

A PLEA OF A COUNTRY

SHEIKH ALI SALMAN BAHRAIN OPPOSITION LEADER

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جمعية الوفاق الوطني الإسلامية
Al-Wefaq National Islamic Society



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About the Author:

Sheikh Ali Salman Ahmed Salman was born in 1965 in Bahrain. He is the Secretary General of Al-Wefaq National Islamic Society, established in 2001, the biggest political association in Bahrain. Sheikh Ali Salman led the 1994 "Uprising of Dignity", before authorities banned and exiled him to Dubai, and then to London. He returned to Bahrain in 2001 after a series of reforms and promises by the King, that the ruling regime would be Royal-Constitutional. The King however, did not abide by his promises. Sheikh Ali Salman took part with al-Wefaq Society in the 2006 constitutional elections, after they boycotted the elections in 2002. He became member of the Bahraini parliament for 4 years, before he resigned, along with al-Wefaq Society, in 2011, in protest against the brutal crackdown of the peaceful national protests in the Pearl Roundabout of the capital Manama. On December 28, 2014, Sheikh Ali Salman was arrested. The last verdict against him by the Appeals Court ruled a life sentence in prison. This step comes in line with the framework of repressive measures adopted by the authorities against the Bahraini opposition.

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“To My People”

Sheikh Ali Salman

Al-Wefaq National Islamic Society's Address

"I desire nothing but reform so far as I am able, and with none but Allah is the direction of my affair to a right issue; on Him do I rely and to Him do I turn."⁽¹⁾

"Mostly, positive thoughts and feelings greatly dominated me ever since my arrest up to this day, March 16, 2015. These positive feelings are [now present] much more than they were before jail. Perhaps the great number of worries and duties I had before prison was one reason I did not feel as much positivity as I do now, and it may likely be [an act of] mercy and support from God (Allah)." - Sheikh Ali Salman.

In his political movement, Sheikh Ali Salman represented a project of peaceful political reform, not only of the state and its regime and apparatuses, but also of the Islamic opposition. He adopted "a civil, democratic and constitutionally-owned state" project, without deflecting from his Islamic views. He based it on his deep perception of the Islamic concept of reform and made his personal faith a source of values for relations with those who disagree with his religious reference, faith, movement and ideology. He turned this faith into a source for the most important value for politicians today; tolerance, not only with those who oppose, but with rivals as well, and this is what he documented in his hand-written letters that were leaked from prison and in parts of his plea.

"I haven't experienced any hatred towards those responsible for my arrest. Although I hold a deeper belief in the atrocities they commit and the harm they inflict upon the people and the country from injustice and monopolization, I also hold an even greater faith and deeper perseverance in the significance of continuing the movement and call for reforms, so that we can live as equals in Bahrain. This feeling of pursuit is related more to me than it is to the people," Sheikh Salman said.

1 Surat "Hud", Verse 88.

This ultimately deep faith gave him power; yet not the power of hatred that stems from narrow-minded religious bigotry, because that is a life-destructing force but rather the power of faith that allows one to belittle his rivals, who cannot keep up with the power of love, generosity and sublimation that flows within him.

In one of his letters, Sheikh Ali says, *“Allah fills me in some moments with feelings of power to the point where I feel my rival’s weakness and humiliation compared with my power. Effects of my rival’s materialistic influence disappears with these feelings, and their power seems worthless in my mind.”*

Sheikh Ali added to his personal faith and Islamic religious approach an experience of opening up to the conflicts of other nations who have suffered historical dilemmas and political injustice. With that, he had formed a special and unique model. Perhaps we can explain through this combination, in his model, the reasons behind his reassurance and ease that he had spoken about from prison:

“I sometimes feel a great deal of delight and tranquility and outstanding deep serenity, extraordinarily, and for not any apparent or familiar reasons. I can describe my thoughts and feelings mostly as love with tranquility, serenity, peace of mind and joy.”

Perhaps he recalled with this reassurance the moments he stood in front of Mandela’s cell, admiring his wisdom, *“You are either free or you are not.”* In this context, Sheikh Salman says, *“Mandela got out, enjoying his entire freedom, not half a freedom. He got out to rule with the equality he had demanded, not with the discrimination and racism he was imprisoned for.”*

Among the most significant experiences that Sheikh Ali Salman witnessed was the struggle of the black people that molded a part of his awareness. South Africa was one of the places Sheikh Ali visited in 2013 to broaden his perception on Nelson Mandela’s ordeal on one

hand. On the other hand, however, he wanted to look into the conflict in this small island from a greater perspective. He did this to approach discrimination in Bahrain from a humanitarian point of view, far from the sectarianism the regime had created, which seems apparent both in its human rights violating crackdown and its public relations.

It is more noteworthy now to reread al-Wefaq Society's obituary to Mandela at the end of 2013. It was as if it drew the path of its secretary general, who was arrested a year after this statement:

“As we fight in Bahrain against dictatorship, we remember Mandela's stance refusing defeat, even while imprisoned. We dream that a day will come, when our political prisoners shall walk the streets like heroes, just as Mandela. His enemies in the Apartheid regime had described him as a terrorist, and today he is remembered as a peace-loving political leader.”

We wouldn't be straying far from Sheikh Ali Salman's story when we talk about him through the struggle of the black people, whom he loved dearly and was inspired by. One of these experiences is that of Margaret Walker, the African American poet and academic, who wrote about the epic struggle of her people in a poem entitled *“For My People”*:

*“For my people everywhere
Singing their slave songs repeatedly.
Their dirges and their ditties and their blues and jubilees...”*

The aching heart that Margaret spoke from, and from which she started her call, *“for my people”*, is the same ache that still simmers in the heart, words and every part of Sheikh Ali Salman's very being. These immense feelings of sorrow he holds in his heart, are what give him the right to address his people with a possessive speech, as no one but a true lover would indulge in these sentiments: *“To my people”*

What a great possessive reference! Yet how difficult and heavy!

We are not his people because he is a leader by necessity, or because he was elected by the largest political party in the Gulf, but because he represented what truly makes us a nation, not subjects, slaves or sponsorship seekers. We are his people who understood the path of political freedom he guided us to, and we are his people because he sacrificed his freedom for ours.

You cannot attain the legitimacy of referring the people) to yourself and addressing them or speaking on their behalf unless you are where the nation's aspirations of freedom are and unless you embrace its entity as a nation that is able to demand, choose, decide, dissolve and enact. You become a leader who owns the right to refer the nation to himself once you represent its contractual will and not its historical conflict.

Notice how ugly and fake this reference would be if the King were to say: to my people. It would look like a violation and theft. It's as if this [my] addition, (referred to the King,) stealthily and forcibly steals the voice and will of the people, just like he stole their land, sea, sky, history, identity and will. Such referent, along with his family, represent the historical conflict of this nation. Thus, he cannot refer the nation's conscience to himself except by extortion.

Sheikh Ali Salman's long and arduous path aims at changing this historical ravel, charged with memories of oppression, into a historical contract. This mission had to face great grief that did not merely begin on February 14, but was intensified ever since, and thus resulting in this huge historical weight.

This plea represents this contractual will and tells the tale of its striving history as it paves its way to freedom - where years are endured by hope, not destined to pain, as they confront this historic knot. These are the years of Al Khalifa's tyranny.

“To my people, who give their power to years; years of the past, years of the present, and years to come.”

These are the nation's past years of enforced forced labor; present years of discrimination; and coming years of possible revolutions.

The past's hefty and unjust years formed the story of Sheikh Ali Salman's leadership, when he inherited its remaining with great responsibility. He read the repercussions of those years on the faces of the oppressed. Thus, he carried their pride over his shoulders.

He decided to be a leader who opens up the upcoming years to *“the possible,”* not *“the inevitable”*. The ruling family had decided that this nation must live years of forced labor and discrimination. It wanted it to be their fate, with no hope of change. He [Sheikh Ali] decided to open what had once been inevitable to the doors of the possible and the impossible.

Consequently, he invested in their power; the power of the nation and its ability to impose change; for the sake of years enriched with freedom, dignity, recognition, justice and the will of making decisions. The meanings of those years were drafted in one of the revolution's famous slogans, *“You will fail, and we will not”*: we will not be thwarted from pursuing the upcoming years of possibilities, not inevitabilities.

Sheikh Ali Salman introduced us to the most powerful thing for the sake of which we should survive, *“The possible years”*. It is equivalent to the dream that Martin Luther King expressed in his 1963 speech *“I Have a Dream”* about the years when the blacks suffered from the misery of slavery, discrimination and racism.

Sheikh Ali had disputed the past years in many ways, one of which was during the *“The People: The Decision-makers”* festival in December 2012 when he said, *“The time of slavery and individual decision-making is over.”*

“To my people standing, staring and trying to pave a new path in a world of chaos, hypocrisy and misunderstanding; trying to build a world that includes all people, of all levels.”

Since the popular and elite petition that was held in the 90s, Sheikh Ali Salman’s leadership began to evolve. He stepped into the light at a time the Kingdom’s constitutional path was set. The naming was not well-established back then, but the new path had started demanding enforcing the constitution. This young man was not yet involved in the meetings of higher figures, as they were planning to direct the people towards a new road of strife. No one had expected that a new youthful leader, in his 20s, would start paving a new path. Sheikh Ali Salman was able to build a new direction, with the youth of the 90s generation, for the petition that he did not attend its drafting meeting. Constitutional slogans flooded the towns’ walls: *“The parliament is the Solution”*, *“We Demand the Return to the 1973 Constitution”*.

This is the nation of *“Sheikh Ali Salman”*, that he had raised and was raised by and with. This path took them to the Pearl Roundabout, which drafted the *“Constitutional Monarchy”* as a clear, serious and politically negotiable political demand. The majority of political forces that represent the various spectrums of the Bahraini people had agreed on this demand by consensus.

Hence, this plea represents part of the resisting political and ideological biography of the *“Constitutional Monarchy’s”* long path, as lived by Sheikh Ali Salman from the 90s to this very moment of many possible conclusions.

Not only is this current moment subject to several conclusions, but this leadership’s entire tale is also open to possible ends that this nation could reach.

*“Let the virgin land rise,
Let a new world be born,
May new people be born,
May a new courageous generation be born”*

Sheikh Ali Salman wrote a chapter of the country’s history in his drafted plea. He wrote it from a place, where he shares thousands of his people the ordeal of imprisonment. He described his first moments when writing his plea:

“In a small jail in East Riffa’ Police Center that consisted of 4 jail cells, each cell 2 meters in height and width, with a window at a height of 1.6 m, 25 cm in height and width used for ventilation. This jail cell has a bunk bed of 180 cm. There is a closed bathroom with a door to the left side of the cell, 160 cm in height and 75 cm in width. The cell’s walls are beige and its metal bars have the color of lead. In this place, after the first court hearing on January 25, 2015, this plea was established. I continued to write it for around five months in the preventive detention.”

Between the beginning of the plea and its delivery lies a long history. It is the history of the 90s and the first decade of the third millennium, and the 4 years of the second decade of the third millennium. These represent the longest, toughest, and most brutal years of the Bahraini struggle.

It is the moment of imprisonment. Sheikh Ali waited for this moment to be alone, to write the tales of the issues he tackled until they became known to the entire world. The plea represented Sheikh Ali’s story and his patriotic cause at the same time. There is nothing in his biography that is not linked to his cause. In his plea, he was presented as a witness to his motherland, Bahrain, as he was born from its land’s core history. He also witnessed his mother being deprived of him and his brothers: *“I saw my mother’s croaked breathes, from the hardship she lived through because of the harm her children faced. For*

thirty years, she always faced having a fugitive son, an imprisoned son, an unemployed son, and another son suffering from the lifetime effects of torture."

This tale does not hold any minor or major parts; each part of it is a piece of this country's scene, its history and calamity. No title is enough to condense its long path, in time and place, except "*a country's testimony*".

The ruling regime's judicial authority could not stand to hear this testimony, or even receive it. It was very heavy on its conscience that is full of injustice, fakeness and outrage. It is heavy because it is full of fiery tales that tell the calamities of this country's history. It is a history full of the voices of those who placed their hurt hearts in the trust of his [Sheikh Ali's] voice, for him to speak on their behalf with the power of their representation: "*My people*".

It is the plea of a nation; in a voice that represents the highest popular political leadership, which gathered the biggest number of votes in all forms of elections. He talks on their behalf, and by that, he implements political action. This plea is but one achievement of his actions.

This plea is not only for history, but for the present; we are to use it in arguing, and as evidence, we are to seek guidance from it, present our cause by it and identify what our demands are according it.

A Letter to the Judiciary

*Sirs/Judges of the Supreme Court of Appeal – First Division
Criminal Lawsuit No. 21/2015*

Why this plea?

This plea will discuss the nature of the political situation in the Kingdom of Bahrain, and the just political demands of its people. It also includes a defense against the charges I am accused of and an explanation of the Bahraini people's political demands. The charges against me only rely on the speeches I delivered with regard to the political and popular demands. Thus comes the necessity of the political part in this plea, so that both the listeners and readers can understand my speech, as well as its approach, means and goals.

My slogan was and will always be: "I desire nothing but reform so far as I am able, and with none but Allah is the direction of my affair to a right issue; on Him do I rely and to Him do I turn."⁽¹⁾

Ali Salman Ahmad Salman
October 14, 2015

¹ Surat Hud, Verse 88.

Preface

Speaking about diagnosing the reality could seem hard, yet necessary. Without an accurate and actual diagnosis, we cannot find the correct and suitable solutions. It is everyone's right to disagree with this diagnosis or vision and to actually express disagreement with it, whether slightly or significantly. However, no one has the right to prevent a person from thinking, believing and diagnosing reality as they wish. And this is exactly what I did in this plea as a way to save my right to defense and freedom of expression, in accordance with the constitution and the international conventions.

This plea does not handle issues personally, but it rather tackles general issues. It does not mention names, unless the narration of events requires so.

The circumstances of my lawsuit mentioned in this plea are but a (small) sample and example of the suffering of a nation and the opposition, due to an unjust reality. However, our hearts have nothing but love towards our political opponents, and the desire to coexist as loving brothers in our beloved country remains our main objective.

Our method in achieving our fair demands - achieving social justice and reaching rightful democracy - is defined in Allah Almighty's verse: *"Call to the way of your Lord with wisdom and goodly exhortation, and have disputations with them in the best manner."*⁽¹⁾

It is also defined in His saying: *"If you will stretch forth your hand towards me to slay me, I am not one to stretch forth my hand towards you to slay you; surely I fear Allah, the Lord of the worlds."*⁽²⁾

1 Surat al-Nahl, Verse 125.

2 Surat al-Ma'idah, Verse 28.

Citizenship is the standard that I believe is the best in the course of building a state, and determining the rights and duties of each citizen. The terms "*Sunnis and Shiites*" that I mention in this plea was a matter I had to resort to for my diagnosis of the current situation only.

As I present this plea before a humane conscience, I am completely confident that [this conscience] will be fair with me and will not hesitate to support me. I strongly believe that I adhere to the humane values stated by divine laws and supported by international conventions and covenants.

Article (19) of the Universal Declaration of Human Rights stated, "*Everyone has the right to freedom of opinion and expression. This right includes freedom to absolute opinion without interference and to seek, receive and deliver news and ideas to others by any civilized means, regardless of borders.*"

Introduction

- 1.1: Speaking about an accurate and objective diagnosis of the political reality could seem hard, yet necessary for reforming this reality and resolving the crisis-hit situation in a correct and realistic way. It is everyone's right to disagree with this diagnosis, and to actually express disagreement with it, whether slightly or significantly. However, no one has the right to prevent a person from thinking, believing and diagnosing reality as they wish. And this is exactly what I did in this plea as a way to save my right to defense and freedom of expression, in accordance with the constitution and the international conventions.
- 1.2: This plea does not handle issues personally, but it rather tackles general issues. It does not mention names, unless the narration of events requires so.
- 1.3: My story and lawsuit mentioned in this plea are but a (small) sample and example of a nation's suffering in an unjust reality. This nation dreams of justice and quality and longs to get rid of all forms of corruption.
- 1.4: I bear Allah as my witness to the love I hold to all the spectrums of this country, and to all the people, including those considered our political foes. That love fills my heart and sides. I swear that the dream I am pursuing and the goal I am after shall remain coexistence as loving brothers in our beloved country without any discrimination.
- 1.5: I have drawn for myself, and for those who follow me in my political approach, a peaceful path defined in Allah

Almighty's verse: "*Call to the way of your Lord with wisdom and goodly exhortation, and have disputations with them in the best manner.*"⁽¹⁾

It is also outlined in His saying: "*If you will stretch forth your hand towards me to slay me, I am not one to stretch forth my hand towards you to slay you; surely I fear Allah, the Lord of the worlds.*"⁽²⁾

- 1.6: Citizenship is the standard that I believe is the best in the course of building a state, and determining the rights and duties of each citizen. The terms "*Sunnis and Shiites*" that I mention in this plea was a matter I had to resort to for my diagnosis of the current situation only.
- 1.7: As I present this plea to the conscience of the Court, before which I stand, I also present it before the humane conscience around the world. I am completely confident that Allah will not fail me, and that this humane conscience will do me justice.
- 1.8: This plea includes an introduction presenting the notions and principles I believe in, and the aspirations I look forward to. The plea also has nine chapters: Chapter One will discuss a brief history of political Bahrain, while Chapter Two will put forward the major problem faced in Bahrain, represented by the monopoly of power. Chapter Three will briefly represent the difficulties stemming from the major problem, most notably: discrimination, restriction of overt political action, restriction of civil society associations, absence of freedom of opinion and

1 Surat al-Nahl, Verse 125.
2 Surat al-Ma'idah, Verse 28.

expression according to the international standards, violation of human rights, inflation of public debt, low-quality public services, formality of institutions and their lack of content, judiciary reality, financial and administrative corruption, encroachment on lands, absence of rule of law concept understanding, poverty in Bahrain, unemployment, naturalization, and moral corruption.

Chapter Four narrates the repressive measures adopted against the opposition demanding equality, democracy, and justice. Chapter Five presents the advice I gave to the leaders and decision-makers in the country in our meetings. Chapter Six demonstrates the major demands for those demanding reforms for the time being. I gave Chapter Seven, the title "*Why am I under trial?*", while Chapter Eight presents the accusations I am charged with in the lawsuit raised against me. This chapter refutes, responds to each accusation, discusses its evidence, and shows trial-related legal texts. As for Chapter Nine, it includes the conclusion.

- 1.9: This plea and the notions it includes represent my understanding and belief in the political matters and in the goals and methods they include. This plea does not aim at wronging the goals and notions of others, whether individuals or groups, whether partners in the country or belonging to the opposition. As much as I have the right to practice thinking and notion-generating, the same right applies to others, and its results and outcomes shall be respected.

- 1.10: These are my beliefs and notions I believe in, and which were the reason behind my political movement aimed at equality, freedom, justice, and democracy in my country Bahrain. They are as follows:

My Principles and Aspirations

- 2.1: A person's daily life and work cannot be separated from his main beliefs, and I adhere to the following beliefs:
- 2.1.1: I bear witness that there is no God but Allah, He is One, He neither begets nor is begotten, He neither had a partner in his ownership nor a disputer. I bear witness that Mohammad (PBUH and his Household) is the servant and messenger of Allah, who was sent with guidance and the religion of truth, and that Ali and his infallible descendants (PBUT) are the guardians of Allah's prophet. I also believe that the Quran found between the bookends is the book of Allah that was revealed to the Prophet (PBUH and his Household). I believe in the Judgment and Resurrection Day, when the good doers are rewarded, for the good they did, by heaven, and the wrong doers will be sent, by the sins they committed, to hell. I believe that Allah is just and does not do injustice to the weight of an atom. I have read the book of Allah and believed in all its verses and content. I have also read the Torah and the Bible, and I found that they call for love, goodness, and peace.
- 2.1.2: I believe in all the messengers of Allah: Adam, Noah, Abraham (Ibrahim), Moses (Moussa), and Jesus (Isa), who all call for love and mercy among people, for ethics, and for helping the poor and the oppressed. Those [messengers] who sought reform on earth relentlessly fought the arrogant and called for the oneness of Allah and the liberation of humankind from oppression and vulnerability.
- 2.1.3: I believe that every soul shall have a taste of death, and that Allah shall send back those in the graces, and that the earthly

life is too short when compared with the Afterlife, and this should motivate us to do good and promote virtues. I believe that the biggest threat to humans is losing their Hereafter for their earthly doings and that the biggest win is the win of heavens and the blessing of Allah on the Day of Resurrection. I pray to Allah that no one from my family or country stands in a position of loss or regret on Doomsday.

2.1.4: I also believe that the love of people and working to serve them is the ultimate purpose of all heavenly and earthly religions. People should wish good to their opponents as they wish to themselves and do their best to guide their fellow brothers and advise them towards that good. Thanks to Allah alone, I do not find in my heart any bit of hatred or dislike towards any of His creations, and I explored this trait in myself as I came to realize the reality of things; and praise be to Allah for this blessing.

2.1.5: I believe that all people are equal, and there is no preference among people but in their proximity to Allah their Creator. They are all free and shall not be enslaved in any ancient or modern form of slavery. This is confirmed by the statement of the Caliph Omar bin al-Khattab, who said, "*How can you enslave people when their mothers have given birth to them free?*"⁽¹⁾ Imam Ali Ibn Abi Taleb (PBUH) also said, "*Do not be a slave to others when Allah created you free.*"⁽²⁾ There is no preference among human beings except according to what Prophet Mohammad (PBUH and his Household) said, "*There is no difference between Arab and foreigner*

1 See:

<http://www.nabulsi.com/blue/ar/art.php?art=1316&tid=114&sid=658&ssid=674&sssid=788>.

2 (*in Arabic*) Nahj al-Balagha (The Peak of Eloquence), Letter No. 31, Part 45.

except by piety”, and piety could include the good deeds deemed beneficial to oneself and the society.⁽¹⁾

2.1.6: I believe that all people are partners in the national wealth, and one shall not claim for himself more than the other, unless by some work he'd done, and not for belonging to a certain a tribe, family, religion, sect, or ethnicity. The true religion focused on the principle that people are partners in three: water, pasture and fire; which was the prevalent wealth during the advent of Islam. Islam made everyone partners in wealth. This also applies to the current wealth and resources such as oil, gas, land, and others granted by Allah to all humans, without any discrimination or preference.

2.1.7: I believe in the right of human, any human, to a complete and non-depreciated freedom. According to Mandela, “*Freedom cannot be given in doses; one is either free or not free - never partly free.*” I also believe in the human's right to security and reassurance, as well as the right to social and psychological care and resistance of hunger and persecution, since being deprived of such rights is not allowed under any pretext, whether religious or political. Infringing upon these rights is part of the injustice forbidden by Allah Almighty. Among the legitimate human rights that I believe in and of which I defend is the right to belonging to a country that grants a person dignity. Dignity is a complete indivisible component; one either enjoys it fully in a country that embraces all people and raises their status, or does not. There is no partial dignity. The International Bill of Human Rights recognized these rights in the past century, especially in the Universal Declaration

1 See:
http://www.jameataleman.org/main/articles.aspx?selected_article_no=1980.

of Human Rights, and the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, after the heavenly religions have recognized them for over centuries. Every person has the right to live in a country where he is equal with his fellow brother in rights and duties, without any prejudice or discrimination. It is also one's right to take part in the state administration, in all its big or small political and administrative positions; be it head of ministerial council, or the lowest-ranked job. One should also have the right to receive the services of the state including education, health, housing, and protection.

- 2.1.8: I see that injustice is corruption of a country and destruction of the interests of its people, which are all accountable for if they didn't seek lifting it [injustice]. This is manifested in what Allah says in the Quran: "*So how many a town did we destroy while it was unjust, so it was fallen down upon its roofs, and (how many a) deserted well and palace raised high.*"⁽¹⁾ Therefore, one must work on lifting injustice and eradicating all evil, as Prophet Mohammad (PBUH and his Household) said, "*Whosoever of you sees an evil action, he must change it with his hand. If he is not able to do so, then (he must change it) with his tongue. If he is not able to do so then (he must change it) with his heart and this is the weakest (manifestation) of faith.*"⁽²⁾ I find myself accountable before Allah if I failed in removing any injustice I could have removed, or if I remained silent in the face of any evil I could have confronted. I ask Allah to give me the ability to remove injustice and evil and to stand by the oppressed.
- 2.1.9: I firmly believe that the development and growth of nations rely on the investment of their human elements and the

1 Surat Al-Hajj, Verse 17.

2 Sahih Muslim.

good investment of their resources and potentials. The country cannot grow and thrive when a few number of people monopolize decision. My opinion falls in line with that of the French philosopher Jean de La Bruyère⁽¹⁾, who said that a country cannot live under tyranny, and there is not country with injustice.

I have found that the index to patriotism is manifested in how much a country's various resources can be preserved and protected from breach, waste, exploitation, and exclusivity. My thoughts also tend to be in line with those of the French thinker Voltaire⁽²⁾, in his letter of heartily forgiveness and love to the country. I sense patriotism in people like "*Hajj Somoud*"⁽³⁾, who raised the flag of Bahrain, despite his constricted life and prison harm, shouting for the life of the country and chanting for its unity. I do not see patriotism in people whose only concern is to take over resources, loot public money, and spread corruption across the country. These people are not among the unknown glorious people as in the case of "*Hajj Somoud*", they are rather among the prominent figures mentioned in the financial audit reports and

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- 1 Jean de La Bruyère (1645 - 1696) was a French philosopher and moralist, who has many writings including "The Caractères" (The Characters) of this century. In his interest in ethics, he was able to show the political and social reasons that justify it, like wars and huge difference in wealth. He believed that human nature is but a riddle created by the harshness, prejudice, lack of justice, self-love, and disregard of others. Despite that, he believed that thinking alone distinguished humans and gave them power.
 - 2 Voltaire, born François-Marie Arouet (1694 - 1778) was a French Enlightenment writer, historian, and philosopher famous for his wit, his attacks on the established Catholic Church, and his advocacy of freedom of religion, freedom of speech, and separation of church and state. He was an outspoken advocate of civil liberties, despite the risk this placed him in under the strict censorship laws of the time. As a satirical polemicist, he frequently made use of his works to criticize intolerance, religious dogma, and the French institutions of his day. Voltaire's work and thoughts left their print in minds of thinkers during the American and French revolutions.
 - 3 Hajj Somoud is a Bahraini activist, who's in a relatively old age, who is always in the front lines of pro-reform protests. He is driven by his patriotism and longs for unity among his people. Despite torture and prison, he insisted on participating in all demanding events, and thus he became the symbol of the peaceful sacrificing man.

investigations committees and whose news was circulated in the media outlets.

- 2.1.10: I am inspired by the lives of some great leaders who endured the harshness of political systems. They however succeeded in achieving their humanitarian goals and empowered me with the inspiring principles that push me to exert my utmost dearly for the happiness of my country and saving it from corruption and the corrupt people. For this reason, Martin Luther King's⁽¹⁾ struggle led to equality and justice among the different ranks, sects, and ethnic groups that lived under discrimination, oppression and enslavement of the poor. His continuous struggle resulted in freedom and dignity. He also adhered to the approach of continuous peaceful revolution, encouraging people to take part in it, in an aim to liberate his community from slavery, tyranny, oppression, and exclusivity, and to attain freedom, justice, and equality. He was the one who said that "*any nation can liberate itself without violence*" and that "*we must revolt in a way that guarantees we live in brotherhood with others, without the aim to defeat or humiliate them.*" He also noted that it is not the time to engage in truce or take painkillers to ease the pain gradually.

Now is the time to conclude real promises for democracy; now is the time to rise from darkness and to desolate the valley of racial discrimination so as to reach the bright path of racial justice. Now is the time to render real justice in the service of all humankind. Martin Luther King dreamt of

1 Martin Luther King Jr. (1929 – 1968) was an African American Baptist minister, public speaker and political activist who was a leader in the Civil Rights Movement. He is best known for his role in the advancement of civil rights using nonviolent civil disobedience based on his Christian beliefs. He is among the most prominent figures who fought for human rights and demanded the end of racial discrimination against "blacks". King rejected violence of all sorts, and he was an idol for his companions and many others who were involved in the African Americans' struggle, through his patience, kindness, wisdom, and reservations..

equality, and said, "*I have a dream that one day this nation will rise up and live out the true meaning of its creed: We hold these truths to be self-evident, that all men are created equal.*"⁽¹⁾ He also said, "*I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.*" Martin Luther King's dream focused on achieving dignity for all humankind. He said that they will not be satisfied "*until justice rolls down like water and righteousness like a mighty stream.*" They will only be satisfied when there is unity, real peace, and justice. No matter how difficult and frustrating the time was, it won't be long, since the crushed truth will rise again. How long will it take? Not long; since no lie lives forever, and because you shall reap what you sow. King also said that "*it may well be that we will have to repent in this generation. Not merely for the vitriolic words and the violent actions of the bad people, but for the appalling silence and indifference of the good people who sit around and say, 'Wait on time.'*" He indicated that "*without this hard work, time itself becomes an ally of the primitive forces of social stagnation. So we must help time and realize that the time is always ripe to do right.*" King quoted Kwame Nkrumah⁽²⁾ when he said that at first, he was not convinced of the possibility to be liberated from colonialism without an armed revolution, an army and ammunition. However, he mentioned that after

1 "I Have a Dream" is a public speech delivered by American civil rights activist Martin Luther King Jr. during the March on Washington for Jobs and Freedom on August 28, 1963, in which he calls for an end to racism in the United States and for civil and economic rights. Delivered to over 250,000 civil rights supporters from the steps of the Lincoln Memorial in Washington, D.C., the speech was a defining moment of the American Civil Rights Movement. His speech is widely hailed as a masterpiece of rhetoric in the history of the West.

2 Kwame Nkrumah (1909 – 1972) led Ghana to independence from Britain in 1957 and served as its first Prime Minister (1957 – 1960) and President (1960 - 1966). He is an influential 20th-century advocate of Pan-Africanism. He was a founding member of the Organization of African Unity.

Nkrumah studied Gandhi's methods, he concluded that the only possible way for liberation is via nonviolence and positive work. He later called his campaign "*The Positive Action campaign*". It is so beautiful to see a free nation whose path to freedom was not achieved through arms and ammunition.

- 2.1.11: I have also read the teachings of Savonarola⁽¹⁾, Rousseau⁽²⁾, and Voltaire⁽³⁾ and studied their call for equality among humans and for the people's right to self-governance, in accordance with the theory of "*Social Contract*". Most of my thoughts stand in line with their thoughts, especially in terms of achieving freedom and dignity for all citizens and in relation to the "*Social Contract*"⁽⁴⁾ theory that embodies the will of the people.
- 2.1.12: I know that living well in this world and enjoying its pleasures is much more desired than prison, tight situation and security harassment I'm enduring, my people and country. However, all this becomes easier when I remember that I shall stand before Allah on the Day of Resurrection, and that He will ask me about my silent position towards injustice and corruption. Allah Almighty will tell me,

1 Girolamo Savonarola (1452 – 1498) was an Italian Dominican friar and preacher active in Renaissance Florence. He was known for his prophecies of civic glory, the destruction of secular art and culture, and his calls for Christian renewal. He denounced clerical corruption, despotic rule and the exploitation of the poor.

2 Jean-Jacques Rousseau (1712 – 1778) was a French philosopher and composer, and one of the most important writers during the European Age of Reason, from late 17th century until late 18th century. His political philosophy influenced the Enlightenment movement in France and across Europe, as well as aspects of the French Revolution and the overall development of modern political and educational thought.

3 Ibid.

4 The "*Social Contract*" concept has been regarded throughout the history of human intellect in various domains, starting with philosophical concepts (Socrates and Plato 400 B.C.). It was later studied, elaborated and clarified in a scientific theory, by sociologists like Thomas Hobbes, John Locke, and Jean-Jacques Rousseau. The concept later became a symbol that triggered political events that changed the course of history (like the 1789 French revolution).

“Have you not seen your country where you lived and where I made you of worth. [Your country’s] money was stolen and its lands and waters were monopolized. Many of its people were oppressed, lived poverty and humiliation, were deprived of their basic rights, had their dignity scorned, and were deprived of their freedom and equality among them. Yet, you didn’t utter a word and didn’t do your utmost best to lift this injustice off of them. Haven’t you heard Imam Ali Ibn Abi Taleb (PBUH) saying, “Behold, by Him who split the grain (to grow) and created living beings, if people had not come to me and supporters had not exhausted the argument and if there had been no pledge of Allah with the learned to the effect that they should not acquiesce in the gluttony of the oppressor and the hunger of the oppressed I would have cast the rope of Caliphate on its own shoulders, and would have given the last one the same treatment as to the first one. Then you would have seen that in my view this world of yours is no better than the sneezing of a goat.”⁽¹⁾ Haven’t you known, o My dear worshipper, that poverty and need pushed the pious woman in your country to work in inferior jobs, and consequently became subject to prejudice, humiliation, and harassment. What have you done to defend her? Haven’t you learned that this land, in which you were born, which was the land of virtues for centuries, and whose chastity was a model, became at this time the eighth country of sins worldwide.⁽²⁾ This is despite its small area and population. What then have you done to stop this wrongdoing? I fear to ask about a child who was born to a father killed unjustly, or about a woman who was widowed, her children orphaned, or lost her provider to either detention or exile.

