in accordance with the Paris Principles, as is the case with similar institutions around the world, it was discredited because it was established by a Royal Decree.

The 14/15 February 2011 tragic events provided NHRI with its biggest challenge yet. What took place on the street and its subsequent political, cultural, social and human rights repercussions reflected badly on the NHRI and its members who felt paralysed, and unable to take the initiative during these events. This is understandable, since even well established Government institutions felt helpless, let alone the NHRI, which is a new institution trying to grow and overcome obstacles.

One of the repercussions of the crisis relates to NHRI's reactions towards the casualties amongst the protesters. NHRI issued two statements in which it condemned the excessive use of force, which resulted in many deaths and injuries. It announced its solidarity with the legitimate demands of the people, especially those relating to human rights. It also established a fact-finding committee to document the violations, and search for quick solutions with all

concerned parties.

The resignation of some NHRI members was an important step for different reasons including: protesting against NHRI's inactivity, the failure to keep pace with political and human rights developments, the lack of necessary resources that should have been provided based on the Royal Decree, and some members felt that NHRI has lost its public credibility.

The political situation has affected the work of NHRI, especially during the sharp political and sectarian polarization. NHRI members were under great stress considering the voluntary nature of the work, which caused great discomfort to some members and their families. Moreover, NHRI members inherited very complicated human rights dossiers including the file of the victims of the past period and torture cases. The Executive Authority has failed to respond to the current requirements and to the NHRI dossiers. Perhaps some officials in the Executive Authority view NHRI a branch of the Governmental.

What roles can NHRI play in the current situation? There are several issues that can be highlighted:

Firstly, in the current political crisis, there is need, more than any other time for stronger human rights efforts. The need to follow up human rights developments is crucial during these times of crises. This means that NHRI members are urged to increase their efforts, not to resign and give up. NHRI members should regain

their self confidence and believe in their ability to serve their country and people. They should work hard to monitor events, document and investigate violations, and search for appropriate human rights solutions.

Secondly, members should resume NHRI activities and should have a better understanding of the political situation, which will allow NHRI members the opportunity to reaffirm their independence and aid them in their human rights role. This role will highlight NHRI's importance as the people's conscience and the defender of human rights. Any national institution that fails to defend human rights in difficult times will be useless. It is important that human rights institutions are maintained and protected from inactivity and political interference.

Thirdly, NHRI has a good opportunity to emphasize its legitimacy and to build a strong connection with the Bahraini society by clearly defending the plight of the weak and victims of human rights violations, cooperating with civil society organizations, and by becoming the voice of reason against any human rights violations.

Fourthly, NHRI's internal problems represent a challenge to its members. It is time to act fast and without any delay in order to organise NHRI's internal affairs. Cooperation, team spirit and a strong feeling of national responsibility between NHRI members will help to confront the problems that lie ahead.

NHRI is a national asset which should be protected under all circumstances.

## Constitutional and Consensual Monarchy

Some find it difficult to admit that there is a sectarian division in Bahrain, which cannot be ignored. This division is not new, and this time is more related to the core of politics rather than religious freedoms. The division between Sunnis and Shias, despite its social dimensions, is in fact a political division. Sectarian affiliations have been used in the conflict to achieve political interests, something that has always happened in many countries around the world.

The emergence of two Sunni and Shia streets were because of the fear that their political and economic rights would not be respected. This fear created many concerns in the society and manifested itself in an increase in the sectarian discourse in the street, and even among the elites, who consider themselves as liberals.

The division took dangerous dimensions in Bahrain, especially during a weak dialogue between political and religious leaderships from both sects. It seems like there is no solution to the mutual concerns without concentrating on the political aspect of the problem, which is the distribution of wealth and power. The problem is not related to the nature of the political system, which Bahrainis aspire for. There are those who reject democracy out of fears that it will take away some of their privileges. The multi-party democracy is hard to put into practice in several counties which have ethnic, sectarian and tribal diversity.

