

HAQ submission to the OHCHR: Universal Periodic Review

MOTIVATED CHANGE OF DEMOGRAPHY.. INFRINGEMENTS OF POLITICAL RIGHTS and INADEQUATE LIVING STANDARDS

19 November 2007

Movement of Liberties and Democracy in Bahrain- HAQ is concerned about the systematic infringements of political, economical and social rights of Bahrainis by the local Authorities. Irrespective of the provisions in the Bahraini legislature to respect and maintain these rights, the practices on the ground result in marginalization, disfranchise, poverty and deprivation of the majority of Bahrainis, as well as the fear of extermination of cultural identity of the indigenous Bahrainis.

On April 25th, 2006, the Bahrain has expressed its pledge to respect and maintain human rights values to the UN when applying for membership of its Human Rights Council, became party of many conventions, acceded the ICCPR and ICCES, and interpreted such commitments in many of its legislature. However, such vows and commitments were not respected on practice, as easily exemplified by the regular reports and frequent statements produced by many UN bodies ([Appendix A: List of citations for reports of UN Bodies](#)) and renowned human rights organizations (See [Appendix B: List of citations for reports by human rights organizations](#)).

In addition to the basic rights of expression, assembly and association reported in many reports mentioned in Appendix B, HAQ will shed light on three major rights which have grossly been violated, related to decent human livelihood and existence of Bahrainis. These include genuine participation in the public affairs (political rights), the right for the existence of adequate living standard and the politically motivated change of demography and its relationship with the other relevant rights.

HAQ- is a popular civic organization calling for respect and maintenance of freedoms and liberties, as well as good governance and rule of law, through genuine and progressive democratization. HAQ was established in November 2005, had two major election for its 11 board members of whom 4 women and a young man. HAQ is anti all form of discrimination and believes in equality and national unity, a belief taken on board by the figures in its management coming back from different political, religious and cultural backgrounds.

I-Legitimized Clamp of Political rights

Bahrainis, by legislature and by practice, don't have the right to change their government, through peaceful means, nor do they have a role to play in the selection of its members. The Government or the executive body has been headed without election, since the inception of the modern state in 1971, by Shaikh Khalifa Bin Salman Al-Khalifa, uncle of the ruler, the only ever prime minister.

The Ministerial, as well as high official, posts are made by decrees, and selected according to loyalty and allegiance, not to quality and performance. More over, more than half of the ministerial and higher official posts, as are allocated to members of Al-Khalifa family¹. In the current government, out of 28 ministers, 16 posts are for Al-Khalifa, 7 are for Bahrainis for the Sunni sect, and the remaining 5 posts are for the Bahraini Shia (The original format of the current Government was ratified on 11 December 2006 made of [24 ministerial posts](#): 12 Al-Khalifa, 6 Sunnis and 6 Shia. This arrangement was [modified on 27 September 2007](#) increasing the number of Sunni ministerial post by one and reducing the same number of Shias. As for Al-Khalifa, in addition to the 12 posts in the Government, there are four ministers reporting directly to the King. These are: Director of Minister of [National Guards](#), Director of [National Security Bureau](#), Minister of Royal Court and Minister of [Royal Court Affairs](#))

¹ Sectarian discrimination in Bahrain: The Unwritten Law – BCHR- Bahrain (2003), <http://www.bahrainrights.org/node/384>

Bahrain experienced a political crisis (State security period after dissolving the only contractual constitution (See [Appendix C: Historic Background on Major Political Developments](#) in Bahrain). This deadlock lasted over 27 years since August 1975, after which, Bahrainis were allowed to exercise some of their rights in the political life, in the municipality and parliamentary elections, in May and October 2002, respectively.

Bahrainis were able, after three decades of banning elections, to participate into primarily, the municipal and parliamentary. Although, this was made as a *gesture* by the King and was not treated as a right of participation in the Public life, enjoyable by all Bahrainis, the election process, in 2002 and 2006, were governed by a decree code issued by the King himself in 2002 ([Exercise of Political Rights Decree Code No.14 of 2002](#)). This decree, promulgated in the absence of a legislative body, prevents certain citizens from enjoying their rights (ex-convict even if acquitted or pardoned, or those whose name was left out the polling lists and were not able to appeal) as well as restrict the same right for within election districts, thereby localizing this right.

The House of Representatives, not only is it below Bahrainis expectations after grass root indigenous and long struggle for more rights in public affairs, its privileges have been undermined and constrained. Furthermore, it has been used as a tool of for legitimizing repression and constrain of rights, by virtue of ruling *by the law*. It is the product of the 2002 constitution, imposed unilaterally by the King 2002, the over empowerment of the King on the expense of the power of people, and by the constraints on the constitutional rights of Bahrainis. Legislation, which was a sole privilege to the elected representatives, is now shared by the King, the Executive body (the Government), as well as the Shura Appointed house. See [Appendix D: Constraints on Political Rights](#) introduced by the imposed by 2002 Constitution preventing Bahrainis from, freely and with full capacity, exercising their political rights.

Elections in Bahrain, though apparently echoing a democratic process, have been the subject of different State coordinated and guided measures, some of which are briefly listed in [Appendix E: Election Rigging and Manipulative measures](#).

The Government (the executive body) has been lead by one prime minister since 1971, and enjoys protection of the legislature as well as being one of the main influential figures in the ruling family. As per the 2002 constitution of the King, the House of Representatives cannot practically challenge the Government or the introduce vote of no-confidence. The question of no-confidence could be formulated by ten MP's to approve the principle of questioning a minister, but requires two-third of the HR for introducing the [vote of no-confidence](#), which is virtually impossible (considering the output of gerrymandering and measures mentioned in Appendix E). In the case of the prime minister, it is even worse, as it requires the consent of two-thirds of National Assembly (both chambers HR and Shura), to introduce the "impossibility to cooperate with the Prime Minister". This is not achievable considering the reasons mentioned in Appendix E as well as the fact that all the Shura members are appointed by the King. Furthermore, even if the National Assembly foresees the impossibility of cooperation, the final say on this matter is left to [the consent of the King](#) who has the privilege of either relieving the Prime Minister of his post and appointing a new Government, or by dissolving the Chamber of Deputies (HR).

III-Inadequate Living Standard- Housing Crisis

Bahrain is at the verge of a housing crisis because of corruption and unjust distribution of wealth and land. There are no sustaining long term development plans dedicated for its nationals² due to lack of funding, population growth resulting from birth (at 6.2% per annum³), but primarily from the naturalization scheme implemented by the Authorities for political reasons.

Public lands are privately owned, resulting in scarcity of lands for housing development. Land reclamation, apparently to be a solution to the problem, but ending into investment for private "pockets" resulting in enabling non-Bahrainis for freehold ownership of real estate, while half of the citizens lack decent housing (See [Appendix F: Public Properties in Private Hands](#)).

² <http://www.alwaqt.com/saveart.php?aid=83653>, <http://www.oxfordbusinessgroup.com/publication.asp?country=30>

³ <http://www.oxfordbusinessgroup.com/publication.asp?country=30>

Bahrain is an archipelago of over 40 islands, the largest of which is Bahrain, one of four inhabited islands (Bahrain, Muharraq, Sitra and Nabih Saleh) connected to each other by bridges. The rest of the islands are not open for public access, nor developed for the citizens who require housing. Moreover, only [3% of the total coast](#) of Bahrain is accessible by public and the rest is private, mainly by members of Al-Khalifa. See [Appendix G: Bahrain 2030 National Planning Development Strategies](#).

According to the assistant undersecretary at the Bahraini Ministry of Housing, "shortage of lands is the main obstacle for housing projects currently and in the future as 90% of lands in Bahrain are privately owned"⁴. The Ministry did not mention that these lands are mainly seized by the royal court and members of the ruling family. As per [Minister of Housing](#), "There is a scarcity in lands available for housing development, so the State has reverted to re-own lands as well as reclamation of the sea".

Deteriorating Housing Status

Out of Bahrain area of 750 sq. Kilometers only 70 sq. Kilometers are inhabited by population of over 725 thousands of which the nationals are just over 460 thousands, leaving over 90% of Bahrain area uninhabited, undeveloped or urbanized for welfare of citizens. Officials reiterate the scarcity of lands, yet reports indicate the boom in the real estate market Bahrain in the transactions of lands sale as well as to the numerous investment projects dedicated for foreign investors and non-Bahrainis, on the main land or by man-made reclaimed areas, causing for astronomic increase in the price of lands.