1 Sermon of ash-Shaqshaqiyah by Imam Ali bin Abi Taleb (pbuh) - Nahj al-Balagha (The Peak of Eloquence)

2 Bahrain makes the list of Top 10 “Sin Cities”, Al Arabiya News, Saturday, 04 April 2009, see: <http://www.alarabiya.net/articles/200969881/04/04/.html>

- 2.2: In accordance with my beliefs, and based on my religion and nature, I believe that my religious and humane duty, as a citizen living among my people, demands that I adopt the following:
- 2.2.1: Seeking the good of my family, neighbors, and people of my village, my city, my country, my nation, and the entire humankind, and calling upon them to see the good that I see and believe in, without pressure or force.
- 2.2.2: Promoting virtue and preventing vice, as Allah said in the Holy Quran: "*You are the best of the nations raised up (the benefit of) men; you enjoin what is right and forbid the wrong and believe in Allah.*"⁽¹⁾ Prophet Mohammad (PBUH and his Household) also called on the people to "*promote virtue and prevent vice, or Allah would give power to your evil against you.*"⁽²⁾
- 2.2.3: Defending the oppressed people, regardless of their religion, sect, race, or color, as it is the duty of every capable human. This complies with the Holy Quran verse, "*But why were there not among the generations before you those possessing understanding, who should have forbidden the making of mischief in the earth, except a few of those whom We delivered from among them? And those who were unjust went after what they are made to enjoy of plenty, and they were guilty.*"⁽³⁾ Allah Almighty also says, "*Except those who believe and do good and remember Allah much, and defend themselves after they are oppressed; and they who act unjustly shall know to what final place of turning they shall turn back.*"⁽⁴⁾ The Prophet (PBUH and his Household) said, "*No man lets down a fellow*

1 Surat al-Omran, Verse 110.

2 (in Arabic) al-Mahajja al-Bayda' (the clear path): 99/ 4.

3 Surat Hud, Verse 116.

4 Surat Ash-Shuara, Verse 227.

Muslim where his inviolabilities are violated, and sanctities are undermined, but [in return] Allah will let him down where he'd seek triumph.”⁽¹⁾ Prophet Mohammad (PBUH and his Household) also called on his nation to aid the oppressed regardless of their color or sex. In one situation, it was told that the Prophet (PBUH and his Household) commanded us with seven: “*He commanded us to visit the sick, to follow the funeral procession, to answer the sneezer, to fulfill the vow, to help the poor, to accept the invitation and to greet everybody.*”⁽²⁾ Imam Ali (PBUH) had advised his sons Imams Hassan and Hussein (PBUT) saying, “*Be an enemy to the oppressors and a helper to the oppressed*”. Moreover, Imam al-Sadeq (PBUH) was quoted as saying, “*A faithful worshipper helping another one is better than fasting a whole month or seclusion in the Mosque. Whoever helps his fellow [worshipper] while he can, Allah will in return help him in life and afterlife, and whoever turns down his fellow [worshipper], Allah will in return turn him down in life and afterlife.*”⁽³⁾ I believe that it is the right of every person to live in a country and be equal in rights and duties with his fellow citizens, without any discrimination among each other. It is everyone's right to take part in the management of his state and undertake positions, starting from Prime Ministry, Interior, Foreign, and Defense Ministries, and other high rank or low-rank positions. It is also everyone's right to receive the services of this country, including education and health, housing and diplomatic protection, like any other citizen without any discrimination.

2.2.4: I did not seek to topple the regime, nor was this my aim. This is from my conviction that it won't be in the interest of Bahrain and its people. I did not call for the pursuance

1 (in Arabic) Al-Mu'jam al-Kabeer, Al-Tabarani.

2 (in Arabic) Sahih Muslim, The Book of Clothes and Adornment.

3 (in Arabic) Wasail al-Shia, Part 12, P. 268.

of violence or force as means, I rather strongly denounced violence at all levels and on many occasions. I called for the peaceful approach, and for adherence to the peaceful framework as the only strategic choice in demanding fair, legitimate, and necessary rights for Bahrain and its people. I also encouraged committing to this choice from my political, religious and social positions; and my stance had a notable positive impact. Those who accused me of adopting an approach different from this peaceful approach have not presented any evidence that backs this accusation. Therefore, these accusations addressed against me cannot be accepted for lack of evidence, and since there are no facts and evidence that prove otherwise.

- 2.2.5: I feel that my trial, with the various charges against me, is a trial over my demands for equality among citizens, rejection tribal and sectarian discrimination, and peaceful alteration of the executive power. It is also a trial for me over my demand that the government should represent the people's will that can be attained through elections and that result in a parliament that takes over the legislative and regulatory authorities, without the tutelage of any council. These are the main demands I have called for and advocated as I believe that they include what is necessary to secure the salvation of Bahrain and its people. They entail salvation from the circle of severe crises, the storms of local and regional turmoil, on the levels of security and politics. I never held grudges against anyone or sought to harm anyone; yet this is my conviction, belief and judgment. If I am right and achieved my goal, then by Allah's will, and if I am wrong, then it would be my own doing.

Chapter 1

A Brief History of Political Bahrain

This chapter gives a brief history of political Bahrain starting from the time it entered Islam in the seventh Hijri year and through a long journey filled with events that bring about sorrow at times and happiness at others. Bahrain built its civilization on this land and created a people who belong to Arabism and Islam and have their own ideological and intellectual beliefs. They also have their own traditions, customs, and values, in addition to their sublime humane aspirations and objectives in life. The people of Bahrain also have relations with their surroundings demonstrated as follows:

- 3.1: It is an established historical fact that man has lived on the island of Bahrain thousands of years ago, and the people dwelling in it have been linked to the establishment of ancient civilizations over three thousand years ago, such as the ancient civilization of Dilmun, which means in Sumerian scriptures "*Paradise on Earth*" where "*the raven utters no cry... and the wolf snatches not the lamb.*" This island was the cradle of many civilizations that left an impact on its people and earned them the trait of urbanism at a time the surrounding areas were known for their Bedouinism and lack of civilization. This cultural heritage extended to generations of inhabitants who did not isolate themselves or hold any extremism in their civilized being. Therefore, they were capable of building advanced and sophisticated civil systems in their content and laws. And this is the prime root of the authentic Bahraini citizen who was one of the reasons behind the fact of having the inhabitants of the Island voluntarily accept Islam in the seventh Hijri year after Prophet Mohammad (PBUH and his Household) sent them a letter with Abu Al-Alaa al-Hadrami. The ruler of Bahrain at the time, Munzir bin Sawa Al Tamimi, and all his people embraced Islam voluntarily and sent their

Zakat money to the Prophet (PBUH and his Household), which it came in plenty like no other Zakat to the Prophet. As a result of the strategic position of the Island and the abundant water and fertile land, warm sea, and many other resources, this Island became the aspired goal of many foreign invasions, and had at many times been the victim of the heinous atrocities of invaders. However, these invasions and the events that unfolded resulted in a people who look forward to freedom, yearn for dignity, aspire to justice, denounce oppression, and refuse humiliation and tyranny.

- 3.2: The mosques of Bahrain were among the very first mosques, after Medina, that held Friday prayers. As such, Bahrain, Medina and Yemen are subject to exceptional rules regarding prayers since they were countries whose people converted to Islam voluntarily, and were not forced by horsemen [conquerors].
- 3.3: It has been historically proven that the majority of the inhabitants of Bahrain are true Arabs who belong to Arab tribes deeply enrooted in their Arabism and that belong to the two main tribe branches Rabi`ah and Mudhar. One of the most famous tribes is Abdul Qays to which the majority of the Bahraini people belong to, in addition to the tribes of Taghleb and Tamim and other Arab tribes.
- 3.4: Another historically documented fact is the great love and loyalty the people of Bahrain hold for Prophet Mohammad and his Household (PBUT). Bahrainis have adhered to the teachings of Ahlul-Bayt (the Family of Prophet Mohammad) (PBUT). since the early days of Islam up

until this day, so this love and loyalty was never shaken. The inhabitants of the Island of Bahrain were known for being Shiites and adherents to Prophet Mohammad's Household from the first Century of the Hijri calendar. All the catastrophes, oppressions and sufferings that the island underwent did not change their belief and ideology. The discovered coins that belonged to the time of the Uyunid state ⁽¹⁾ State (i.e.: the Uyunids who belonged to the tribe of Abdel Qays) around 9 centuries ago and specifically in the year 544 Hijri... these coins prove that the state at the time officially belonged to the Shiite sect, knowing that the slogan that was stamped on the coin was "Ali is the Wali (Guardian) of Allah"; a slogan that reflected the sect of the ruling state back then⁽²⁾.

- 3.5: The historical monuments of prominent personalities prove their adherence to Ahlul-Bayt (the Family of Prophet Mohammad) (PBUT); among which are the shrine of the companion of Prophet Mohammad, Sa'sa'a Bin Sawhan al-Abdi⁽³⁾, the shrines of the loyalists to Imam Ali, Ibrahim Bin

1 The Uyunids were a Muslim Family that ruled the areas of Al-Ahsaa, Al-Qatif and Bahrain in the east of the Arabian Peninsula between the 5th and 7th Hijri Centuries (11th and 13th centuries A.D.). This family belongs to the tribe of the children of Abdel Qays al-Arabiya whose rule was taken down by the Ufurids of Banu Uqayl from the tribe of Hawazen al-Madriyya in the year 651 H. (1253 A.D.).

2 (in Arabic) al-Wasat newspaper, 9 August 2014.

3 Sa'sa'a Bin Sawhan Bin Hijr Bin al-Hajras Bin Sabra Bin Abdel Qays al-Abdi (56 H. /675 A.D.): He settled in the Island of Awal before Islam, since it was the homeland of the Abdel Qays Tribe. He was one of the many refugees to who headed to Oman with the advent of Islam. He was well known for his good oratory skills and his loyalty to Amir al-Muminin Ali Bin Abi Taleb (PBUH), and he took part in all his battles; he was wounded in the battle of al-Jamal, and was known for his maneuvers in Siffin. He was the Imam's messenger to the Battle of Nahrawan, and in all these stages he proved his deep belief in Imam Ali's righteous choice of taking on these battles. During the rule of Muawiya, he was exiled to the island of Awal, the homeland of his ancestors where he passed away. See also: (in Arabic) "A'lam at-thaqafa al-islamiya fi l Bahrain Khilal 14 qarn", Salem al-Nuwaydri; p.113-117.

Malek al-Ashtar⁽¹⁾ and Zeid Bin Sawhan al-Abdi⁽²⁾ who were among the prominent figures in the First Hijri Century.

It is enough to have a quick look at the intellectual, scientific and civilized achievements of the Shiites of Bahrain before the Al Khalifa family came to Bahrain in 1783 to discover a heritage that stands witness to the dexterity and greatness of the scholars, as well as their [elevated] social and scientific status, not to mention their major role in providing the Islamic civilization with some of the greatest books in doctrine, theology and philosophy. The great philosopher and scholar Sheikh Ahmad Bin Saada al-Sitri⁽³⁾ who lived during the seventh Hijri Century wrote "*Risalat al-Ilm*" (The Message of Science) which is one of the most effective philosophical writings. In his steps came his student, the well-versed Scholar, Sheikh Maytham al-Bahrani⁽⁴⁾, who has highly

- 1 Ibrahim Bin Malek al-Ashtar Bin al-Hareth al-Nakh'i (unknown year of birth - 71 H. /690 A.D.) is a military and political Muslim leader. He fought along with his father Malek al-Ashtar in the battle of Siffin that had a major impact in his Jihad against the Umayyads. He fought along with Mus'ab Bin al-Zubayr many battles and led his army at several junctures. He led the harshest of his battles against Abdul Malek Bin Marwan, the Umayyad Caliphate, during which he died and was buried in the town of Dujail.
- 2 Zeid Bin Sawhan Bin Hijr Bin al-Hajras Bin Sabra Bin Hadrajan Bin Abdel Qays al-Abdi (unknown year of birth - 36 H. /656 A.D.): He belongs to the tribe of Abdel Qays, which inhabited the Island of Awal. He went to Medina to pledge allegiance to Prophet Mohammad (PBUH and his Household). He was well known for his unwavering loyalty to Imam Ali Bin Abi Taleb(PBUH) and his defense for the right. He was martyred in the battle of al-Jamal and was buried in Basra. See also: (in Arabic) "A'lam at-thqafa al-islamiya fi l Bahrain Khilal 14 qarn", Salem al-Nuwaydri; p.106-110.
- 3 Ahmad Bin Ali Bin Said Bin Sa'ada al-Bahrani: He belongs to the village of al-Kharjiyah in the Bahraini island of Sitra. He was one of the scholars and researchers in the 17th century. Sheikh Ibn Sa'ada wrote "Risalat al-Ilm" (The Message of Science) which was later explained by Sheikh Nasir al-Din al-Tusi. He died in the mid of the 7th Hijri Century and was buried in Sitra.
- 4 Kamaledine Maytham Bin Ali Bin Maytham al-Bahrani (636H.-1238A.D. /679H.-1280A.D.): He belonged to the area of Al-Mahooz in Bahrain. He was a prominent Shiite cleric, scholar, author, philosopher and examiner in the 13th Century A.D. in the east of the Arabian Peninsula. He was influenced by the philosophical specializations and the Sufi movement, and he wrote extensively on issues pertaining to philosophy, epistemology and anthropology leaving behind 13 books. See also: (in Arabic) "A'lam at-thqafa al-islamiya fi l Bahrain Khilal 14 qarn", Salem al-Nuwaydri; p. 145-147.

acclaimed writings and wrote an analysis of the book of Avicenna (Ibn Sina), known as “*Risalat al-Tayr*” (the Message of the Bird); his shrine remains in al-Mahooz⁽¹⁾ (modern day Um Al-Hassam), knowing that he was one of the most prominent figures in the 8th Hijri Century. The source of creativity of the Bahraini scholars kept running, thus turning it into a platform and an oasis, from which the scholars of Islam acquire knowledge. The 11th and 12th Hijri centuries witnessed a surge of written works, and prominent scholars such as: Sayed Hashem al-Tublani⁽²⁾ (buried in the modern-day town of Tubli) was known for his book of “*Tafseer*” (interpretation of the Quran) “*al-Burhan Fi Tafseer al-Quran.*” The scholars of Bahrain dispersed all over the Islamic world, many of whom reached India, Iran, Iraq and Al-Hijaz, and they studied at the hands of some of the most prominent Muslim scholars in Islamic centers and schools (Hawzas). One example is the outspoken scholar Sheikh Abdullah al-Bahrani⁽³⁾, prominent student of the scholar al-Majlisi, whose encyclopedia “*Awalem al-Ulum wal Ma’aref wal*

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- 1 Al-Mahooz, or the land of Rayaheen (flowers and herbs), was an old town and one of the most significant towns in Bahrain which was renowned of its men of religion and knowledge. To the East, it borders al-Adliya, Al-Ghuraifa and al-Juffair, to the south, it borders Um Al-Hassam, to the west al-Zinj and to the North al-Adliyyah. It was considered a vital point since it was linked to most of the towns and islands in Bahrain and it was close to Salman Port.
 - 2 Hashem Bin Sayed Suleiman Bin Sayed Abdel Jawad Bin Sayed Ali Bin Sayed Nasser al-Husseini al-Katakani al-Tubali al-Bahrani (1107H.-1695A.D.) was from the area of Tubali in Bahrain and was also in command of the area after the death of Sheikh Mohammad Bin Majed al-Mahuzi. He was an outspoken man of religion and a Shiite Bahraini historian and examiner. He was known by the name of Saheb al Burhan (Owner of proof) since he wrote the book “al-Burhan Fi Tafseer al-Quran” (Proof in Quran Interpretation) which is by far the most recognized of his books that sum up to 75. See also: (*in Arabic*) “A’lam at-thqafa al-islamiya fi l Bahrain Khilal 14 qarn”, Salem al-Nuwaydri; p. 283- 285.
 - 3 Abdullah Bin Nour Allah al-Bahrani al-Esfahani lived in the city of Esfahan in Iran and was known as al-Esfahani (belonging to Esfahan) alongside his Bahraini descent. He was a well-spoken Bahraini Shiite cleric. One of his most renowned books was (*Awalem al-Ulum wal Ma’aref wal Ahwal men al-Ayat wal Akhbar wal Aqwal*): an extensive encyclopedia that contains objective topics from the most significant Islamic references (Quran and Sunna). See also: (*in Arabic*) “A’lam at-thqafa al-islamiya fi l Bahrain Khilal 14 qarn”, Salem al-Nuwaydri; p. 448- 450.

Ahwal men al-Ayat wal Akhbar wal Aqwal (The Realms of Science and knowledge and Circumstances extracted from Quranic Verses, Information and Statements) contains more than 300 volumes. Before 1783 A.D., the encyclopedia written by Sheikh Youssef al-Asfour al-Bahrani⁽¹⁾, "*al-Hada'ek al-Nadhera fi Ahkam al-Etra al-Tahera*" (The Garden of adjudications based on the Judgments of the Sacred Family of the Prophet), was highly acclaimed by most revered scholars of Islam. It is considered the first encyclopedia of jurisprudence for Shiites who believe in the 12 Imams after Prophet Mohammad (PBUH and his Household). He gathered and deducted the adjudications based on sayings of the family of the Prophet that justify the judgments. Later, more scholars and thinkers came to the spotlight: one example is Sheikh Hussein al-Asfour⁽²⁾ author of the encyclopedia "*al-Sadad al-Fiqhiyya*" (Relevance of Jurisprudence) and other works. Another example is Sheikh Abdullah al-Sitri⁽³⁾, author of "*Mu'tamad al-Sa'el*" (Reference of the Inquirer). Another scholar is Sheikh Ali Bin Hassan al-Biladi, writer of "*Anwar al-Badrayn fi Tarajem Ulama al-Qatif wal Ahsaa wal Bahrain*" (Glimpse into the works of

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- 1 Youssef Bin Sheikh Khalaf Bin Sheikh Abd Ali Bin Sheikh Ahmad Bin Sheikh Ibrahim al-Asfour (1839A.D.-1255H.) who settled in some areas of Shatt al-Arab (al-Falahiyyah and al-Muhamera), where he was highly acclaimed as a Shiite Cleric who brought knowledge and practice. However, (Saheb al-Thakhayer) did not find many traces of his practical work except in some indexes in books of "Hadeeth". See also: (*in Arabic*) "A'lam at-thaqafa al-islamiya fi l Bahrain Khilal 14 qarn", Salem al-Nuwaydri; p. 477- 478.
 - 2 Hussein Bin Sheikh Ali Bin Sheikh Ahmad Bin Sheikh Ibrahim al-Asfour (.../1212H.-1797A.D.): One of the most revered clerics, the holder of the banner of narration, a sagacious scholar and jurist and an outspoken Connoisseur. He immigrated to Falahiyyah, a coastal area in Iran, because of the sectarian invasions and critical circumstances that hit Bahrain. See also: (*in Arabic*) "A'lam at-thaqafa al-islamiya fi l Bahrain Khilal 14 qarn", Salem al-Nuwaydri; p. 307.
 - 3 Abdullah Bin Abbas Bin Abdullah Bin Ali Bin Abdullah Al Ramadan al-Taghallobi al-Sitri al-Bahrani (.../1212H.-1797A.D.): Native of the village of al-Kharjiyah in the Bahraini Island of Sitra. He was a source of jurisprudence in Sitra. He had several writings, the most important of which was "Mu'tamad al-Sa'el" (Reference of the Inquirer). He passed away in the year 1270 H. and was buried in Sitra.

the scholars of Al-Qatif, Al-Ahsaa and Bahrain). These are only few names among many other notable clerics. The scriptures of the scholars of Bahrain, which are yet to be printed, are estimated to be several hundreds and are proof of the Bahraini people's adherence to the Shiite sect and their authentic civilized existence. In other words, the literature of the Shiite clerics in Bahrain is the best proof of the authenticity of these people and their profound belief and loyalty to Ahlul-Bayt (the Family of Prophet Mohammad) (PBUT and his household).

3.6: Further incontrovertible evidence of the Bahraini people's allegiance to Prophet Mohammad's Family (PBUT) and their belief in their faith can be found in the writings of historians and nomads. Brief examples will be cited as follows:

3.6.1: One Ottoman document from the year 966 H. / 1559 A.D. speaks of the events of Mustafa Basha's campaign against Bahrain in that year in an attempt to retrieve the rule from the Portuguese⁽¹⁾. It mentions that all the people of Bahrain are Rafidites, which is a defaming term used to describe Shiites⁽²⁾.

1 In the year 1521, the Portuguese had taken control of Bahrain after the Portuguese military commander "Antonio Correia" faced the Bahraini ruler at the time Sheikh Maqran Bin Zamel who was killed in the battlefield. The islands of Bahrain were under Portuguese rule for 80 years until the Persians occupied it them in the year 1602.

2 Dr. Faysal Abdullah al-Kindari, who is an assistant professor at University of Kuwait, conducted this study as well as other researches. One of his studies is on Mustafa Basha's campaign in Bahrain in which he includes this document. His study was published in al-Arab Magazine in several parts over server issues of the magazine, and it is a very informative study about the Ottoman campaign, and the aforementioned document is found in the third part of the study published in Zulq'ida and Zulhijja 1420 H.-parts 5 and 6 of the magazine; the specific part of the document: (...the Island of Bahrain is dangerous and difficult, and all its people are Rafidites, and they have united with the infidels (the Portuguese) ...).

3.6.2: Yaqut al-Hamawi⁽¹⁾ depicts that “*the People of Bahrain are all Rafidites, and no one in Bahrain is against this sect unless he is a foreigner.*”⁽²⁾ Ibn Mujawer⁽³⁾ mentions in his book “*Tareekh al-Mustabser*” (History of the Clairvoyant) that in the Island of Awal there are 360 villages that belong to the sect of the (Shiite) Imams, except one. The traveler Ibn Battuta⁽⁴⁾ confirms this in his book “*Tohfat al-Nudhar*”, where he indirectly described the people of Al-Qatif, Al-Ahsaa, and the island of Bahrain as Rafidites, and so did Ibn Hijr al-Asqalani⁽⁵⁾ in his book “*al-Durar al-Kamina*” (The Hidden Pearls), where he mentioned that the people of Bahrain are some of the most prominent Rafidites Hamad al-

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- 1 Shehabeddine Abu Abdullah Yaqut Bin Abdullah al-Hamawi (574-626 H.) was a literary figure and author of encyclopedias and calligrapher of a Roman descent. He was a scholar and studied literature and named himself (Abdul Rahman). One of his most renowned books was “Mu’jam al-Buldan” (Dictionary of Countries), which was translated and printed several times.
 - 2 (in Arabic), “Mu’jam al-Buldan”, al-Hamawi, Dictionary of Countries 4/ 150 on Oman.
 - 3 Jamaledine Youssef Bin Yaqub Bin Mohammad known as Ibn Mujawer (601H. /690H.): He was a Syrian geographer, traveler and historian. He was born in Damascus, but he grew up and lived in Baghdad. He was known as Ibn Mujawer al-Shibani al-Dimashki, and he had several writings, the most notable of which was “Tareekh al-Mustabser” (History of the Clairvoyant), in which he described Yemen, Mecca, Al-Hijaz, and Bahrain).
 - 4 Mohammad bin Abdullah bin Mohammad al-Louati al-Tanji known as Ibn Battouta. (Born February 24th 1304- 1377 A.D. Tanja) (703-779H.): He was a Moroccan explorer, historian, judge and jurispudent and was dubbed “the Prince of Muslim Explorers.” He visited the lands of Morocco, Egypt, Sudan, Levant, Hijaz, Tihama, Iraq, Persia, Yemen, Oman, Bahrain, Turkistan, and the lands behind the river. He also visited some areas in India, China, Jawa, Tartar and Central Africa. Moreover, he was in contact with many Kings and Princes and lauded them through poetry he wrote, making use of their gifts in his travels. His last voyage was to Sudan where the Sultan Abi Annan ordered him to dictate his travels to the writer Abi Abdullah Bin Jazzi, and the latter wrote, organized and categorized the travels under the title “Tohfat al-Nudhar fi Ghara’eb al-Amsar wa Aja’eb al-Asfar” (Monument of beholders of the Astonishments in the Countries of the World and the Wonders of Travels).
 - 5 Shehabeddine Ahmad Bin Ali Bin Mohammad Bin Ali Bin Mahmud Bin Ahmad Bin Hijr Bin Ahmad al-Asqalani al-Kinani (773H./ 852A.D.): Born in Cairo to the Tribe of Kinan that inhabited the town of Asqalan and emigrated to live in Egypt. He took on several significant positions in the Egyptian Mamaleek rule, and he has more than 150 books on significant sciences.

Jaser⁽¹⁾ mentioned in his book "*al-Mu'jam al-Jughrafi*" (The Geographical Dictionary). Furthermore, this was an issue mentioned by Sheikh Mohammad al-Nabhani al-Maliki⁽²⁾ who was the historian of Al Khalifa in his book "*al-Tuhfa al-Nabhaniyya*" where he mentioned that the people of Bahrain were Shiites when Al Khalifa family came to Bahrain.

3.6.3: Paragraph 43 of the Report by the Bahrain Independent Commission of Inquiry (BICI), published in November 2011 and also known as "*Bassiouni Report*", states that "*Of the total population of Bahrain, 70% are Muslim*" and that "*Current unofficial estimates vary between 6070%- Shia and 30- 40% Sunni*" of the Muslims. Also, paragraph 67 of the report states that "*Ethnically, Bahraini Shia are composed of two main groups. The majority is Baharna, descended from Arab tribes originally from the Arabian Peninsula. A minority of Shia, called the Ajam, is of Persian descent.*"

3.7.3: Reference to these historical facts does not change our viewpoint towards what a modern state that we strive for should be based on. This is because I believe in one standard and one guideline in establishing a state, and that is equal citizenship based on humanity. The religious, sectarian and tribal identities are respected; however, they do not provide political privilege. Therefore, a sectarian, religious or tribal

1 Hamad Bin Mohammad Bin Jaser (1910A.D.-1328H./2000A.D.-1421H.): Born in the village of al-Baroud in Najd, he was a Saudi scholar, researcher, historian, geographer and journalist. He had interest in the Arabic language, history, geography and genealogy. He worked in the domains of education, judicial systems, media and publications. He was member of the Union of the Arabic Language, and the Royal Academy for Islamic Civilization Research in Amman. He left behind a wide range of publications on diverse studies.

2 Mohammad Bin Khalifa Bin Hamad Bin Mussa al-Nabhani was of Ta'ee descent, born and raised in Mecca, and followed the Maliki sect (...1369H./ ...1950A.D.): He is considered the historian of Bahrain in modern times. He was a teacher in the Royal residency in Mecca and traveled to Bahrain in the year 1323 H. where he lived for a relatively short time and collected what he could of its history and stories of its Royal princes in a book he called "al-Nabtha al-Latifa fi al-Hukam men Al Khalifa" (A Gentle Briefing on the Royalty of the Al Khalifa Family). He had some notable publications. He died in Basra.

majority does not have any advantage, and there is no majority, minority or tribes in the political system that we aspire to; there is only equal citizenship. In brief, I can say, *“Shiites constitute the majority in numbers, but this does not mean in any way that Shiites must rule Bahrain. However, it does mean that all Bahraini citizens are equal in rights and responsibilities, and they are ruled by a government that they choose freely through ballot boxes. This government will only be a Bahraini national government which represents the national fabric of this civilized nation and its deeply rooted, modern and politically advanced people.”*

Al Khalifa's Arrival to Bahrain

In 1783 A.D., the Al Khalifa family succeeded, through its alliance with the tribes of al-Utob, in defeating Sheikh Nasser Al Madhkur, the Ruler of Bahrain at the time, and taking over Bahrain. This conquest was coined "*the Fath of Bahrain*" (the conquest of Bahrain); a coinage denounced by the majority of the people of Bahrain. The Arabic term "*Fath*" (conquest) has religious denotations used specifically for countries where Islam was not able to enter except through force and wars, such as Persia, Andalusia and Egypt, where people entered Islam through military wars. The people of these states were non-Muslims, so this notion "*Fath*" created a false notion that Bahrain was brought to Islam by the alliance of al-Utob. It is worth noting that this description dictates a certain method of dealing with the people on the ground, managing the country and handling the ownership of land. This belief became deeply rooted in the political thinking, therefore the rulers considered themselves as owners of the land, since they were the "*Fateheen*" (conquerors). This had established continuous repulsion and discord between the mentality of the "*Fath*" and the mentality of the people of Bahrain before the "*Fath*". This was manifested through the state of constant tension and conflict that the people of Bahrain before the "*Fath*" greatly suffered from, and that continues to this very day. The conflict was not limited to a struggle between the new inhabitants and the original people; it also extended to the inside of the new category of people, and also among Al Khalifa family itself at different historical intervals. This created a new element to the tumult and the instability in the state. Here we briefly mention samples of the sufferings, conflicts, and commotion witnessed in Bahrain starting from the year 1783 until 1971, which marked Bahrain's Independence Day after the British withdrawal.

- 4.1: The "*Fath*" mentality resulted in constant oppression against the people who were classified and known as the

“Baharna”, a term used to name the people who lived in Bahrain before the arrival of Al Khalifa, most of whom were Shiite and were the working group in the society at the time. They were farmers who belonged to the land, fishermen who dived in the sea; they were craftsmen and men of other professions. These people’s lives, property, families, and freedom were victims of oppression and extortion. They were furthermore forced to pay certain taxes; such as, the poll tax⁽¹⁾. They were forced into forced labor and prohibited to conclude selling contracts, and they had no just courts to turn to. These are just few examples of the injustice they were inflicted with, which led many to emigrate from Bahrain. Some of these events were documented in history books, memoirs and British documents and records⁽²⁾, which were open to the public after opening the “*Qatar Digital Library*” of the British Archive.

- 4.2: Disputes erupted between Al Khalifa family and several tribes who entered Bahrain with Al Khalifa on different periods of time. Disputes also broke out among the men within the family itself, which was an element that aggravated the state of instability and led to rivalries affecting the social and economic activity, leaving behind significant repercussions.

1 A tax imposed equally on all citizens in some states. The same exact amount that must be paid by the rich should also be paid by the poor. Many people objected to the poll tax since they believe taxes collected should be based on the tax payer’s income and property, but the poll tax came in the same context as the old method of retrieving taxes. In the year 1380 A.D. this type of tax was highly criticized in the United Kingdom since it was not just. This was one of the major reasons behind the Peasants’ Revolt led by Wat Tyler in 1381 A.D. In the 8th and 9th decades of the 19th century, the poll tax was introduced in the United States of America and considered a condition for voting in the national elections. This triggered civil disorder since many of the blacks, and white people who lived in poverty, were not allowed to vote.

2 Awal Center for Studies and Documentation has taken on the task of translating a big portion of these documents.

- 4.3: The new rule created a political system that is based on autocracy, thereby distancing the people from the circle of decision-making and leading the country into a swirl of threats and violations against its sovereignty and independence. Furthermore, this caused failure in community development and absence of just political and social systems, and created social hierarchy with an evident gap in the wealth and power of the various classes. The law which legitimized this gap depended on how close the group was to the ruler and his circle. The closer a person was to the ruler, the higher are his chances of having wealth and control. One example was the emergence of "*al-Fedawiyyah*," a term used to describe the groups formed by the powerful members of the ruling family for protection and assistance in maintaining power and control. These groups would go about freely violating the people's rights, while having immunity from their master, so grievances became common, violations increased and complaints were many. This injustice was not only against Shiites, but extended to touch the entire population of Bahrain since autocracy had no limits but hegemony, totalitarianism and crushing others.
- 4.4: The policy of authoritarian rule, humiliation of others, confiscation of land, and cold-blooded murders resulted in the emigration of many Bahraini people and in the disappearance of many villages and towns. Of the 360 towns and villages mentioned by Ibn Mujawer⁽¹⁾ in the 6th

1 Jamaledine Youssef Bin Yaqub Bin Mohammad known as Ibn Mujawer (601H./690H.): He was a Syrian geographer, traveler and historian. He was born in Damascus, but he grew up and lived in Baghdad. He was known as Ibn Mujawer al-Shibani al-Dimashki, and he had several writings, the most notable of which was "Tareekh al-Mustabser" (History of the Clairvoyant), in which he described Yemen, Mecca, Al-Hijaz, and Bahrain).

Hijri century, and by the traveler Ibn Majed⁽¹⁾ in the 10th Hijri century, only 80 towns and villages were recorded in the early 20th Century by Lorimer in his book "*Gazetteer Of The Persian Gulf*."⁽²⁾

- 4.5: The autocratic rule based on despotism triggered continuous political turmoil which broke out approximately every ten years. It came in the form of popular uprisings which were dealt with by the rulers with force and arrogance. Some of the examples were the uprisings of 1956 and 1975, and then came the popular movement of the 80s, and the movement of the 90s, which continued from the year 1994 until the year 2000, calling for a return to the constitution of 1973 and the elected national parliament.
- 4.6: The government worked on sewing discord among the people and igniting sectarian hatred between the Sunnis and Shiites at one time, and creating ethnic sedition between Arabs and Ajam (Bahrainis of Persian origins) in others. Ultimately, this policy led to sectarian tension mostly evident in the first half of the 50s of the previous century. However, the people, through their awareness, were capable of surpassing this policy and united in a society that strove to

1 Ahmad Bin Majed Bin Mohammad (821H.-906H.) "al-Sibawi" was an Arab Muslim seaman and geographer who excelled in astronomy, sailing and geography. He was named by the Portuguese as almirante, meaning the prince of the sea, and his epithet was "Master of the Indian Sea". He came from a family of sailors. He wrote several referential books on sea travel, and he was an experienced sailor in the Red Sea, the Gulf of Barbara, the Indian Ocean and the Sea of China.

2 John Gordon Lorimer known as J.G. Lorimer (1870-1914) was born in Glasgow in North Britain. He was considered one of the most prominent historians and geography experts who described the "Arab Gulf" area in the early 19th Century. His guide book "*Gazetteer of the Persian Gulf*" was based originally on reports he had gathered for the British government in India since he was a British administrator. This guide was made to serve as a reference for the administrators of the colonial ruler in how to deal with the heads of tribes, dignitaries, and individuals of the Arab emirates on the coast of the Gulf, and specifically the Arab tribes in the Arabian Peninsula. The *Gazetteer* came in the form of an encyclopedia with several parts, which spoke about the social and economic life of the people and described the area, its tribes, emirates and Sheikhdoms and diverse statistics.

rise and get rid of the economic, social and health problems. Many factors led to a general popular notion that called for establishing a political system whereby the people take part in the process of decision-making. Some of these factors are: the discovery of oil in 1932 and the shift of the working class from agriculture, fishing and diving to the industry of producing and refining oil; and the national surge which began with the Arab Revolution in 1916 and was kindled by the Egyptian revolution in 1952. Another factor was the appearance of liberation movements worldwide in the face of colonialism, aiming at establishing civilized countries similar to the civilized countries in the world. All these factors actually contributed to a rapprochement between the Shiites and the Sunnis and to the emergence of a civil movement that called for reform. It is clearly noticed that in all the movements of the people of Bahrain, that they had abandoned violence and committed themselves to a peaceful method; their way to achieving their demands for reform was only through peaceful protests, petitions and international appeals. History has recorded the movements of the people and their demands for reform, as well as the elite and popular petitions in the years 1919, 1923, 1938, 1956, 1965 and 1972. These petitions focused on the need for taking part in the ruling and managing the country. Unfortunately, all those demands were refused and the activists behind it often faced arrest, imprisonment and exile.

