

Annex (I): Political frame work and current situation

Political Frame work and man concerns¹:

Bahrain is a monarchy led by King Hamad Bin Isa Al-Khalifa with a population of approximately 725,000, approximately 430,000 of whom are citizens. King Hamad is the head of state. His son, Crown Prince Sheikh Salman Bin Hamad Al-Khalifa, is heir apparent; and his uncle, Sheikh Khalifa Bin Salman Al-Khalifa, as prime minister, is the head of government. The king appoints a cabinet of ministers. Members of the Al-Khalifa royal family hold about half of the cabinet positions, including all strategic ministries. In 2002 the government adopted the current constitution that reinstated a legislative body with one elected chamber, the Council of Representatives (COR), and one appointed chamber, the Shura Council. In November and December, parliamentary and municipal elections were held and all political societies participated, including the four that boycotted the 2002 parliamentary elections. The constitution provides that the king is head of the executive, legislative, and judicial branches of the government. Civilian authorities generally maintained effective control of the security forces.

Citizens were not able to change the government and experienced restrictions on civil liberties such as the freedoms of press, speech, assembly, association, and some religious practices. Though citizens were not able to form political parties, the law authorized registered political societies to run candidates and participate in other political activities. Reported judicial abuses included lack of judicial independence and allegations of corruption.

2. Overview of the recent political situation:

There had been a notable progress in the period from 2000- 2002. Nevertheless, there has been a setback in the last five years.

In 2001, as a result of a general amnesty by the ruler, thousands of political prisoners and detainees were released and hundreds of deportees and decedents living in exile were allowed to return. The State security law and the state security court were nullified, leading to atmosphere for de-facto freedom of opinion and freedom of assembly and the forming of new societies including political and human rights societies.

The new ruler declared him self as a king and Bahrain as a constitutional monarchy after a referendum on the national Charter in Feb. 2002 which provided for restoring democracy and basic freedoms and rights. Nevertheless, the new king issued a new constitution and around 60 new decrees that hindered democratization and paved the way for escalating political and social tension and setback. The new amendments of the constitution gives the king full executive power, and the lion share in the legislative and judicial power. The king appoints all government members, appoints half of the members of the national assembly, appoints all members of the high judicial council and all members of the constitutional court. As a result of new decrees on the functioning of the national assembly, the half elected national assembly failed to perform as a legislator or a monitoring body.

¹ **Source:** Country Reports on Human Rights Practices - **2006**, Released by the Bureau of Democracy, Human Rights, and Labor, USA, March 6, 2007

The sixty decrees issued by the new king included decree no. 56 that provided a new interpretation for the prior general amnesty decree, providing impunity and protection for officials accused of torture and violations of human rights during the past period. A new restrictive law on the press has been used effectively to impose self censorship and restrict and the practice of freedom of opinion.

Despite wide expectations, there has been no change in the government. The powerful prime minister, who is the King's uncle, has been in post for more than 35 years including the years of gross violations of human rights. He, and 100 members of the ruling family still dominate the government and act actively as "old Guard". They dominate the private sector as well.

The National Assembly:

Manipulation of elections constituencies has secured a majority loyal to the government in the Council of Representatives. Furthermore, the government uses effectively the defect in the mechanism and authorities of the Representative Council in order to subjugate or disable the National Assembly.

Since December 2002, the National Assembly, has ratified laws that were initiated by the Government and which restrict basic freedoms and punish citizens for exercising their fundamental rights. Among these laws was the Law to Combat Terrorism, that imposes the death penalty and harsh punishments against actions that do not necessary imply the use of violence.

The National Assembly has also failed to amend the restrictive laws that were pronounced prior to its existence, such as: **the 1974 Penal Code** which consists of stringent clauses that facilitate, during the last three decades, the practice of excessive human rights violations that resulted in the loss of tens of life's and left thousands of victims of arbitrary imprisonments, tortures and forcible exile and **Law 56 of 2002** that grants impunity to those responsible of committing the foresaid violations whom are still in their high and sensitive security and administrative positions.

Instead of monitoring and investigating Government practices, The National Assembly has surrendered to Governmental influence. It had remained silent or supported the government by published statements justifying the use excessive force against peaceful activities and against hundreds of activists, journalists and human rights defenders subjected to physical assault, defamation, arbitrary detention and unfair trials.

Due to government influence, the **Council of Representatives** has failed to form a Human rights committee, failed to approve any bills initiated by its members that would contribute to improving people's living standards, failed in questioning any of the Ministers who were accused of corruption despite evidences provided by interrogatory committees as in the case of General Organization for Social Insurances (GOSI) and Retirement. The Majority of members refused to pronounce a vote of no confidence against the foresaid Ministers.