Unlike average and low income Bahraini citizens, investors from the wealthy GCC citizens and expatriate can afford to own real estate, this has resulted in a normal affinity of Bahrainis towards governmental housing services (housing units, construction and property loans), leading to applications piling to over 44 thousands (2004 census⁵) dating [back to 1982](#). Considering an average size of the Bahraini family (6persons), this number of applications amounts to (264 thousands Bahrainis) more than half of the people lack adequate housing. This is also substantiated by the establishment of a program, coordinated by municipality councils, for renovation program for deteriorating and collapsing houses. This program started in 2003 with an initial list of over 6 thousands houses⁶ of [low income Bahraini families](#), distributed all over Bahrain, but this number is increasing with over [4 thousand in the northern governorate](#). This figure is increasing and covering even the Capital Manama, which as per a recent survey by the [Capital municipality council, 65% of its houses](#) are classified as deteriorating and collapsing.

Services not meeting the demands:

There are lacking efforts to provide housing services for tens of thousands of Bahrainis currently in the queue, which, as per Oxford Business Group 2007 report, will cause a [sharp housing crisis](#) in the next coming ten years. Despite the boom in the oil revenue, this has not reflected positively on the housing development in Bahrain. There are shortages on the number of housing units built, and subsequently the escalation of number of Bahraini families waiting in the queue. There are neither political will nor sufficient financial allocations to retrieve public lands to enable housing construction or provision of loans for citizen's property purchase. Furthermore, the assigned housing loans are below the market real estate price threshold to enable "middle class" to own a property at the market price, let alone contracting for its construction, as prices of building materials are sky high.

IV-Politically Motivated Change of Demography

In summer 2003, six political groups carried out a [well attended public seminar](#), bringing to public what has since been dubbed locally as "political naturalization". The event included presenting a [documentary film](#) of how Bahraini passports- in thousands- were officially transported from Bahrain to grant citizenship to thousands of Al-Dawaser tribe- one of Saudi Arabia tribe. [The document](#) showed how the newly naturalized were guided to participate in public polls and lead to nominate certain candidates in 2002 municipal and parliamentary

⁴ www.alayam.com

⁵ Minister of Housing, Akhbar-Alkhaleej, 12 May 2004

⁶ Alayam newspaper- 28 January 2004, reporting on a meeting of head of Municipality Councils dated 27 January 2004.

elections. As per Bahraini officials, thousands of Al-Dawaser were granted Bahraini citizenship in addition to their Saudi one⁷. See [Appendix H: Naturalization to control output of suffrage process](#).

The Authorities initially denied mass naturalization, leading to a public row amidst increasing number of naturalized expatriates working mainly in the military establishments. A parliamentary investigation committee was formulated on constraint: that it doesn't investigate into the cases granted citizenship prior to the first session of the 2002 Elected council (December 2002), as well as to those granted citizenship on the exception ground granted to the head of State, as per 1963 Bahraini Naturalization law (i.e. naturalization through the Royal Court).

The committee were neither productive nor effective, as a result of its task and the constraints imposed, ended up with setting recommendations addressed to the Government- the executive branch. The answers of the Government in response to 16 recommendations were published in the media⁸, the most important of which are:

- In response to the Committee request to ensure compliance of applicant to the requirements of naturalization, the Government stated that it is not the body which grants citizenship, even if the applicant is fulfilling the conditions and legal requirements, as this power is dedicated to the ruler- the King- alone, as per Article 6 of the 1963 Bahraini Naturalization law and its amendments.
- In response to the Committee request to set clear indicators to consider special cases, the Government responded that as per the law, the power of granting citizenship is devoted to the ruler, the King, who is the head of the three branches of power (legislative, executive and judicial). Imposing indicators to treat special cases is constraint to the granting power, and doesn't comply with the political and constitutional position of the king in granting Bahraini citizenship. Therefore, the Government, the executive branch, cannot set clear indicators to deal with exceptional cases, onto a superior power- the power of the ruler- is the highest power in the kingdom.

These responses affirm that granting citizenship is not as per the law and its articulations, as the ruler is above the law. The body responsible for granting citizenship is the ruler, through his court, who grants the citizenship based on gesture and other grounds.

Provision of granting citizenship is regulated by Article 6 of 1963 Naturalization law⁹ and its amendments¹⁰. As per this article: Bahraini citizenship may be granted by order of the Ruler to any legally competent alien upon an application there from and being eligible as follows: being resident in Bahrain for a minimum of 15 consecutive years for an Arab or 25 consecutive years for non Arab; being of good character; holds sufficient knowledge of Arabic language; owns a property in his name and registered at the Land Registry of the Government of Bahrain. As exception, the same article made provision for the Ruler to grant citizenship, if he wishes so, or for any Arab applicant who proved to have made significant contribution to Bahrain. As for exercising political rights and participation in public affairs, the law clearly indicate the prohibition of voting, representation or nomination or appointment in the local councils, of the naturalized during the first TEN years from acquiring Bahraini citizenship.

The documentary film as well as some candidates indicated earlier showed that the newly naturalized participated in 2002 and [2006 elections](#) and were the overweighing vote in some districts. Newly naturalized, specially those commuting from [Saudi Arabia](#), were directed to vote for some candidates over others, without them knowing either of the candidates.

The provision of exception to the ruler indicated in the law, was exploited and abused leading to the formation of a secret organization managed and financed by the Royal court to change the demography in Bahrain in favour of minority Sunni population. This is achieved by easing granting citizenship to tens of thousands of different nationalities of Sunni sect inside and outside Bahrain, to secure overbalancing the majority Shia population by the year 2010. This secret scheme was exposed by [Dr Salah Al-Bandar](#), a strategist and advisor to the Government of Bahrain, who was deported to UK in August 2006 by the Authorities when he made his [first report](#) public. This

⁷ Mohamed Aal Bin Ali, Director of Legal Affairs in Bahrain Passports and Immigration in a TV interview dated 22 July 2003.

⁸ Akhbar Al-Khaleej, 18 March 2005, www.aaknews.com

⁹ <http://www.legalaffairs.gov.bh/htm/K0863.htm>, <http://www.legalaffairs.gov.bh/htm/K1163.htm>

¹⁰ <http://www.legalaffairs.gov.bh/htm/L1081.htm>

<http://www.legalaffairs.gov.bh/htm/L1289.htm>

report, locally dubbed as [Bandar report](#), caused media controversy, which was silenced when the Authorities issued a judicial orders, in October, banning and [criminalizing the media referral](#) to Bandar report, as well as barring electronic sites mentioning or reporting about it. Such attitude affirmed the doubts of the Authorities role in the secret organization exposed by Al-Bandar, who followed his first report, by another one early January 2007.

While the two reports are briefed and summarized in [Appendix I: Summary of Bandargate Reports](#), attention is focussed on the third section of the latest report, dedicated to setting a 5-year practical plan to increase the number of Sunni population to reach a break-even with the Shia population by 2010, the next parliamentary election. The plan includes importing thousands of Sunnis from specific areas (Iraq, Yemen, Baluchistan of Pakistan, and others) at an increasing rate, reaching 50 thousands citizenship per year. (See the Figure of population growth and Table of quantity and sources of targeted nationalities in [Appendix J: A translation of "Naturalization Challenges: Estimates and Indicators"](#)).

This plot include also some [discriminatory measures against Shia](#), which includes introducing harsh constraints on their marriages and birth production, finding employment and settling (the plan encourages Shia migration to look for employment outside Bahrain- (Reference is made to Bahraini [recruitment offices in Qatar](#) and UAE). The effect of such measures in fuelling sectarian sedition and hatred has been highlighted by a study by [International crisis group](#).

In addition to the main objective restricted to manipulating and controlling the output of any suffrage process, ensuring a winning majority by the ruling Authorities, their by breaching a basic rights of Bahrainis to freely participated in public affairs, other side effects started to float. With the scarcity of lands, limited job opportunities and State services, the flux of culturally inhomogeneous will create social tensions, starting to show up in high schools, markets and neighbourhood of naturalized and indigenous Bahrainis. Furthermore, with the way the Authorities showing special treatment to the newly naturalized (services, employment and housing) would eventually create a xenophobia environment, and will destabilize the tranquillity of the society. Fuelling sectarian sedition and discrimination would also lead to tearing social fabric and introduce social tension among citizens.

V- Concluding remarks

On the political rights:

- The imposition of a constitution which drains the power of people in favour of the ruling elite, which results in focus the national wealth at its hand, is in contradiction of Article 1 of the ICCPR which affirms that: "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development". Bahrainis have peacefully strived for grass rooted demands, of which equal and fair participation in the public life leading to good governance and rule of law, the last of which is the 82000 signatories petition submitted to the office of UN Secretary General on August 14, 2006, calling for a new democratic constitution to be drafted by the people of Bahrain.
- Drawing the electoral districts, by decree, administrative order or by law, which doesnot ensure equal and fair representation of citizens when exercising their political rights in the public affairs, is a breach of Article 3 of the ICCPR which postulates that "The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant".
- Directing group of people, directly or indirectly, to manipulate and influence the outcome of a public affair election, would not be compliant with Article 25 which states that: "Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:
 - (a) To take part in the conduct of public affairs, directly or through freely chosen representatives;
 - (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;
 - (c) To have access, on general terms of equality, to public service in his country".