4.7: Many official British reports and personal journals of the British advisors, one of whom was Charles Belgrave who

served as an advisor to the government of Bahrain⁽¹⁾, mentioned a number of incidents and sufferings where individuals and groups were victims of killing, money sequestration, and desecration of their dignity. These reflected painful images that tell the tale of a people who strove for freedom and development, yet were faced with violence, killing, money sequestration and displacement. As the people's suffering intensified and drastic global events unfolded like World Wars I and II, the colonial power in charge of the country's foreign affairs felt the need to include some administrative reforms that could alleviate the people. Although the administrative reforms needed would not change anything in the status quo of the rule, the local authority refused these reforms and considered them as overlapping the jurisdictions of the rule. This led to the implementation of the reforms by force; so Sheikh Isa Bin Ali was ousted from his position as ruler and his son Sheikh Hamad was put in his place.

- 4.8: In the late 1960s, the British government decided to withdraw from the Gulf, and with the constant Iranian demand to retrieve the Bahraini Islands, the people of Bahrain were left to decide their fate through a national referendum conducted by the United Nations in 1970. The Bahraini people of all sects and groups voted in favor of an independent Bahrain, and consequently, Bahrain's independence was declared on August 14, 1971. The people had hoped that this would be a new beginning to build a democratic country, where the people take

1 Sir Charles Dalrymple Belgrave (9 December 1894 – 28 February 1969) was a British citizen and advisor to the rulers of Bahrain from 1926 until 1957. He was responsible for the establishment of a system of civil and criminal courts. He also established the police and trained its members. His journals were published under "Belgrave Diary" which covered the period from the time of his arrival to Bahrain in 1926 until he left the country in 1957.

part in the process of decision-making. The Constituent Assembly was established in 1972 and this produced the 1973 constitution, after which the first parliament elections were held in the same year, and a new political force came to light. However, the ruling authority did not tolerate the presence of a parliament that could monitor its activity and hold it accountable, as it was not ready to listen to any other opinion, nor was it ready to allow a great part of the Bahraini people to participate effectively in managing the country. The first parliament was shortly dissolved after 18 months, the constitution was suspended and the rulers went back to the autocratic rule against the will of the people. At the same time, they enforced the notorious State Security Law. All those decisions and procedures placed the country under a swirl of protests, which continued up until the year 2000, when the current King proposed an initiative to end the crisis and proposed the National Action Charter to be voted on by the people. The charter received a high percentage of votes that reached 98.4%. Once again, the people's dream was lost and their hopes evaporated when the government abandoned its promises to the people, and unilaterally declared the constitution of 2002. The appointed council was granted an equal authority to the elected parliament in terms of lawmaking, which stirred the movement for demands after the situation had been relatively calm.

- 4.9: With an initiative that raised people's hope, voting on the National Action Charter took place in 2001. This brought the glad tidings of a new era that would pave the way for freedoms and spread democracy instead of the state security law of 1974 that was exposed by international

humanitarian organizations, such as, Human Rights Watch, Amnesty International, as having allowed the torturing of political prisoners and contributed to the continuation of grand violations against human rights. The charter had promised popular participation and the establishment of a democratic and constitutional monarchy similar to other well-established constitutional monarchies, in the place of a decades-long autocratic rule. However, this initiative did not last long and stood for one year only until February 2002, when all the agreements were infringed and all the promises that accompanied the process of voting on the charter were broken. The biggest disappointment came with the unilateral declaration of the constitution of 2002 in violation of article 104 of the 1973 Bahraini constitution and against all promises and agreements. This last constitution reiterated the autocratic rule instead of curbing it and stressed complete domination and control over the country despite its use of words that clearly hint to political partnership and democratic practice. Yet, political partnership and democratic practice were not implemented, since they were hostage to the autocracy, which Bahrain was victim of for long years and which many sacrificed their lives to change. The new constitution had granted the King absolute authority, rendering the legislative, executive and judicial authorities effectively monopolized making true partnership impossible.

- 4.10: It is clear that the country's crisis lies profoundly in this type of hegemonic rule, which was reiterated by this constitution and was given foundations by law. In addition, the calls for reform were based on the need to annul autocratic rule through establishing a constitution that is based on consensus and ensures

the participation of the people in decision-making. Consequently, the movement that calls for this is a legitimate movement according to all the international conventions, laws and agreements signed by the ruling regime. It is a movement that aims at implementing what has been agreed on, stressing the principle of "*The People are the Source of Power*" and making it a reality in the political life of Bahrain. The opposition has worked hard on finding a way out of the constitutional crisis, and has improvised to find solutions of wide acceptance, devoting itself completely to the peaceful method it would never abandon. One of its endeavors was represented by the boycott of the 2002 elections to voice its rejection of the new constitution. Then came its participation in the 2006 and 2010 elections, hoping that its participation could result in amendments to the constitution. However, its efforts and trials for the sake of reform failed in the face of the regime's insistence on refusing any partnership in managing the nation's affairs. What is worse is that the leaders of the opposition are now victims of this oppression and suppression, which is very reminiscent of past decades; the leaders of the movement in 1938 were exiled and the heads of the 1956 National Council were arrested and some were exiled. The regime also dealt in the same manner with the leaders of the March 1965 and the 1994 uprisings. Any observer of the situation in Bahrain can testify that the demands of the movements were patriotic; they aim to found a modern state, end autocratic rule, enable the people to choose their government and make laws, and establish equality, security and justice among the people indiscriminately. Bassiouni report states this

clearly in paragraph 75, “*Movements calling for greater popular political representation in Bahrain can be traced to 1938, when a group of activists from both the Shia and Sunni communities presented the local rulers and the British governor with demands for a wider margin of local autonomy and self-rule, including the formation of an elected legislative council and a labor union.*”

- 4.11: It is also clear that the absence of justice in dividing the national resources, the exclusivity of power over national treasury and official managerial positions, discrimination, and the policy of suppression against the people is what produced the continuous people's movements in the past 100 years. These legitimate movements were met with violence by the authorities and accusations against its leaders claiming that they are “*agents linked to foreign agendas.*” They had accused those leading the movement of the 1950s of being agents for Nasserite Egypt (at the time of Jamal Abdul Nasser), and now they are accusing today's opposition of being agents for regional states (Iran), in efforts to justify their aggressive policies, which have included all sorts of heinous methods. However, the report of the BICI stressed the truth that “*the movement of the people of Bahrain is a national movement which is in no way linked to Iran.*”⁽¹⁾ This was also made clear by the US ambassador Thomas Krajeski during a congress hearing in 2011, before he was assigned ambassador, where he proclaimed that Iran has nothing to do with the popular protests in Bahrain, and that they are locally made.⁽²⁾

1 (in Arabic) Interview with Mr. Cherif Bassiouni aired by Redsky446 TV on YouTube. 26 January 2012, see: <https://www.youtube.com/watch?v=Lnl3Et5JFMA&feature=youtu.be>.

2 (in Arabic) Middle East Online, 1 October 2011.

4.12: The truth is that the popular movement of February 14, 2011 was a movement for reform similar to the movements in Tunisia, Egypt and other countries that were seeking political reform. What has differentiated the movement in Bahrain is that it was all-national and was not linked to any foreign party. It has been peaceful and revoked violence; it has raised national demands of achieving equality and activating democracy, and it has been ongoing for years, and is not coincidental. The fact that the majority of those taking part in the uprising are Shiites only proves that it is the biggest group of people who are deprived, yet many parties have taken part in this movement, thus it was not limited to one group only. One cannot link an entire movement with some unrestrained reactions taken by some individuals or groups, since it is common that such issues occur in all popular movements.

4.13: To conclude this brief historical overview, it is important to note that the popular movement in Bahrain, which began in February 2011, is in harmony with the movement of the youth and the Arab people in facing the oppression and marginalization they have suffered. The protests of the youth and people in Bahrain were launched for the same motives of the people in Tunisia, Egypt, Yemen, Morocco and elsewhere, which were the call for democracy, freedom and social justice. This was fueled by the tragic politically, economically and civilly backward circumstances. This issue has been stressed by Professor Mahmoud Cherif Bassiouni and his prominent committee in their report, in which they stated that the endeavor of the people of Bahrain is a national movement, which Iran has nothing to do with. Thomas Krajeski⁽¹⁾, US

1 (in Arabic) al-Wasat newspaper, 23 January 2012.

ambassador to Bahrain, confirmed the aforementioned statement during a congress hearing in 2011, before he was assigned ambassador, where he noted that the popular demands should be tackled through reform and not repression.⁽¹⁾

1 (in Arabic) al-Wasat newspaper, 22 January 2012.

Chapter 2

The Main Problematic: Monopoly of Political Power

A brief background of the political system in Bahrain

- 5.1: The political system in Bahrain is based on a hereditary monarchy. Its constitution stipulates the presence of a legislative power, an executive power and a judicial power, and according to article 33 of the 2002 constitution, the king has a vital role in all these bodies whether in their formation or the extent of power they enjoy. He is a complete partner to the legislative body, while the executive and judicial powers represent him. In addition to this power sharing, the king is capable of practicing his job in managing the state through his royal orders, which he can pass independently in issues of designations and directives, and in the formation of executive and judicial bodies and committees.
- 5.2: The executive body has been headed by Prime Minister Sheikh Khalifa Bin Salman Al Khalifa since the independence of Bahrain in 1971. The Prime minister is assigned through a royal order as stipulated in article 33 of the 2002 constitution. The people take no part in his appointment. The king also has the right to remove the prime minister at any time with a feeble participation of the people in this process by declaring the noncompliance of the parliament in its two-thirds majority, after the amendments of the year 2012. In this case, the king can dissolve the parliament or dismiss the prime minister from office. The king may reassign the same person to be prime minister, and if the new parliament decides not to cooperate with the prime minister, the king once again can take the decision to dissolve the new parliament.

- 5.3: According to article 33 of the 2002 constitution, the appointment or dismissal of ministers is done in collaboration between the king and the Prime Minister, so the legislative body has no role in the selection of ministers or giving them confidence when they assume their positions, except the supposed approval of the ministerial program. The parliament can decide, with a two-thirds majority, and in a specific time, that it disapproves the program. If at any case this does occur, the king accepts the resignation of the cabinet, and if the parliament once again refuses to give approval to the program, the king may either dissolve the parliament or accept the resignation of the cabinet, despite the fact that it is the cabinet which takes part in drawing the electoral districts from which the parliament is formed.
- 5.4: As for the judicial power, according to article 33 of the 2002 constitution, it is represented by a council headed by the king. Article 69 of the Decree Law 422002/ of the declared law of judicial power and its amendments⁽¹⁾ stipulates that the king selects the members of the council. The affairs of this council are run by the President of Cassation Court, who practically heads this council. Furthermore, there is a constitutional court whose members are chosen by a royal decree and with no participation from any other side. The civil and military judges and the members of the public prosecution are all designated through royal orders with the absence of any mechanism that allows the

1 (in Arabic) Law of Judicial Power, see:
<http://www.legalaffairs.gov.bh/viewhtm.aspx?ID=L4202>.
The amendments, see:
<http://www.legalaffairs.gov.bh/viewhtm.aspx?ID=K5006><http://www.legalaffairs.gov.bh/viewpdf.aspx?ID=L3510>.

popular participation in their selection or in giving a vote of confidence.

- 5.5: According to article 51 of the 2002 constitution, the legislative body is made up of an elected Council of Representatives and a Consultative Council (Shura), which has equal number of members all selected by the king. This council participates with the parliament in making laws and amending or annulling them. There are no objective criteria that govern the process of selecting these members and that could guarantee the representation of considerable popular sectors by the Consultative Council, or guarantee that it acquires a popular acceptance, besides what was decided in the constitutional amendments of the year 2012, which stipulated the issuance of a royal decree that specifies the measures, regulations and method of their selection. Indeed, the royal decree number 59 of 2014 was issued and it included general regulations⁽¹⁾, yet it did not include the measures or the method as per what was decided in article 52 of the constitutional amendments in 2012.
- 5.6: The 2002 constitution also stipulates in article 32 that these authorities are separated from each other, yet they maintain cooperation in running the state's affairs. However, many legal and constitutional texts subjected the legislative authority to the king and the executive authority, for the legislative body theoretically represents the will of the people through the elected council, but shares power with a council assigned by the king with an equal number of representatives as those in the first council.

1 (in Arabic) Royal Decree number 59, 2014.

- 5.7: In reality, the formation of the elected council is under the influence of the executive body, and it does not totally reflect the popular will. The establishment of the electoral districts is done through a decree issued by the executive power, by virtue of article 17 of the decree-law number 142002/ on the commencement of political rights and its amendments⁽¹⁾. Consequently, the executive body has an influential tool to control the outcomes of the elections.
- 5.8: The Bahraini Defense Force takes on the military responsibility in Bahrain and is headed by the Commander-in-Chief of the Defense Force. The National Guard also carries out military responsibilities. Both institutions are not under the rule of the cabinet and are allowed to take part in facing the popular movements and internal protests. The military institution was given an additional mission, which is the management of a civil medical hospital, King Hamad Hospital⁽²⁾. As for internal security, it is the responsibility of the Ministry of Interior that is always headed by a member of the ruling family, and the responsibility of the National Security Apparatus, which is a body affiliated to the cabinet and is the top body responsible for issues of regime's political security⁽³⁾. Moreover, there exists a higher defense council, which was given specific jurisdictions according to the Royal Decree 22006⁽⁴⁾/, and it is responsible for all issues related to higher defense and preserving peace in Bahrain. Part of its specified mission is declaring a situation of national peace or a situation of martial law and monitoring the military operations of the

1 (in Arabic) Royal Decree number 14, 2002.

2 (in Arabic) Royal Decree number 31, 2010.

3 (in Arabic) Royal Decree number 31, 2010.

4 (in Arabic) Royal Decree number 2, 2006.

Bahraini Defense Force inside Bahrain and the operations of the general security forces and the National Guard.

- 5.9: Article 1 of the 2002 Bahraini constitution states that Bahrain is a constitutional hereditary monarchy, yet on the ground, it lacks the constituents of a real constitutional monarchy that demand the presence of the requirements of the rule of law. This rule of law means that everyone, including the ruler, is subject to legal rules that respect the fundamental rights and freedoms and do not restrain them or deplete their signification. Under such rule, the ruler's will is not independent of the law; it can't legitimize anything issued by him if it's against the law. A constitutional monarchy stipulates that everyone is under the law and is subject to accountability. It also calls for the separation of powers, and that power is not to be given to a specific individual or group. Under the adopted constitution, His Majesty the king has the right to take part directly in managing the affairs of the state through royal orders he issues individually while having complete immunity with the absence of any mechanism that ensures holding him accountable. Many laws issued in the last decade contributed to the choking of individual freedoms and rights like the right to hold peaceful demonstrations⁽¹⁾.
- 5.10: Bahrain lacks the constituents of a constitutional monarchy of a democratic state, which can ensure the establishment of a system of rule, under which the authority derives its legitimacy from the acceptance and will of the people who are rightfully represented. However, [in our case], the head of the executive body is assigned by the king, and the members of the cabinet are assigned by the king

1 (in Arabic) Law regulating protests and demonstrations, see: <http://www.legalaffairs.gov.bh/viewhtm.aspx?ID=L1873>.

and the appointed prime minister together, without any apparent participation of the people. Half of the legislative body is assigned by the king, while the other half is elected according to electoral districts specified by the executive body, which does not truly reflect the will of the people.

The Key Dilemma

All what is needed to specify the essential problem in Bahrain is some courage in bringing up the issue and objectivity in reading the facts and texts. Bringing up the issue is not based on ill-will, hatred or envy, but rather on love for Bahrain and its people, which moves in us the feeling of patriotism and belonging. The religious and national responsibility urges me to speak up the word of truth, which I believe in. Although it might have a direct negative impact at this time, it will be fruitful one day, and the people of Bahrain will enjoy its outcomes and gains. In this part of the plea, I will introduce my analysis on what I believe is the key dilemma in our dear Bahrain that I belong to. I will also submit my analysis of the constitutional texts and the current events that further consecrate and deepen this essential problem, granting it an immune, untouchable legitimacy. The following is an explanation.

- 6.1: I believe that the main problem that Bahrain has suffered throughout its history, and continues to suffer from, is the monopoly of political power found only in the hands of a few who have exclusive hold of it to take political decisions and deprive the people of active participation. I also believe that superior political decision-making is what has created these many problems, instigated the diverse crises, which I will discuss later on in the plea, and was the source of all the ordeals that have hit

Bahrain. According to Lord Acton⁽¹⁾, “*Absolute power corrupts absolutely.*” A report by the US Department of State on human rights in 2013 gave a similar description: “(Bahraini) Citizens do not have the right to change their government or their political system (peacefully)... The king also has the power to amend the constitution and to propose, ratify, and promulgate laws.”⁽²⁾

- 6.2: I believe that limiting powers and high positions in the state and the process of decision making to specific individuals of one family, while shutting off the majority of the people contradict the notion of a modern democratic state and the principle that the “*people are the makers of sovereignty and the source of power*”. The implementation of a true constitutional monarchy, which we wished would be similar to the other well-established democracies, has been put to hold, and we agreed upon it when the people voted for the National Action Charter. Fouad Khoury has demonstrated the issue of monopoly of power in his book “*The Tribe and the State in Bahrain*”⁽³⁾, where he sheds light on the political reality in Bahrain in the early 1970s and shows that the basis of the conflict is the clear discrepancy between the notion of the tribe in ruling a country, and the

1 John Emerich Edward Dalberg-Acton (1834-1902): (Born in Naples, Italy), he was an English Catholic historian, politician, and writer. He was one of the most renowned historians of the 19th Century He wrote many articles and was editor of The Cambridge Modern History (journal), in addition to many other writings. One of his best known quotations is: “Power tends to corrupt, and absolute power corrupts absolutely.”

2 (in Arabic) al-Wasat newspaper, 1 March 2014.

3 Al-Khoury, Fouad Ishaac, (in Arabic), “the Tribe and the State in Bahrain: the development of the system of the government in Bahrain and its practices” is one of the most significant writings on Bahrain. What characterizes it is its methodology in which al-Khoury examines specific phenomena in Bahraini society including fish farms and animal farms, analysis of names and generally used terminology in the fields of the sea and agriculture, and the names of residential areas and the roots of political, economic and social developments in Bahrain. It is considered one of the most significant references on Bahrain after the Belgrave Diaries. We note here that a new version of the book was published by Awal Center for Studies and Documentation.

notion of a modern state and the nature of its government. The people had hoped that after the country had attained independence and became a sovereign state the state of the monopoly of power would end and that a democratic state similar to civil states, which use democracy as a methodology of managing their countries, would take its place. The 70s passed and so did the 80s and 90s of the last century, and a new millennium has begun and a decade and a half have already passed. And here we are in the year 2016, which marks almost half a century from independence until today, and still, the state is ruled by a group of people from one family who control and dominate the country's wealth and resources and use all its means and capabilities to maintain the status quo.

6.3: Through pointing out the jurisdictions that belong solely to the king, we can uncover the absolute power that monopolizes all the decisions. According to the 2002 constitution, the king:

- Is the head of the state and head of the three powers: legislative, executive and judicial.
- Is whose person is inviolate (He is not questioned about any of his political actions by any authority). Criticizing him or his doings is forbidden.
- Is the Supreme Commander of the military forces: he commands these forces, appoint their commanders and overlooks their operations, and they are directly linked to him. All this is bound by secrecy.
- Exercises his powers directly through royal orders of

unspecified scopes and also through the ministers by royal decrees.

- Appoints the prime minister and the ministers and dismisses them from their duties.
- Subjects the ministers jointly to accountability over the general government policy and individually over their respective ministries.
- Appoints and dismisses the 40 members of the Consultative Council, which is the second chamber of the National Assembly (the Parliament) and that has the same number of the elected members of the first chamber.
- Is the supreme commander of the Defence Force, which he commands and charges with national tasks within the homeland and outside it, and it is directly linked to him.
- Chairs the supreme judicial council and appoints its president and members, as well as the judges.
- Proposes amendments to the constitution and new laws, and is the one who issues laws and ratifies them.
- Has the right to refuse the ratification of any law submitted to him by the parliament and to ask for the reconsideration of the law. He is the one who determine whether the reconsideration should take place during that same session or the following one. In case the parliament chose to override the objection of the king, this requires two-thirds of the votes in each council separately.
- Has the right to refer a proposed law to the

constitutional court, which he appoints, to examine its constitutionality.

- Has the right to declare a state of defensive war.
- Has the right to declare a state of national safety.
- Has the right to declare a state of martial law.
- Concludes treaties.
- Issues decree-laws between the convening of the council sessions, that have the force of law, and it cannot be rejected or rendered inactive except by the majority of both councils (the elected and the appointed); i.e. by 21 votes of each council.
- Lays down the regulations for implementation of the laws and the control regulations and the regulations necessary for the organization of public directorates and interests. By virtue of a ruling of the constitutional court, the king may also amend the decree laws issued by the parliament under the title of organizing interests.
- Is entitled to dissolve the elected council (Council of Representatives).
- May conduct a popular referendum on specific issues.
- The issued laws have granted the king more jurisdictions in various issues, and thus he may:
- Determine the electoral districts through a royal decree.
- Appoint the president and undersecretaries of the National Audit Office.

- Own the Royal Court.
- Appoint the president and members of the constitutional court.
- Appoint some of the officials in their positions.
- Establish councils, bodies, and public institutions.

Here we can see the jurisdictions of the king in the state's authorities and how his role is focal in all the authorities, how the popular will is only present in a very small portion of the legislative body (through the council of representatives) with a limited use of political tools. These measures are considered as restraining as admitted by members of the council of representatives in all its terms, especially when it comes to questioning of ministers. It goes without saying that the king enjoys authority over all these jurisdictions and even more; as no one can hold him accountable as stated by the constitution despite the fact that the constitutional rule in the constitutional monarchies stresses that where there is responsibility or jurisdiction, there must be accountability.

- 6.4: The monopoly of power has led to the consecration of a general norm, which is that a limited number of people from the ruling family solely share the main positions in the state. Top administrative and political positions are given only to those who are very close to the rulers, and only a small margin is left to those loyal to the rulers. Facts prove this without any doubt.

These facts are detailed as follows:

1. The position of prime minister is given to a member

of the ruling family, and it has been held by a single person even before independence.

2. The foreign, interior and defense ministries are given to members of the ruling family. In addition to the above-mentioned positions, currently members of the ruling family also assume the positions of three deputy prime ministers, in addition to the position of minister of finance, and minister of justice and Islamic Affairs and Endowment (Waqf).
- An example that shows how the authority is limited to a few number of people is what came in report by a local newspaper covering a cabinet meeting. In the report and the image attached to it⁽¹⁾, we see the members of the ruling family, His Majesty the King is present, and so are the Prime Minister and the Crown Prince, His Excellency the Minister of Finance, His Excellency the Minister of Interior, His Excellency the Minister of Foreign Affairs, and His Excellency the Deputy Prime Minister Sheikh Mohammad Bin Mubarak Al Khalifa, as well as other members of the same family. Another report with an attached image⁽²⁾ shows Bahrain's participation in one of the Arab summits, and in the picture, we can see members of the ruling family heading the official Bahraini delegation to this summit.

6.5: Members of the ruling Al Khalifa family also assume many other significant posts in the state, as well as in major corporations that are owned by it, and in banks. Some of these posts are:

1 (in Arabic) Akhbar al-Khaleej, 17 February 2015.

2 (in Arabic) Akhbar al-Khaleej, 29 March, 2015.

- Undersecretaries of ministries and other executive posts in the state.
- Boards' Chairmen of governmental bodies
- Top security and military posts.
- Chief Executive Officer and Directors.
- Presidents of sports unions.
- Boards' Chairmen of corporations.
- Heads of financial projects.
- Heads of diplomatic missions.
- Advisors.

6.6: The assignments and promotions in the leading posts of the official bodies or the state-affiliated companies, institutions and authorities show a huge bias in favor of the ruling family. Some of these assignments and promotions are issued through royal decrees, whereas others are issued through decisions by the Prime Minister. However, they do not include positions of members of the cabinet or positions in fully and partially state-owned private companies, nor do they include high-ranking positions whose appointments are not declared, or military positions.

6.7: The Supreme Defence Council includes several members, all from the ruling family. It is headed by His Majesty King Hamad Bin Isa, and its members are:

- Sheikh Khalifa Bin Salman Al Khalifa, Prime Minister.
- Sheikh Salman Bin Hamad Al Khalifa, Crown Prince.

- Sheikh Mohammad Bin Mubarak Al Khalifa, Deputy Prime Minister.
- Sheikh Khalid Bin Ahmad Al Khalifa, Minister of Royal Court.
- Sheikh Khalifa Bin Ahmad Al Khalifa, General Commander of Bahrain's Defense Force.
- Sheikh Mohammad Bin Isa Al Khalifa, Head of National Guard.
- Sheikh Rashid Bin Abdullah Al Khalifa, Minister of Interior Affairs.
- Sheikh Ahmad Bin Mohammad Al Khalifa, Minister of Finance.
- Sheikh Khalid Bin Ahmad Al Khalifa, Minister of Foreign Affairs.
- Head of National Security Apparatus.
- Sheikh Duaij Bin Salman Al Khalifa, Secretary General of the Supreme Defense Council.

6.8: Paragraph 50 of the report conducted by the Bahrain Independent Commission of Inquiry (BICI) points that there is monopoly of power by the ruling family especially in the distribution of posts and leading jobs in the state: *“The King enjoys broad executive powers, which he exercises both directly and through his ministers, who are appointed and dismissed by Royal Decree. The King is the Supreme Commander of the Bahrain Defense Force (BDF) and presides over the Higher Judicial Council. While the Council of Ministers is collectively accountable*

to the King, the Council of Representatives may withdraw confidence from any cabinet member by a two-thirds majority. The Constitution stipulates, however, that the Council of Representatives may not withhold confidence from the Prime Minister. Rather, if the Council of Representatives finds, by a two-thirds majority, that it is unable to “cooperate” with the Prime Minister, the matter is referred to the King to adjudge by either dismissing the Prime Minister or disbanding the lower house.” It is worth noting here that the sessions of the Consultative Council and the Council of Representatives do not last for more than seven months, which means that the legislative power can be easily monopolized.

- 6.9: This brief description of the jurisdictions of the king and the administrative, political and military posts held by members of the ruling family shows clearly the reality of the main problem; i.e. the monopoly of power. It also shows that a few people from one family have possession of all the powers and the process of decision-making at the political, economic, security and developmental levels. We can also see the impacts of this on the distribution of resources and the general situation of the country, politically, socially, economically and security-wise. It has become a norm in well-established democracies that the royal family stay away from politics, and this is evident in the explanatory notes of the Kuwaiti constitution: *“Including the exceptional rule that there be a designation of ministers from outside the national assembly, by deliberately ignoring what is usually stated in monarchical constitutions that no member of the royal family may undertake a ministerial position leads to allowing the ruling family to assign ministers*

from outside the national assembly. This would be their only way to participate in the government, since they are not allowed to be candidates in the elections for the sake of, on one hand, maintaining the freedom of these elections, and on the other hand, distancing the ruling family from political disgrace, which the elections are often accompanied with..”⁽¹⁾

We believe that allowing the royal family to take part in the political life in Bahrain should be based on qualifications and competence, just as any other citizen, and that they should not monopolize the political and administrative posts. In addition, the financial allocations of the royal family in a constitutional monarchy are usually under restrictions, and if one member of the royal family owned a business, he would not be allowed to hold any official post, just as he would not be allowed any of the allocations of the royal family.

- 6.10: In explaining the far-reaching jurisdictions of the king, the Bassiouni Report states in paragraph 49: “*Draft acts of parliament must be approved by the Consultative Council to pass into law, which means that the appointed National Assembly exercises a de facto veto over the legislative process. Draft acts approved by both houses of the National Assembly pass into law once ratified and promulgated by the King. The King, within six months of receiving an act approved by the National Assembly, may return it to the legislature for reconsideration, in which event it will pass into law only if approved by a two thirds majority of both houses.*” And what we meant by the monopoly of power are all these broad jurisdictions that give all capabilities to one person, and this does not go in any way with the

1 (in Arabic) Constitution of Kuwait, explanatory memorandum, Kuwait national assembly.

definition of a democratic state that lives up to the other well-established democracies and does comply with the principle of “*people are the source of power*”. This is the reality of things.

- 6.11: The legislative power, which is supposed to be the true expression of popular will, includes a council of representatives made up of 40 members that shares power with a Consultative Council appointed by the king, also made up of 40 members. The mechanism of issuing laws, as stipulated by the constitution, requires that the National Assembly convenes (40 members of the council of representatives in addition to the 40 members of the Consultative Council), in case the two chambers differ twice over any bill. Practically, the result would always go with what the king sees, he who has appointed the Consultative Council with the ability to remove any of its members. Even the council of representatives was but the result of an election process, whose electoral districts were set by the king, in a way the current situation clearly shows that it was to guarantee the winning of a majority of one kind: the “*proponents*”. This was clear in the 2006 and 2010 councils. Despite the fact that representatives from the al-Wefaq society got over 64% of all votes in both councils, they were only given 45% of the seats, which is not sufficient to give them the ability to take part in the parliamentary decision-making nor to impact it. Moreover, the king has the right to return a draft law to both councils for a second reading in case he disapproves it, which is very unlikely, and it would need a two-thirds majority to overcome the king’s objection. In addition, if the councils were to vote with a two-thirds majority on a draft law, the king may ask for the judgment of the constitutional court, which he

appoints, to look into whether the draft law complies with the constitution.

Past experiences in the last three parliamentary terms, from the year 2002 to the year 2014, the council of representatives has never been able to make amendments to its bylaw without the approval of the Consultative Council and the king, nor could it pass a law that the Consultative Council and the king did not approve of. As such, this confirms that no law was passed against the will of the Consultative Council and the king. For example, a personal financial disclosure law for top officials in the state, was proposed in the first legislative term after the year 2002, but it was annulled as the first term ended since it did not complete the needed legislative cycle and the cabinet did not follow it up as required by legal measures. It was once again proposed in the second legislative term in 2006 in order for it to complete its legislative cycle with the fact that there was disagreement between the Council of Representatives and the Consultative Council. The Consultative Council did not want the prime minister to be subject to financial disclosure indicating an immunity that is not witnessed in any country founded on the will of the people. Therefore, the council of representatives was stuck between sticking to its draft law and allow the issue to go on the shelves of the national assembly, which until today has not convened to discuss any of the issues of disagreement, or to accept the decision of the Consultative Council. The law was ultimately issued in a form accepted by the cabinet in the year 2010, yet no talk of implementing it took place until

mid-2014¹⁾. As for the laws that the government disapproves, they have not been passed yet even after three full legislative terms although some of them are issues pertaining to social services like health insurance, support funds for employees in the private sector, journalism and visual media. These draft laws are locked up in a legislative process that issues only what the rulers agree to.

- 6.12: On the other hand, the cabinet issues laws in the form of decree-laws that have the force of a law without the need for a decision by the legislative authority, unless the latter, with both its councils, rejects them by the majority of members through difficult measures. These laws include trivial issues, which are transformed into urgent matters. As a matter of fact, the projects which were put on the shelves of the cabinet for years are suddenly considered urgent and to pass them by decree-laws, away from the deliberations of the legislative authority, despite the restraints the ruling family imposes on the course of the legislative council, and more than that some of these decree-laws were actually issued on the same day the national assembly was convened!
- 6.13: If the authority wanted to pass a few laws with the signature of the legislative council without any serious deliberation, it is enough to resort to article 87 of the 2002 constitution, which requires that draft laws related to investment and finance, be discussed within a period no longer than 15 days at the council of representatives and the Consultative Council. What happened during the session of the council

1 (in Arabic) BNA, 26 May 2014.

of representatives on April 28, 2015 is an example of the method and measures used to pass legislations under the current system. Issues like organizing the profession of pharmacy, arbitration, the private health institutions and the conflict of laws all became urgent matters and the representatives were given only 10 days to study and pass them⁽¹⁾.

6.14: Despite our remarks on Bahrain National Dialogue, since the attending parties were determined by the authority so as to determine its results, one of its recommendations was to hasten the legislative process⁽²⁾, yet the 2012 constitutional amendments, which were presented as implementation of the results of this dialogue, completely ignored this main recommendation. The process of legislation remained as it was, restrained, making it an impossible process as long as the government did not allow the legislation. The only issue that saw change was the insignificant duty of passing a certain draft law to the government for approval after it is approved by both councils, as [this duty] was given to speaker of the council of representatives after it was in the hands of the speaker of the Consultative Council (Shura).

6.15: Showing this fact, Mr. Bassiouni says in the report issued by the BICI assigned by the king, "*Draft acts of parliament must be approved by the Consultative Council to pass into law, which means that the appointed National Assembly exercises a de facto veto over the legislative process*". This is what the council has done for the last three terms.

1 (in Arabic) al-Wasat newspaper, 29 April 2015.

2 (in Arabic) National Dialogue Website.