Since 14 February 2011, it was certain that a new political system would be born in Bahrain, this is what many analysts and even some figures in the regime anticipated. This obviously, caused many concerns among various sects over their interests, rights and their security as well as the

security of their children. These concerns have been raised by both Sunnis and Shias and clearly have been expressed in the political speeches of both parties.

It was possible for the political debate to remain between the Shias in the Loulou Roundabouts and the Government. But the effects of the recent events were so deep, and the demands were so large that cannot be met without internal consensus. Therefore, a Sunni uprising emerged, and rejected any dialogue between the two parties which exclude them.

We need a new political system based on new agreements, which lead to a real constitutional amendments and a form of consensual democracy under the umbrella of constitutional monarchy. Bahrain could produce a political system that can be an example to the whole region.

The consensual system has its own negative and positive points, but the important thing is to protect the standing political system. This can be achieved through protecting the interests of all parties including the royal family.

Some would see this as a setback, because the general feeling supposes that Bahrain had transcended these sectarian affiliations. There is no solution without the agreement of all three parties: the Shias, the Sunnis and the royal family. No party can be ignored, Bahrain did experience this before, and some attributes what took place recently to previous bad experiences. The use of force, marginalization, discrimination, demonstrations, violence, tribal and sectarianism will not be able to radically change the balance of power in the interest of one party over the other. Bahrain is really facing political entitlement and its leaders should rise to this challenge.

### BHRM Condemns the Use of Excessive Force

On 16 February 2011, the Bahrain Human Rights Monitor (BHRM) expressed its deep regret regarding the clashes between the security forces and the protesters on 14 and 15 February 2011. Two protesters were killed and many were injured as a result of the clashes. BHRM expressed its condolences to the families of the victims, and demanded that the authority conduct an immediate investigation regarding the excessive and unjustified use of force against the protesters, and hold those responsible to account.

In a statement, the BHRM viewed the incidents as an unacceptable setback to the human rights situation in the country. It called upon the Government and all political

parties to protect the decade-long accomplishments in this field. The BHRM also stressed the need to assess the political, social and human rights achievements in order to add new momentum to the existing reforms, which would revitalize the Government, encourage greater interaction between the public and Government, absorb and reduce shortcomings in the Government's performance.

The statement stressed the right to demonstration as guaranteed by the Bahraini Constitution and the National Action Charter. Bahraini citizens have the right to peacefully express their opinions and demands, as long as they refrain from damaging public and private property.

BHRM urged security officials to

act wisely and with restraint when dealing with unlicensed protests. Security forces should also be held to account when excessive force is used, including the use of rubber bullets and Shozen, which causes many injuries and disabilities to protesters.

Finally, the BHRM emphasized the need to adhere to the articles of the Constitution, the National Action Charter and comply with the laws and regulations. Failing to do so will lead to chaos, an absence of the rule of law and authoritarianism, instead of freedom and reform. The BHRM is convinced that attention should concentrate on speeding up political reforms and public freedoms as an appropriate response to address the deteriorating human rights situation.

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### BHRM Warns of Sectarianism and Delayed Dialogue

On 3 March 2011, the BHRM said in a statement that the delay in the dialogue between the Government and the political parties could have dangerous consequences. The negative effects are clear including an increase in sectarianism and sectarian rhetoric, which threaten the very fabric of Bahraini society.

The BHRM called upon the Government and political parties to make mutual concessions to

speed up the national consensus and find a way-out of the crisis. The political situation needs to be re-established through national dialogue that unites all parties on the basis of equality, justice, and respect for human rights.

The BHRM demanded the investigating committee to speed-up its work and present its findings through the media, so that both local and international public opinion is briefed in a transparent and professional

manner.

The President of the BHRM Hasan Shafaei, stressed the right of citizens to express their opinion peacefully and in a civilized manner, as long as public and private interests are respected, State institutions remain undamaged and the human rights and interests of others are respected. This should be based on a strategy, which emphasizes the country's unity and best interests.