On the right for adequate standard living and decent housing:

- By not providing equal opportunity for decent housing for all citizens, the Authorities has breached Article 3 of the International Convent on Economical, Social and Cultural Rights (ICESCR), which states that "The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant".
- The Authorities has not taken any serious measures to stop corrupt and opportunist groups from using their influence and special personal relations to build huge wealth through misappropriation of lands. More over, the ruling Authorities has violated Article 5 of the ICESCR, by issuing decrees and administrative orders, resulting in inflating prices of real estate and preventing over half of the citizen from the right for housing facility.
- Forcefully depriving citizens from their right and opportunity to own a private housing, securing some form adequate standard of living, is a breach of Article 1 of ICCPR, which states that " All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence". This is also a violation to Article 11 of the ICESCR which affirms "the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions". The Authorities has grossly breached this Article when it didn't " take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent".

On the change of demography and introducing sectarian discrimination and sedition:

- The Authorities have violated Article 21 of the ICCPR when taking measures to ill-treat and target its Shia citizen. Such treatment went beyond their right as citizens of Bahrain, to include their right to exist, intermarriage, give birth and freely practice their beliefs. The majority population Bahraini Shia have been, as per the Authorities ill-treatment, under systematic acts of marginalization and disfranchise, when compared to other citizens, and were minoritized. The change of demography plan by the Authorities is meant to make them virtually a minority population, justifying further violations of their rights.
- *The change of demography plan by the Authorities is a contradiction to its commitment to ICCPR, particularly Article 18, securing the right for citizens, had they been Shia or Sunni, to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching. Exploiting weakness and financial needs in some Shia and plan on converting them to Sunni, as per plan exposed by Al-Bandar report, is breach to item 2 of the same Article which states that " No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice".*

VI-Appeal

HAQ is urging the UN to:

- ❖ Intervene for the protection of the citizens of Bahrain, in particular the Shia, from plans of elimination and dilution of identity and lose of culture and history heritage. This would be initiated by setting-up an international tribunal commission on the scheme adopted by the Authorities to change population demography to achieve political agenda.
- ❖ Address the Bahraini Authorities to respect the citizens political rights and consider their desire to manage their own life and wealth through a democratic constitution of their product.
- ❖ Call upon the Authorities to observe equality among citizens, by eliminating all forms of discrimination and alienation. This would include removing gerrymandering and politically motivated voting constituencies and enforcing equal representation, by one-man-one-vote concept. On this issue, the Authorities should be urged to refrain using the newly naturalized, including those whose residence in the neighbouring countries like Saudi Arabia, to manipulate and influence the output of any political process.
- ❖ Enforce provision of adequate standard of living by retrieving public lands (islands) from private hands, to enable fair distribution of wealth among citizens and respect their right to own a property.

List of Appendices

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- ❖ **Appendix D: Constraints on Political Rights introduced by the imposed by 2002 Constitution**
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- ❖ **Appendix J: A translation of “Naturalization Challenges: Estimates and Indicators”**

Appendix A:
List of citations for reports of UN Bodies about Bahrain

- 1) *Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment*
 - a. <http://daccessdds.un.org/doc/UNDOC/GEN/G06/119/42/PDF/G0611942.pdf?OpenElement>
- 2) *UN Committee Against Torture (CAT)*
 - a. [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CAT.C.CR.34.BHR.En?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CAT.C.CR.34.BHR.En?Opendocument)
- 3) *UN Special Rapporteur Calls for Further Amendments To Counter-Terrorism Legislation in Bahrain*
 - a. <http://www.unhchr.ch/hurricane/hurricane.nsf/view01/DFD0DF732FDD5BD7C12571B6003C995C?opendocument>
 - b. <http://daccessdds.un.org/doc/UNDOC/GEN/G07/119/41/PDF/G0711941.pdf?OpenElement>
- 4) *Special Rapporteur on the independence of judges and lawyers*
<http://daccessdds.un.org/doc/UNDOC/GEN/G07/128/12/PDF/G0712812.pdf>
- 5) *UN Commission on the Rights of Child*
 - a. [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CRC.C.15.Add.175.En?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CRC.C.15.Add.175.En?Opendocument)
 - b. <http://www.bahrainrights.org/taxonomy/term/28>
- 6) *Special Rapporteur on violence against women*
<http://daccessdds.un.org/doc/UNDOC/GEN/G07/119/48/PDF/G0711948.pdf?OpenElement>
- 7) *Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment*
<http://daccessdds.un.org/doc/UNDOC/GEN/G07/120/41/PDF/G0712041.pdf?OpenElement>
- 8) *Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression*
 - a. <http://daccessdds.un.org/doc/UNDOC/GEN/G06/121/12/PDF/G0612112.pdf?OpenElement>
 - b. <http://daccessdds.un.org/doc/UNDOC/GEN/G07/121/77/PDF/G0712177.pdf?OpenElement>
- 9) *Special Representative of the Secretary-General on the situation of human rights defenders*
 - a. <http://daccessdds.un.org/doc/UNDOC/GEN/G06/122/53/PDF/G0612253.pdf?OpenElement>
 - b. <http://daccessdds.un.org/doc/UNDOC/GEN/G07/122/01/PDF/G0712201.pdf>
- 10) *UN Special Rapporteur Human Trafficking*
 - a. <http://www.un.org/apps/news/story.asp?NewsID=20453&Cr=bahrain&Cr1=>
 - b. <http://daccessdds.un.org/doc/UNDOC/GEN/G07/124/75/PDF/G0712475.pdf?OpenElement>
- 11) *Progress on reports and studies relevant to cooperation with representatives of United Nations human rights bodies - Report of the Secretary-General*
<http://daccessdds.un.org/doc/UNDOC/GEN/G06/155/71/PDF/G0615571.pdf?OpenElement>

Appendix B:
List of citations for reports by human rights organizations about Bahrain

- 1) Human Rights Watch (HRW),
http://search.hrw.org/search?btnG=Google%2BSearch&output=xml_no_dtd&sort=date_3AD_3AL_3Ad1&client=hrw_frontend&num=10&proxystylesheet=hrw_frontend&oe=UTF-8&site=default_collection&ie=UTF-8&q=Bahrain&GO.x=24&GO.y=7
- 2) Amnesty international (AI),
www.amnesty.org/results/is/eng, www.amnestyusa.org/document.php?lang=e&id=ENGMDE110022006
- 3) Reporters Frontiers (RSF),
http://www.google.com/search?method=and&matchesperpage=25&sort=score&restrict=http%3A%2F%2Fwww.rsf.org%2F&domains=rsf.org&sitesearch=rsf.org&lr=lang_en&q=Bahrain
- 4) Federation of Human rights (IFDH),
<http://www.google.com/custom?sitesearch=&sitesearch=fidh.org&q=Bahrain&sa=search&domains=fidh.org&cof=GIMP%3A%23CC3300%3BT%3A%23000000%3BLW%3A147%3BALC%3A%23000000%3BL%3Ahttp%3A%2F%2Fwww.fidh.org%2Fimages%2Fgif%2Ffidhind.gif%3BLC%3A%23CC3300%3BLH%3A62%3BBGC%3A%23FFFFFF%3BAH%3Alef%3BVLC%3A%23666666%3BS%3Ahttp%3A%2F%2Fwww.fidh.org%3BAWFID%3A62f484505fd08730%3B>
- 5) Frontline (Human rights defenders), <http://www.frontlinedefenders.org/search/node/Bahrain>
- 6) REDRESS, http://www.redress.org/country_bahrain.html
- 7) International Commission of Jurists (ICJ),
<http://www.icj.org/recherche.php3?lang=en&country=14&topic=§ion=&keywords=&go=Search>
- 8) International Freedom of Expression Exchange (IFEX),
<http://www.ifex.org/en/content/search?SectionID=4&SearchText=Bahrain&SubTreeArray=-1>
- 9) Article 19, <http://www.article19.org/search-results/index.html?freetext=bahrain>
- 10) Freedom House, <http://www.freedomhouse.org/template.cfm?page=287&words=Bahrain>
- 11) World Organization against Torture (OMCT)
<http://daccessdds.un.org/doc/UNDOC/GEN/G07/117/25/PDF/G0711725.pdf?OpenElement>
- 12) US State Department reports (Human Rights Practices)
 - Year 2006: <http://www.state.gov/g/drl/rls/hrrpt/2006/78850.htm>
 - Year 2005: <http://www.state.gov/g/drl/rls/hrrpt/2005/61686.htm>
 - Year 2004: <http://www.state.gov/g/drl/rls/hrrpt/2004/41719.htm>
 - Year 2003: <http://www.state.gov/g/drl/rls/hrrpt/2003/27925.htm>
 - Year 2002: <http://www.state.gov/g/drl/rls/hrrpt/2002/18273.htm>
 - Year 2001: <http://www.state.gov/g/drl/rls/hrrpt/2001/nea/8246.htm>
- 13) US State Department (Trafficking in Persons)
 - Year 2007 (Bahrain): <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>
 - Year 2006 (Bahrain): <http://www.state.gov/g/tip/rls/tiprpt/2006/65988.htm>
 - Year 2005 (Bahrain): <http://www.state.gov/g/tip/rls/tiprpt/2005/46613.htm>
 - Year 2004 (Bahrain): <http://www.state.gov/g/tip/rls/tiprpt/2004/33195.htm>
 - Year 2003 (Bahrain): <http://www.state.gov/g/tip/rls/tiprpt/2003/21275.htm>
 - Year 2002 (Bahrain): <http://www.state.gov/g/tip/rls/tiprpt/2002/10679.htm>
 - Year 2001 (Bahrain): <http://www.state.gov/g/tip/rls/tiprpt/2001/3930.htm>
- 14) US State Reports (International Religious Freedom)
 - Year 2007: <http://www.state.gov/g/drl/rls/irf/2007/90208.htm>
 - Year 2006: <http://www.state.gov/g/drl/rls/irf/2006/71419.htm>
 - Year 2005: <http://www.state.gov/g/drl/rls/irf/2005/51597.htm>
 - Year 2004: <http://www.state.gov/g/drl/rls/irf/2004/35495.htm>
 - Year 2003: <http://www.state.gov/g/drl/rls/irf/2003/24447.htm>
 - Year 2002: <http://www.state.gov/g/drl/rls/irf/2002/13993.htm>
 - Year 2001: <http://www.state.gov/g/drl/rls/irf/2001/5551.htm>
- 15) International Crisis Group, ICG
http://www.crisisgroup.org/home/index.cfm?action=cw_search&cw_country=125&cw_date=&l=1&t=1