6.16: With regards to the monitoring duty, which is the sole duty of the Council of Representatives, we note the following:

- No minister may be questioned except through a complex process, and the amendments of the Council of Representatives' bylaw further complicated it. It is being circulated that it has increased the jurisdiction of the Council of Representatives as stipulated in the 2011 National Dialogue. However, the truth is that they came against even the resulting recommendations of the dialogue. These amendments have stressed that the Council of Representatives should approve the principle of questioning a certain minister and ensuring its seriousness with a two-thirds majority. Even if the questioning does find its way to approval, after complex measures from the office of the council and the committee charged with looking into the seriousness of the questioning, and given how the electoral districts are drawn and what type of council they produce, it is impossible to question any minister the cabinet does not wish to question. The member of the council did block a questioning set for the minister of health on May 5, 2015: although there was prior agreement among 29 members out of 40, the will of the authorities did not allow the council to use its observatory abilities, nor its legislative abilities, therefore, the questioning did not acquire the two-thirds majority at the end, and failed.⁽¹⁾
- It seems impossible to withdraw confidence from a minister after he is condemned following a

1 (In Arabic) al-Wasat newspaper, 6 May 2015

questioning, as this requires a two-thirds majority, which is the result of the method of forming a council of representatives based on unjust electoral districts set by a decree. From 2002 until 2014, there was not one instance that witnessed the withdrawal of confidence from a minister, and since the council of representatives knows the reality of its capabilities and the extent of the power granted to it, it has never attempted to withdraw confidence from a minister.

- It is enough in this regard to recall the obstacles that the commission of inquiry about the state properties faced. The commission was not permitted to have access to the proper documents and papers, nor was it allowed to move around and inspect these documents; there was no cooperation with the commission in providing what it asked for. When this commission improvised and acted individually and issued its report, uncovering that around 65 square kilometers of state property were transferred into personal property, this report was put on the shelves and became a mere witness to the corruption in managing the finance and wealth of the nation. All the other inquiry commissions reached the same end and were incapable of making any change on the ground.
- The legislative authority has no actual power over the approval of the state's general budget and discussing its final account; up to 40% of the state's budget is secret and cannot be discussed, since it is considered as part of the expenses of the Ministry of Interior, the Ministry

of Defense, the National Guard and the National Security Apparatus, and the budget allocated to the Royal Court. As a result, all the financial surpluses, which resulted from high oil prices in the past few years and were mentioned in the final accounts, had evaporated.

- The Council of Representatives has to bear the responsibility of approving the increase of the public debt, no matter how high, in order to cover the deficit in the state's general budget. This was the case of the estimated budgets for the years 2015 and 2016.
- The legislative body does not enjoy a real capability to discuss the reports of the National Audit Office, which are issued annually. These reports are filled with examples of financial and administrative corruption. The reason behind this is either to conceal much public information from the legislative body, or to curb its jurisdictions and silence it.

6.17: 6.17: This reality that we pointed out some of its aspects here gets the country closer to an absolute monarchy than to a well-established constitutional monarchy agreed upon in the Charter and found in Article (1) clause (b) of the 2002 constitution.⁽¹⁾

6.18: 6.18: We do not oppose giving the king jurisdictions agreed upon through the constitution, yet these jurisdictions must be in harmony with the concept of a constitutional monarchy. Ultimately, it should lead to the rise of a well-

1 (in Arabic) Constitution of the Kingdom of Bahrain, Article 1, year 2002.

established constitutional monarchy based on a true democratic system, and this is the aspiration of the people of Bahrain and their true wish.

Chapter 3

Repercussions of the Monopoly of Power

Following are some of the problems resulting from the monopoly of power, which we considered the main problematic issue, as it impacts all the aspects of life in the country. Some of these problems are entirely political, while others are economic, social or ethical.

7.1: Problem of Discrimination:

God has created all people equal. The greatest are those who are most pious in the eyes of God, and there is no superiority of an Arab over a Persian (non-Arab) except through piety. However, man, through his despotism, has distorted the reality and tried to change the rules, ultimately categorizing people according to their race, wealth, color and belonging; one of the most sinful of acts and most harmful behaviors by humans. In our dear Arab country of Bahrain, which takes Islam as a religion, discrimination is being practiced: this is a shame, a disgrace, a burden, a sin and a crime, and those who drew the general policy of the country and the decision-makers are the ones who bear full responsibility of that. Here I will not delve into the categorization of discrimination, but I will highlight some examples that proves it. When we spoke about the reality of discrimination in Bahrain to the officials, heads of political groups and thinkers, both black and white, in South Africa, they all agreed that the people of Bahrain suffer from sectarian and tribal affiliation, just as the people of South Africa suffered from racism.

7.2: The issue of discrimination in Bahrain is seen as one of the primary factors behind the current crisis in the country since February 2011. International expert centers, as well as renowned writers, have highlighted the danger of the policy and practice of discrimination, and have warned against

dangerous crises that could result from the repercussions of proceeding with the policy of marginalization against a wide category of people. They have also stressed the need for a quick handling of the situation. This issue was mentioned by Jane Kinninmont⁽¹⁾, and Crisis Group⁽²⁾ in their reports. Also, Head of the investigation commission, Mr. Bassiouni, in a statement he made to one of the media outlets after he had been working for a while in Bahrain, said that the King must “*choose between maintaining the unity of the family or the unity of the country.*”⁽³⁾

- 7.3: Previously, we spoke about the ruling family’s monopoly of power and the executive and sovereign positions in official and semi-official bodies. There is no need to repeat those facts here, but we may point out to the great monopoly by the ruling family and the honorable Sunni Sect over the top positions in the government and the discrimination against a specific category of the people, who are considered more than half the overall population; the Shiite sect. This discrimination is clear in the structure of the cabinet of ministers⁽⁴⁾, which has become almost constant since the year of independence in 1971 to our present time in 2015.
- 7.4: Discrimination is evident also in the admissions to the military institution; Sunni citizens are allowed to hold military jobs, while Shiites are prohibited practically, and not by the constitution or a written law, to enter the military service. This is why we see a very small number of

1 “Bahrain: Beyond the Impasse”, see:
<https://www.chathamhouse.org/sites/files/chathamhouse/public/Research/Middle%20East/pr0612kinninmont.pdf>.

2 Crisis Group Report number 40 on the Middle East. “Sectarian Challenge in Bahrain”, May 2005.

3 (in Arabic) interview with Charif Bassiouni, January 26, 2012.

4 Shiites are represented through only 28% of the cabinet with 77% for Al Khalifa family and the Sunni Sect.

Shiites who take on any security or military positions. Mr. Bassiouni mentioned this in his report in paragraph 51: “*The BDF, which includes the army, navy, air force and medical services, employs approximately 12,000 persons including civilian and administrative personnel. It is estimated that a large number are non-nationals from Iraq, Jordan, Syria, Pakistan and Yemen.*”

7.5: One loud example of the administrative discrimination in the country’s official bodies can be seen in the following news published by the regime-affiliated Akhbar al-Khalij newspaper on Thursday, March 12, 2015 in its issue no. 13502, under the title: “*The Prime Minister appoints two Directors in the Ministry of Interior*” and the text of the decision was published in the official gazette, issue no. 3201 on March 19, 2015. From this report, we can grasp the extent of discrimination practiced against the Shiite sect. If we revise the sectarian background of the people who were appointed, we see that they are all from the Sunni Sect, and this is part of a routine appointment under royal decrees and orders and the decisions passed by the Prime Minister, and has been the case since the independence in 1971 until this very day.

7.6: One might think that discrimination had once happened in the past and that Bahrain has gotten rid of it, but I assure you that the situation is getting worse and the scope of discrimination is widening. An observation of the royal decrees and the decisions that have been passed by the cabinet to appoint leading officials in the government during the period from August 16, 2012 to July 31, 2013, and the period

from January 1, 2014 to December 30, 2014, shows that the percentage of Shiites in such positions does not exceed 14%⁽¹⁾.

- 7.7: The appointments in high positions in the country during the period from August 16, 2012 to July 31, 2013 and the period from January 1, 2014 to December 30, 2014 bluntly depicts the problem of discrimination, since the percentage used to be 16%, but it has decreased to 13.5% recently, and it is in constant decline.
- 7.8: The Bahrain Center for Human Rights conducted a statistical study on the distribution of the top posts in the country in the year 2003. The result was that the percentage of Shiites who hold top positions in the country is no more than 18%. Ibrahim Sharif also presented statistics on the situation of discrimination in his plea before the Supreme Court of Appeals on June 5, 2012, where he proved that there was systematic discrimination against the Shiites in the government and the public sector. In the cabinet of ministers, Shiites represent 24% of the members, while the ruling family holds 40% of the cabinet and 36% goes to our fellow Sunnis from outside the ruling family. In the Ministry of Interior, Shiites hold 10% of the top posts, while the members of the ruling family hold 35%, and Sunnis from outside Al Khalifa family hold 55%. Also, the Shiites are not represented in the top positions in the defence force, or in the higher defense council, since it is completely taken by the ruling family and the Sunni sect. As for governmental institutions and bodies, the percentage of Shiite representation does not exceed 7%, and in state-owned companies it's around 8%, whereas non-Bahraini nationals hold 19%, members of the ruling family hold

1 The general positions distributed based on Royal decrees and decisions in the period from August 16, 2012 to July 31, 2013, and the period from January 1, 2014 to December 30, 2014, clearly show that the Shiites have no more than 14%, Al Khalifa Family has 8% while the Sunnis have 78% of the jobs.

27%, and Sunnis from outside the royal family hold 46%. In judicial and legal institutions, no Shiites are found in the top positions of judicial and legal committees, whereas, the ruling family holds 33%, other Sunnis hold 58%, and non-nationals hold 9%. 20% of the general directors of municipalities are Shiites, while the ruling family and other Sunnis hold the rest equally (40% each). These shocking figures were not the same three decades ago and prove the methodical discrimination practiced against the Shiites who represent at least 50% of the population. In 2014, a decision was issued by the Prime Minister to found a committee to organize the distribution of posts in top government positions. The committee's job was to organize the distribution of all the top positions in the government or candidates who are appointed via a decree or a decision issued by the Prime Minister. Within its jurisdictions are positions of ministry undersecretaries, assistant undersecretaries, executive managers. Later on and through another decision, a technical team of nine people linked to this committee was established and it did not include a single Shiite⁽¹⁾.

7.9: From our sense of the gravity of the problem of discrimination and its negative impact on the nation, we have tried to voice our opinion so that it reaches the ears of the top official parties in the state, hoping that it could help in reaching a solution for the problem. In one of my meetings with Sheikh Khalid Bin Ahmad Al Khalifa, the Royal Court Minister in 20082009-, after a royal decree was issued for appointments similar to those mentioned above, I told him about the people's condemnation of the

1 See: Official Gazette 3186, decision of Deputy Prime Minister: "On July 30th His Royal Highness the Prime Minister Prince Khalifa Bin Salman Al Khalifa, may Allah Protect him, issued decision number 29 in 2014, on the organization of the mechanism of assigning high posts in the government..."

sectarian appointments and clarified that it constitutes an insult to the reform plan of the king who promised the citizens equality and to the king himself since it was issued in his name. I told him, "*You are responsible for this from your position in the Royal Court of His Majesty the King, and you should bear your responsibility.*" He then smiled and told me in the local accent that he does not bear responsibility for everything. He added, "*There are no sectarian appointments in the era of King Hamad Bin Isa,*" and I repeated my comment that he is responsible because of his knowledge of the situation and his duties. He then replied, "*You will see in the future how people will be treated equally and how the issue of discrimination will end.*"

- 7.10: During a visit by al-Wefaq parliamentary bloc to the Prime Minister Sheikh Khalifa Bin Salman Al Khalifa in 2007, I brought up the issue of the shocking discrimination among the citizens of the state, and I said: "*the percentage of Shiites who hold official positions in the government is no more than 19.7%, and this is one of the reasons behind the decrease in the productivity of employees; since job appointments and promotions are done on a sectarian basis and favoritism instead of being based on competency and proficiency,*" and his answer was: "*No, and where did you get these numbers from?*" ("*Ali, where are these numbers from?*") I replied: "*these are numbers shown in an objective study on the posts of jobs with the name of the appointees and their identification details, and it is not an assessment or a speech for the media.*" "*Let us see these numbers and talk about them.*" Here he asked one of his associates to follow up the issue, yet the meeting ended and there was no follow-up.

- 7.11: And when I brought up the issue with the deputy Prime Minister Sheikh Mohammad Bin Mubarak in his office in 2011, he said: “*No Sheikh, the situation is not as you’re trying to portray*”. I then said, “*In this case, let us categorize all the people that we have passed by from the moment we entered al-Qudaibiya Palace until we entered your office to know the reality of this issue.*” At this point, he replied using the local accent, “*Why don’t we put away this topic now, and let’s talk about the issue we are meeting for.*” The meeting was scheduled to find solutions to the political crisis stormed the country.
- 7.12: I believe that the sectarian practice, which discriminates between citizens and categorizes them according to their sect, affiliation or race, are fixed and systematic practices in the government’s administrative bodies and are reflected in royal decrees, and it calls off the concept of a country of citizenship, which we seek to achieve. The Bassiouni Report (BICI) also encouraged surpassing this issue and recommended in article 1722 of the final recommendations that the government should rapidly begin a program to contain citizens from all sects in the security forces and to implement it immediately.
- 7.13: Perhaps the most striking problem in these practices is that it is forbidden to bring up the issue and very difficult to speak about it and face it. If anyone chose to speak or write about its bitter and disgraceful reality, or to bring up the issue of occupational discrimination between citizens, he would be considered a sectarian person who aims at ripping the national unity apart. The government would react either by ignoring his statements and neglecting him, which is the best reaction, or by agitating a storm of sectarian protests carried out by writers and orators who accuse him of being

a sectarian person trying to stir sedition and hatred. If this person were an employee, they would give him a warning and perhaps even suspend him, deprive him of his rights or transfer him to another location, or even fire him from his job and take him to court with the charge of circulating false information that aim to distort the image of the regime. Finally, he could be put in jail through a judicial ruling.

- 7.14: When I bring up the issue of sectarian discrimination, I do so for the love of Bahrain and its people, Sunnis and Shiites. I also know that going forth with it would produce constant problems, weaken the factor of belongingness [to the country], spread grudge among people and result in less productivity.
- 7.15: As an example of how profound the problem of discrimination is in all fields and systems in the government, turning it into a basis to the state, while many officials are not aware of how profound this discrimination is and how it has transformed into a reality in every aspect of our everyday life, I will show how my arrest and prosecution are a live example of how strikingly deep-rooted the issue of discrimination is in our life in Bahrain. This is how it is:
- The people who filed the complaint against me and decided to interrogate me, according to the givens in the case documents, are Sheikh Rashed Bin Abdullah Al Khalifa, the Minister of Interior (a dear fellow brother from the revered Sunni sect and the Al Khalifa family), and Chief of Public Security, Mr. Tareq al-Hassan (a dear fellow brother from the revered Sunni sect).

- The person who carried out the investigations and presented the relevant report to the public prosecution is Captain Mohammad Khaled al-Saeedi, a dear fellow brother from the revered Sunni sect.
- The person who delivered the summon to my house is a dear fellow brother from the revered Sunni sect.
- The agent of the public prosecution who took on the responsibility of interrogating me and the one who ordered my pretrial detention is Mr. Nayef Youssef Mahmoud, a dear fellow brother from the revered Sunni sect, and the secretary of the public prosecution is Mr. Omar Abdul Raheem, a dear fellow brother from the revered Sunni sect.
- The general attorney who transferred the case to the court is Mr. Wael Bu A'alay, a member of our dear Sunni sect.
- Since my arrest on December 28, 2014, several guards, around 20 security guards, who are dear Sunnis, and were all recently naturalized citizens, headed by a Bahraini national, have taken on the responsibility of guarding me.
- The general prosecutor against me in these hearings is Mr. Osama al-Oufi, a dear fellow brother from the revered Sunni sect.
- The preliminary court, which issued the sentence convicting me, was made up of: Mr. Ali al-Dhahrani, Mr. Mohammad Jamal Awad and Sheikh Hamad Bin Salman Al Khalifa, all of whom are dear fellow brothers from the revered Sunni sect.

- This court house is managed by a number of security officials, who are mostly, if not all, from our beloved Sunnis.

7.16: The example I have given with names reflects the shocking and indisputable discrimination; a tragic situation for a big category of Shiite citizens when dealing with the security apparatus, the prosecution and the judicial system, as well as the legislators of the law on the basis of which these people are put to trial. It is important that such a law be in accordance with international standards that draw the basis of the democratic society and justice. So, the Shiite citizens, as a result of these facts and the bitter reality of how the security, prosecution and judicial bodies are formed, lack the slightest feeling of confidence that these apparatuses will be fair towards them, and the actual situation they are living in stresses that on a daily basis. This reality has led many Shiite citizens to abstain from referring to the Ministry of Internal and its departments, or the public prosecution, or the judicial system any case against a rival Sunni, or recently naturalized citizen, not to mention if the rival was a member of the Al Khalifa family or the government.

7.17: I would like to illustrate another form of discrimination in my country Bahrain, which I love from all my heart, and that I believe that it is the core and origin of discrimination. In a country where the Shiites comprise more than 60% of the general population, the forming of anything Islamic and what assists in the upbringing of the youth, achieving spiritual discipline, directing and guiding, is a sectarian formation which does not only eliminate the Shiite sect, but also insults its believes in some cases, underestimates it, and forces them to listen to what they don't believe in and

echo it on the basis that it is the truth. To elaborate, I give the following examples:

- The Minister of Islamic Affairs has always been a beloved Sunni, and so were the president and vice president of the Supreme Council for Islamic Affairs.
- The Kingdom's official Adhan (call for prayer) is limited to the Sunni version.
- The curricula of Islamic education are based on the Sunni creed and jurisprudence, which in some cases considers Shiites as infidels.
- The curricula of Islamic history are written from the Sunni point of view.
- The Quran Kareem radio station only airs sayings of the prophet that are from Sunni sources.
- Friday prayers are aired live on the official television and media only from a Sunni mosque.
- Most religious shows broadcasted by official media include only clerics from the dear Sunni sect.
- Then what is the status of the Islamic Shiite sect that the majority of the residents of Bahrain believe in?

7.18: In 2001, His Majesty the King, during a visit to Sitra, which has a population of 40 thousand, surrounded by an area with an equal population, denounced the fact that it has no high school. He immediately ordered building up a high school for girls, and thus Sitra Secondary Girls School was founded. As I was writing my statement on February 6, 2015, ten years after the King's criticism of the fact that

there is no high school in Sitra, al-Ayam daily published a schedule of projects for building 10 schools by the Ministry of Education by the next four years. What we realized was that only one school was to be built in the Shiite areas, while five schools would be built in pure Sunni areas and four others in mixed areas⁽¹⁾. This is an indicator of the path of the public services, which goes along with the general approach of sectarian and tribal discrimination.

7.19: When the crown prince visited the Shiite village of al-Muqsha in 2002 and saw the extremely bad conditions of the houses up close, he ordered building houses for all the residents of the village on an adjacent land. Here a humorous person commented by saying: “*Your highness, if you were to visit all the Shiite villages in Bahrain, you would see that they are all in the same condition as al-Muqsha.*”

7.20: I believe that this policy of discrimination between the citizens has helped in building a ripped apart society, in the top of which a ruling tribe from Al Khalifa, followed down the social ladder by Sunni citizens who are followed by naturalized citizens followed finally by Shiite citizens, who are also in many positions surpassed by expats especially in education jobs. This exhausting reality has added to the sufferings of the Shiite citizens, and has contributed to the state of oppression, poverty and deprivation they live under. This policy of tribal and sectarian discrimination leads to a specific reality: the first and high class takes on significant, sovereign, political, security and financial positions, while the second class holds leading posts and middle managerial posts in security and civil service, such as ministry undersecretaries, assistant undersecretaries, directors and

1 (in Arabic) al-Ayyam newspaper, 31 July 2013.

heads of big corporations and executive managers. The third class basically takes on military and security posts, especially anti-riot police and guards, and the scope of this class is extending to reach even teaching, nursing and other services with average incomes. As for the fourth class, which includes a majority of Shiites, undertakes the lowest civil jobs, such as teaching, nursing, company workers, cleaning, and other jobs with low incomes in the public and private sectors. This class faces competition from workers coming from other Arab and Asian countries. This has made it difficult for the people of this class to get a job that goes with the University degree they have obtained.

7.21: I believe that this social stratification that has appeared as a result of the current policy of discrimination aimed at keeping authority in the hands of a specific group and oppressing a wide portion of the society in a consecutive manner. This issue was mentioned in al-Bandar Report⁽¹⁾ which is well-known in Bahraini circles, and which we will point out later on. This actually contradicts the objectives of the democratic state under which all citizens are equal and share freedom, dignity and the right to acquire all services given by the government without discrimination.

7.22: A list of 1912 unemployed university graduates is one striking example on the policy of sectarian discrimination. After the efforts and sufferings of the al-Wefaq parliamentary bloc during the second term from 2006 to 2010, and the concentrated efforts of the former Minister of Labor Mr. Majeed al-Alawi to solve the problem of the unemployed graduates who hold Bachelor's and Master's degrees in

1 A document consisting of 240 pages published by al-Khaleej Center for Democratic Development in September 2006, and it was compiled by Salah al-Bandar, former advisor to minister of cabinet affairs in Bahrain.

diverse majors, oral royal orders were issued to hire these university graduates in the ministries, authorities and state-owned companies. The number of registered unemployed graduates in the Ministry of Labor was 1912, not counting those who are not registered in the Ministry and have no hope of finding a job through it. When the royal order was to be executed and 500 jobs within the government ministries were made available for this issue, most of these jobs were taken by recent university graduates from the Sunni sect and very few from Shiites. Many, most of whom were Shiites, waited for being hired in jobs in the private sector, with low salaries supported by the government, which did not suit their academic majors. Many years passed and the government's ministries and institutions were not able to absorb the entire list of unemployed people (1912 graduates). According to the records, the number on the list increased and reached around 4500 graduates, the majority of whom are from the Shiite sect. The ministries and institutions have regretted for not being able to contain 1912 unemployed university graduates under the claim that there were no vacant positions. The shock was when the same institutions were able to contain a number of volunteers who outnumber the original figure (1912). Those people took the initiative and entered to fill the gaps in governmental occupations when the federation of trade unions and the teacher's association called for a symbolic strike. The process of containing these employees and positioning them did not take more than a few months, regardless of whether they were competent or suitable for the jobs or not, and most of them were from the Sunni sect.

- 7.23: Perhaps one might say: "*around half of the civil ministries employees are from the Shiite sect, including teachers, doctors, nurses and others.*" This statement is true, but this does not

deny the fact that there is discrimination, and holding such occupations is only the result of other people's disinterest in them and their aiming towards better jobs in the ministries and the governmental institutions. However, now the competition is between the Shiite people, who have gotten used to occupying such jobs, and the imported workers alongside the naturalized people, who have formed a class competing with the Shiites. The scale of discrimination is not to be determined by counting the number of employees, since it is only natural that in a society, 70% of whom are Shiites, you find the teachers, the doctors and the nurses. Discrimination should be measured by the number of the unemployed and the jobseekers and the amount of job opportunities available for the citizens, the types of jobs, and the number of jobs in the top positions citizens can occupy.

- 7.24: The government's policy of keeping the doors open to recruiting expats in education, health, services, art, security, finance and other occupations including security guards, under the pretext that they need them to fill the vacancies, is a destructive policy for the country. The idea behind this policy is not new to Bahrain, but it began to grow gradually based on the strategy that was mentioned in what has become known in Bahrain as the famous "*al-Bandar Report*." This strategy is based on recruiting expats in average job positions in the administrative and service bodies to reach a kind of balance with the Shiite majority workforce in there, to make sure that they are no longer a majority. Therefore, the ministries of education, health, works and municipalities and other ministries of the state and its administrative authorities all began to distribute advertisements for job hiring in Egypt, Jordan, Pakistan, and other countries. Consequently, jobs in these ministries were open to expats who strongly competed with the Shiite citizens

in attaining the occupation even if he/she [the Shiite citizen] had the necessary qualifications and degrees of PhD, Masters, with specialization in teaching, nursing, medicine, engineering, management and other majors. The expats were given the chance to reach job positions in big companies, while the Bahraini Shiite citizen who graduated from university in varied scientific and professional specializations was left searching for a job that he could not find except with humiliating conditions in the private sector.

- 7.25: No reasonable person would disagree that the policy of discrimination is contradictory to the principles of the civil state and the state of citizenship that treats all its citizens equally and works towards protecting their dignity by providing decent jobs for them. The policy of discrimination aims at oppressing one faction of the population to humiliate them and force them to succumb, and this is an old policy that was present since the time of Prophet Moussa (Moses) (Peace be Upon Him). Bassiouni Report (BICI) indicated that in article 65: *“Others argue, however, that Bahrain suffers from widespread and longstanding sect-based discrimination that has disempowered large segments of the population.”* We believe that the continuation of this state of tribal and sectarian discrimination takes Bahrain back to the age of ignorance (Jahiliyya), which Islam had ended, and to the medieval ages, which were characterized by dictatorships and absolute autocracy.
- 7.26: With the revealing of al-Bandar Report in Bahrain in the year 2006, which was named after the former advisor to the cabinet, Doctor Salah al-Bandar, the Shiite community was divided between those who believed it and those who refused to believe it. Naturally and practically, for a

developing state, it would not be right for the powerful authority to work towards destroying the social life by creating conflicting classes. Logically and legally, no state should venture and hurt its international reputation by presenting itself as a racist sectarian state. People disagreed over the report, and some even considered that the report is ultimately a vexatious act targeting the society.

- 7.27: The mentioned report said that there is a precise strategy adopted by official parties and is being implemented by a specialized body supported by the state's authorities, aims at creating a sectarianly divided society that is dominated by the Sunni sect, and where discrimination directed against the Shiite sect prevails. One of the mechanisms of this strategy is to have control over the course of elections and the political and economic decision-making positions, to establish an executive body capable of keeping a grip on society and be in control of all the aspects of life. This process aims not only to forge the outcomes of the political practice, but also to disrupt and confuse and weaken any opportunity for political participation and the political institutions (parliament and municipality). This issue also weakens the political competitiveness, which naturally gives the pluralism its real essence, and it indirectly eliminates any chances of differentiation in viewpoints and stances. Moreover, it distorts diversity in the political identity and destroys all chances for establishing legitimate disagreement of methods, which are all considered closely related to the concept of pluralism. One of its clear objectives is curtailing the role of the opposition in the legislative institution and the future of the political life, weakening its strength in the civil society and the media and isolating it from the circles of influence in the executive power's institutions. All

this could be done by moving the Sunni street in a prior prepared way to face what they would portray as the “*Shiite dominance*.” In addition to securing the suitable atmosphere for obtaining a majority loyal to the executive authority in the formation of the legislative authority (2006-2010-), while preserving a high percentage of participation in the 2006 elections and ensuring an atmosphere of credibility in the eyes of the regional and international public opinion.

- 7.28: The strategy as mentioned in al-Bandar Report focused on marginalizing the Shiite sect and targeting its organizations, some of which are: Olamaa Islamic Council “*Scholars Council*” and al-Wefaq National Islamic Society. It also focused on following a policy of naturalization to acquire a Sunni majority, founding a daily newspaper, which specializes in practicing discrimination, following a policy of containing the youth, establishing political and popular organizations for the Sunni sect, which work against Shiite political and popular organizations, and placing all the religious activities subject under the control of the authorities, whether in mosques or Ma’tams (congregation halls for Shi’i ceremonies), and keeping them under its supervision and guardianship.
- 7.29: The report also mentioned the strategy of containing the Scholars Council. Under this title, there were the following topics: Shiite activity, the policy of al-Watan newspaper in Shiite affairs, the agenda of al-Wefaq after it was registered, the challenge of naturalization, estimates and indicators, the youth strategy, challenges and prospects. Concerning the title specified for al-Wefaq: “*al-Wefaq’s agenda after registration*,” it included observing the developments of al-Wefaq’s circumstances and the main stages, which were a challenge

for the group since its establishment in the year 2001, and the gradual tactics to weaken it and confront it. The content and details of the titles mentioned in the report included under each part a reference to the strategic objectives and main subjects, the mechanisms, detailed tasks, and the measures and methods. It also included for each topic long-term alternatives and solutions, as well as specific challenges and risks, and general policies for each topic separately.

- 7.30: To implement the scheme, the authorities recruited a Jordanian intelligence group of four officers who were paid a monthly salary of 7548 Bahraini Dinars, another group for sectarian derangement, and one group active in the field of cyberspace, which includes 18 members. On the social media networks, they established the group of Bahrain Forums, an SMS group, in addition to a group of 8 Egyptian media experts backed up by another group that provides administrative and technical support, and a group that was specialized in managing a center for public opinion and media projects. It founded a daily newspaper, as well as a number of government-organized non-governmental organizations (GONGO). According to the above-mentioned report, one of the duties of this network was to finance books and give financial support to those who have converted from the Shiite sect to the Sunni sect, calling them: al-Muhtadoon "*Followers of the Right Path*". Their work also includes listing Shiite officials in the ministries, and the charity funds, and private companies, and the economic domain, in order to weaken them. Their duties were also to mix Shiite villages with Sunni villages in order to reach a Sunni control. In addition, other aims were strengthening the Sunni political, religious and educational rhetoric, the Sunni youth and the Sunni women's

associations, activating the role of the Bahrain Institute for Political Development and strengthening the ties with the United States for the sake of isolating the Shiites regionally. Others are human development, improving the living conditions, establishing centers for research and public relations inside and outside the country, preparing leaders and figures, social security, and making alliances between the government and awareness and cultural organizations, all in order to strengthen the Sunni sect.

- 7.31: Al-Wefaq Society, along with other national factions in the country, have made every effort to investigate this report, and contacted official parties when it was published, yet the government ignored all concerns raised by al-Wefaq Society. Actually, in the time that followed there were confirmations that the information it submitted were accurate as the person who was directly responsible for this network was made minister and the individuals mentioned therein were further empowered and given official posts. The government formed an investigation committee to look into the issue, which, in its turn, delivered a report that proved that the investigation lacked seriousness, which further proves the involvement of certain influential parties in directing the objectives that were mentioned in the report. In an attempt to keep this report away from the media, despite the policies it included and that exclude a whole component of the society, a decision was made prohibiting the publication of any content related to this topic and bringing the person who compiled it to trial. He was also forbidden from attending any of the court hearings after he was expelled from Bahrain.
- 7.32: This discrimination that was mentioned in al-Bandar Report and was affirmed in the Bassiouni Report is not an

exceptional case or a temporary event that appears at times and disappears at others depending on the circumstances. It is a policy that the people of Bahrain have complained from for decades, yet no one listened to their complaints, until al-Bandar came along and uncovered part of the issue to the world. Mr. Bassiouni contributed to uncovering another part. The Bassiouni Report (BICI) gave the issue a title "*The Scandal*" in paragraph 96 of the report, which read as follows: "In 2006, the "*Al-Bandar Report*" scandal broke out and contributed to increasing political mistrust between the GoB and the opposition. Salah Al-Bandar, a British citizen of Sudanese origin, had been hired as a consultant by the GoB. He reportedly leaked documents alleging the existence of a systematic government plan to limit the influence of Shia opposition groups and create a counterweight Sunni bloc. The documents reportedly included plans to rig the elections in favor of candidates from Sunni minority groups, create pro-government human rights organizations and fund specific newspapers and online social media tools and forums. He further alleged that government officials were complicit in maintaining unlawful surveillance programs directed against opposition political parties and civil organizations."

- 7.33: With the publication of al-Bandar Report and its circulation among the people, a state of discontent spread among the Shiite community, and they were in sadness and agony for what was being plotted for them in secret after they had just given the authorities a vote of confidence and had just voted in favor of the National Action Charter. This came when they still had not woken up from the violation of the agreement they had made with the government, when it issued the new constitution that was contradictory to what had been agreed upon. Al-Wefaq tried to comprehend the secrets behind this

report and contacted the officials when it was published to express its concern and condemnation, yet the government ignored all concerns raised by al-Wifaq. With the appearance of indicators that confirmed that its content was accurate and its implementation had begun and that the people mentioned were given power and were given top official posts, the government had launched an investigation committee on the issue and prohibited the media from publishing or broadcasting anything related to it, and brought the person who compiled it to trial. He was also forbidden from attending any of the court hearings after he was expelled from Bahrain. The report that the government issued on that matter then proved that it had not conducted a serious investigation and that certain influential people who were known popularly as “*al-Bandar Cell*” were deeply involved.

- 7.34: Al-Wefaq society, which was taking part in the parliament with 17 out of 40 members, and whose Secretary General and Head of its parliamentary bloc was I, Ali Salman, had tried to deal with the issue through political methods. At the time, I brought up the issue in the parliament by directing a parliamentary questioning to the minister of cabinet affairs at the time, which we considered the primary person responsible for al-Bandar Cell and the execution of its plans. The questioning focused on one specific part related to the high population increase that occurred recently, yet the alliance of several forces in power, which was an outcome of the mentioned cell, some of whom were governmental officials, media figures, member of parliament and others, stood and formed a barrier forbidding any condemnation of the minister, and thus, the questioning had failed. Experience has shown that the talk about discussing the country and citizens’ problems in the parliament is mere talk. It has also shown that the regime has many restraints it can

use to stop the discussion of a topic through political channels if it did not want it.

- 7.35: A conclusion on the issue of discrimination: It was old, incurable and practiced by traditional tools, and is now modern, new and practiced through well-studied plans and long-term strategies with advanced mechanisms. What was uncovered by al-Bandar report and the BICI is not something new to the Shiite sect in Bahrain and does not represent an exception; it rather has been the prevalent reality for decades. Complaints against it have reverberated from the time of the British political agent Daly⁽¹⁾ and the time of the English advisor Belgrave.

8.1: Constraining political activity:

Practicing politics had been considered a punishable crime by convention in the regime until the year 2001. After the National Action Charter, which provided relief, establishing political associations was allowed, under the law of societies and clubs in the year 1989 by halting article 19, which prohibited political activity. Here political societies were formed and were considered equal to political parties. The people had high hopes and big aspirations, but the declaration of the 2002 constitution killed those hopes and aspirations. This constitution limited the scope of political activity and prohibited the peaceful transition of power, which gives political parties and associations true meaning for their existence, allows them to play their role as a political opposition when not in power, and allows them to execute

1 A British Political Agent was assigned in Bahrain. Major Clive Kirkpatrick Daly succeeded Major Harold Richard Patrick Dickson, and there is nothing worse in the Bahraini people memory as political agents than Major Daly himself. He was a stern and hardhearted man who was responsible for the exile of a number of Bahraini men to India, and the expulsion of several Arab thinkers and men of literature who came to Bahrain after it opened its first schools. He was returned to Britain after he was shot in his ear in the Diwan Fort in Manama on Wednesday August 4, 1926, and he was removed from Bahrain in September 1926.

their plans and programs after winning the elections. However, this constitution stripped the elected council of its legislative duties while giving the Consultative Council (Shura) made up of the same number of members an equal jurisdiction. These political associations continued to work according to the law of civil societies until the year 2005 when the law of political societies was issued. The new law enforced many restrictions on the political activity; it was forced to call itself a political society and not a political party, it was prohibited from establishing its own public journalism and its communication with foreign political sides and groups was limited. A decision made by the Minister of Justice made it mandatory to give a three-day notice before any such meetings with foreign sides, and it was forbidden to open offices outside of Bahrain or to practice any activity in participation with international organizations. It was also mandatory to be under the surveillance and supervision of the Ministry of Justice. Restrictions against political activity continued in efforts to transform it into an activity that is complementary to governmental activity, so another decision was issued prohibiting any political group from meeting with a diplomatic official or any visiting politician except in the presence of a representative from the Bahraini Ministry of Foreign Affairs. An amendment to the law was issued as well, giving the Ministry of Justice the upper hand in the internal affairs of the political groups, which contradicts the goal behind establishing political associations, which is to compete in order to assume the ruling position.

- 8.2: The government took several measures to limit the opposition's political activity, some of which were: closing down the opposition media bulletins under the pretext that they expressed opinions, shutting down some associations as

the National Democratic Action Society - Wa'ad, when it was suspended for three months in 2011, and arresting a number of leaders and activists from certain political associations, most prominently: Ibrahim Sharif, Secretary General of the National Democratic Action Society - Wa'ad, who was sentenced to 5 years in prison, Jawad Fairouz and Matar Matar, former representatives of al-Wefaq parliamentary bloc. Finally, there was the imprisonment of the Secretary General of al-Wefaq National Islamic Society, and the Secretary General of al-Wahdawi Association, as well as arresting other political leaders and filing lawsuits against political societies. Most lawsuits usually end by issuing sentences against the societies. One example is the Islamic Action Society (AMAL), which was shut down, and there was also the National Democratic Action Society, which was suspended until it held new elections to choose a new secretary general in the place of Ibrahim Sharif who was doing time in jail. Also, a case was filed against al-Wefaq under the pretext that its general conferences from 2010 to 2014 violated the conditions of holding conferences⁽¹⁾, ordering it to reconvene, which it did on December 26, 2014 in order to avoid escalation with the regime. The authorities also declared a psychological war against the political societies and their activists and threatened to take them to court, as in the case of al-Wefaq, when several newspapers, issued on February 17, 2015, said that there was an intention to prosecute al-Wefaq⁽²⁾ with accusations of broadcasting false information on its website, inciting hatred against the regime, calling for illegal protests, insulting a governmental institution (Ministry of Interior) and insulting a foreign state.

1 (in Arabic) al-Wasat newspaper, 21 July 2015.

2 (in Arabic) al-Wasat newspaper, 17 February 2015.

- 8.3: Many leaders of political societies were targeted and summoned every now and then for interrogation over a tweet or a press statement, or a rights exhibition, or meeting with a foreign official, and other false claims to put pressure on them and prevent them from having a sense of freedom while they practice their activity as opposition groups. These societies and their leaders were subject to slander by the media; provocative articles were written to incite hatred against these groups and their activists, without any chance to respond to the accusations. In many times, political societies are forbidden from holding their peaceful gatherings like protests and demonstrations, even when they abide by the procedures stipulated in the law of congregations. Before the 2014 elections, all demonstrations and protests were prohibited.
- 8.4: The activists in the political opposition groups were subject to harassments and were deprived of job opportunities, and were even deprived of study whether outside the country through a scholarship or even if it was at their own expense. One example was what happened with the member of the general secretariat of al-Wefaq - former member of the consultative committee in al-Wefaq - Ms. Ramla Abdul Hameed who was denied entry to Egypt to complete her PhD studies after having ended several semesters of study, all because of the blacklist, which Bahrain issued against opposition members, and her only crime was that she was an active member of al-Wefaq. Tens of activists lost their jobs or studies for the same reason. Another example was Dr. Sakina al-Ekri, who attained her PhD with a major related to the care of the gifted individuals, and yet she was

removed from her managerial job and transferred to a mere primary and intermediate school teacher.

- 8.5: With the beginning of the year 2011, and the start of popular movements calling for demands in February 14, the Ministry of Justice froze all the monthly allocations of the opposition groups despite their petty value. It also continued to monitor the budget of these groups and their financial activity.

9.1: Besieging Civil Society Organizations and Curbing their Activities:

The civil society had suffered from many restraints before the independence of Bahrain in the year 1971, and then it suffered from the law of state security during the period from 1975 to the year 2001. After this, there was some relief in the period between 2001 and 2009, yet this began to fade. The pressure against the civil society was not only limited to the difficulty of getting a license to establish a new and active institution, but some societies were dissolved or prohibited from action like the Bahrain Center for Human Rights, and Teachers' Association, whose President and Vice President were detained (Mahdi Abu Deeb and Jaleela al-Salman), and the Nursing Association, whose President and Vice President were imprisoned as well (Rola al-Saffar and Ibrahim al-Demestani). The elected management of the Association of Lawyers was also dissolved and another management was put in its place, and the authorities helped establish the Free Labour Unions Federation to put pressure on the General Federation of Bahrain Trade Unions (GFBTU).

9.2: The regime also found a number of loyalist civil society associations to use them to compete with the other associations. Since it loitered or abstained from licensing some associations who asked for permission to establish their groups (ex: Insaf Society), some groups decided to acquire a foreign license such as the BRAVO Advocacy Organization. This campaign against the civil society affected organizations and associations that we supposed to be active in the society's significant issues, yet they adulated the government and so abandoned their role. One example was the National Institution for Human Rights, which ignored all the scandals recorded in the Bassiouni Report and has not issued a single statement.

10.1: The Absence of Freedom of Speech and Expression as per International Standards:

10.2: The government tightened the space of freedom of speech and expression and filed accusations against any activist or politician who doesn't abide by the rules and regulations it had set forth, even if they were contradictory to the constitution. For example, a statement saying that the political system is not democratic, since only a few people are the decision makers and in control of the political, legislative, and executive powers would be turned into an accusation of "*inciting hatred against the regime*". If one commented that the jurisdiction given to the king in the constitution makes Bahrain closer to an "*Absolute Monarchy*" rather than a "*Constitutional Monarchy*" is considered to touch the royal person of the King and the constitution. The statement that the Ministry of Interior was abusive in its implementation of the law and used excessive force and repressed citizens would be turned into

an accusation of “*insulting a governmental institution*”. A demand that people be the source of all power (legislative and executive) through implementing a constitutional monarchy similar to other well-established democracies would be considered an “*attempt to overthrow the regime through illegitimate means*.” The call for peaceful protests in accordance with the liabilities signed by Bahrain in international treaties and conventions would become an accusation of “*a call to violate the law and incite actions against the law*.” Even a call for peaceful gatherings after following all legal and necessary measures turns into a call for a gathering which is against the law, and the Ministry of Interior deals with the side organizing the gathering and those who participate in it on that basis. Anyone who calls for a continuous sit-in in the form of a peaceful protest is punished since it is prohibited, and those who organize as well as those who take part are punished. Consequently, the number of prisoners who were detained as a result of the political events which began on February 14, 2011 is estimated at 3 thousand prisoners for lack of official statistics with accusations of spreading rumors and promoting false news that would distort the reputation of the Kingdom. Saying that political prisoners were subject to torture, as they have testified in courts and said to local and international rights organizations, and based on the testimonies of their families, is considered a promotion of disturbance and chaos in the country. Even if people wrote tweets (on twitter) giving an opinion about a certain event or situation or reality it would put them in prison or make them lose their job. There are numerous methods of repressing opinion, and it seems that accusations are always ready for anyone who revolts against this reality,

which would put them along a journey of struggle that begins with investigation, then prosecution, then court, then arrest and finally prison.

11.1: Absence of Freedom of the Media:

The authorities have control over the audio-visual media, on radio and television, and it has intentionally delayed issuing the law of broadcast media. Had there been an intention to issue such a law, it would have been issued in one month as what happened with other laws made to limit freedom, that the authorities rushed to issue, even through decree-laws outside the time of parliamentary conventions. In light of this phenomenon, the Bassiouni report recommended that the opposition be allowed to have equal ability to reach broadcast media, and this is one of many recommendations that has not been implemented, not even partially. Moreover, it is nearly impossible for the opposition to acquire a license for publishing a newspaper, and today there is only one newspaper that has the ability to introduce an idea that contradicts the official stance, but still within tight limits while being under censorship and restrained by specific instructions. Recommendation number 1724/a of the Bassiouni Report mentioned this issue: *“To consider relaxing censorship and allowing the opposition greater access to television broadcasts, radio broadcasts and print media. The continuing failure to provide opposition groups with an adequate voice in the national media risks further polarizing the political and ethnic divide.”*

11.2: Bahrain stayed on its international ranking in the annual report on Freedom of the Press by Freedom House Organization for three years in a row ranking 188th globally, while it continued to be categorized as one of the

unfree countries according to the indicator of the freedom of the press for the year 2014⁽¹⁾. New media remains the only real means for people to express their opinion, in which Bahrain is categorized as “*Enemy of the Internet*” by Reporters Without Borders⁽²⁾. Rights activist Nabeel Rajab was arrested for broadcasting his opinions on new media, and so was Head of al-Wefaq consultative committee Jamil Kadhim, as well as a number of other twitter activists and writers. The citizens also do not have the freedom to get the information they need, for unlike other democratic states, a lot of information for the citizens and the public opinion and those who ask for it are bound by secrecy.

11.3: In 2009, authorities shut down the periodical bulletins that the political societies (of al-Wefaq, Wa’ad, Amal, Democratic platform, the Nationalist Gathering) used to publish, and they were never allowed to publish them again. Authorities also closed down the electronic websites of al-Wefaq and other societies for a period of time, after which they were re-opened. It also stopped the audio streaming of al-Wefaq on its website, as well as the streaming of al-Wasat daily news under the pretext that it is a radio broadcast, which requires licensing.

12.1: **Violation of the right of peaceful assembly:**

International conventions and treaties signed by Bahrain guarantee the right to hold peaceful assemblies and gatherings in various forms; therefore, the regime was obliged to respect this, and the only thing it could order was that it be informed of any gathering before it takes

1 (in Arabic) al-Wasat newspaper, 25 January 2014.

2 Reporters without Borders describes Bahrain as an “Enemy of the Internet” and Manama denies the claim, Andrew Hammond, Middle East Panorama, 15 March, 2012, see: <http://urlmin.com/mepanorama>.

place. The Bassiouni Report has mentioned this issue in paragraph 104: *“As a State party to these treaties, the Kingdom of Bahrain is obliged to respect, protect, promote and fulfill the human rights of all persons within its jurisdiction. This includes the obligation to provide an effective remedy (including the provision of reparations) to individuals whose rights have been violated. Bahrain is also obliged to undertake genuine investigations into allegations of human rights violations and to hold the perpetrators of those violations accountable.”*

The BICI Report mentions these treaties in paragraph 103, saying: *“Bahrain is party to a number of the main international human rights treaties. These include the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social, and Cultural Rights (ICESCR), the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD), the Convention Against Torture, and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and the Convention on the Rights of the Child (CRC). Bahrain is also party to a number of the fundamental conventions of the International Labor Organization (ILO). At the regional level, Bahrain is a party to the Arab Charter on Human Rights.”*

- 12.2: Paragraph 1615 of the Bassiouni Report includes the content of article 19 of the International Covenant on Civil and Political Rights as follows: *“Article 19(2) of the International Covenant on Civil and Political Rights 1966 (ICCPR) provides that “[e]veryone shall have the right to*

freedom of expression” and that “this right shall include freedom to seek, receive and impart information and ideas of all kinds.”

Exercising the rights mentioned in part 2 of this article entails specific duties and responsibilities, and thus it can be subject to some restrictions provided that these restrictions are specified in the law and that it is necessary to the respect of the rights or reputations of others and to maintain national security, public order, public health or public morals.

Paragraph 1616 includes the following: “*Article 20(2) of the ICCPR provides that “[a]ny advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.”*

Paragraph 1617 states: “*Article 19(3) of the ICCPR provides that restrictions may be imposed on the exercise of freedom of expression, but any such restrictions must be provided by law and must be necessary for “respect of the rights or reputations of others” or for “the protection of national security or of public order (ordre public), or of public health or morals.”*

Paragraph 1266 states the following: “*Similarly, article 32 of the Arab Charter on Human Rights “guarantees the right to information and to freedom of opinion and expression, as well as the right to seek, receive and impart information and ideas through any medium, regardless of geographical boundaries.”* Paragraph 1267 states: “*With regard to the ICCPR, the Human Rights Committee has noted that restrictions on the right to freedom of expression “must be ‘provided by law’; they may only be imposed for one of the grounds set out in subparagraphs (a) and (b) of [article*

19(3)]; and they must conform to the strict tests of necessity and proportionality.”

The report says in paragraph 1268: “*The Human Rights Committee has also observed that “restrictive measures must conform to the principle of proportionality; they must be appropriate to achieve their protective function; they must be the least intrusive instrument amongst those which might achieve their protective function; they must be proportionate to the interest to be protected... The principle of proportionality has to be respected not only in the law that frames the restrictions but also by the administrative and judicial authorities in applying the law. The principle of proportionality must also take account of the form of expression at issue as well as the means of its dissemination. For instance, the value placed by the ICCPR upon uninhibited expression is particularly high in the circumstances of public debate in a democratic society concerning figures in the public and political domain.”*

The report also mentions the local law in paragraphs 1269 and 1271, mentioning the following:

In paragraph 1269: “*The Constitution of Bahrain affirms the right to freedom of expression. Article 23 provides: “Freedom of opinion and scientific research is guaranteed. Everyone has the right to express his opinion and publish it by word of mouth, in writing or otherwise under the rules and conditions laid down by law, provided that the fundamental beliefs of Islamic doctrine are not infringed, the unity of the people is not prejudiced, and discord or sectarianism is not aroused.”*

And in paragraph 1271: “*Article 31 provides: The public rights and freedoms stated in this Constitution may only be*

regulated or limited by or in accordance with the law, and such regulation or limitation may not prejudice the essence of the right or freedom.”

Paragraphs 1279 and 1280 tackled the issue of abusive methods in implementing the law of punishment against political activists in Bahrain, where the commission voiced its concern over this issue:

In paragraph 1279: *“A large number of individuals were prosecuted before the National Safety Courts and imprisoned for violating articles 165, 168, 169, 179 and 180 of the Bahrain Penal Code in connection with the events of February/March 2011. The Commission considers that the GoB used these articles to punish those in the opposition and to deter political opposition.”*

In paragraph 1280: *“In the light of the way that these provisions have been applied in Bahrain, the Commission has a number of concerns about their conformity with international human rights law and with the Constitution of Bahrain.”*

Paragraph 1286 states: *“Article 179 of the Penal Code has also been used by National Safety Courts to convict persons who opposed the GoB. The use of article 179 in connection with the events of February/March 2011 was similar to the use of articles 165, 168 and 169 as discussed above, namely as a means of repressing freedom of assembly and punishing those who seek to exercise that right. Article 179 criminalizes acts that constitute “attempts” to participate in violence, which this provision characterized as rioting. However, this definition does not include a key element of the crime of attempt, namely the taking of material or tangible*

steps towards the commission of the crime. Thus, article 179 can be used against persons seeking to exercise their internationally guaranteed right of freedom of assembly, without the need to prove the commission of material or tangible conduct. Moreover, article 179 criminalizes attempts to commit acts of violence, without requiring any act leading to violence to have been committed.”

In paragraph 1287, the report mentions: “*In the light of the way that these provisions have been applied in Bahrain, the Commission considers that the cumulative effect of articles 179 and 180 of the Penal Code is to place overly broad restrictions on the right of assembly, which is protected by the Constitution of Bahrain, the ICCPR and the Arab Charter. Law enforcement officials have, under these two articles, have the authority to take forceful measures to disperse individuals who have not committed specific acts of violence or taken substantial steps in that direction.*”

Paragraph 1291: “*The Commission recommends that all persons charged with offences involving political expression, not consisting of advocacy of violence, have their convictions reviewed and sentences commuted or, as the case may be, outstanding charges against them dropped.*”

- 12.3: I believe that it is the right of a country, which is a party to the International Covenant on Civil and Political Rights, to organize the right to assembly and expression, but it's not authorized to confiscate this right. I also believe that it is necessary that organizing the right to assembly and expression must be in accordance with what was stated in article 19 of this Covenant, and that any restrictions or organizations should conform to the principle of

“proportionality” and that *“it is the least used method among other tools which could achieve a protective function.”* I also believe that articles 179 and 180 of Bahrain’s Penal Law are seen as tools of repression of freedom of assembly and expression against those who seek to exercise this right, and these are the same words used by the Bassiouni Report. The content of the two articles are as follows:

1. Article 179 of the Bahrain Penal Code: *“If one demonstrator or several demonstrators attempt to use violence for the realization of the purpose for which they have assembled, their action shall be deemed as a riot. The penalty for each person who knowingly takes part in such riot shall be a prison sentence and a fine not exceeding BD 500, or either penalty.”*
2. Article 180 states: *If one of the public authority officers finds that 5 persons or more have demonstrated with the intent of causing a riot, he may in such capacity order them to disperse. Thereafter, he shall be empowered to take the necessary measures for dispersing those who have not complied with the order by arresting them and may use force within reasonable limits against any person resisting the said order. He may not use firearms except in extreme necessity or when someone’s life is threatened. Persons still demonstrating after the issue of the order to disperse while being aware of such order shall be liable for imprisonment and a fine not exceeding BD 300, or either penalty.”*

According to paragraph 1286 of the Bassiouni Report: *“Article 179 can be used against persons seeking to exercise their internationally guaranteed right of freedom*

of assembly, without the need to prove the commission of material or tangible conduct. Moreover, article 179 criminalises attempts to commit acts of violence, without requiring any act leading to violence to have been committed.” And in paragraph 1287: “The Commission considers that the cumulative effect of articles 179 and 180 of the Penal Code is to place overly broad restrictions on the right of assembly, which is protected by the Constitution of Bahrain, the ICCPR and the Arab Charter. Law enforcement officials have, under these two articles, have the authority to take forceful measures to disperse individuals who have not committed specific acts of violence or taken substantial steps in that direction.”

What we can gather from this is that the practice of dispersing peaceful protests according to articles 179-180 are a violation of the international law that should be abided by. Therefore, I believe:

- It is the regime that is violating the law when it prohibits peaceful assembly that is guaranteed by the International Covenant on Civil and Political Rights, the Arab Charter, and the Bahraini Constitution, and not those exercising this right according to international treaties and the constitution of Bahrain. If we took into consideration that all what was mentioned in the two previous paragraphs, 1286 and 1287 of the Bassiouni Report, speaks of the protests and gatherings that took place during February and March of 2011, which were assemblies and protests that the authorities were not informed of, and yet the method of dealing with them was denounced; then, any talk of repressing protests

which the authorities were informed of would be even more denounced.

- Prohibiting assemblies, protests, and peaceful demonstrations, which are done through previous notice, in the capital or outside it, is a confiscation of the freedom of expression stipulated in the International Covenant on Civil and Political Rights, the Arab Charter for Human Rights, and the constitution of the Kingdom of Bahrain. This is mentioned specifically in article 104 of the Bassiouni Report: *“As a State party to these treaties, the Kingdom of Bahrain is obliged to respect, protect, promote and fulfil the human rights of all persons within its jurisdiction. This includes the obligation to provide an effective remedy (including the provision of reparations) to individuals whose rights have been violated. Bahrain is also obliged to undertake genuine investigations into allegations of human rights violations and to hold the perpetrators of those violations accountable.”*
- Respecting the rights of others is a duty, and its consideration during peaceful gatherings is mandatory. Having a free society would be meaningless if it does not guarantee the freedom of peaceful gathering. This is asserted in article 21 of the International covenant on Civil and Political Rights, and it is as follows: *“The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.”*

- 12.4: It is obligatory to respect the rights of others during peaceful protests. There is no free democratic society without guaranteeing the right to peaceful assembly. The International Community has frequently expressed its opposition and disapproval of the Bahraini authority's forbiddance of this right. The United States has also expressed its concern over prohibiting the opposition from holding anti-regime protests, and called on the authorities in Bahrain to allow peaceful demonstrations. The Deputy Spokesman for the US State Department "Mark Toner" said: "*The United States is deeply concerned about the Bahraini government's decision to ban all public gatherings.*" He also said: "*Freedom of assembly, association and expression are universal human rights.*" Toner added: "*we urge the government of Bahrain to work with responsible protest leaders to find a way for peaceful and orderly demonstrations to take place.*"⁽¹⁾

This ban was the reason behind the concern of several United Nations officials, one of whom was the United Nations Secretary General Ban Ki Moon who warned that the decision to ban protests could lead to "*increased tension*" in the country, and urged the Bahraini government to reconsider the decision. He also expressed his concern over the "*restrictions*" on freedom of demonstration and public gatherings. His spokesperson Martin Nesirky, said that the Secretary General considered that Bahrain must be in full compliance with the international standards of human rights, including respecting freedom of speech and the right to peaceful protests... The Secretary General sees that these restrictions could increase the tension in the

(in Arabic) al-Wasat newspaper, 1 November 2012.

country, and asked the Bahrain authorities to lift the ban without further delay.”⁽¹⁾

Special Rapporteur on the rights to freedom of peaceful assembly and of association, Mr. Maina Kiai had raised concern that *“in far too many instances, authorities in many countries fail to apply the aforementioned strict test of necessity and proportionality when reviewing the imposition of a possible restriction to the right to freedom of peaceful assembly. Peaceful assemblies have been prohibited or repressed because the message conveyed do not please the authorities, as has been done in Algeria, Azerbaijan, Bahrain, Belarus, China, Cuba, Egypt, (the Islamic Republic of) Iran, Indonesia, Russian Federation, Syrian Arab Republic and Zimbabwe.”*⁽²⁾

For his part, Mr. Joe Stork- Middle East Deputy Director at Human Rights Watch said: *“Bahraini authorities are doing everything they can to suppress peaceful protests, even arresting human rights defenders monitoring the protests,” “The government has a responsibility to suppress actual criminal behavior, but that’s no excuse for arresting a human rights defender monitoring a demonstration.” “Bahraini authorities are only making the crisis worse by prosecuting people who call for peaceful protests and who criticize the ruling family,”* Stork said. *“The government should immediately lift the ban on all demonstrations and respect the universal right to peaceful assembly and free expression.”*⁽³⁾

1 *(in Arabic)* Shourouk News, 2 November 2012.

2 *(in Arabic)* al-Wasat newspaper, 4 June 2013.

3 “Bahrain: Free Human Rights Defender. Lift Ban on Protests; Release “Twitter Offenders”, Human Rights Watch, 6 November 2012, see: <https://www.hrw.org/node/247933>.

For his part, Saeed Boumedouha, Amnesty International's Deputy Director of the Middle East and North Africa Programme said: *"The notion that Bahrain respects freedom of expression is pure fiction. Where is the freedom in a country where peaceful activists, dissidents and opposition leaders are repeatedly rounded up and arbitrarily arrested simply for tweeting their opinions and where reading a poem can get you thrown in jail? The authorities must release anyone detained purely for peacefully exercising their right to freedom of expression."*⁽¹⁾

In conclusion, banning of protests and sit-ins is a violation of the right of freedom of expression and peaceful assembly, which are guaranteed internationally.

13.1: Prevalence of Human Rights Violations:

The people of Bahrain have complained of continuous violations against human rights for the past decades, and therefore the Bahraini prisons have always included political prisoners since 1956, when members of the National Union Committee were arrested and put in the prison of Jida Island, while Abdul Rahman al-Baker, Abdul Aziz al-Shamlan and Abd Ali al-Alyawat⁽²⁾ were put in the prison of Saint Helena Island. The only exception was in 2001, when the prisons were emptied of political

1 See:

<https://www.amnesty.org/ar/latest/news/201504//bahrain-hopes-of-reform-crushed-amidchilling-crackdown-on-dissent>.

2 They are Bahraini fighters and members of the National Union Committee, and it is the first national political group that brought together Sunnis and Shiites in Bahrain amid the state of sectarianism that was becoming widespread during the 1950s. The society declared that it was on strike after the Tripartite Aggression on Egypt in 1956. As a result, the British authorities took advantage of the Arab and international public opinion's diverted attention in the Suez crisis and directed the Bahrain Government to arrest these leaders, some whom were Abdul Rahman al-Baker, Abdul Aziz al-Shamlan, Abd Ali al-Alyawat, Ibrahim Bin Moussa and Ibrahim Fakhro. The court sentenced all of Abdul Rahman al-Baker, Abdul Aziz al-Shamlan, Abd Ali al-Alyawat to 14 years in prison, and they were moved to the St. Helena Island Prison. Ibrahim Bin Moussa and Ibrahim Fakhro were sentenced to 10 years and were sent to Jida Island Prison.

prisoners after the signing of the National Action Charter and the annulment of the State Security Law. Prisons were left empty, except for a few arrests every now and then, until the year 2006, when political events took place and the prisons once again opened their doors to a few inmates imprisoned for political reasons. These prisons witnessed the deaths of many people who lost their lives under torture, some of whom were: Saeed al-Uwaynati, Mohammad Ghulum (1976), Jamil al-Ali (April 26, 1980), Hassan Madan (February 14, 1981), Saeed al-Eskafi (July 6, 1995), Ali al-Sayed Amin (August 17, 1996) and Nouh Al Nouh (July 21, 1998). Thousands of Bahraini citizens spent days and months and even years in prison under arbitrary arrest for reasons related to political and labor events. It is fair to say, without a doubt, that the Bahraini people have a highest percentage, relative to the population, of people who have been arrested or detained for political reasons after the Palestinian people.

13.2: These sufferings remained as mere allegations by the Arab Nationalist, Nasserist, leftist and Islamist opposition since the 1940s, until there was a decision to form the Bahrain Independent Commission of Inquiry headed by Professor Mahmoud Cherif Bassiouni, with four international judges from outside of Bahrain. Through its work, which was related to the events of February and March of 2011, the Commission documented 50 types of violations in around 550 pages. The most prominent types were:

- Torture of citizens
- Killing of five citizens under torture
- Arbitrary arrest of 3000 citizens

- Use of unnecessary excessive force, which led to the killing of protesters
- Use of teargas in inhabited areas, which is considered collective punishment
- Violating the sanctity of homes and violently raiding them, terrorizing the hearts of its inhabitants through raiding [the house] and its timing, which is usually after midnight and before sunrise.
- Assault against other house residents who are not wanted for arrest, not allowing the women to veil themselves during these raids
- Assault against citizens on military checkpoints held by the security forces.
- Demolition of some mosques
- Vandalizing and writing insulting words against a certain sect of people on Shiite Ma'tams (Congregation halls).
- Arrest of children
- Arrest of women
- Holding trials in courts that lack the conditions of a fair trial
- Expelling university students and putting them on trial
- Halting scholarships for Bahraini students studying abroad, under the pretext that they support protests of demands

- 13.3: The above-mentioned report recorded the first official confession of those violations, which extended for decades, and were documented by the opposition from various orientations in its literature. And they were also documented by major international rights organizations, such as Amnesty International, Human Rights Watch, Human Rights First, International Federation, Human Rights Defenders, Reporters Without Borders, Doctors for Human Rights, Pen International, and other international advocacy organizations. Reports of US State Department and the British Foreign ministry also documented these violations since the mid-1990s, and these reports are documenting the continued violations of the Bahraini authorities until this very day.⁽¹⁾
- 13.4: After Professor Bassiouni submitted his report to the King who accepted it with all its details, the opposition once more complained that there were violations, and the regime went back to accusing the opposition of lying and punished it for its complaints. It was accused of spreading false news about the violations, aiming at distorting the image of the regime and inciting hatred against it, and consequently the political opposition and rights activists were punished for these “*claims*” even when the results were obvious on the backs of the wounded and the bodies of martyrs.
- 13.5: However, the truth frees itself from the shackles of prisons, courts and measures and is found in the reports of independent advocacy groups and reputed neutral and international organizations and in what is written by the special rapporteurs of the United Nations, whom Bahrain has refused their demands for visits for many years, and even in reports by the US Department of State. At the same

1 (in Arabic) al-Wasat newspaper, 2 March 2009.

time, the violence of authorities continues, and so does the punishment of “*those who spread false news*”, i.e. Bahraini rights activists and political figures.

- 13.6: It is unfortunate that some of us live outside the context of humane thinking and put their minds and values on hold according to the values of old times, believing in the holiness of some people and their divine right in rule and the oppression of others and enslaving them. It is strange that these people become in rage when their thoughts and behaviors are criticized by the countries of the democratic world and by reputed international institutions and organizations that look over human rights, and they accuse these organizations of delusion, bias and conspiracy.

14.1: **Violation of the Rule of Law:**

The rule of a law in a legal state has a conception that extends far beyond the mere act of subjecting to it, and according to constitutional jurisprudence, it is not enough for the state and individuals to subject to the law, two correlated things that cannot be separated, are required:

- The state's abidance by the law in all its activities, authorities and relations, and never breaks the law as long as it holds
- The law, which the state and individuals abide by, must guarantee general rights and freedoms that should not be violated or breached by law, and should be considered the essence upon which rights and laws are established in the country.

Moreover, the law must be inseparable from justice, since it would have no legitimacy when it surpasses or bypasses

it. This connection is what guarantees a legal state and the main principle of the rule of law, and justice must also be inseparable from the law in its implementation and this is what international treaties and conventions and the constitutions in civilized states have stressed on. The local law should also meet with the international law and should not violate it in the margin it has given to general freedoms and the right to peaceful assembly, the right to form associations, the right to freedom of speech and opinion, and the right for security from hunger and fear. These are rights guaranteed by all international documents for human rights: The Universal Declaration of Human Rights, the International Covenant for Civil and Political Rights, and the International Covenant on Economic, Social and cultural rights, and other treaties.

14.2: We do realize that our dear country, Bahrain, was under the hegemony of colonization before the year 1971, and the people were not capable at that time of drawing the law or ratifying it, since it was the specialty of the ruling Sheikh and the colonizer who controlled the country's affairs. After the country attained independence and the National Council, which lasted for 18 months only, was formed, the executive power had taken on the responsibility of issuing laws until the year 2002. Then there was the 2002 parliament and the ones that followed, yet with a capacity too little to be able to amend the existing laws, and of course, it was incapable of legislating any except in the margin the executive body allowed.

14.3: International rights organizations have recorded their reservations on several laws that became effective in Bahrain, for example: Penal Code Law, Code of Criminal Procedures, Law on Public Gatherings, Civil and

Political Societies Law, law of Protection of Community against Terrorist Acts, Bahraini Nationality law and its amendments, and the Law on organizing demonstrations and rallies. This is because these laws do not take into consideration the public right and public justice which they should be compatible with. The local law should also meet the international law and should not violate it within the margin it has given to general freedoms and the right to peaceful assembly, the right to form associations, the right to freedom of speech and opinion, and the right for security from hunger and fear. These rights are guaranteed by all international treaties for human rights: The Universal Declaration of Human Rights, the International Covenant for Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights, and other treaties. There is a huge gap between the local law and this humanitarian prospect, and this is what called for the recommendations of Mr. Bassiouni and the Human Rights Council in Geneva to revise the local laws and amend them in accordance with the international laws.

- 14.4: If a certain law was flawless and faultless, its implementation would prove to be a problem when it is surpassed or interpreted, and this is another problem that was noted in the Bassiouni Report and the Geneva recommendations. Mr. Bassiouni commented on a court sentence issued against a security officer, sentencing him 7 years in prison for the

killing of the citizen Hanī Abdul Aziz⁽¹⁾: “You can’t say that justice has been done when calling for Bahrain to be a republic gets you a life sentence and the officer who repeatedly fired at an unarmed man at close range only gets seven years.”⁽²⁾ Mr. Bassiouni had not known that the sentence against the security officer had been reduced to six months in the court of appeal.

- 14.5: All the sentences issued against members of the security bodies have been considered, by the international community and not the opposition, as incompatible with the accusations against them⁽³⁾ at the time when opposition members are given more years in prison. It is not strange that one local newspaper included two contradictory news stories. The first story is about an officer who was acquitted from killing a citizen⁽⁴⁾, and the other story was about the execution for a citizen accused of killing a police officer⁽⁵⁾.