Appendix C: Historic Background on Major Political Developments in Bahrain

Drafting of 1973 Constitution:

After the independence from the British colonization on 14th August 1971, a partially elected provisional council was formed to set the first constitution between the people of Bahrain and the [ruling Al-Khalifa family](#) (22 elected members through secret ballot, 10 members [appointed by a decree](#) and the ministers through their official position).

That constitution, officially [ratified by the late Amir](#) on 6th December 1973, was the first ever document of recognition by the ruling family of the right of the people of Bahrain to share some of the powers as well as enjoy legislation of laws and oversight of the executive body (the Government). Although the people of Bahrain elected the majority members of the Provisional Council, the necessary consent of the then Amir on the 1973 constitution negated its democratic character. This undemocratic consent by the Amir made it a rather contractual constitution between the ruling family of Al-Khalifa, represented by him, and the people of Bahrain, represented by the elected members of the Provisional Council.

Dissolution of legislative assembly and suspension of 1973 constitution:

On 26th August 1975, the late Amir [dissolved the National Assembly](#) (legislative body) without presenting any constitutional justification as postulated by Article 65 of 1973 constitution. This Article stipulates that: "(1) The Amir may dissolve the National Assembly by a decree in which the reasons for dissolution shall be indicated. (2) However, dissolutions of the Assembly may not be repeated for the same reason. (3) In the event of dissolution, elections for the new Assembly shall be held within a period not exceeding two months from the date of dissolution. (4) If the elections are not held within the said period, the dissolved Assembly shall be restored to its full constitutional authority and shall meet immediately as if the dissolution had not taken place. The Assembly shall then continue functioning until a new Assembly is elected"

Furthermore, and on the same day, the late Amir produced [another decree](#) which stated that: "1)The postponement of the election to the National Council members until a new election law is passed. 2) The suspension of Article 65 other articles of the Constitution that are incompatible with the postponement of the elections. 3) The legislature to be jointly handled by the Amir and Ministers Council".

As a consequence, the Amir and his government regained absolute authority over the country as was the case before the Constitution. This act was not democratic and unconstitutional, particularly Article (108), which states that "The provisions of this constitution may not be disrupted only during the martial law and the limits prescribed by law. In no case during such instances, the National Council convention be disrupted or immunity of its members be infringed"

It is to be mentioned that the suspension of 1973 Constitution was not confined to the deferral of the legislative power but had also disabled much of the provisions of the Constitution on constitutional institutions such as the Public Prosecutor's Office, the Constitutional Court and the Financial Audit Bureau.

State Security Era (1975-2000):

As a result of the disruption of the semi parliamentary life and the suspension of the semi-democratic constitution, the country entered into an era of political and constitutional deadlock for more than a quarter of a century ruled the country by the brut state security law. This has drastically curtailed freedoms, filled prisons with thousands of dissidents, resulted in tens being killed under torture inside and outside prisons, while hundreds were made exiled. As a result, many international organizations ([Human Rights Watch](#), Amnesty International, and OMCT) reported the gross human rights violations in Bahrain, leading to an augmented pressure from inside and outside Bahrain, leading to relative political openness. This was started after abolishing State Security law and its court, leading to the release of all political prisoners and return of the exiles.

The National Action Charter (NAC) 2001:

The situation of the constitutional crisis and political deadlock extended until Shaikh Hamad Bin Isa Al-Khalifa was enthroned, after the demise of his father the late Amir Shaikh Isa Bin Salman Al-khalifa, on March 6th, 1999. The internal events- of continuous demonstrations, imprisonments, torture and killings- international reporting resulted in a dual pressure on the regime causing it to think of a way out. This has paved the path for what was dubbed locally as the National Action Charter (NAC), a political bridging deed to the new political phase between the ruling family and the people of Bahrain, giving a chance for the restoration of the dissolved national assembly.

NAC was refereed on February 14-15, 2001, giving an overwhelming support for general principles giving guidance for the frame of two major changes in the Constitution of 1973; to change the title of the state from emirate to kingdom, and introduce the bicameral system of two chambers: an elected house responsible for legislation, and an appointed one for consultation. NAC, as political document, didn't give consent for introducing changes in the 1973, without its course for modification.

Changes in 1973 could not be introduced except through its [Article 104](#) which states that for an amendment to be made to any provision of this Constitution, it is stipulated that it shall be passed by a majority vote of two-thirds of the members constituting the Assembly and ratified by the Amir. This was not followed by the Authorities to introduce the constitutional changes. Moreover, further modifications were introduced in the new document, went beyond what was proposed in the NAC.

New nondemocratic Constitution imposed by the Amir in 2002

A [committee shouldering the constitutional changes](#) proposed by NAC was formed mainly from members of the ruling family and some ministers . The committee worked with secrecy, and on February 14th, 2002 (A year after the NAC), the head of State unilaterally declared a new document called [kingdom constitution](#). In the new imposed none popular constitution, the marginal area of legislation and oversight allocated for the representatives of people in 1973 constitution was scrapped, resulting in absolute monarchy (see Over empowerment of the King, in **Appendix II-D**)

2002 Election and boycott:

As a result of breaking promises and vows by figures of the ruling elite, due to limited space allowed for legislation and oversight, and in order not to legitimise the imposition of a constitution from the ruling elite, four major political societies decided not to participate in the 2002 election. This was a peaceful form of protest to the Authorities marginalization of people's will.

2006 Election:

No changes in the situation which caused boycott of 2002 election. Some Bahrainis of those boycotted in 2002, decided to participate, especially after the use of fatwa's to force people to go the ballot box. Other stayed at the their old posture indicating that nothing has changed, rather the four year (2002-2006) experience of the elected house or representatives was supporting their arguments.

Petitions:

The grass root demands for parliamentary life go back into history as early as the beginning of the ninth decade of the last century in terms of petitions and popular commissions. Some of the petitions were signed by elite of dignitaries and professionals, the last of which in 1992, signed by [300 personalities](#). Others were popular, the last of which in the life of the late Amir was in 1994 attained [25 thousands signatories](#)., another was in 2004, attained over [75 thousands signatories](#) but never delivered to the Authorities who [targeted its collectors](#) and refused to receive it.

The largest petition of all in the history of Bahrain, however, was the constitutional petition signed by 82 thousands citizens of 18-years old Bahrainis and was [addressed to the UN](#). All the numerous previous petitions were addressed to the ruling elite asking for the restoration of the parliamentary life, respect for rights and freedoms, repeal extra ordinary measures in form of laws and special courts. The last popular petition, however, was addressed to the UN Secretary General, calling for a news democratic constitution to be drafted by the people of Bahrain and [submitted to his office in New York](#) on 14th August 2006.