14.6: Here I quote the words of the Prime Minister during a visit

- 1 Hanī Abdul Aziz (33 years): was martyred on 19 March 2011 at the hands of a Bahraini officer who fired several shots (Birdshot) from a distance not further than one meter, in Al-Bilad Al-Qadeem village. His killing was a terrifying example of the organized terror and assault of the security forces and their inhumane behavior, and he is one of the first martyrs of the Bahraini revolution after the emergency law. It is important to note that this village did not witness demonstrations at the time, but the citizens were expressing their protest through shouts of “Takbir” (Allahu Akbar) from the rooftops of their homes after a curfew was enforced in several areas in the country, and gatherings and demonstrations were totally banned in light of the emergency law. The Ministry of Interior did not even issue a statement regarding the killing of Hanī at the time.
- 2 “The apparent contradiction between the court sentence of security officers and the prosecution for “crimes” based solely on the practice of the right of peaceful expression of opinion and activities linked to peaceful gatherings is a harsh accusation against the Bahraini judicial system. A police officer in Bahrain who kills a protester in cold blood or beats a detainee to death might face a sentence of six months or maybe two years, while peacefully calling for the country to become a republic will get you life in prison. These results cannot be linked to the minimal standards of justice. Sir Nigel Rodley, one of the BICI commissioners noted to a BBC reporter in January 2013 that: “the system as a whole finds dissent more dangerous than official criminality, and I see no sign that they have moved away from that position.”
- 3 “Criminalizing Dissent, Entrenching Impunity: Persistent failures of the Bahraini Justice System since the BICI Report.” Human Rights Watch, United States of America, 2014.
- 4 (in Arabic) akhbar al-Khaleej, 30 April 2015.
- 5 Ibid.

he made to the police officer Mubarak Bin Huwail, who was accused of torturing medical personnel in Bahrain during their detainment. After the officer was acquitted along with another female officer, the Prime Minister paid him a visit and said in the local accent: *“No one is to implement these laws on you. Our relationship with you is that what is implemented on you is implemented on us. We are one body.”*

- 14.7: Declaring statements and expressing one’s opinion in speech or publication, whether in a ceremony or a rally, which do not agree with the opinion of the government, are considered a crime according to the current law, despite the fact that the international law guarantees freedom of speech and peaceful assembly, the right of a society in forming civil institutions, the right of the people to face oppression according to the international law and the natural human instinct, and the right to disagreement and diversity and legitimate criticism based on national diversity.
- 14.8: The current laws in Bahrain are not in harmony with the needs of the rule of law, since there is no equality among citizens. It is prohibited for the citizens of Manama to enjoy their human right to express themselves and hold gatherings, according to the law of public gatherings. They are also prohibited from choosing their municipal representatives, and this is an example of inequality in the law, which is the opposite of what happens in other districts where citizens are given the right to express their opinion and choose their representatives. The law forbids the holding of gatherings in religious sites, yet allows it for some with the blessing of the authority, which preserves the law.
- 14.9: The principle of the rule of law necessitates issuing the law

based on a societal consensus that results from the fair representation of all the components of the society in an election that includes fair representation of districts. When the executive body controls the drawing of the electoral districts and the society rejects this distribution, and when the law is the result of a legislative process under the control of the ruling powers, then this shows that there is a flaw in the legislative process itself and allows challenging the resulting laws.

14.10: The principle of the rule of law demands that the legislated laws be in accordance with the international conventions and treaties and the international law that Bahrain is a party to. These laws must not differ and deviate from the international standards, or this will subject them to challenge and rejection.

14.11: The principle of the rule of law calls for implementing the law in a just manner equally upon everyone, and whoever violates or disrupts it should be punished. We have seen how the laws are violated with the trespass to the land and soil, and how the perpetrators are being covered. There are several examples on this issue, some of which are:

- The degradation of a group of people and insulting their beliefs is an act criminalized by the law. The law has been exploited to punish many Shiites under this accusation by mere suspicion. However, when the Shiite sect was openly being insulted and cursed by orators, politicians, officials and members of parliament and was accused of aberrance, and there were calls to kill Shiites and remove them, the authorities turned a blind eye.
- I have personally filed a complaint to the public prosecution presenting a video recording as proof to the incident. The

video shows one person giving orders to target the upper part of our bodies with gunshots, although we were a group of 25 peaceful people who held nothing but flowers on June 21, 2012. A shot hit my companion Mr. Ali al-Muwali in his head and caused damage to his skull; he was left unconscious for weeks, and had partially lost his eyesight and movement, leaving him with a permanent disability. I was also shot in my upper back from a five-meter distance. So, it was clear that the intention was to kill me and not to disperse the crowd. Also, Jawad Fairouz was shot in his upper back and shrapnel hit Hassan Marzouq in his neck and leg. It was clear that all these wounds were sustained as we had our backs turned. The video I submitted to the special unit of the prosecution shows that we were not in a state of confrontation with the security forces, and that there was no reason for their reaction. The result was that the complaint and the attached proof are still held in the drawers of the public prosecution although two years have passed since I presented them, and the perpetrators have not yet been identified in a battalion with no more than 30 members, and whose field officer and chief are well known.

- I have also filed a complaint for receiving text messages in the year 2010 which contained deep insults to me, as did many other citizens, and the law did not listen to me or to all the other citizens with similar complaints, and those who preserve the law enforcement did not give heed to these complaints.
- When known sides demolished 38 mosques, in a move that was against the prevailing law and that presented a violation to social conventions and

values, this action was documented officially and we filed charges against the Minister of Justice and Islamic affairs and Endowment (Waqf), since he was the primary person responsible for this issue, but the law was not taken into consideration in this case. The same thing happened when we filed charges against the President of the Information Affairs Authority accusing him of broadcasting false news and inciting hatred.

- The Bassiouni report also noted how top officials are responsible for the criminal acts and the assaults their subordinates committed on houses, under their watch, as well as heinous violations that occurred as a result of this, and the law was not taken into consideration.

15.1: The Formal and Meaningless Institutions:

In the struggle between the family and the state, and between what is old and conservative and what is new and modern, the family has overcome the state, and the old and conservative has defeated the new and modern. The family, which has succeeded in keeping its capacity in autocracy, has refused the logic of the state that is based on citizenship and the people's rule. In every instance where the rule of the family, the logic of the state and the rule of the people are at odds, the upper hand was always for the rule of the family which held on to the absolute rule and initiated formal changes that do not affect that rule. This has been a constant behavior since the 1920s in the face of the people's demands and popular movements.

- 15.2:** The 1920s had witnessed uprisings and many popular demands, and petitions were signed and submitted to the

British agent on the oppression that the Shiite inhabitants and others were undergoing, especially the well-known system of forced labor. As a result, this system was removed and courts were established and some laws were created, but the calls for partaking in the government and establishing an elected council were completely refused.

- 15.3: In the 1950s, a syndicate entity was established, and the service of the British advisor, Belgrave, was terminated as a result of the popular movement led by the National Union Committee (from 1945 to 1956), but the idea of establishing a parliament that takes in part in the management of the country's affairs was completely rejected.
- 15.4: In the early days of independence, and after the Bahraini people voted for an independent and democratic Arab state and for the membership of Bahrain in the United Nations in the year 1970, the first constitution was formulated by a Constituent Assembly, half of which was elected and the other half was appointed. This assembly produced the 1973 constitution that gave the people a legislative and monitoring power equal to that given to the Kuwaiti people by Kuwait's Majles al-Umma in the year 1973. Here, the conflict between the family and the transition to statehood surfaced again, although that transition was gradual. The conflict led to dissolving the National Council and suspending the constitution from 1975 to the year 2002.
- 15.5: When the people demanded the return to the constitution and activating it and for the return of the elected national council in the year 1992, after the liberation of Kuwait from Saddam's invasion and the return of Kuwait's Majles al-Umma, this was rejected, and the regime went to form

a nominal Consultative Council (Shura) whose members were appointed and had advisory authority.

- 15.6: When the people and the regime agreed on the National Action Charter in 2001 that would lead to an elected parliament with full legislative and monitoring authority, and a Consultative Council that gives advice only to the elected council, the ruling family was enraged and rid the National Charter of its essence and set out to formulate a constitution that consecrates the authorities of the family and limits the power solely to it.
- 15.7: The upper hand of the tribe in its conflict with the transition to statehood produced meaningless institutions. According to my conviction, experience and observations, the elected parliament was born incapable of undertaking its functions that are known in the modern state, which are: legislation, monitoring, approving the budget and reviewing all the state's financial issues, and taking part in drawing the general political framework of the country. And this was clear in what we have previously outlined.
- 15.8: It is well known that in a constitutional monarchy, the King is relieved from accountability considering him the symbol of the country and the kingdom, and therefore he avoids exercising any executive authority to maintain his symbolic value. Among the proves on the presence of a constitutional monarchy is the capability of the monitoring apparatuses to hold the head of the executive power accountable and question him based on the belief that where there is responsibility, there is accountability. However, the claimed constitutional monarchy in our country is not as such, for the Bahraini experience has greatly fallen in a great disorder, as a result of personal interests.

- 15.9: The separation of the three main powers (legislative, executive and judicial) is theoretical, since the legislative and executive powers are all found at the hands of one person who is the King based on the 2002 constitution. The king is the one who appoints half of the members of the legislative body, and he is the one who has the power to issue decrees that have the force of laws. Among his jurisdictions is issuing the approval to the ratification of any law or to a constitutional amendment. He is also entitled to appoint the prime minister and the ministers or to dismiss them from their duties, to exercise the executive authority, whether directly or through his ministers, and to act as the head of the supreme judicial council or delegating that role. These jurisdictions are what stand in the way of the practical separation of these powers.
- 15.10: One indicator of the formality of the institutions is that the parliamentary committee for investigation into the state property reached the conclusion that there are violations on 65 square kilometers of public land, yet this commission, along with the public prosecution and the judiciary, were incapable of returning this land to public property or holding those trespassers accountable. In this context, there is another indicator of the formality of institutions, as the report of the National Audit Office and its institution that mentions a few hundred Dinars in some ministries did not mention any of the violations that were brought up in the report of the parliamentary investigation committee, knowing that the Bassiouni report, estimated the amount at 40 Billion US Dollars. He mentions in paragraph 64: *“65 square kilometers of public land valued at more than USD 40 billion had been transferred to private ventures since 2003 without the proper payment to the public treasury.”* He says in the same paragraph on the coastal land: *“Indeed, today there are few public beaches in Bahrain.”* Whatever could incriminate the top officials is not

present in the report of the National Audit Office, and it is not even mentioned.

- 15.11: In the year 2009, when we were part of the council of representatives in the form of a parliamentary bloc with 17 members out of 40, the Consultative Council deliberately froze a number of draft laws, including: A draft law criminalizing the selling of liquor to citizens, proposed by al-Asala bloc, and the draft law on financial disclosure proposed by al-Minbar al-Islami bloc. Al-Wefaq supported both draft laws and stressed that all officials must submit a personal financial disclosure including the Prime Minister, the ministers and member of parliament. In order to resolve the problem with the Consultative Council, the parliamentary blocs held a meeting with the Speaker of the Consultative Council, who considered that these draft laws were significant, yet issuing them would require more consultation with the top officials. I asked him: "*Do you mean the King or the Minister of the Royal Court?*" He replied: "*You know who.*" And with our knowledge as parliamentary blocs of the limited capacity we had, we yielded and asked for a meeting with the Minister of the Royal Court since he had the key to the legislative decisions in his capacity as the minister of "*the Royal Court.*" This is what happened with all the significant legislations and important issues, since the strings of the game were in the hands of the royal court and not with the parliament or other nominal institutions.
- 15.12: Another indicator of the formality of institutions, especially the council of representatives, who is responsible for legislation and monitoring, is that the decree-laws that have the force of law were issued a few days before the convention of the parliamentary term, and the parliament's only job would be to approve the laws. Disapproving a law

would require the vote of 21 out of 40 members, which is not possible because of the influence of the regime on the process of decision-making in the council.

- 15.13: The Bassiouni Report pointed to the formality of the parliament when it comes to monitoring the public money. Paragraph 55 states: *“Mumtalakat, a sovereign wealth fund, was set up as an umbrella holding group for the major companies in Bahrain, including ALBA and Gulf Air. New independent regulatory bodies also have been established in association with the EDB. These include agencies overseeing higher education, labor and telecommunications. International consultancy firms have been actively involved in the establishment and operation of most of these bodies. EDB, Mumtalakat and the associated regulatory bodies are not supervised by or answerable to parliament and are run independently of the cabinet.”*
- 15.14: The Parliament was incapable of discussing the state’s final account, and looking into the budget of the Royal Court, and the budget assigned to military spending during several terms, which is another proof on the formality of the institutions.
- 15.15: It has become clear that the regime uses the tools of a democratic system in a non-democratic system to create the illusion that it goes by the methodology of the civilized states and makes use of democracy and its tools.
- 15.16: Even the municipal councils have their share of these formalities that the parliament suffers from, since it does not have the necessary capacity to activate its roles and practice its duties, thus turning its decisions into proposals controlled by the executive authority and specifically the

minister of municipalities, who derives his decisions from the prime minister.

15.17: The executive authority, with all its ministers, yield to various centers of power that specify their roles and capacity and receive instructions from them as per their affiliation. The political reality has produced three main centers of power, starting from the year 2002, that the ministers receive their instructions from. These powers are:

- The prime minister, because of the position and authority he enjoys as stipulated in the constitution and because of his strong personality and what he represents to the ruling family, as well as his long experience in managing the affairs of the state¹.
- The Council of Economic Development, headed by the Crown Prince, whose jurisdictions were extended in the domain of economic affairs in an attempt to improve the performance of the government on the economic level.
- Head of the Royal Court who enjoys huge influence over parliamentary blocs and individuals in the Council of Representatives, the Consultative Council and the cabinet since he takes part in proposing candidates for the ministries and due to the fact that he represents the king.

15.18: The crown prince was assigned as first deputy of the prime minister to tighten the scope of conflict and contradiction between the powers controlling the executive authority and to limit the process of withdrawing the executive powers

1 Khalifa Bin Salman Al Khalifa (24 November 1935): He is the second son of the former ruler of Bahrain Salman Bin Hamad Al Khalifa and the uncle of King Hamad Bin Isa Al Khalifa, and he has been the Prime Minister of Bahrain since its independence in 1971.

granted to them. However, this was not successful, and it became clear to the people that the ministers are mere high-level employees who do as they are told and are not political decision-makers or personalities who are creative and work towards development in their ministries.

- 15.19: Another clear indication of the formality of the institutions is the act of turning the political societies to meaningless institutions away of its essence and limiting their effectiveness on the political and social levels. Political societies that were supposed to play the role of political parties in a democratic state were established, as stipulated by the Law of Associations and Clubs of the year 1989. Later, the law of political societies was issued in 2006 to limit their activities and keeping them from performing their political role. Then came the amendments of the year 2014 on this law imposing more restrictions on it, one if which was: any society is forbidden from meeting with a representative of any foreign state without the presence of a representative from the foreign ministry.
- 15.20: Civil Society associations and labor and professional unions also are not away of formality. All of these associations were marginalized and kept from practicing their professional roles, and they became affiliated to the regime and speakers in its name. Some of these are: The Association of Lawyers, the Association of Engineers, and the Association of Physicians. The Teacher's Association was dissolved, and the General Federation of Bahrain Trade Union as well as the trade unions themselves were marginalized. All of this was done based on the Law of Associations.
- 15.21: My estimate is that this struggle between the tribe and the

state will continue for ages as long as power is limited to a minority with the right to political decision-making. Moving towards strengthening the values of a modern democracy requires a courageous decision, which makes citizenship the focal point of interest and treats all citizens equally in terms of their rights and responsibilities. Legislative and executive powers should be the result of fair and honest elections.

15.22: The idea that the National Charter brought, of increasing the popular participation and transitioning to a constitutional monarchy similar to well-established constitutional monarchies, where all citizens are deemed equal, was an honest move, and it is the inclination that I learned about personally from the King in the year 2001. However, the narrow-mindedness and bad cushioning worked against the Charter, as they worked towards establishing an absolute rule in the 2002 constitution, marginalizing the people, and distancing them from taking part in decision-making and bearing responsibility. In my opinion, this is a huge insult to the government and it is damaging to the country and its people since it created sectarian tension and increased public outrage, which eventually broke out in the year 2011 calling for serious reforms.

15.23: My assumption is that this tension and outrage will continue and will prevail the political and security life in the country. This will impact the development and advancement of the country if we do not return to the true essence of the National Charter that the rulers and the society put together. This path was diverted by the 2002 constitution and by the accompanying events and problems, which created a rift between the rulers and the people and built a mental barrier filled with doubts, lack of trust, hatred and grudges.

15.24: When there is a project for reform, it is necessary to choose reformist minds, capable, competent and trustworthy people to implement and manage such a project. It can, as a result, work towards ending the prevalent corruption and treating the deficiencies in the economic, social, political and other aspects of life. The truth is that the project of reform failed in choosing this management, and therefore all hope based on it was evaporated and the entire country lost.

16.1: **The Reality of Bahrain's Judiciary:**

The Judicial Apparatus consists of:

- Supreme Judicial Council
- Public Prosecution
- Civil Courts in its various Levels
- Religious Courts, divided into two: The Sunni Judiciary and the Jaafari Judiciary, and we have nothing to say on this matter.

16.2: If we exclude the judicial positions in the religious courts, which rely on the sect when making appointments, the figures revealed by the appointments made during the year 2014 disclose a very strong inclination towards sectarian discrimination. What is new and innovated in the appointments of the judicial body was the Terror Crime Prosecution, which came in the context of the continuous crisis since the year 2011 and was established through the royal decree number 64 of the year 2014. These appointments have political connotations when it is read in the context of the current crisis as it constitutes a revival of the State Security Law, and this is evident since all the members of this prosecution are from one sect and since it is the first time

that members of the military prosecution are appointed in a unit that follows the public prosecution. These appointments show the sectarian inclination and that it is meant for the Sunni sect as a whole. Table 1.3 clarifies the distribution of these appointments⁽¹⁾, and one can see that among 154 appointments in the judicial system, the Shiites were given only 15 positions, which amounts to a percentage of less than 10%.

In light of this composition, would anyone expect that I or any other Shiite opposition figure will be guaranteed a fair trial?!

My question is the same controversial question of the great fighter, Nelson Mandela, who was struggling along with his people for freedom and dignity. Had this freedom fighter got a fair trial when he was being tried by the judicial system of the Apartheid regime in South Africa?!

Position	Total	Sunnis	Shiites
Deputy Prosecutor	12	12	0
President at High Civil Court	4	4	0
Puisne Judge at High Civil Court	7	7	0
Judge at High Civil Court – Category B	1	1	0
Puisne Judge at the Court of Cassation	3	3	0
President of High Civil Court of Appeal and Advocate General	9	9	0
Puisne Judge at High Civil Court of Appeal	13	12	1
Judge at High Civil Court of Appeal and Advocate General	25	24	1
President of High Civil Court and Chief Prosecutor -Category A	16	14	2

1 (in Arabic) al-Wasat newspaper, 22 December 2014.

Position	Total	Sunnis	Shiites
Puisne Judge at High Civil Court and Chief Prosecutor - Category B	12	10	2
Judge at High Civil Court- Category A, and Chief Prosecutor - Category B	28	21	7
Puisne Judge at High Civil Court	3	3	0
Assistant Consultant of First Degree in the Legislation and Legal Opinion Commission	8	7	1
Advocate General in the Public Prosecution at the level of Puisne Judge of High Court of Appeal	1	1	0
Judge in the Court of Cassation	3	2	1
Chief and Deputy Prosecutors in the Terror Crime Prosecution	9	9	0
Total	154	139	15
Percentage		90.3%	9.70%

Table 1.3: Distribution of Judicial Posts during the Year 2014 in Kingdom of Bahrain

- 16.3: Various cases have proven that there is complete agreement between the secret informant and his conclusions, on one hand, and the investigative officer who writes the investigation report and his conclusions, on the other hand, and these two opinions are always in agreement with the conclusions of the public prosecution and its investigations and conclusions. The court has taken these opinions and conclusions as the only proof in many cases, on which they have reached a final judgment in many instances, along with the confessions that the accused had stated they had given under torture. Therefore, justice in its entirety is under the mercy of the secret informant whom no one, except for the registrar, knows anything about. Even claims of torture were not enough to help the accused, even when signs of torture were evident on

his body. This caused many defendants not to attend their trials in protest at the absence of that the elements of a fair trial. All this led a number of lawyers to speak out and ask to be given the right to do their jobs in defending the accused in hope of reaching the truth, which was already apparent. They hoped that perhaps their advocacy would at least help alleviate the sentence against the accused, but they felt that their defense did not have a major effect on the process of the trial.

17.1: Financial and Managerial Corruption and the Trespass to Land:

Bahrain suffers from financial and administrative corruption at the level of the general budget, and the limited national resources, and from trespasses to public and private lands. The National Audit Office (NAO), which was established in 2002, had documented some of the financial corruption in its annual report that is more than 500 pages and was first published in the year 2003.

17.2: One of the most important features of financial corruption is the act of seizing public lands and transforming them into private properties without making any payment. A parliamentary commission in the year 2010, which conducted investigations on the period between 2003 and 2007, registered that around 65 square kilometers were seized according to confirmed official documents and that there is a possibility that 100 square kilometers might have been transferred into private property.

17.3: A study conducted by the McKinsey and Company in the year 2004 showed that most of the Bahraini lands are private property mostly owned by the Royal Court and

members of the royal family with an area of 509 square kilometers, and that there is no separation between the private royal lands and the royal lands belonging to the government. According to this study, only 3% of Bahrain's coastal area is open to the public while the rest constitutes private property.

- 17.4: This trespass to the state's lands has caused the problem of scarcity of lands for agriculture, industry, and housing, educational, and health services. When we brought up the issue with Sheikh Khalid Bin Ahmad Al Khalifa, Minister of the Royal Court, his response was that the lands are being registered in the name of the royal court in order to prevent others from seizing them and to preserve them for public projects. The issue of scarcity of land owned by the government was used as an excuse by the ministers of housing, education, municipalities, health and industry, whenever they were questioned about the scarcity of the projects offered by their ministries. This has led the state to own private lands by paying high prices, and thus consuming the general budget and halting the necessary services.
- 17.5: The seizure of public shores and transforming them into private palaces is a striking example of the image of corruption and trespass to public and private properties owned by the state. This has made public shores, which the people of Bahrain can visit and enjoy, very rare.
- 17.6: Bahrain is made up of an archipelago of around 33 big and small islands. The most significant and largest is the Island of Bahrain, where most inhabitants live. Then comes the Island of Muharraq, where Bahrain International Airport is located in, followed by the Island of Sitra and the Island of Nabih Saleh, which have been inhabited since ancient times. Also,

there is the Island of Um al-Naasan, with a surface area close to that of Muharraq, and through which the Bahrain/Saudi Arabia Bridge runs, and it is completely owned by the Royal Court. Next to lies the Island of Jida which had been used as a prison in the 1970s, and is now the private property of the Prime Minister. Near this island lies the island that is now called "*al-Muhammadiyah*", and which has become the private property of Sheikh Mohammad Bin Salman Al Khalifa and his heirs. As for the Hawar Islands, that the La Hague Tribunal has declared as belonging to Bahrain, we hope it is still public property and has not been seized.

- 17.7: Another feature of financial corruption is the seizing by influential sides of marine sand removed from the Bahraini regional waters because of the scarcity of sand in Bahraini lands. A parliamentary commission uncovered that it would have been possible to pour one billion Dinars into the general budget by selling this sand.
- 17.8: The Alba Company corruption case, which is still open in US and British courts, is yet another face of corruption. Alba is demanding one billion dollars in compensation, after it had been inflicted with corruption when Alcoa bribed government and administrative representatives in Alba to manipulate the prices.⁽¹⁾
- 17.9: What seems strange and incomprehensible is that Alba almost won the case filed against Alcoa after the confessions of Alba's former CEO Bruce Hall that there was corruption, had the Bahraini government not intervened. The government had sent a letter with the Deputy Prime Minister Jawad Salem al-Arattyid to the British Anti-Corruption Agency, in which it said that the system of

1 (in Arabic) al-Wasat newspaper, 11 November 2013.

payments “*bribes*” were within the allowed limits and framework in the Kingdom of Bahrain, and thus was not against the law. Consequently, the British Anti-Corruption Agency had no choice but to close the case, and all the claimed amounts, around two billion US Dollars, were lost.

- 17.10: Perhaps there is not a single ministry, or governmental side, or company run by the government that is free from corruption or problems. The amount of financial losses of Gulf Air between the years 2005 and 2008 was 532 million Dinars. This amount is equal to the budget of the Ministry of Health for four years, as the Company kept losing around one million dollars daily.
- 17.11: What also seems strange is that although the problem of corruption is prevalent, we still cannot reach the corrupt people who are practicing it, as if they do not exist. In the Parliament, the expression “*Jinn Corruption*” (corruption of demons) was being used commonly in the council of representatives, for we hear about corruption, but we do not see the corrupt people, as if they were demons whom we cannot see. The members of the parliament also speak of “*corruption without corrupters.*”
- 17.12: The question we may ask here is: if we yield to the fact that the coasts, islands and regional waters are the public property of the state, then who has sold the lands of the diplomatic area, Tubli bay, Amwaj islands, Diyar al-Muharraq, the area west of al-Basitin, the lands of Marina West, the lands of the financial harbor, the old al-Fardha warehouses, the entire lands of Seef area, Nurana Islands, Seef harbor and other lands surrounding the northern city, and the lands of the Durrat Al Bahrain? Where is the state’s revenue from transferring these lands into private

property? Why has it not been included in the general budget of the state?

18.1: Ballooning Public Debt and the Failure in Diversifying Sources of Income and the Management of the State's Financial Affairs:

The Lebanese Civil war, which erupted in the 1970s, led to the emigration of the bank sector and its settlement in Bahrain. This was supported by the great boom in the oil prices following the October 1973 war. Moreover, the availability of large capitals in the region led to growth in the industry of services. Prior to this, the Bapco refinery was established, and so were Banagas, Alba Aluminum, and ASRY Company for ship building and repair, in the 1960s and 1970s. After that, the productive projects stopped and the country moved towards the sector of services without achieving any success beneficial for the economy.

18.2: 80 years after the oil was extracted, 87% of the state's budget (2015) still relies on gas and oil, making the slogan of the diversity of income sources useless. Moreover, the executive authority failed in the idea of the investment and savings funds that usually invest the financial surpluses in profitable projects; an idea that Kuwait had resorted to and had contributed to finding additional sources of income for its budget.

18.3: With the high competition from countries like the United Arab Emirates and Qatar in the financial and banking sector and the sector of services, Bahrain lost the advantage it once enjoyed due to several factors, including: the absence of competitiveness and transparency and the prevalence of financial corruption in the country.

18.4: Investment in the state's public property would have poured good revenue into the country's general budget, but the fact that these lands were seized by those powerful individuals had left the budget with no chance of gaining what the competent investigative parliamentary commission estimated to be around 40 billion Dollars.

19.1: **Budget Deficit:**

The general budget is suffering continuous deficit that resulted from decrease of oil prices starting from the second half of the year 2014, as the price of one barrel of oil was \$90 in the 2014 general budget. However, the price of oil in the international market decreased to less than \$50 per barrel. As a result, the 2014 budget was issued with an estimated deficit of 914 million Dinars and the 2013 budget had been issued with an approved deficit of 833 million Dinars, and an actual deficit of 410 million Dinars.

19.2: This issue led to a downgrade in Bahrain's sovereign credit rating resulting from the economic challenges that the Kingdom was facing. This step came amid the huge regression of oil prices. Another agency also downgraded Bahrain's rating because of concerns on financial situation.⁽¹⁾ What is striking here is that there is a common denominator among all the main institutions specialized in credit assessments, and that factor is that they all gave a negative future outlook to Bahrain's economy. This unsatisfactory assessment increases the financial burdens of Bahrain as it refers to the international money markets to get loans to finance the budget's deficit and projects.

19.3: Moreover, we cannot ignore the economic performance of

1 (in Arabic) al-Wasat newspaper, 6 July 2014.

Bahrain as measured in global economic indicators compared with its fellow states in the Gulf Cooperation Council (GCC). According to the Global Competitiveness Report for the year 2014, issued by the World Economic Forum, Bahrain falls relatively far behind in terms of competitiveness compared to other GCC countries, except Oman. Bahrain's ranking was 44th as compared to the 12, 16, 25 and 40 as the ranks of UAE, Qatar, Saudi Arabia and Kuwait respectively. We can see how the rank of Bahrain is so far behind some of the GCC countries, especially the UAE and Qatar. The Competitiveness ranking is based on vital indicators including the infrastructure, economic stability, public health and education, higher education and training, competence of the trade market, competence of the labor market, development of the money market, technical readiness, and the size of the market and innovation.

- 19.4: Bahrain ranked 55th on the Corruption Perceptions Index (CPI) of Transparency International (TI) for the year 2014. The UAE came in 25th globally, while Qatar was ranked 26th. Until recently, Bahrain used to receive advanced ranking, and it used to impact the kingdom's ability to attract foreign investments. The report takes into consideration the abuse of power for personal interests, and is based on a survey handling the opinions of experts, businessmen and non-residents on how likely it is to bribe public employees, and bribery in public purchases and speculation.
- 19.5: Bahrain is characterized by spending huge amounts of money on security and defence. An amount of 901 million Dinars was approved in the budget of the 2014 fiscal year, which is the highest historically to cover the recurring

expenses, such as salaries, wages and maintenance in four security institutions: Bahrain Defense Force, the Ministry of Interior, the National Guard, and the National Security Apparatus. This amount does not include however, the money used to buy arms and developing them. Stockholm International Peace Research Institute (SIPRI) showed in a 2014 report a steady increase in the purchase of armaments in Bahrain and that it grew by 26% in the year 2013, reaching 1 billion and 236 million dollars, which is equal to 467 million Dinars. The report also warned that there was an increase of 110% in the expenses of weaponry during the period between 2004 and 2013.

19.6: The allocations for security and defence increased dramatically in the last few years and skyrocketed from 376 million Dinars in the year 2007 to 569 million Dinars in 2011, and finally reaching 901 million Dinars in 2014.¹⁾ The increase in the allocations for security and defence is one of the reasons behind the augmentation of the public debt in Bahrain, and there is a real concern over this increase since it would have repercussions on the economic choices of the Kingdom.

20.1: **Reasons behind Ballooning Public Debt:**

In my opinion, the reasons behind the public debt rapid rise and ballooning are as follows:

- Dependence on oil as a primary source of income for the budget with a percentage of 88% to 92% in the last five years, and not diversifying sources of national wealth and national income.

1 It is important to note that these allocations include only the recurrent spending (salaries) and does not include the capital spending and arms purchase.

- Increase in the military and security expenses, which consume around 35% of the general budget.
- Prevalence of financial and administrative corruption, and the failure of the state in controlling and monitoring spending.
- Decrease in productivity in the public sector and its affiliated corporations.
- Depleting the natural resources, lands and marine sand with no revenues for the general budget.
- Failure of the state in pursuing a wise policy of directing government support to those who need it.
- Failure of the state in accomplishing investment projects that minimize operational expenses or government support. One example is delays in housing projects, which entail spending huge amounts that could have been saved instead of spending them with no return.

20.2: The national debt in Bahrain has rapidly risen to reach unprecedented levels last few years in the state's final accounts. In the year 2013, the amount was around 5.375 billion Bahraini Dinars, equivalent to around 14.2 billion US Dollars, which is around 44% of the Gross Domestic Product (GDP), which constitutes a high rate in the GCC system. The resulting annual interests on the governmental debt according to the latest survey were around 192 million Dinars. It is expected that the public debt continues to rise in the upcoming years in light of the phenomenon of raising the allowed ceil of the public debt, which would ultimately limit the available economic choices for the coming generations. In this regard, the International Monetary

Fund (IMF) is concerned that the debt reaches 20 billion Dollars (7.5 Billion Dinars) by the end of the year 2018, that is 61% of the GDP with the continuous growth of the public debt. This means that the barrier of 60% of the GDP will be exceeded, which is a contradiction with one of the conditions put forth by the GCC Monetary Union project.

21.1: Unemployment and Poverty in Bahrain

Wherever there is unemployment, there is poverty, and wherever there is poverty, social, economic, ethical and other problems arise. Poverty is a socio-economic problem and is the result of social injustice against a big faction of society, but would cause loss for all its factions. God Almighty says:” And how many a city did We destroy while it was committing wrong - so it is [now] fallen into ruin - and [how many] an abandoned well and [how many] a lofty palace.”⁽¹⁾ God has ordered the fair distribution of wealth and forbade monopolization and said that public finances are: “... so that it will not be a perpetual distribution among the rich from among you.”⁽²⁾ There are also several examples of prophetic sayings and wisdoms by Imams that warn from the weight poverty can have on society. Some of these words of wisdom are:

“*Poverty, in all probability, leads to unbelief (kufr).*” Prophet Mohammad (PBUH and his Household)

“*If poverty were a man, I would have slain him.*” Imam Ali Ibn Abi Talib (PBUH)

“*Poverty is the worst form of death.*” Imam Ali Ibn Abi Talib (PBUH)

1 Surat al-Hajj, Verse 45.

2 Surat al-Hashr, Verse 7.

"A poor man is a stranger in his own homeland." Imam Ali Ibn Abi Talib (PBUH)

"Poverty in your homeland is alienation." Imam Ali Ibn Abi Talib (PBUH)

"Do not have monopoly over what is equally for all people." Imam Ali Ibn Abi Talib (PBUH)

"I wonder why those who don't find something to eat don't go out holding their swords ready to fight?" Abu Zhar Al Ghifari

21.2: History has mentioned that Bahrain was a rich land in comparison with the desert surroundings, since it has agricultural lands and large water resources, and its marine waters are rich in pearls and marine life. Its strategic position also provides it with the chance for a wider trade, and past civilizations inhabiting Bahrain like the civilization of Dilmun and others had once prospered. God had bestowed upon it a wealth of oil, which was discovered prematurely in the year 1932, when the population was relatively small, not exceeding 90 thousand at the time. With dependency on the oil wealth and other resources, the Bahraini people could have been wealthy and prosperous, but corruption and white-collar crime, trespass of lands and areas rich with natural resources, and unwise economic policies have made the people of Bahrain one of the poorest peoples of the region.

21.3: It is true that our oil wealth is incomparable with the wealth of our neighbors in the Gulf region, but God has blessed Bahrain with a people who aspire to education, are diligent in work, and are inclined to work hard for a decent living. And this is a great trait; add it to the natural resources of oil,

agriculture and marine life, in addition to the geographic position and long years of experience, it can provide for Bahrain a wealth that has no equal in the region.

21.4: Although, according to official statistics, Bahrain is considered one of the countries where citizens have a high income, the poor distribution of national wealth, as well as the policy of monopolization, financial and administrative corruption, discrimination and naturalization⁽¹⁾ have made most people in Bahrain citizens of low income. Tens of thousands of jobs have an average rate of 300 Dinars. Mr. Bassiouni has included this issue in his report in paragraph 54, which speaks of the high average GDP per capita and the unfair distribution of it: *“GDP per capita has also been steadily increasing and reached USD 20,475 in the first decade of the century. The increase in wealth has not however been equally shared across society.”*

21.5: Several factors have contributed to the decline in the work in agriculture and to the farmers' inclination to move away from this sector. Some of these factors are: The rich class' ownership of agricultural lands and transforming them into private gardens, the scarcity of fresh water that used to be the only water resource for agriculture and foreign competition in agricultural products... etc. The fishing industry has regressed as a result of the wrongful reclamation⁽²⁾, scarcity of marine life and the tight measures forced upon fishermen. The owners of small businesses and local entrepreneurs suffered from expat competition especially the Asians, who were allowed to operate freely in this sector. This is in addition to the restrictions, taxes and fees necessary to acquire licenses to

1 (in Arabic) Al-Wefaq official website, 24 August 2014.

2 (in Arabic) al-Wasat newspaper, 27 December 2002.

keep businesses working. This deterioration in occupations, which used to be a source of income for many, has produced a poor social class that depends on financial and other types of aid from the Ministry of Social Development and from charitable and civil organizations.

21.6: Several families with low incomes depend on assistance from the Ministry of Social Development, and thousands of families depend on aids from charity funds and people's contributions. Despite the virtue in the people, some are being forced to ask for alms near the mosques and in the markets, and one can even see women and children going through the trash, or they ask to carry the purchases of people for a humble price, or they sell bottles of water to cars stopping at the red light.

21.7: To sustain a lawful living, with the limited job opportunities, many of the people of Bahrain have emigrated to work in other Gulf countries; some of them have even settled there and were naturalized. This phenomenon continued throughout the last decades, and the Bahraini people were even being called the "*Indians of the Gulf*." Poverty even led to general social need, and as a result, it became difficult to build religious sites like mosques and Ma'tams (congregation halls), so people went to Gulf businessmen for help in these works.

21.8: We can consider that the causes of poverty in Bahrain were the result of several factors that revolve around mistakes in the political, economic and social policies and the manner political crises were dealt with:

- Systematic employment discrimination against the majority of citizens from the Shiite sect.

- Naturalization, which is based on bringing in big numbers of foreign individuals of different nationalities, and exclusively providing them with prime jobs and services.
- Constricting trade activity of Shiites and limiting its expansion.
- Monopoly over the ownership of agricultural lands and areas of natural resources.
- Discrimination in education and scholarships against Shiites.

21.9: In light of this poverty, a new social class of deprived people has emerged in Bahrain. These people feel forced to take on jobs the society believes are demeaning, like mail delivery, carrying baggage, cleaning, security guards, hospitality work, driving heavy trucks, bus driving, salesmen at stores and other jobs with low incomes, which can hardly help make a living. This class is almost solely made up of Shiites with some recently naturalized people. Along with this came a new phenomenon of belittling these people and using them.

21.10: One issue that has exacerbated the situation is the employment discrimination that we mentioned earlier. This has been an obstacle for university graduates and other job seekers in finding good job opportunity, which turned them into an army of unemployed young men and women. The records of the Ministry of Labor prove that. From the beginning of the new century, which brought along hopes of a reform scheme in 2001, until today, the number of unemployed people has increased, and

the concerned ministry has no clear-cut solution to this problem.

21.11: The problem of unemployment is considered a natural phenomenon in the modern labor market, yet high rates of unemployment make it an indicator of an unnatural situation, especially in a country that is categorized as one of the welfare states. According to the World Economic Forum's report on unemployment in the Arab World⁽¹⁾ for the year 2014, the rate of unemployment in Bahrain has increased to become 7.2% of the overall population (the worse number in all GCC countries), and it touches 27.5% of the youth. This image is becoming increasingly dark when we consider the masked unemployment that is a result of the inequality of job opportunities between citizens, as many work part time for less than eight hours a day in jobs that are not compatible with their academic specialties and expertise.

21.12: Poverty has also caused many other problems, one of which is the dilapidated houses that are unfit for dwelling. One project presented by His Majesty the King tried to solve this problem through rebuilding these houses according to regulations set by the municipality councils in cooperation with the Ministry of Municipalities. Despite the fact that this project would consume much of the public funds that could be used for improving other more important service like education, health, and housing, it was necessary to fix this problem. This project was relatively successful in its first years, but it regressed, and is about to be entirely stopped, as it is being juggled administratively between different parties of contradictory opinions. At one time,

1 (in Arabic) Wa'ad official website.

it is being under the authority of the Royal Court, and at another time, it is linked to the Ministry of Municipalities and sometimes the Ministry of Housing.

- 21.13: Contrary to this advert poverty many Bahrainis are living in, we notice the excessive wealth of a fraction of people in power, whose fortunes are augmenting to reach billions for no legitimate work they have done. We also notice the lavish spending of these people on residence, food, clothes and their social life. Here we recall the wisdom of Imam Ali (PBUH): *“I have seen no lavishment unless someone’s right was disregarded therein”* and *“Whenever a destitute remains hungry it is because some rich person has denied (him his share).”* At a time the state’s security apparatuses work hard to find the person who has offered financial aid of 20 Dinars to a family of a detainee or a martyr, they do absolutely nothing to uncover the secret behind the huge increase in the rich people’s fortunes. No one has questioned those about the sources of their wealth, nor asked them about their financial disclosures!

22.1: **Decline in Quality of Public Services:**

One of the standards of urbanization and advancement in developed countries is characterized by the quality of the services the government provides to its citizens including: housing, education, public health, medicine and health services, facilities and roads, recreation, investment of financial and human capabilities and others. Here we present the problem of the decline in the quality of the public services:

- 22.2: According to our estimations, the main reasons behind this decline are:

- The failure of the government in diversifying the sources of income
- Increasing the military and security allocations which consume about 35% of the general budget
- The prevalence of financial and administrative corruption
- Decrease in productivity in the government sector and its affiliated corporations

22.3: In the case of housing services: the prices of lands have increased dramatically in a way that exceeds the ability of the citizens to buy a private residential land. The prices of construction materials have also increased. Moreover, the government did not live up to the promises it made in the year 2002 about building four huge residential towns. The government broke yet another promise it made to those who have applied for housing, so instead of a five-year waiting period, which it promised, it took the applicant over 20 years to receive a housing unit. The number of housing applications exceeded 54 thousand, according to a 2010 statistic, and this number is expected to rise. Considering that every housing application involves a family with an average number of five people, this means that more than a quarter of a million Bahraini wait for twenty years in hope of receiving a housing service that enables them to live a decent life.

In order to resolve the stalled housing services, the executive authority, under the pressure of the legislative authority, was forced to allocate a sum of 100 Dinars for every citizen whose waiting period exceeded 5 years, which consumed a

big part of the budget allocated to housing. And as a result of the decrease in oil prices and the increase of pressure on the general budget of the state that led to a rise in the public debt and to the removal of meat subsidies, a great concern has risen that this house allowance to be cut, and thus aggravating the citizens' problems.

- 22.4: As for the education services, the complaint that public schools offer low quality education continues, which led many middle class citizens, which constitutes a small shrinking social class, and some citizens from the lower class to put their children in private schools. There are many indicators that show a decline in the level of educational services, some of which are: the increase in the average class size, the decline in the general level of the academic achievement, the increase in the percentage of general wastage in the learning/teaching process, the increase in the number of dropouts, the schools' lack of technical services, the increase in the administrative and educational burdens and others.
- 22.5: Concerning the health services, the people of Bahrain have been relying since the early 1970s on Salmaniya Hospital for medical services not found in the public health centers of the country. This hospital was expanded throughout the years to include a considerable number of departments and beds. For the last 20 years, the hospital continued to work in the same capacity, and therefore it suffered lately from lack in the number of beds and deficiency in providing the medical services. As a result, a patient would have to spend lesser number of days in the hospital than what is needed, not to mention that the waiting list was growing and patients were given very late appointments and they had to

wait longer than they should to be examined and undergo the necessary tests, and patients were given less time for examination. The King Hamad Hospital in Muharraq was opened in the year 2012, and it provides public health services to the residents of Muharraq exclusively. However, this did not solve the problem of the low-quality health services provided at Salmaniya medical hospital and neither did it help in improving the services at this hospital, for in and out patients, especially the emergency department that receives hundreds of cases daily, which exceeds its capacity. As for the Military Hospital, its services are specified for military personnel and their families. This regression in providing basic health services has led many Bahraini people to seek medical care in private hospitals whether inside or outside Bahrain, and this was an additional burden to the citizens, since many were forced to get loans to pay for medical care or to ask for charity from societies and individuals. We believe that the policies followed by the executive authority have ripped the country of the possibility of being a center for excellent medical care for all the citizens of the GCC, since it had put forth restrictions on the licenses necessary for the establishment of hospitals and specialized clinics that could have been fruitful for the economy.

- 22.6: The services of sewage, roads and transportation were proven to be very feeble especially after heavy rains. There is only one station where sewage water is collected and it's located in Tubli bay, which has become heavily polluted as a result of that. The bad odors in that area have become harmful to the inhabitants. Although Bahrain is relatively small in size, yet many of its residential areas lack good sanitation and streets.

22.7: We do not need to speak about the deteriorated transportation services, since the roads and streets speak for themselves. The traffic jams occur even in public streets, proof that that this sector was not helpful in keeping up to the increased number of cars and population growth. The executive authority failed to establish public transportation to resolve the problem of traffic jams, something similar to what is in Dubai, which established a metro system that links the main areas of the city. There are no future plans by the authorities to establish a train network, and this shows the mismanagement of this sector.

23.1: **The Problem of Naturalization**

It is a unique problem, unmatched anywhere in the world. In a small country like Bahrain, with limited resources, tens of thousands of people are being imported from abroad to be given the nationality without having to go through the conditions put forth for that. Article 6 of the law provides an exception that allows His Majesty the King to give the nationality to those whom he deems worthy of it because of a great service done for Bahrain. However, this exception has turned into a phenomenon where tens of thousands of people of various nationalities are being naturalized. According to statistics, the percentage of naturalized citizens has become more than 17%⁽¹⁾. It is expected that the percentage of naturalized citizens approximates 40% by the year 2030 in case the policy of naturalization continued in the same manner.⁽²⁾

1 The percentage of naturalized citizens has reached 17.3%, while native citizens make 82.7%, and the number of naturalized citizens is continuously increasing as per the policy followed by the Bahraini Government.

2 It is expected that the number of naturalized citizens would reach 39.03% while the native citizens would be 60.97% if the government continued in its policy of naturalization.

- 23.2: In my opinion, the problem with naturalization is not in the mere process of granting the citizenship to those who are worthy of it, whether Arabs or foreigners, if they meet the conditions put forth, or if there was a dire need or circumstances for naturalization. The main problem lies in the fact that naturalization is being used to change the demography of the country in order to give one faction of the population the upper hand over the other, and this is how things are.
- 23.3: According to leaked information, and if we look at the normal increase in Bahrain's population, we notice an unusual increase in the population due to the policy of naturalization. Deputy of the Pakistani Ambassador to Bahrain has noted in a statement to a newspaper on December 13, 2014 that the number of Pakistani citizens who have the Bahraini citizenship has reached around 30 thousand, while 5 thousand are waiting for their turn. I have personally heard from the Yemeni ambassador in the year 2010 that around 10 thousand Yemenis in Bahrain have the Bahraini citizenship. And in a recorded tape of a number of interviews with our brothers of the Dawasir (Dosari tribe) in the Eastern Province of Saudi Arabia in the year 2002, the number of the Dawasir who have been granted the Bahraini citizenship were estimated at 20 thousand people.
- 23.4: The Bahraini people of all its factions have begun to feel the pressure of naturalization and its social, economic and political impact. Many job opportunities and services are being transferred to the naturalized people, which has made them competitors of the native citizens, even in low income jobs and professions that used to be only for Shiites. It was

through the naturalized citizens that strange and unfamiliar behaviors and manners entered the Bahraini society that was used to love and harmony among its religious sects.

- 23.5: The political opposition asked the government to find a solution to this problem. It called on the government to stop this scheme that is destructive to Bahrain and its social fabric and to conduct a revision to all the people who have been naturalized in the last ten years to make sure that their citizenship is compatible with the law and to apologize to those whose criteria do not fit the laws and cancel their citizenship respectfully.

24.1: **The Problem of Moral Corruption:**

Bahrain has been historically considered as one of the Arab and Islamic countries that maintain the highest level of moral values and religious commitment. Whoever knows the Bahraini people personally will know how committed they are to values and ethics. However, the image now has changed, and Manama has become one of the sin cities in the world. With the phenomenon of human trafficking, importation of women from foreign countries, and the spread of debauchery and vice, prostitution spread in several specific locations, in many hotels and furnished apartments, and many came seeking sinful pleasure.

- 24.2: According to sources, the capital of Bahrain, Manama, was ranked 8th among the most sinful cities in the world⁽¹⁾ in 2009, but after five years, it jumped to second place in 2014 in the ranking that placed it right after Thailand's Pattaya among the top ten sin cities in the world. The writer of the

1 "Top 10 Sin Cities in the World", List dose, Sana Pujani, 24 April 2014.

article described Manama as being open to sin as opposed to its strict surrounding. What is ironic is that a city like Las Vegas in America ranked behind Manama.

- 24.3: The people of Bahrain voiced their opinions against this phenomenon and called on the authorities at all levels to stand against it. Among those who called for stopping this phenomenon were parliamentary blocs and clerics such as Sayed Jawad al-Wedai and Sheikh Isa Ahmad Qassim. In a meeting I had taken part in, in 2009, for clerics and prominent figures of both sects [Sunni and Shiite], in the presence of the King, the most prominent issue discussed was the issue of prostitution. Speakers asked for stopping such a phenomenon, which is foreign to Bahrain, and the King had promised to follow up the issue. The problem was sent to the Minister of the Royal Court who expressed his dismay over this phenomenon that few immoral people have taken as a trade.
- 24.4: Our clear stand from this issue is that it is a war on God and Prophet Mohammad (PBUH and his Household), and all the people of Bahrain of all factions, just as it is a war against all humane values. Fighting this phenomenon does not mean that we are against clean tourism, or that we are intolerant of tourists coming into our countries. We are against prostitution, and against human trafficking, and against all immoral behavior, which distort our religion, nation and our humane principles.
- 25.1: To conclude this part, I believe that the main problem that I have entitled earlier as “*Monopoly of Power*” is the primary cause of the various other predicaments: Sectarian and tribal discrimination, naturalization, decline in basic services, and marginalizing people’s

will and ultimately annulling it. To my understanding, it is the ruling class in Bahrain that bears full and direct responsibility for any flaw or incompetence, and it is the one responsible for the resulting poverty, which has stricken the majority of people, and the lack of general resources, dependency on one sole resource, and the unfair distribution of national wealth, which has produced wealthy and poor people. This regime is also accountable for apparent unemployment and masked unemployment, for lack of diverse public services such as health, education, housing, public facilities and roads. It is also responsible for the deaths of patients with genetic blood diseases¹⁾ because of failure to provide them with proper treatment. Moreover, it is behind all political, social, and economic crises, because it has made itself the sole decision-maker and has monopolized power and marginalized the majority of citizens.

- 25.2: I believe that only one of these problems is enough for the people to take to the streets to protest peacefully and express their discontent with this oppressive policy and demand their rights. In my opinion, the popular movement in Bahrain that began on February 14, 2011 is a peaceful movement that expresses the people's dismay of what is happening. It is the result of despair that the regime will perform any reforms that could salvage the country from the current problems. I also see that the current status of the Parliament – whose presence was the slogan of the 1990s movement “*The Parliament is the Solution*” – only aggravates the situation and adds to the sectarian tension, as it is based on electoral districts distributed based on sectarian grounds. The authority

1 (in Arabic) al-Wasat newspaper, 3 June 2017.

given to the Parliament is weak and is not in accordance with the principle of a democratic state and the separation of powers.

- 25.3: In light of my responsibility, as a patriotic citizen who do not seek corruption and mischief, I find that my religious, national, humane and ethical duty entails that I strive as best I can to remove this oppression that has fallen upon my people. Allah will be my patron in this endeavor, and I fear His wrath if I shy away from this duty.
- 25.4: Here I recall the words of Christ, the son of Mary (PBUH), to Caesar and the priests of the temple: "*The Sabbath was made for man, not man for the Sabbath.*" And a saying by prophet Isa (PBUH): "*Your leaders are rebels, the companions of thieves. All of them love bribes and demand payoffs, but they refuse to defend the cause of orphans or fight for the rights of widows.*" He also said: "*Woe to those who make unjust laws, to those who issue oppressive decrees, so as to deprive the needy of justice, and rob the poor of their rights, so that widows may be their spoil, and that they may plunder the orphans.*" When I read the Holy Quran, which was revealed to Prophet Mohammad (PBUH and his Household), I get inspired by its teachings and preaching. Through the Quran, we learn that God had punished very powerful nations as a result of their corrupt conduct, their inequality, their homosexuality, their oppression of people, and for they were used not to prevent one another from wrongdoing that they did, and their distance from God and transgression in the world, as well as their expanded corruption, and other forms of unethical behavior that the Quran has mentioned.

25.5: The responsibility bestowed upon me and all the citizens who love their nation, is to speak out the truth, even if it was hurtful, and our role models in this are the prophets and messengers and all the good people who lived on this earth and did not seek corruption and mischief, and defended: “... *the oppressed among men, women and children who cannot devise a plan nor are they directed to a way* –”⁽¹⁾ This is my viewpoint, by which I fear God Almighty, and I will not enforce it upon anyone since every person has his own conscience. My mind and conscience led me to win my eternal afterlife, not to sell it in return for a few years of luxury and power and of taking people’s money unjustly, and thus to be one of those who have sold their immortal afterlife for other people’s limited lives.

1 Surat al-Nisaa, Verse 98.

Chapter 4

Repressive Measures against Dissidents Demanding Equality, Democracy and Justice

Previously, we went through the major problem manifested in the monopolization of power and administration of the country, away from the legal frameworks stipulated by the Constitution and confirmed by the Charter. We also presented the resulting problems and damages affecting the citizens and the country. The dissidents, who act based on noble humane values that call for justice, equality, achieving full rights, and rejecting all forms of discrimination, were bound to confront this tyranny. This made them targeted by the authorities throughout the history of opposition. In this chapter of the plea, I'll present some types of individual and collective punishments suffered by those demanding equality, reform, and democracy. Some of these punishments included discrimination against them, marginalization, oppression, security prosecution, and detention, in addition to other types of punishment. In this presentation, I will rely on documented incidents and events I witnessed or heard about from those who had suffered hardship and punishment. Following are highlights on the matter:

26.1: Dissidents demanding reform suffer from blatant discrimination in work and finding suitable job, as they are deprived of working in the army and security ministries, not by law, but by de facto. According to the United States Commission on International Religious Freedom (USCIRF) report issued on April 30, 2015, "*The Shi'a community still cannot serve in the active military only in administrative positions, and there are no Shi'a in the upper levels of the Bahrain government security apparatus, including the military and police.*"⁽¹⁾ This discrimination extended to include various state ministries, companies, and the banking sector. The pace of this discrimination increased after the launch of the pro-democracy movement in February 14, 2011, right until they became completely absent in important administrative state position, unless

1 The United States Commission on International Religious Freedom, 30 April 2015, see: <http://www.uscirf.gov/sites/default/files/Bahrain%202015.pdf>

they were honorary positions with no powers, merely a red herring.

- 26.2: Reform-demanding politicians and their families are deprived of their rights to education scholarships, suitable admissions to universities, or even chances for pursuing higher education. Academic excellence and outstanding GPA (grade point averages) do not provide the sons and daughters of those opponents with the chance to achieve their dreams. The competent official authority had created a strange out-of-this world system to claim the legitimacy of this deprivation. It imposed a formal one-on-one interview and credited it with 40% of a student's assessment for the scholarship, while the academic achievement of 3 academic years were only given 60% of the assessment. In these interviews, a new criterion appeared for receiving scholarships and jobs; it is the point of the interview (out of 40%) and the GPA (out of 60% instead of 100%). With this new criterion, the young men and women lost their dreams, after they worked double the effort to be able to receive a scholarship or get an academic seat that meets their aspirations and competencies. Excluded from this measure are the students who are granted scholarships presented by the Crown Prince, and they are a few.
- 26.3: As for the various scholarship funders for various academic degrees, pro-reform opposition politicians have no chance in any military scholarships and they are only allocated a tiny percentage of scholarships presented by the Prime Minister's court. Moreover, their chance of an academic or education scholarship depends on the mood in the interview. Their chances for ministerial scholarships are very low if not nonexistent.
- 26.4: It is probably very strange that the official authority is not

satisfied with depriving political opponents of academic scholarships that it also prevents civil charities from doing so and limits their activeness in this regard. It also interferes in the admission of students in many Arab or foreign universities to which they apply. The condition for any academic admission to be official is to receive a prior acceptance by the Bahraini Embassy in the country where any university is headquartered. In response to the universities that do not comply with this condition, the Bahraini authorities disrupt the needed accreditation for the received degree in order to get a job.

- 26.5: What's even stranger is that the official authorities interfere to prevent Bahrainis from receiving academic scholarships from foreign embassies if not done by their permission. It also imposes restrictions on registering Bahraini students who personally seek admission in many universities. Among the major restrictions is refusing to accredit the degree granted by those universities, under the pretext that its academic curriculum does not comply with the requirements for graduation.
- 26.6: Unemployment is spread among pro-reform political opponents, and this indicates that unemployment in Bahrain is not a result of labor market instability, but is rather resulted by a political approach, as referred to previously.
- 26.7: Pro-reform political opponents are deprived of many services that they should receive from the government, since they are citizens of this country. Among the services they're deprived of are housing, education, health, and municipal services, in addition to road services, health facilities, recreational areas, and others.
- 26.8: Pro-reform political opponents also suffer travel bans, or are

even banned from entering certain countries, as their names are circulated as outlaws. Among the countries that did not allow Bahrainis' entry were some Gulf countries, Jordan, and Egypt. Those individuals didn't find a reason for this ban, except a list of names for individuals banned from entering certain countries. Through this list, the authorities ask those countries to carry out precautionary measures against names included. I have personally spoken to the Minister of Interior concerning this case and the humiliation and delay it causes the citizens in travel, education or work. He denied that Ministry of Interior has anything to do with these lists. After contacting him several times, he promised to look into it with the apparatuses in charge of contacting other countries to resolve this issue. He also expressed the Ministry of Interior's willingness to provide a paper for whoever asks for it, proving he is not wanted in Bahrain for security cases. Among the activists who were not allowed entry into Egypt were: politician Fadel Abbas, activists Nabeel Rajab and Mariam Al-Khawaja, Dr. Falah Rabie, and Hussein Youssef. They all used to enter Egypt normally before, yet their political and rights activism placed their names on the list of individuals who are not allowed entry [to Egypt].

- 26.9: Pro-reform political opponents also suffer dismissal from work in many countries. Amid the very few job opportunities, many sought traveling to GCC countries to make a living. Many worked in various careers and positions for years, yet the political changes and their repercussions in changing the authorities' general mood caused their rejection or dismissal from work.
- 26.10: Moreover, they are stalled when they ask for a certificate of good conduct required for scholarships, or for receiving a

job in the public or private sector. The delay or failure to obtain the certificate might lead to the loss of the scholarship or job. This is an old and new procedure, as we heard about tens of similar cases from people who openly complained about them while we worked in the parliament, and we currently hear about it from many.

26.11: Shiite citizens, in general, were subject to many harassments in practicing their religious freedom, among which are:

- Preventing teaching their Islamic sect in public or private schools, degrading their beliefs and accusing them of disbelief (polytheism) in some official curricula.
- Neglecting their school of thought and religious jurisprudence in public media, and not giving them space in the official radio and TV stations. Programs in the Bahrain TV and Radio and the Holy Quran Radio station adopt the Sunni Sect teachings, including the Adhan (call for prayers). The Bassiouni Report in its recommendation number 1724 stipulates, *“The continuing failure to provide opposition groups with an adequate voice in the national media risks further polarizing the political and ethnic divide.”*
- Preventing them from managing their religious endowment in accordance with their religious view, and in accordance with the convictions of the endowment institutions. The authorities impose a specific management over the Jaafari endowments (Waqf).
- Depriving them of any role in choosing Jaafari Court judges.

- Preventing them from the right to build mosques in many places in Bahrain, including the new Seef Area. Authorities have prevented building Haj Hassan Al-A'li Mosque since 2002 and refused to give construction permits on the land that the late Haj Hassan Al-A'li left as an endowment to have a mosque in his name built on it. Al-Riffa area that doesn't include any Shiite mosques, and the new Arad area are also among those areas despite the requests for permits since over 30 years. At the same time, the number of our beloved Sunnis' mosques in Hamad Town reached 30 mosques, whereas the number of Shiite Mosques is less than the half, and they are limited to residential neighborhoods, and in small areas, and not in main streets of the city.
 - Preventing them from building Ma'tams (Shii congregations halls) in Hamad Town, since 1984 until today.
 - Putting great restrictions on inviting some of their scholars and thinkers to hold religious lectures during Ashura, Ramadan, or other religious occasions.
- 26.12: Authorities dissolved the Scholars Council (Ulama Islamic Council), which is a civil society that deals with religious affairs of the Shiite sect, which includes teaching Quran, prayers, and religious rulings according to the Shiite school.
- 26.13: Authorities revoked the citizenship of many Shiite citizens, including religious clerics such as Ayatollah Sheikh Mohammad Sanad, a Bahraini cleric residing in Holy Najaf. Authorities prevented him from returning to Bahrain. Ayatollah Sheikh Hussein al-Najati is also a Shiite cleric in Bahrain who was forcibly exiled from the country. Among

the nationals whose citizenships were revoked were former MPs, like MPs Jawad Fairouz and his brother Jalal Fairouz, in addition to many politicians and rights activists.

- 26.14: Authorities demolished 38 mosques, which were mentioned in the Bassiouni Report, and Head of the BICI Professor Mahmoud Sherif said that the time and method of the demolishing gives an impression that it is a "*collective punishment of an entire sect*". Many mosques were rebuilt by local efforts and some at state expense. Some of these mosques are still awaiting reconstruction.
- 26.15: Among the painful images and scenes that hurt the heart is seeing a man in his 70s collecting cans to sell them and get something to eat in return, after working for forty years in Bapco or other companies, or seeing an old lady suffering for a living and asking for help to get a small fridge, or seeing a young educated man standing at traffic lights selling water bottles, because he was deprived of a job. I saw that with my own eyes. I felt the pain of "*Um Ali*", who was sick and in a deep sorrow for the absence of her detained husband Sheikh Mirza al-Mahroos, until she passed away. I felt the empty heart manifested by "*Um Hassan*", as she woes on to her three children, Ali and Mahmood, who are both detained, and Hussein, who is wanted. As for my mother, I have seen her in pain and bitter suffering, and tiredness for what her children had to go through for over 30 years. She either had a displaced son, a detained son, an unemployed son, or a son who suffers a lot. I have lived with people in their 30s, but with faces of old people due to fears and concerns they are afflicted with because of the discrimination policy and its repercussions. These are examples of a sufferings that almost each Shiite house

has experienced over tens of years, before there was even a revolution or an Islamic Republic in Iran. The British Archives are full of documented and proven stories. There was no household in Bahrain that didn't suffer from a past or present pain, due to the ruling, security, political and persecution policies. No words can express the truth and suffering experienced and still witnessed by our people. When we demanded that this harm and injustice be lifted off, our patriotism became subject to doubt, and we were punished for screaming from pain. We were killed, detained, and displaced, and had our citizenships revoked, mosques demolished and sanctities violated.

- 26.16: The Shiite citizen lives in a circle of constant worry, represented by the hardship he has to face to attain a good job that guarantees to him and to his family a dignified living and a safe life. He remains in a controlling fear that he would lose his and his children's future. He lives in constant concern from being humiliated in his country, by an expat, who was assigned to a security position. He would live in despair from getting a good job, compatible with his education and ambitions, due to the blatant discrimination. He would live in doubt that he would receive good treatment and essential service from those who are supposed to provide it. He would live in paranoia that he would be humiliated and have his dignity overlooked, without finding anyone that would defend him from that humiliation. In a nutshell, he lived in fear for himself and his family and having his sanctities, and money trespassed and confiscated, and thus he would never feel secure. Some beloved fellow citizens in this country might think that what I'm saying is an exaggeration. However, I assure you that I only say what I see, witness, and experience.

Chapter 5

Word of Advice: My Meetings with the Leaders and Decision-Makers in the Country

In this chapter, I will present what went on in some meetings between me and leaders in the ruling power and some decision makers, during the past period, starting from the emergence of the King's reform project, which he initiated as he assumed power in the beginning of the new century, until after the February 11, 2011 events. I will also list some advice that I presented to the King as well as to the people, whether written or spoken, secret or public, through social media or public media outlets. In those meetings, and in all the messages I delivered, I always expressed my deep love and loyalty, and my pursuit for the best of my country, Bahrain, and its people of different factions and classes. I mentioned that the monopoly of power that I have previously mentioned, the full control of the political, economic, and social decision-making, the marginalization of the people from taking part in managing the country's affairs, and the administrative, financial, and ethical corruption in the country, all represent a basis for the crises inflicting the country and its people.

My religious, national, and ethical duty was the main reason that drove me to say the right thing and offer my advices. During all those meetings, I did not care about any position, wealth, rank, materialistic or financial benefit.

The main goal before my eyes was reform, which was a main demand by all messengers, and my approach was based on wisdom, good advice, and good lenient speech. I had no goal but the satisfaction of God and the best interest of this country. And because I have not lost hope yet, I end this part of the plea with a letter of advice to the King, confirming what I aimed at, which is achieving inclusive reform for this country, so that all citizens lead happy lives.

25.1: In my first meeting with the King, he was still an Emir. That was a few days after I returned from London on March 21, 2001, and I was with Mr. Abdul Wahhab Hussein,

and Dr. Saeed Al-Shehabi, and the meeting was held in Safriya Palace. We expressed to him our opinion regarding the political situation in the country. Among the most important issues I mentioned to him back then is that the good strong relation that was established between him [the King] and the people should be maintained, and that should not be taken for granted whatsoever. I remember him responding that creating a democratic constitutional monarchy is a necessity for real stability and sustainable development. In this meeting, we heard from the Emir that he would like the people to take part in responsibility and have the bigger role in managing the country so that the situation in the country does not become a “*one-man show*” as he expressed.

I also remember that as we were leaving towards the car, we whispered among each other: Is the Emir serious in what he said about giving the people the bigger responsibility in managing the country? Some among us had their doubts, but Mr. Abdul Wahhab Hussein said, “*Our duty requires that we work with the Emir and reach out to him to achieve that dream*”. We did reach out, and the [National] Action Charter was adopted with the majority of votes, and not once did we refrain from giving any advice in this regard. The reality of the situation now is that Dr. Saeed al-Shehabi, an opposition figure residing in London, had his citizenship revoked and Mr. Abdul Wahhab Hussein is serving a life sentence. As for me, here I am being prosecuted before you over my political opinion and for demanding the implementation of a constitutional monarchy, which we were promised since then.”

25.2: Another meeting with the King, also at Safriya Palace,

was on February 5, 2002, when he decided to change the 1973 constitution, based on the advice of the constitutional advisor, Ramzi Al-Shaer that legalizes the bypass of the provision of article 104 of the 1973 constitution, which requires electing a new National Council and submitting the proposed amendments to it to approve them. The meeting included several lawyers, among whom was Dr. Abbas Hilal, the then President of the Lawyers' Association, who on his part, advised the Emir to abide by the article stated in the 1973 constitution and not to follow the opinion of constitutional advisors, whom he described as tailors who tailor a suit that fits whomever it's for. In this meeting, I told the Emir that even if this advisor or anyone else legalizes the bypass of article 104 of the constitution, yet the opinion of the majority of constitutional advisors is that its illegal and they believe that such a step is a "sin", and this is a word literally used by the counselor Kamal Abou al-Majd, and that it is an obligatory to adhere to the constitution. We had heard news that the Consultative Council (Shura), which the National Action Charter limited its authorities to presenting opinion and advisory, will be given legislative authorities in the new constitution. I had brought with me the press statement of Sheikh Abdullah bin Khalifa Al Khalifa, head of the committee assigned to prepare the charter, which was published in local news headlines on February 9, 2001. He had stated in it, "*The elected council has the legislative authority,*" and "*the appointed Consultative Council is only there to give advice.*" This statement was ordered by the Emir himself, after a meeting requested by Sheikh Abdul Amir Al-Jamri – May his soul rest in

peace – on February 8, 2001, with the Emir and a group of political opposition figures. The aim of the meeting was to provide guarantees that the 1973 constitution is not to be bypassed and that the appointed council is not granted legislative powers. As a result of this meeting, the Emir ordered Sheikh Abdullah bin Khalid Al Khalifa, as head of committee assigned to prepare the National Action Charter, to make this statement to local newspapers, 6 days before the voting date on the Charter.

During this meeting, I presented the statement of Sheikh Abdullah bin Khalid Al Khalifa, reminding that the Consultative Council (Shura) shouldn't have any legislative role and its role should be limited to counseling. I also reminded them of the Charter text that supports this opinion, as it limited the council's authority to only giving advice and consultations. Also during this meeting, I presented the Emir with a written letter, stating, *"The motion to change the constitution, contrary to what article 104 states, and granting the appointed Shura [Consultative] Council legislative authority, will so clearly lead to dispute. This is something we need to avoid after the huge historic achievement manifested in the national consensus on the Charter..."*

- 25.3: When scholars, including Sheikh Abdul Amir Al-Jamri, Sheikh Isa Qassim, Sayed Abdullah Al-Ghuraifi, and others, learned of the motion to change the constitution, they asked for a meeting with the Emir. Me and Sheikh Abdul Amir Al-Jamri, separately sought to make this meeting happen. However, doors were locked before us, right until the new

constitution was issued (2002 Constitution), in a way that led to the big dispute in February 14, 2002.