Appendix D:

Constraints on Political Rights introduced by the imposed by 2002 Constitution

1. *Constitutional process and representation:*

Bahrainis did not have a say on the constitution by which they have been ruled since February 14th, 2002, when the ruler abolished the contractual constitution of 1973 and imposed his own tailored constitution (See Appendix of Background on Constitutional Issue). The 1973 constitution was jointly set-up by representatives of the people of Bahrain and the ruling family. It gave some rights for the representatives of people to legislate as well as exercise some oversight of the executive body. The 2002 constitution, however, was secretly written, by a committee appointed by the ruler, most of them are from his family, and carried out its conventions in secret. The 2002 constitution was not popular, not democratic and doesn't make provisions for good governance and people's empowerment.

In 1973 constitution, the people of Bahrain were exercising their political right by electing 40 members of a legislative house made of 54 members (40 elected plus 14 appointed members; the ministers), ie Bahrainis were electing 74% of the Legislature body. However, they were electing 40 of 80 national legislative assembly, as per 2002 constitution, i.e., they are effectively electing only 50% of the body responsible for legislation. This is clear undermining of the power of people gained in 1973, which should be progressive and refined to reflect better representation than that three decades ago.

2. *Constitutional Rights:*

The imposed 2002 constitution stripped rights granted to the elected in 1973, either by elimination, sharing with the appointees (Shura House) or moving it to the jurisdiction of the ruling Authorities (the King, and/ or the executive body or the Government). These include:

- a. As per 2002 legislature, Bahrainis can exercise their political right (election of Municipality, House of Representatives and any polling) called upon by the King, unlike 1973 constitution grants the rights for the people to participate in public affairs, polling, election, etc.
- b. The King appointed Shura House-SH (40 members) participate with the 40- elected members of House of Representatives (HR) in legislations and oversight. Furthermore, the Appointed House has the upper hand and overweighs the voting when both Houses are combined to rule after the second reading of a bill.
- c. The Bureau of Financial Monitoring reports directly to the King and doesn't report to the House of Representatives, as used to be in 1973 Constitution.
- d. Any constitutional changes is possible only with the consent of two thirds of BOTH houses, and even if the two thirds are secured in the elected house (this is not possible due to gerrymandering- see the note below), this is not definite in the Appointed House, only if the proposed changes are favoured and supported by the ruling Authority.
- e. The House of Representatives can suggest legislations, not propose and draft legislation. The executive body (the Government) has preference and over rule any proposition introduced by the HR. Furthermore, the Government is responsible for drafting and implementing comments by the HR and the SH, which gives it the privilege to set the frame and change tolerance of legislations.
- f. The HR, as well as SH, have only a total of 15 days each (including weekends), to pass the national budget or any legislations concerned with [financial matter](#), if classified by the Government as URGENT.
- g. Setting the polling constituencies are NOW made by the Authorities (Royal Decree and / or Administrative order by Prime Minister's Court), to secure majority in the HR, through Gerrymandering. In 1973 constitution, the constituencies are made through the HR by a legislated law.

3. *Over empowerment of the King:*

As per the imposed 2002 constitution, the King share running the executive branch with the Governments whose members are appointed by him. This include the Prime Minister, ministers and higher members of the Government. He grants himself an authority exercised directly while the 1973 constitution provides that the ruler exercises powers through his ministers who are accountable before him and the National Assembly. Nevertheless, although the King grants himself the power to exercise direct rule, he retained constitutional immunity, which prevents the National Assembly from questioning his acts or exercise of that power.

According to the Constitution of 1973, the orders issued by the Amir are limited to the two matters (1) the appointment and exemption of the Prime Minister and (2) appointment of deputy to the Amir in his absence.

In the imposed Constitution of 2002, the King granted himself the authority to issue royal orders having the power of the law but are not negotiable or revocable by HR. These orders include:

1. Appointment and dismissal of [the Prime Minister as well as ministers](#)
2. Appointment and dismissal half of the legislature assembly represented by the Shura House
3. Heads (the supreme leader) the military forces
4. Appointment of judges
5. Establishment, grant and withdraw civic ranks and titles
6. Chairs the Supreme Judicial Court and appoints its members
7. Regulate the Royal court
8. Appointment of the [deputy of the king](#) in his absence
9. Appointment and dismissal of [civil servants, military personnel](#), and political representatives in foreign States and with international organizations.
10. Calling for the [meeting of the National Council](#)
11. Deciding election dates, extending or suspending the [legislature session](#), for extendable period of two years.
12. Calling for the convention of the Chambers of [Deputies and Shura Council](#)
13. Declaring the end of the [legislature session](#) of the two chambers
- 16) Postponement of the [National Council](#) for a period of two months
- 17) Appointment of the judges of the [Constitutional Court](#).

The King further enjoys:

- 18) Proposing [laws and legislations](#)
- 19) Approving (the final phase of legislation) [bills](#)
- 20) Concluding agreements, [treaties and covenants](#)
- 21) Unilaterally calls for [marshal laws](#)

Appendix E:

Election Rigging and Manipulative measures

The Bahraini Authorities intervened in many ways to guide, influence and manipulate the suffrage of the Bahraini people. In addition to the restrictions imposed by the decree code no 14 of 2002, this was done collectively by the following measures:

1. *Gerrymandering and controlling population of voting districts:*

In 1973, the drawing of the voting districts were produced by a law, whereas in 2002 and later, this was done by a decree, which ensure the redistribution of the voting districts on sectarian and tribal basis, to ensure overweight of "loyalist" to the ruling elite. This has resulted in producing uneven distribution of voting population, where highly populated areas were given the same representation of lower densely populated districts, violating equality among citizens and voters of the same country (Against the principle of one-man-one-vote). A representative in a district in the Southern Governorate is represented by one sixth of the population in a district in the Northern Governorate. The difference between the voters of the two districts was the religious sect. As a result of gerrymandering, the ruling Authorities have secured at least 22 out of 40 (55%) of the HR, hence, no

majority is achieved without the consent of the ruling Authorities. Furthermore, it is impossible to introduce vote of confidence in any minister (including the prime minister) and changes in the constitution, as these require, TWO thirds (67%) of HR, in addition to that of the Appointed Shura, as per the 2002 constitution.

2. *Political Naturalization:*

Although the [Bahraini Naturalization](#) law bans the naturalized from practicing political right (voting, running for public posts) prior to ten years of being citizen, the Bahraini Authorities granted citizenship to thousands of non-Bahrainis, even if not meeting the naturalization requirements (Dubbed locally as Political Naturalization). This is followed by permitting and directing the newly naturalized to not only participate, but to overweight the vote of certain candidates over others. [Politically naturalized](#) needn't live in Bahrain, but called when needed to support certain candidates. Naturalized Saudis in the neighboring Saudi Arabia, have been allowed to participate through the poll station in the Bahrain-Saudi Arabia Causeway, or the Bahraini Embassies. Legislatively, the restrictions in 1973 constitution (prohibiting dual nationality), as well as in the Bahraini Passports law, banning [newly naturalized](#) from participating in the political life were removed.

3. *Permitting and directing the military personals:*

As per the bylaws of the military forces establishment, its individuals are banned to show any allegiance, or participate in any political or rights activities. This to ensure that the military personals are not involved or influenced by political issues, thus affecting their professionalism. Hence, they, by the internal by-laws, are not allowed to participate in any suffrage.

4. *Role of Military personals*

In 2002, and 2006 elections, the [military personals](#) ([Ministry of Defense](#), Ministry of Interior and the National Guards) were directed, by orders, to cast vote to certain candidates. Again, legislatively, Decree Code 14 of 2002, as well as Constitution 2002 were used to justify this permission, but doesn't allow involvement in any other activities.

5. *Preventing independent institutions to monitor the election process:*

Neither international nor national independent organizations were permitted to monitor and have accessibility to check the actual voting process (identities and details of voters), the transportation and counting of votes, and lastly counter check the State declared figures. The committees, on the country and districts levels, responsible about the election are formed mainly of judges appointed by the King and report directly to the Minister of Justice.

6. *Public poll stations:*

These are public voting centers in which voters from different districts can access and cast their choices. It has been used to hub "floating" votes, mainly from the military personals as well as the politically naturalized, to enable distribute them, centrally, wherever needed to ensure overweight the votes for certain candidates. These public centers, have been away from direct vigilance of candidates or their representatives, who are situated in their primary district. In addition to lack of independent monitoring bodies, these centers have evidently been used to manipulate the outcome of the suffrage process.

Appendix F

Public Properties in Private Hands

Public properties converted to investments in "private pockets"

A decree law was issued in 2001¹¹, followed by a prime minister order in 2003¹² legalized and facilitated of freehold real estate ownership right to expatriate and non-Bahrainis. This has attracted many wealthy investors from the neighboring oil rich GCC countries, as well expatriates who consider real estate prices in Bahrain to be the modest in the area.

As a result of high oil revenue return, this law has helped land prices to increase sharply during the past four year, reaching to an average of 4-6 times its price before 2003. This unrealistic increase in the price of lands and real estate had two effects; it had introduced scarcity in lands offered or available for housing projects, it augmented the number of Bahrainis, even of the middle class and well off, to be able to buy average sized land, and furthermore, the prices of building materials and constructions labour has increased, beyond the income capacity of average Bahrainis.

As a result of the attraction to foreign investment, which is not directed towards the prosperity of the people, but rather to handful influential figures of the ruling family. Many "mega" real estates projects are currently underway in Bahrain, aiming at the provision of high-end, luxurious real estate developments, and priced well to foreign investors, but beyond what the average Bahraini can afford¹³. These including:

- [Bahrain Bay](#),
- [Durrat Al Bahrain](#),
- [Bahrain Investment Wharf](#),
- [Amwaj Islands](#),
- [Reef Island](#),
- [Bahrain Financial Harbour](#),
- [Bahrain World Trade Center](#),
- [Al Areen](#), [Riffa Views](#),
- [the Lost Paradise of Dilmun Water Park](#),
- [Abraj Al Lulu](#), [Banyan Tree Desert Spa and Resort](#),
- [Marina West and Sunset Hills](#).

Misappropriation of Public lands and islands

These are a group of islands which have either been misappropriated or restricted to financial investment managed by influential figures of the ruling Al-Khalifa. Of the first categories, are the Umm Al-Nessan island, the first natural landing of the Bahrain-Saudi Causeway on the west of Bahrain, has an area of 20.47 sq. kilometers, (contains one large resort palace for Shaikh Hamad Bin Isa Al-Khalifa, the ruler).

The second islands is Jeddah, linked to the Bahrain Saudi Causeway, has an area of 0.56 sq. kilometer, is a restricted resort island for the prime minister, Shaikh Khalifa Bin Salman Al-Khalifa, older uncle of the ruler. The third island, Um-Sabban, of an area of 0.18 sq. kilometer and is a resort for the second younger uncle of the ruler, Shaikh Mohammed Bin Salman Al-Khalifa. The total of these three islands is 21.21sq. Kilometers, which if developed as per the Bahraini Ministry of Housing standards, would suffice for building more than 52 thousand units (consider the unit area of 285 sq. meters and 30% area deduction for infrastructure and services).

Developing is prohibited in Hawar islands – a group of islands composed of six main islands and thirty small islands - of total area of 51.5 sq. kilometers, on the ground that it dedicated for financial investments and resorts.

The total area for the four islands (Umm Al-Nessan, Jeddah, Um-Sabban and Hawar) is 72.71 sq. Kilometers (7271 Hectares)

¹¹ <http://www.legalaffairs.gov.bh/htm/L0201.htm>

¹² <http://www.legalaffairs.gov.bh/htm/RCAB4303.htm>

¹³ [ibis](#)

Appendix G:
Bahrain 2030 National Planning Development Strategies
Meeting the demand

As per the Bahrain 2030 National Planning Development Strategies¹⁴, proposed by Chicago-based Skidmore Owings and Merrill (SOM) company, there will be a need of 10270 Hectares (100 Hectare = 1 sq. Kilometer) to meet national service and investment projects considering an increase in the population between 1.25 -1.5 Million, by the year 2030. These are distributed as:

- * **4400 Hectares for construction of housing projects**
- * 54 Hectares for social projects
- * 236 Hectares for financial projects
- * 50 Hectares for commercial projects
- * 800 Hectares for constructing hotels- SOM study anticipates a flux of visitors to Bahrain, considering the investment and economic developments, requiring the need of 26 thousand hotel room by 2030.
- * 900 Hectares for tourism needs
- * 200 Hectares for education needs- SOM study expects the number of pupils by 2030 to reach quarter of million, requiring constructing private and public schools.
- * 40 Hectares for medical needs
- * 2000 Hectares for industrialization
- * 1500 Hectares for military purposes, considering the existing Shaikh Isa military base, south of Bahrain.

The SOM report covers a survey which concluded that 97% of the sea coast is at private hands and that there are areas in the existing islands, which are yet to be exploited:

- 1) 800 Hectares in the Capital Manama.
- 2) 600 Hectares in Muharraq
- 3) 3600 Hectares in Sitra, Jaw and Askar
- 4) 700 Hectares in Riffa and Isa Town
- 5) 2200 in Hamad Town

The total available (unexploited) areas on the existing three islands (Bahrain, Muharraq, and Sitra) is **7900 Hectares**. As per SOM, and considering the area needed for housing need, there is an excess of 80% land on the area required for housing construction (7900 Hectares / 4400 Hectares).

Furthermore, considering some of the islands (Um Nessian, Jeddah, Um Subban and Howar, the total area of which is 7271 Hectares) producing a **total available area of (7900+7271=) 15171 Hectares**, providing extra 50% of the required area for the national strategic need until 2030, indicated by SOM, **without the need for sea reclamation**.

This indicates that there are other purposes behind sea reclamation, which so far exceeds **70 sq. Kilometers amounting to over 100 billion US Dollars**, went to pockets of elite figures in the ruling Al-Khalifa family. (The cost was made on estimated low price of 132 US Dollars per sq. ft. This price has more than triple price at the current real estate market)

¹⁴ See Alayam news paper issue no.6224 dated 25 March 2006 - www.alayam.com

Appendix H:

Naturalization to control output of suffrage process

Summary of Documentary interview with Saudis granted Bahraini Citizenship

Displayed publicly on July 16th, 2003- Manama, Bahrain.

A 17-minutes documentary reporting interviews with eight Saudis from Al-Dawaser tribe, where most scenes were taken in June 2002 at Al-Dawaser Tribe area in East province of Saudi Arabia. The interview covers aspects of the procedure of obtaining the Bahraini citizenship, the requirements, the duration, other ways of obtaining citizenship, dual nationality, the number of naturalized, naturalized Saudi tribes, benefits from the housing facilities and voting and participation in the election.

Summary of the dialogue carried out with the Al-Dawaser tribe members given Bahraini passports:

Procedure of obtaining the Bahraini Passports:- The common procedure was to apply to the Chief of Al-Dawaser, *Shaikh Ali bin Isa* at Dammam's office (3rd Floor, Melaihi Building- Dammam, KSA). Applications are gathered in thousands, taken to Bahrain, and the Bahraini passport is delivered back to the applicants.

Naturalization requirements:- In addition to the application, photographs, copies of the Saudi passport and other ID proofs

Period required to obtain Bahraini passports:- The procedure takes from 3-6 months. Another faster way is to apply in Bahrain. It takes only two weeks. In Dammam, *Sh Ali bin Isa* process the applications in piles of thousands.

Start of granting citizenship:- Granting Bahraini citizenship in this way started three years back (1999)

Dual Nationality:- Those granted Bahraini citizenship retain the Saudi passport as well.

Number of naturalized:- Most of family members of the interviewee as well as most Al-Dawaser tribe members obtained citizenship. The estimated number of the naturalized from Al-Dawaser ranges from 15-22 thousands.

Other Saudi tribes- It was exclusive to Al Dawaser but later extended to Qahatin, Zuwairy, and others.

Benefits from the housing facilities- Naturalized are allowed to apply for the housing benefits

Voting and participation in the election:- Al-Dawaser of Saudi Arabia participated in the National Action Charter in February 2001 and the last parliamentary election in October 2002. (At King Fahd causeway poll station). The Saudi (Bahraini) voters were taken by bus in the accompany of immigration and Duty officers to the poll station within the Bahraini border, where they cast their votes without having their passports stamped. In the election, *Sh Ali bin Isa*, Al Dawaser Chief, directed the naturalized to vote in specific places and candidates in Bahrain.

Official documents:

The film ended with showing some of the Bahraini Official ID's (passports, Central Population Card-CPR) for some of the interviewees. *Juma Jassim Al Dossary* displayed his CPR with an address in Bahrain. This address was traced back. The residence was occupied by some expatriate labor employed by a Bahraini contractor.

Appendix I: Summary of Bandargate Reports

The reports are produced by a UK-based Gulf Center for Democratic Development (GCDD), headed by Dr Salah Al-Bandar, strategic planning's chancellor at the Bahrain Prime Minister Council Affairs, before his deportation to UK on September 13th 2006, as he is a British citizen..

Al-Bandar Report no. 1:"Bahrain-The Democratic Choice and Marginalization Mechanisms"¹⁵

A secret organization managed and financed by the Royal Court and supervised directly by Shaikh Ahmed Ateyatallah Al-Khalifa, a high government official and member of the Al-Khalifa family. The organizations has been operating in since 2005 with aim to manipulate the results of 2006 elections, introduce and maintain sectarian sedition, distrust and division, and to ensure that Bahrain's majority Shia population remain oppressed and disenfranchised. The 216-page report- **in Arabic** - contains almost 200 pages of copies of cheques, receipts, letters, bank statements and accounts sheets for members of the secret organization, in carrying out the actions of the plan.

The secret organization works through a media an electronic groups, intelligence Jordanian team , Al-Watan newspaper, a Shia to Sunni conversion programme, and Gongo civil societies. The total cost of the set plans is said then to be more than BD 1 million, and the main financier is named as Civil Informatics Organization (CIO) head Shaikh Ahmed bin Ateyatalla Al Khalifa , head founder of the higher committee for elections.

The secret organization established and built its strategies based on the recommendations of a confidential study in September 1st, 2005, entitled: "*A Proposal to Promote the General Situation of the Sunni Sect in Bahrain*"¹⁶. The study, also appended to the report, was prepared and written by an Iraqi Academic, Dr. Nezar Alani, ex-head of Evaluation Directorate at the University of Bahrain, now heading Al- Ettehad University in the United Arab Emirates. The leaked documents show that Dr. Alani had received an amount of BD3000 (~ US \$7960) in return for his study.

Role of the groups members of the secret organization is briefed at <http://www.bahrainrights.org/node/528>

Al-Bandar report no.2: "Bahrain: 2005-2010, the Action Plan of Secret Organization" ¹⁷

Over 240 pages, this report, in Arabic, is a compilation of "secret documents" giving detail plan to achieve certain objectives, in collaborative efforts of the National Security Bureau, the Ministry of Interior and its secret services, the Ministry of Justice, and the Ministry of Social Affairs. It is divided into six sections:

- The first section, titled Containment of "Olama" (Shia Scholars), includes detail plan for activating the role of the security services in tightening its grip on the Shiite religious organizations, places of worship, charitable organizations and its cultural and social frontages.
- The second section gives guidelines for unification of (Royal Court and the Government) when addressing public issues both internal and external arena.
- The third section is concerned with the naturalization challenge and meeting requirements setting the requirement for naturalization of 50 thousand of Sunnis per year to achieve a sectarian balance (against Shia citizens) by the end of the year 2010.
- Section Four lay down necessary executive steps to reorganize civic societies, injection of employees of Ministries of Defence, Interior and the National Guards in the civilian life in order to combat the rising activity of civic organizations in public life.
- The fifth section is concerned with the strategy and plan of action among youths (the future) identifying areas and alternative incubators for enhancing the youths loyalty to the Regime.
- The sixth part covers plan to undermine and contain the activities of the American Embassy in Bahrain in support of civic organizations, including expelling NDI representative and intelligence infiltration of Embassy staff to affect its reporting.

¹⁵ www.bahrainrights.org/files/albandar.pdf

¹⁶ ibis

¹⁷ <http://www.virtualbahrain.net/reports/bandargate2/index.php?p=001>

Appendix J:

A translation of

“Naturalization Challenges: Estimates and Indicators”¹⁸

Section Three of “Bahrain: 2005-2010, the first part of the Plan of Action of Secret Organization”

The case of Bahrain needs a strategic brave decision to make the exception (in granting citizenship) prevails over meeting the conditions, which should be made the exception. This is for reasons relating to the particular conditions in Bahrain, the most important of which is the imbalance in the demographic status and its danger on the future of the regime and its sovereignty

Bahrain, its identity, future of its generations, its culture and history are on the line, if the sectarian demography flaw stayed prevailing.

Shiite, through its tools (education + work + birth), in addition to other factors (Sunni Migration to neighbouring states + migration of Shiites to Bahrain), was able to reverse the percentage (Shiite to Sunni) during 20 years.

The Shiite leadership (religious/political) put the issue of "nationalization" at the top of its provocative and inflammatory agenda (social bombs) to continue its current control (economically + population) and consider it a guarantee to impose political control and seizure over the regime.

The "naturalization" issue is one of the most important primary pillars in opposition discourse and is directed to implicate external provocation against the Kingdom and its symbols. It will remain on the agenda in the foreseeable future. The opposition is currently active in the formation of a "national committee to combat naturalization" and is working to amend the 1963 nationality law in order to achieve full control of the naturalization process. It also aims to codify preventing the naturalized of exercising the political right of nomination, election and managing a public office. The objectives of the opposition (Secular+ religious Shia) is to impose its agenda aiming at affirming dominance of Shia sect on the future of the country and provoke racial as well as sectarian sentiments to serve its political objectives.

This was evident from the primary recommendations of the Naturalization committee, formed by the House of Representatives (May 2004), and the most important points were:

- ascertain the fulfilment of applicants for naturalization conditions specified in 1963 law (public + private + exceptions to the Majesty the king).
- forming a regulatory body to follow up the steps to grant nationality.
- specifying clear criteria for the exception cases.
- Limiting naturalization only to the actual needs of the State.
- Disclosing orders granting citizenship, its withdrawal and abolishment in official Gazette.

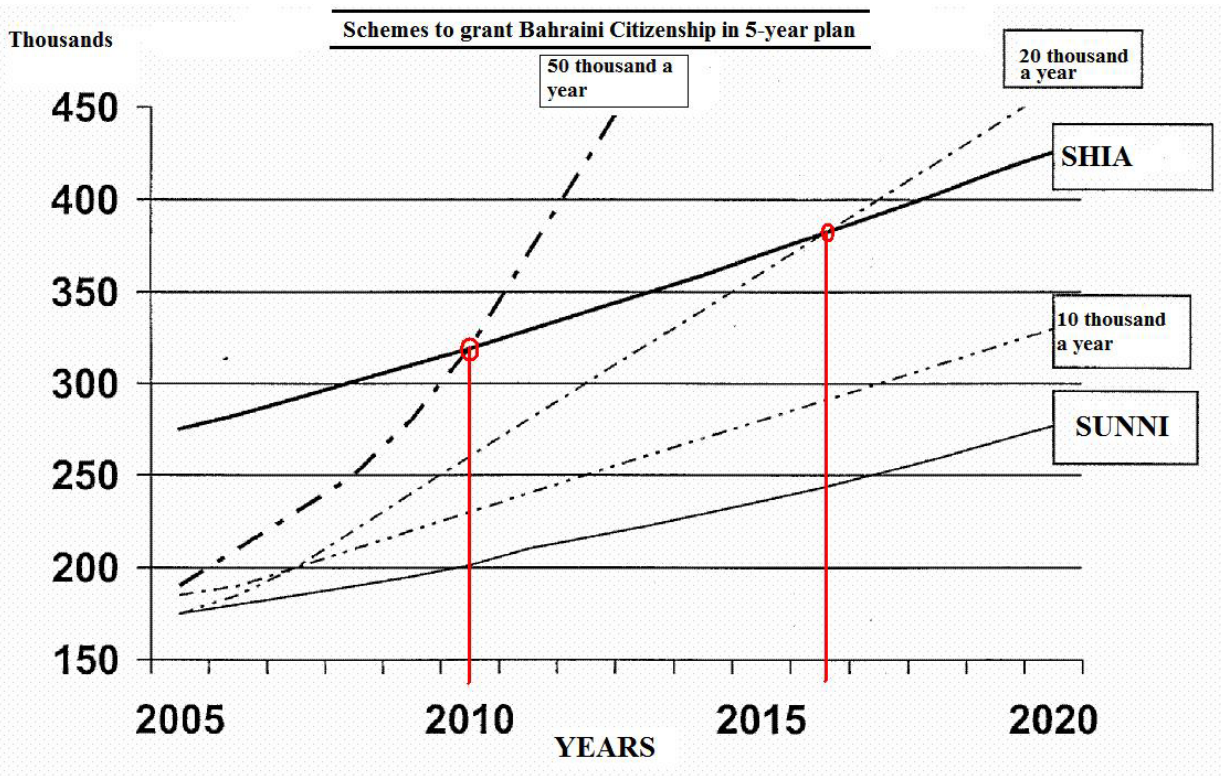
The State has exhausted efforts to overcome these recommendations and avoid non-compliance.

• Naturalization file shall resurface strongly in September 2005, after a period of six months granted by the House of Representatives to the Minister of the Interior to respond to the report of the Special Committee investigating the matter.

• Shia deputies Abdulhadi Marhoon + Ali Al-Samahiji + Abdulnabi Salman + Mohammad Abbas Al-Sheikh + Jassem Abdulaal will exploit the "naturalization" file, in a dirty manner, as Bahrain enters the electoral battle in 2006.

The following chart shows the difference, in numbers between the population of the two sects (Shia and Sunni), will continue forever. It would create a state of escalating sectarian confrontations and encourage targeting the regime, if things persist unchanged.

¹⁸ <http://www.virtualbahrain.net/reports/bandargate2/index.php?p=042>



The alternative option should bear in mind the outcome of currently prevailing procedures aimed at changing the population demography. They are:

- Focus on the naturalization of expertise (Arab and foreign). The number is small, and does not exceed at best 2000 case per year. The families of these competencies are usually small (number of children do not exceed 3).
- The cases, currently under consideration, at best and of all groups, do not exceed 25 thousand application. It is estimated that it will not contribute significantly in changing the situation. During 6 months of 2003, for instance, the naturalization cases did not exceed 7300.
- The proposal to facilitate for the conditions of the dual nationality with Qatar, at best, will add not more than three thousand naturalized. The issue becomes more moral than practical, especially with the desire of Qatari Authorities not to grant nationality to the "Baharna"- Shiite Bahrainis.
- Dual citizenship with Saudi Arabia didn't produce more than 15 thousand naturalized. In the previous elections-meaning 2002 election- their effect was very limited to constituencies, but was its political exploitation was frightening.
- Continue to negotiate with the tribes of Saudi Arabia to support dual naturalization. This will provide, at most, 60 thousand people, but most of them will not move to Bahrain and will just act as reserve, for periodic "urgency".
- Collective marriage. Despite its low cost (340 marriages cost 30 thousand Dinars), its impact, at the end, is more than limited. For example, the Islamic Education Society (Salafi), a leader in the collective marriage project, facilitated collective marriage of about 2500 marriages, during the period from 1992-2005. Only 70% of the marital relationships lasted and contributed in increasing the number of the Sunni population of 6 thousand child during the 13 years.
- But the Shiite community encircled this project, adopted the same idea and applied it with effectiveness. They managed to secure internal and external support (UAE + Kuwait) – for the collective marriage project- and organized joint events by it charity funds, to facilitate, in one month (May 2005), 700 Shiite marriage cases against 300 Sunni cases in that year. Not to mention the cases of marriage (temporary “muta'a” or permanent), which are increasingly promoted during Ashura between the Shiites men of Saudi Arabia (From Hasa area) and Baharna women!!

Despite the importance of continuing and ensuring not naturalizing Shiites of Iranian or Iraqi origin, because of its justified danger to the national security, and because the loyalty of these is questionable (loyalty is to Iran and not to

Bahrain). However, the current procedures allow naturalization of these people on an average of one thousand individual a year. We believe that effective option must consider the experience mentioned earlier, in particular the Israeli experience, benefiting from its course and the difference in circumstances.

When Israel felt that number of Jews immigrants from the Western countries constantly decreased, because of the decline in the standard of living in Israel compared with the Western countries, it (Israel) headed towards Eastern Europe and managed in a short period of time grant citizenship to more than a million citizens of Russia alone. Then it went towards Africa, and obtained nearly 300 thousand Flasha Jews from Sudan and Ethiopia, as well as about 150 thousand from South Africa. Now, they are heading to India, where they discovered Indian Jewish group there!

In order for Bahrain to achieve the required balance, it must consider naturalization of 10 thousand Sunnis per year would not, absolutely, affect the currently prevailing the relation (see the chart in p.5). If the number was raised gradually to 20 thousand per annum, it could succeed in amending the demography at the end of 2016. If, however, the number was raised gradually to **50 thousand per year**, its capability to alter the population composition could be realized after the year 2010. In our judgment, this is the only strategic option.

The legitimate question is about how to implement that arrangement before the eyes of the opposition, and its ongoing campaigns.

From media perspective, firstly: the topic should be presented as part of the strategic objective to preserve the identity of Bahrain, as stipulated in the National Action Charter (NAC) and the Constitution, confronting schemes designed to naturalize Asian expatriates in the Arabian Gulf.

Secondly, highlighting the matter in relation to revitalization and strengthening the Bahraini community, as well as the achievement economic growth and stimulate social interaction to combat opposition allegations that it will cause social fragmentation and low level of income. The main objective to focus on the gradual coverage of the (naturalization) issue is to raise the pace of Sunnis response and their support to this strategy, while activating its role in the national arena through the emphasis that the (naturalized) are of the (trustworthy).

Recommendations

- The focus should be on three main sources to push the naturalization process: Iraq Sunnis, Asians focusing on Baluchis, Bengalis and Yemenis. Most of these nationalities dream of better economic opportunity in Bahrain.
- Currently, there are more than 120 thousand Iraqi Sunni in Jordan fugitive from tyranny and Shiite persecution in Iraq . Making use of this quantity in facilitating the presence of at least 30thousand of them in Bahrain. Despite the roughness nature of the Iraqis compared to the Bahrainis, this will help in elevating the temperature (heat) of the Bahraini Sunnis. They will provide the practical proof that the fate of the Sunnis in Bahrain will not differ from that of their Iraqi brothers, if Baharna (Bahraini Shiite) were allowed to take control of the country. At the same time, there is the positive psychological impact.
- Discrimination and persecution facing Iraqi Sunnis, since the fall of Saddam, is still virtually undisclosed in all parts of the Islamic world. Bahrain can be used this in its propaganda campaigns, directed internally, to pre-empt the current Shiite schemes
- Sudan's population is 30 million. There are no less than 700 thousand Sudanese expatriate in SAUDI Arabia+ UAE + and Sultanate of Oman from different professions and a specialties (labour + professional). Although their economic circumstances in those countries are better, the temptation to obtain the Bahraini nationality, resettlement and the stability of their families in Bahrain did not attract many of them. They are often not inclined to obtain citizenship for psychological reasons.

70 Thousands	50	From Iraq	Iraqi Sunnis
	20	From Jordan	
3 Thousands	1500	Gulf Countries	Sudanese
	500	Egypt	
	1000	Sudan	
45 Thousands	15	GCC	Yemenis
	30	Yemen	
63 Thousands	60	Saudi Arabia	Dual Nationality
	3	QATAR	
30 Thousands	Asians (Baluchistan, Bangladish)		
15 Thousands	Other Arabs		
226 Thousands	TOTAL		

Quantity, Source and Nationality to Fulfill the Five-Year Plan of Demographic Change in Bahrain

- There are about 200 thousand Sudanese now living in Egypt, escaping the situation in Sudan. Most of them are registered with the United Nations High Commissioner for Refugees and the International Migration Organization in Canada + Austria + of the mandates of the United + States Scandinavia. The procedure implemented is long and complex taking 5 - 3 years. This could be considered in order to provide a source of large numbers eligible scientifically.
- The third source is Yemen, which has a population exceeding 21 million. The high percentage of education and low level of income make immigration a primary choice for most Yemenis. Bahrain has been attractive place for them, in the light of Saudi intransigence towards their entry to the Kingdom.
- The surplus population of Other Arab countries, especially Jordan, Yemen, Syria, Egypt and Morocco could be used to provide 15 thousands annually. The focus here would be on those born in Kuwait and Saudi Arabia (Stateless or “Bedoon”), for ease of harmony with Bahrainis and gain of habits of the Gulf
- Systematizing a proper mechanism to attract these competencies and human resources who have been examined (socially + politically) in the past and their characteristics matched with that of the Bahraini society.
- A plan, set to process and accept applications for naturalization, has been adopting flexible regulations in its review and evaluation, through grant Bahraini nationality by reducing the number of years of residence in Bahrain to three years for Sunnis of Arab descent. This may raise the current number to about 25 thousand eligible for citizenship at the very least. Based on these recommendations, the sources of naturalizing Sunnis could be summarized as follows: (See Table).

The Bahraini Strategy

The Bahrain's strategic objective is controlling the rapid population growth and support opportunities for increasing number of Sunnis in order to preserve the national identity, Bahraini culture and social cohesion. It is a policy based on the principle of swift decision-making, through reducing foreign employment and kept at a minimum level while treating the economic situations and **activating a strategy addressing unemployment by opening migration opportunities for the Shiite, whatever few in number**, and the maximum utilization of foreign competencies necessary for Development.

The State is studying the population impact for any imbalance in the demography by revising laws, regulations, governmental programs, as well as health and education services before implementation within the framework of retrieving the law. It also seeks to link training and education outputs with the needs of sustainable development and encouraging Sunni women to enter labour market, considering the privacy of the community and its traditions, as the vast majority of the female work force in the labor market is Shiite.

The Bahraini Constitution (2002) in article 17 states that:”a-Bahraini nationality shall be determined by law. A person inherently enjoying his Bahraini nationality cannot be stripped of his nationality except in case of treason and such other cases as prescribed by law”. The naturalization process is subjected to the sovereign supervision according to “Bahrain Nationality Code” of 1963 and its amendments.

The same constitution states (Article 18): “People are equal in human dignity, and citizens are equal before the law in public rights and duties. There shall be no discrimination among them on the basis of sex, origin, language, religion or creed”. Therefore, there is no distinction between the indigenous Bahrainis or those naturalized, in all circumstances.

- Formation of a standing committee under the chairmanship of Sheikh Mohammed bin Attiyatallah Al-Khalifa, Head of the Royal Court
- This project can be dealt, only by dual media campaign intensifying the awareness of the dangers of the Asian communities on Bahrain, as a political cover, while gradually replacing the Asian employment groups by the naturalized in the framework of the recommendations to address the demographic imbalance between Sunnis and Shiites in Bahrain;
- Under any circumstances, any opportunity to open the “naturalization issue” in the House of Deputies should be prevented.