- 25.4: In a meeting between His Majesty the King, leaders of political societies and national figures, I was present in my capacity as head of Al-Wefaq National Islamic Society, right after the municipal elections held in mid-2002 and before the parliamentary elections. At the beginning of the meeting, His Majesty the King said that he listened to the advice of Ali Salman and others, concerning amending the electoral districts, announcing that it has been amended granting the southern governorate 6 seats instead of 8. I remember commenting on that saying that if justice were to be served in the electoral distribution, then the southern governorate that has no more than 13 thousand voters should have 2 seats only, and not 6. However, the more important issue that needs our consensus from my point of view, before the parliamentary elections take place, is the constitutional consensus.
- 25.5: We were forced to boycott the parliamentary elections in 2002, after we had taken part in the municipal elections that was held just shortly before. The aim behind this boycott was to convey a message to the authorities, expressing our discontent towards the new constitution. However, our communications with His Majesty the King and Minister of the Royal Court Sheikh Khalid bin Ahmad continued, seeking solutions to matters under dispute, most important of which were the constitution, discrimination, and political nationalization. Some parties suggested a compromise for the constitutional problem, among which was the National Democratic

Institute, through its official representative Mr. Fawzi Guleid. One of the proposed solutions was to terminate the constitutional text that stipulate the meeting between the Council of Representatives and the Consultative Council (Shura) in case there was a disagreement over a legislation. This suggestion was rejected by the ruling party, and the aforementioned institute, along with its representative, were expelled from Bahrain.

- 25.6: In 2006, Al-Wefaq Society, along with other registered opposition political societies that boycotted the parliamentary elections in 2002, decided to part in municipal and parliamentary elections, in a bid to lessen the constitutional crisis, and hoping that we would find a solution by means of official institutions, including the Parliament. In a phone call, through Minister Mansour bin Rajab, the King expressed to me his delight and praised the participation of Al-Wefaq. He ordered Sheikh Khalid bin Ahmad, the Royal Court Minister, to contact Al-Wefaq and welcome this decision on his behalf.
- 25.7: In my first meeting with His Majesty the King, after deciding to take part in the elections, I was honest with him saying that this participation is a door to agree on solutions for our problems and that it represents a challenge to the volitions that aim at promoting the country, achieving the people's dreams, and finding solutions for crucial crises, on top of which is the constitutional issue, discrimination, nationalization, and improving the livelihood status of people. His Majesty the King responded, "*All what you aspire Ali will be achieved and come true, God Willing.*"
- 25.8: Two years after the 2006 elections, during which Al-Wefaq

won 17 seats and 64% of the votes, I met His Majesty the King on my request and delivered to him the complaint that the parliamentary experience in its current formulation is disappointing for the people, and that we need to keep the hopes up in this experience to tell the people that constitutional reform and development is possible. In addition, I stressed that we need to hurry in issuing laws and that the slow process as a result of the constitutional provisions and the by-law requires a long timeframe that starts with proposing the law, approving it by a competent committee, approving it by the Council, referring it to the government to draft it as a law, referring it back to the Council in the same cycle or the following one, examining it by the competent committee that gives its recommendations in details about its articles, and then presenting it to the Parliament. After discussing and approving it, the draft law is referred to the Consultative Council (Shura), which is not obliged with a timeframe to examine it. If the Council approves it, it is referred to the King, and if it objects on one word in any article, the draft law is referred back to the elected Council. I informed him that these steps hinder the legislation, and for example, it took it around 8 years to change some articles in the by-law, and still this has not been achieved yet.

I also noted to him that some laws are lingering at the Consultative Council, other draft laws are delayed at the government, and many services for citizens are frozen due to bureaucracy and weak, failing governmental performance. I presented to the King a written letter that clarifies these issues, in addition to suggested solutions to tackle them. The King expressed surprise from these facts, and reiterated, "*God Willing, whatever you want Ali will happen*". He ordered the Minister of Royal Court

Sheikh Khalid bin Ahmad Al Khalifa to look into these issues and solve them. He also ordered him to organize meetings with the government to solve unresolved affairs. As a result, there was a meeting with Sheikh Khalid bin Ahmad, the Royal Court Minister, at his office, and another meeting with the government, at the Prime Ministry Headquarters, without any practical results to be mentioned.

- 25.9: In 2009, I took part in a meeting between the King and a group of Royal Family members, and a group of religious clerics, led by Sheikh Isa Qassim and Sayed Abdullah Al-Ghuraifi. Sheikh Isa Qassim spoke in the meeting about discrimination, naturalization, and the constitutional issue. The meeting was open and honest, and the King expressed a desire to find solutions to those problems. The King agreed with Sheikh Isa Qassim to form a follow-up committee for this meeting. In the same meeting, the King assigned a representative for him in the committee, the Minister of Royal Court Sheikh Khalid bin Ahmed Al Khalifa, Interior Minister Sheikh Rashid bin Abdullah Al Khalifa, Foreign Minister Sheikh Khalid bin Ahmad Al Khalifa, and the King's advisor Dr. Mohammad Ali Al-Sitri. He asked Sheikh Isa Qassim to choose who will represent him to take part in this committee and resolve the issues as quickly as possible.

After two days, I called Sheikh Khalid bin Ahmad Al Khalifa, the Royal Court Minister, and told him that Sheikh Isa Ahmad Qassim asked me to lead the group he delegated to represent him and informed him of the names of the rest. I asked him to assign a date for a meeting in which we would suggest solutions for the problems, and I was

promised that I'd receive a call back. One week passed since the first call, and I hadn't still heard anything from him. I called him back to remind him of the committee and the meeting date to start looking for solutions for the main problems: discrimination, naturalization, and constitutional consensus. His response was as follows, "*We thought about the issue, and we found that if we carried on with this committee, then we will be putting at the margin the institutions already in action.*"

As such, a precious opportunity for consensus on political reform was buried and this agreement would have been set to pass through the current institutions, as I was head of Al-Wefaq Parliamentary bloc, and therefore it would have been easy to do this through the Parliament.

- 25.10: With the onset of what became known as the "*Arab Spring*", and approximately on February 10, 2011, I met the King at Safriya Palace afternoon in the presence of Interior Minister Sheikh Rashid bin Abdullah Al Khalifa. We talked about the ongoing popular movement in the many Arab countries. Then, I advised his Majesty the King and told him, "*Take initiative as you did in 2001, and do what Jordan's King Hussein bin Talal is doing, changing the government every time it proves its failure in meeting the aspirations of the people⁽¹⁾, and therefore you revive trust and hope among the people through a new government.*"

I remember very well that he said, "*I am with my people in their democratic aspirations, but we need to take into consideration some conditions in the region.*" "*I informed my brothers, the emirs of the region, that I have a lively and*

¹ The number of governments formed in the era of Jordanian King Hussein bin Talal is 82 governments. He rushed to form new governments every time the country witnessed economic, social, or political crises.

political people that have been seeking democracy for a long time, and that the conditions of Bahrain are different from those of its neighbors,” he added.

Personally, I supported this note and told him, “We also have conditions that they do not have, like the fact that they enjoy huge resources and that their population is little compared with their countries’ geography. Our economic conditions are different from theirs, and we need to tackle our problems and issues, taking into consideration the conditions that you noted.”

In this meeting, I told him about the brutal torture that some detainees, known as “Al-Hujaira” Detainees, were subjected to. I confirmed to him the reality of the situation, so he asked the Minister of Interior to investigate the matter.

- 25.11: On February 15, 2011, which marks the second day of the February 14 movement, with two martyrs already down due to the fierce security approach against the movement, I met the King at Safriya Palace in the afternoon. I appreciated his initiative to express his condolences over the two martyrs, and I, again, proposed that he takes an initiative to change the government, and give hope to the people of positive change. I reiterated what I said about the policy adopted by the Jordanian King Hussein bin Talal, who changed the government whenever there was a problem.

I believe I even mentioned the initiative of Moroccan King Mohammad the Sixth to form a committee to look into changing the constitution and developing the Moroccan Democratic experience, whereby that the party that wins the elections forms the government, and giving the Amazigh more rights in the amended Moroccan

constitution. I stressed that we can follow such steps and not be late in doing so. At that moment, I sensed the King's understanding for my proposals and the need for a bold political initiative that spares the country escalating political tension.

- 25.12: Through this plea to the court, I readdress His Majesty the King with a letter entitled "*Word of Advice*":

Your Majesty King Hamad bin Isa Al Khalifa (May Allah Protect Him)

Peace, Mercy and Blessings of Allah Be Upon You.

Because giving advice is a duty on me, I present you with a word of advice, addressing you in your capacity [as King] and the title that you hold, reminding you of your responsibilities, calling upon you to take care of your honorable people, and to restore your relationship with them to as it was since you assumed power in 2001, which witnessed cleared prisons, empty detention centers, a lot of freedoms, and renewed hopes for pride, dignity, and rights, through an initiative that opened hopes of broader participation in managing the country's affairs. By means of all of that, Your Majesty, you had the best reception in Sitra and other places. The promise that you took upon yourself and documented in the Charter and new constitution, represented by the constitutional monarchy, similar to established democratic constitutional monarchies, along with an elected legislative and monitoring authority, without any obstacle posed by an appointed council, along with a government that expresses the will of the people, all these are the demands the people are calling for.

This promise, which the people are still waiting to be met, is their dream and right. They have high hopes that their dream comes true and that this beloved country overcomes all the bad it has witnessed and all the harm it has suffered. Hopes are high that a new white page opens with a dream for all the generations in a modern constitutional monarchy.

I see no wisdom in the continuous policy and approach to suppress dissidents by force. The winner in this policy is defeated, and it carries along with it the destruction of the country's present and future. It is not an alternative for the policy of coexistence, harmony, and exchange of benefits, among all the spectrums and ranks of the society. It is highly dangerous in each country, no matter how large its geography is or how wealthy its resources are; yet it is far more dangerous when it is a small country, with scarce resources, weak economy, due to the changing international and regional conditions. The possibility of agreeing on a political system that saves the interests of the ruling family and those of the people is present and is great if the intentions and efforts to look for this agreement and consensus were honest.

May Allah's Peace and Mercy Be Upon You

- 25.13: I had several meetings with His Royal Highness the Crown Prince Salman bin Hamad Al Khalifa, the first of which was in 2006 before the parliamentary elections. We talked about the most important problems the country is facing, on top of which are: the constitutional problem, naturalization, discrimination, and the housing problem. It seemed to me that the Crown Prince was aware of these problems and

their impact, and was understanding to the perspectives I presented. I was asked to write these points of view in a memorandum form to present to the decision-making parties. I remember that I presented to him a memo on the matter of naturalization, and promised him a memo to include the rest. However, our meetings suddenly stopped without any results.

- 25.14: In one of my meeting with the Crown Prince, I asked His Highness about his political project, and he answered, "*The same one you have.*" I then said, "*My project is democratic and is based on peaceful transition of power eventually.*" He responded that he does not disagree with me, but that needs time, so I answered, "*There is no problem regarding time, and we need to agree upon it and upon the necessary steps.*"
- 25.15: On February 16, 2011, two days after the February 14 movement started, I met the Crown Prince and told him the same idea I mentioned to his father His Majesty the King, which I mentioned earlier in this plea. I stressed on the necessity of initiating a political solution that gives real hope of inclusive reform. From his part, I saw clear understanding to the proposed ideas.
- 25.16: The meetings continued between me and the Crown Prince in February and March 2011, and in all those meetings I gave him my written advice, and I answered many questions related to the constitutional provisions, the authorities of His Majesty the King, the Prime Minister's authorities, the electoral districts and others. At that time, I sensed his understanding and that he was convinced of the idea of the political initiative. However,

those meetings and communications stopped, while I was waiting from him a follow up to the presented papers and ideas. Events escalated quickly as the Peninsula Shield Forces entered Bahrain, which led the country to a security suppression path, some details of which were mentioned in Mr. Bassiouni's report.

- 25.17: Meetings with the Crown Prince were resumed in January 15, 2014, after almost 3 years of zero contact, and the meeting was made public. I made it clear to him and to those present that Bahrain is suffering the reality of bitter discrimination, since the Shiite opponent citizens come 4th in rank among fellow citizens. The distribution goes as follows: Al Khalifa come in 1st rank, followed by the Arab tribes in the 2nd, then the naturalized people in 3rd, followed by the Shiites and political opposition in the 4th, which might also move down to the 5th rank, after giving the foreign expats the 4th rank. In this meeting, there was a discussion about the origin of the problems presented in leaving out the people from the decision-making process, noting that the solution lies in allowing the people to take part in making decisions, based on a democratic process. Moreover, I confirmed the need to start a new reform page, away from looking into who was the reason behind the tense situation, for opinions vary in this matter.
- 25.18: One week after the previous meeting, we met again with him, and then again in February 13, 2014. In both meetings, the discussion was about fixing the political issues, the current situation, and the possible solutions. My point of view was based on looking for a

permanent, inclusive, and clear solution, which would prevent the country from falling into repeated crises and political eruptions, that is doable through agreeing on a constitution that achieves a constitutional monarchy, based on what was promised in the Charter, in which we agreed that the Consultative Council would not have any legislative role, and this is what we need to build on. This is in addition to the issue of just electoral districts that do not discriminate or give privilege to anyone over anyone, followed by consensus on how to form the government, the independence of the judiciary, and the need to merge the components of the society in security apparatuses, based on what Mr. Bassiouni recommended. In the last meeting on February 13, 2014, I gave the Crown Prince three documents. The first was about scheduling meetings between us and our personal roles in making the dialogue, which could lead to a consensual solution, successful. The second document included the issue of building trust, and a number of steps needed from both parties of the dialogue to pave the way for building this trust. The third document included a timed road map for the current steps that we need in order to reach an agreement, and make it real.

- 25.19: On February 13, 2014, I had a meeting with the Crown Prince at his court, and he told me that he understands that the trendy concept of “*revolution*” in the popular movement means cultural and social reform as there are a scientific revolution, a cultural revolution, and a social revolution, and that it does not mean toppling the regime. However, he noted that in the regime, there are some who are not comfortable with calling this movement as “*revolution*”. In this meeting, I was

very honest with His Highness and told him my point of view that meets that of many Bahrainis, which is that the popular and governmental consensus included in the National Action Charter that was ratified in 2001, along with the vows and statements by high-ranking ruling officials guaranteeing it, was violated. I reminded him that this Charter guaranteed equality among the citizens, and this requires the presence of just electoral districts that render the citizens' votes equal. This Charter stated that justice is the basis of ruling and that equality, law sovereignty, freedom, security, reassurance, social solidarity, and having equal opportunities between citizens are altogether the pillars of society that the state guarantees. The Charter also stated that personal freedoms are guaranteed and that equality among citizens, justice, and equal opportunities are major pillars for the society. The State shall guarantee the aforementioned to all its citizens without any discrimination. This comes as part of a broader and more inclusive principle, which is the principle of equality among people in human dignity. Officials' statements, along with the promises they made to the people shortly before the vote on the Charter, confirmed that the legislative authority is in the hands of the elected council and that the jurisdictions of the Consultative Council will be limited to advice and counselling. This is what was agreed upon more than 10 years ago, and I noted that there is no need to negotiate again about this, as this is one of the achievements of the country and its citizens that no one should back down on.

25.20: In the same meeting, I expressed my point of view

about forming the modern state, which has not yet been achieved, as the ruling family is still controlling it. We observed the political, security, and economic posts undertaken by members of the ruling family, and authorities granted to them by means of these positions. News on the radios, TVs and local newspapers leave no place for doubt that the ruling family is still in control of the state, knowing that the situation is deteriorating as sons, grandchildren and women of the family are taking more administrative positions in the state, after it was limited to older generations. One sign of the ruling family's domination of the modern state is the continuous talk about "*royal grants*", which means giving as a grant what is originally the legitimate right of citizens. An example is the grants said to be given in the form of housing service, income allowances, reduction in electricity bills delays for those with limited income, and others. I personally heard the King in one of our meetings mentions that these are rights, yet some call them grants. I commented on that, wishing that His Majesty explains this concept to others, especially the media which used to call them "*grants*", for that degrades the citizens and does not comply with the modern time and state. I made it clear to the Crown Prince in this meeting that it is our duty to work on building a modern state, as it is the way towards a developed country.

- 25.21: Moreover, I had many meetings with the Royal Court Minister Sheikh Khalid bin Ahmad Al Khalifa, between 2002 and 2011. During those meetings, the discussions were about the country's issues, including: the constitution, the necessity of agreeing on one inclusive constitutional provision, discrimination and inequality among citizens,

the issue of naturalization and its effects, a number of issues related to the Municipal and Parliamentary Councils' performance and services to the citizens, in addition to other issues.

- 25.22: I also brought up the issue of electoral districts; a topic I have discussed repeatedly with the Royal Court Minister, noting that the districts are set in a sectarian approach, as no more than 18 districts were designated to the Shiite sect that represents the majority of the political opposition. 22 districts, on the other hand, were allocated to the Sunni sect, which is proponent to the ruling family. His response was that the districts were planned to allocate 18 representatives (members of parliament) for each of the two factions, while 4 were left for competition, in which it's not known who represents the majority. I, however, stressed that it is already settled in favor of the ruling family proponents. The same discussion was repeated before the 2006 elections, and the Royal Court Minister promised to study the issue, yet nothing changed. Between 2007 and 2010, we repeated the discussion in an unsteady manner, and it was concluded that there are differences in the numbers of voters in the electoral districts between one governorate and the other, with notes that the issue will be under study. The distribution, however, remained the same during the 2010 elections. After that, we talked again about the electoral districts and he was convinced that the number of voters in the first electoral district in the Northern Governorate should not be equal to the number of voters in the 6 electoral districts of the Southern Governorate, with

reiteration that the districts need to be reorganized to have more just representation of citizens. Yet the results did not change in the 2014 elections; it rather became worse. Electoral districts were set to have less than 18 representatives for the Shiite sect, most of which belong to the political opposition.

- 25.23: Moreover, I discussed with the Royal Court Minister the issue of discrimination among citizens, and the absence of equality in rights and duties. On his part, the Minister denied that such problems existed, and always repeated, *“That is not true. More discrimination in the era of Hamad bin Isa?! The King is for everyone.”* I would respond, *“Yes the King is for everyone; that is why you will bear responsibility.”* He would say, *“You topple everything over my head?”* and I would respond, *“Yes, because you are the one who files names for appointments, supervises all these issues and knows all details. It is normal that the King signs the appointments decrees, without him knowing all details about the people you are naming, or their political or sectarian affiliations.”* I was honest with him saying that we were used to previous decisions and appointments by the Prime Minister, where among every 10, 1 or 2 of the appointed figures are Shiites. Now, decrees are issued with 10 names, without any Shiite citizen among them. To the Minister, this was an exaggeration, as he said, noting that citizens are equal. I would then respond, *“Let us then go through the decrees, regardless of the Consultative Council and Islamic Affairs Council’s appointments, and let us see the reality of the situation.”* Our discussion about discrimination would be repeated in all our meetings, yet without any change in reality.

- 25.24: My meetings with the Royal Court Minister were broad and full of honesty, but they were always concluded with setting another date to continue the discussion, during which we would start from ground zero. In many places, we talked about the electoral districts, the constitutional reform and the desperate need for it, naturalization and other issues. Whenever we reached an agreement of convictions, the discussion on it would be postponed, and then, months later, we would start the discussion all over again. During the February 2011 crisis, I met with him in both February and March of the same year, and talked to him about the sought political reform. “*We are thinking of benefiting from the Moroccan experience,*” he said.
- 25.25: Regarding the political dialogue that we adopted as an approach at al-Wefaq National Islamic Society, which is the political society I’m affiliated to and lead along with others, it is an approach that I adopted since I started my political work in the 90s. I focused on giving advice honestly and objectively, in order to achieve declared goals, which include establishing a constitutional state that guarantees the citizens’ humanitarian and constitutional rights stated in international conventions.
- 25.26: I believe that the objective result a neutral researcher would reach to, concerning the political dialogue in Bahrain since the early decades of last century is that the rule in Bahrain refuses the concept of political dialogue to solve disputes and reach an agreement, even if they stated otherwise. Historical events and practical experiences prove that if the ruling party ever agreed to political dialogue, it would be driven to that by external influences, and once these influences are gone, it would withdraw from the dialogue

through creating reasons to do so, taking off its shoulder any results reached. This indicates that starting political dialogue is not a principle for the ruling party, but a necessity posed by current conditions, and if those conditions changed, it would go back to monopolizing decision-making and transform dialogue into a meaningless process.

- 25.27: I believe that the ruling party's refusal to engage in a dialogue comes from how it perceives the nature of ruling and from the concept of "*conquering*", which stated that the "*conqueror*" who is able to control a country by force, has the right to dominate the riches and people of this country, and the people there do not have the right to demand justice and equality, nor can they be equal to ruling individuals or demand a wise dialogue, whose all sides are regarded as equal.
- 25.28: I certainly believe that Bahrain has never witnessed a real dialogue between the ruling party and its people, in which both parties are deemed equal, to lead to permanent stability and a social contract. The rule claims to have a unique system for different dialogues, among which is the so-called open-court dialogues, institutional dialogues and so on.
- 25.29: The open-court dialogue is based on that Bahrain has its privacy derived from its norms, traditions and history, and that these open courts for dialogue, which are part of these traditions, play an efficient role in conveying the opinion to the officials freely. The ruling member or the official would weekly open his private court, where he would receive the citizens, who would be given the chance to express their opinions and ideas about the events. This is something not found in democratic countries, where citizens cannot

directly meet their officials every now and then and openly talk about public affairs.

- 25.30: Another type of dialogue that the authorities believe is a good mechanism of democratic rule is the public meeting between high-ranking ruling officials and political opposition figures. This dialogue started in 2001, and continued until 2006 at the royal court. After it stopped, it was revived unsteadily at the Crown Prince's court in 2011. These meetings are held by inviting member of the political opponents and a greater number of politicians who are proponents to the rule. Invitees are not informed of the meeting topic, but learn what it is from the speech the court owner delivers. Through the same mechanism, the opposition and supporters were informed about the 2002 constitution, in presence of the constitutional expert Ramzi al-Shaer. After the court's owner finishes his speech, whoever had anything to say would be given a brief time to do so. In case it was an opposing opinion to what was addressed, present supporters would be given the chance to respond such to disagree with it, on condition that the discussion does not exceed half an hour. The discussions are concluded with the triumph of the regime's supporters for they are more in number. The meeting would end with an invitation to lunch, or with the court owner standing up and declaring that the discussion is over, after which invitees would be dismissed.
- 25.31: The reality of these meetings is also subject to norms and traditions. Not all citizens have the right to access them. Attending them needs invitations, and anyone without such

invitation is denied entry by the security guards. Also, the discussion in those meetings is not open genuinely and is not allowed for everyone, but is rather controlled by tribal traditions, including that the discussion goes as the official desires, and no one is allowed to criticize him, or they would be denied entry to the second meeting, if not dismissed immediately.

What happened with our late Hajj Mohammad Ali al-Ekri in the early 80s of last century is a clear example on that. Former Emir Sheikh Isa bin Salman Al Khalifa had held a meeting, in which al-Ekri tried to deliver some messages and petitions, but he was forced to stay silent. When he decided not to abide by that, he was dragged from the court, and for many times, he was arrested due to this stance and others. The court guards were later given notice that he is not allowed access to open sessions anymore. That's why these meetings and courts do not enjoy the people's trust, and the latter do not see it as a way to solve their issues.

- 25.32: These courts, in their nature, do not discuss public issues and the country's problems, nor do they discuss popular demands and political reform. What happens in those courts is that they discuss very private matters, more like personal matters presented by individuals before the officials. The official would then give orders to examine that issue or solve it, depending on how close the citizen is to him.

Mainly, attendees of these courts are people who have personal matters, people who have close ties with the official and who assume posts in the state, which oblige them to attend, or some persons who aspire certain gains, like a post in the state.

Among the attendees are also individuals who are invited personally by the official himself, or some businessmen and wealthy people who are afraid to lose their status.

- 25.33: It is not true that these sessions are like cantons that discuss issues and problems in some European countries with developed democracy, as it does not discuss public issues and problems, and because no discussion actually takes place., as the talk is usually concentrated on praising the official, and because some of the directives issued by the official during it are contrary to the law and overpassing institutional responsibilities.
- 25.34: These courts have special traditions and norms as the discourse in it is concentrated on praising the court owner, expressing the greatness of his achievements, thanking him if he gave the audience a chance to, and criticizing and accusing those who disagree with him. As for the topics discussed, they usually do not exceed talking about how each one is doing, what they are up to, how their friends and family are doing, and the attendees' businesses and work. This also includes reciting praising poems and whispering between the official and individuals with personal inquiries. During these meetings, photos are taken and videos are recorded, part of which is broadcasted in TV news and published in semi-official newspapers, followed with a report written by the media division of the court owner.
- 25.35: Another type of dialogue is what the authorities called as "*institutional dialogue*", through which the authority tries to show its own democracy, which it called "*democracy of courts*". This started since the authorities dissolved the National Assembly and halted the 1973 constitution until

2002. In response to the people's demands for the return of the parliament, re-engaging in the dialogue, and activating democracy, the authorities said that open courts are the ones charged with that.

- 25.36: Local newspapers in the country back then took the role of promoting the democracy of the “*open courts*” and the political dialogue that takes part in it, for over 27 years, in their headlines, articles and reports. The papers demanded this unique democratic mechanism that outstands the Democracies of Westminster and Washington.
- 25.37: After 2002 – the year the new constitution was issued, terminating the 1973 constitution and bringing along a democracy of a National Council, half of which is elected in districts whose justice is doubted, while the other half is appointed, and placing all legislative, executive, judicial, and security authorities in the hands of the King – the perception of “*institutional dialogue*” in “*open courts*” and in official media outlets and by journalists and intellectuals who are affiliated to the ruling party changed. The “*dialogue of the people's representatives*” that takes place in the National Council became the one taken into consideration, and the “*accepted opposition*” was the opposition found in the council. Therefore, out of respect to the people, their representatives, elections and their results, and to the institutions, there shouldn't be any dialogue without their presence, as it would weaken those institutions, and it would be an insult for the people who elected it.
- 25.38: In fact, these institutions are not very different in powers from “*the democracy of the open courts and their dialogues*”, except in terms of their organization and

the breadth of talks over topics in relation to the public affairs. In regard to the legislation and monitoring, this exceeds its real power. I previously noted the nature of this institution in reality, and I will briefly note some flaws it has in the following parts.

- 25.39: These institutions that are noted to be the right democracy for the people of Bahrain are built on grounds that are far from being democratic. Electoral districts that do not represent the people in a just way, and which are set by virtue of a royal decree, are believed to be obvious discrimination that gives a majority to those supporting the rule, and thus lacking justice and equality. These districts were drawn very carefully, based on their geographic borders and residential units to guarantee a majority of supporters that would leave the authorities at ease. Besides the little number of voters in pro-government electoral district, compared to those where the political opposition is concentrated, the authorities canceled in the 2014 elections the middle governorate and distributed the residential compounds in only four governorates, and redistributed the electoral districts to cover up the small number of voters in the pro-government districts. However, that did not change the reality and these districts continue to give the same results as before, and probably a bit more in favor of the government⁽¹⁾. Although the elected council directions were specified by the electoral districts as having a pro-rule majority, the ruling party rejected to give this

1 An example about the distribution of electoral districts, the High Constitutional Court in Egypt issued a rule to terminate electoral districts in parliamentary elections, as it did not take into consideration equality among citizens in dividing them. The details of the rule in the case number 18 of the constitutional judicial year 37, issued March 1, 2015, were published in the Official Gazette in Egypt in its issue number 9 (repeated) on March 1, 2015.

council the legislative decision, and stressed the need for the appointed council to participate in that, as we noted before.

- 25.40: When al-Wefaq was part of the council of representatives (from 2006 until 2010), its bloc presented a proposal that includes allowing the council to discuss general topics, as they are considered necessities of the legislative and monitoring work, which does not need any stipulation. The council, however, rejected this suggestion by an imposed majority. After the February 14, 2011 movement, and all events that followed it, the council was given formal authorities that allow introducing general topics for debate, after that was a taboo. That was considered among the major amendments the council made in 2012. The council was given another formal authority to report the incapability of cooperating with the Prime Minister, yet this was impossible to be achieved in reality.
- 25.41: As for the Parliamentary monitoring, it requires the approval of one third of the council members to be able to question a minister, not to mention withdrawing confidence from him. This is, in reality, impossible, due to the unfair distribution of electoral districts, which result in pro-rule representatives, and a speaker of council approved by the authority. The council bylaw states what it called "*the dialogue etiquette*"; where a representative cannot bring up an issue for discussion if it isn't agreeable to the speaker of the council and the majority of its members. This would be considered a violation to the "*dialogue etiquette in institutions.*" This would lead to losing membership and parliamentary

immunity, like what happened to former MP Mr. Osama al-Tamimi. The issue is not only limited to talking in the Council halls, but also includes discussions between members in their conferences and meetings, as what happened to some al-Wefaq members between 2006 and 2010, when they were pursued by the council over discussions and statements they made outside the halls of the Council. They were warned that they would have their parliamentary immunity lifted off. Among them was Dr. Jassim Hussein. The Council prosecuted him and wanted to remove his immunity, over a statement he delivered in one of the conferences, which the authorities did not like.

- 25.42: Any attempt from any council member to open a discussion on a general topic or an apparent problem would be stopped and prevented and would face the gravel of the Speaker. Examples on that is what happened when al-Wefaq parliamentary bloc tried to open a discussion about the state public and private properties that were violated and demanded their return to the state. The slogan "*This is not an Arab trait*" was raised, meaning that it is not allowed to demand something back after it was already granted to others, even if unrightfully.
- 25.43: What I'm staying here is not out of exaggeration in analyzing and concluding, but it rather is the reality I witnessed when I was the head of Al-Wefaq parliamentary Bloc, during a full legislative session, from the beginning of the first convening cycle in October 2006 until the end of the cycle in 2010. A unified parliamentary bloc with 17 seats out of 40 seats could not tackle one issue from the issues that erupted in the society back then, like Al-

Bandar case, naturalization, and discrimination issues. It was unsuccessful also in indicting one Minister, despite the strong evidence that make an indictment necessary, as in the case of the Minister responsible for the sudden increase in the population. All ideas were buried before they were born.

25.44: The ruling authority wanted the “*institutional dialogue*” to be an extension for “*court dialogues*”, intensifying suggestions of a desire in paving a street here, building a school there, allocating a land for a garden, fixing sanitation issues in streets, and other topics that witness disputes among representatives in the Municipal Council and Parliament. The government then responds to those desires, by accepting or rejecting them, or putting them under the study of a committee, after thanking those who presented them. In case the government approved the desires, then it needs to be thanked and praised. Generally, the government’s response to requests are at a “grey” scale, not understood whether they are an approval or a rejection. The Council complained many times concerning this issue and formed a committee to look into the matter, but to no avail.

25.45: Among the dialogue mechanisms that the authorities relied on was the so-called the general dialogue, from which stemmed the first “*National Consensus Dialogue*” that was launched in 2011, and the second national dialogue that was launched in 2013. The government resorts to this type of dialogue in necessary circumstances, pushed by local conditions, or due to international pressure to sit for dialogue with the political opposition, as was the case in 2011 and 2013. Because dialogue took place under pressure and necessity, the authority’s main approach was making it

meaningless, which prevents reaching positive results that benefit the country and citizens.

- 25.46: The ruling party does not put itself among these dialogues parties, as it believes that it above talking with the people, who are “*subjects*” in its perspective. The authorities promote to the idea that dialogue needs to be between parties that dispute in perspective; it could be a sectarian, racial, or political dispute; it could be between Sunnis and Shiites, or between pro-government supporters and political opposition. However, the ruling party believes it is in the position of a referee, monitor, and the final reference and judge of the dialogue opinions and results.
- 25.47: The authorities initially invited parties to the dialogue and scheduled the dates, times, and place. In other words, the ruling party is the one who decides to start the dialogue and it sessions, manage it, dismiss it, decide its parties and mechanisms, and legitimize its results. No one can take part in the dialogue, no matter what his position or post is, if he was not invited, and parties of the dialogue are not allowed to set an agenda for the dialogue, which would already be decided beforehand.
- 25.48: An example to the domination of the ruling party in these dialogues would be the mechanism followed in the first dialogue in 2011. Among the invitees to the dialogue were 300 people, very few of whom were from the political opposition. The ruling family distributed them to groups, each to examine one of the issues, whether political, economic, social or others. Each group would include around 80 persons, 3 or 4 of whom are from the political

opposition. Each speaker is given no more than 3 minutes to talk. That would give the opposition around 9 minutes to talk, at a time the pro-government supporters get around 5 hours to talk. The conclusion is then gathered with suggestions and agreed upon points, most of which come from the pro-government participants. When only three from the opposition disagree with the popular opinion of the attendees, then this would not be much of a number to regard, and thus it wouldn't be given any value, as most speakers would have already talked and agreed on a specific proposal, and this what is so called a national consensus that cannot be stopped by the opinion of three people. The results of the dialogue are then raised in a form of suggestions to the King to make what's best, based on his perception.

- 25.49: The political opposition went to the first dialogue, hoping that it would create a positive atmosphere that would lead to a serious dialogue and would pave the way for direct communication with heads of authority for discussions. The opposition discovered after so much hard efforts that it is impossible to reach what it had hoped for, since the government does not have any good intention to have a serious fruitful political dialogue. It is, however, driven by an international UN and EU pressure to organize such dialogue, which it dubbed "*National Consensus Dialogue*", to tell the pressuring international sides that they have conducted a dialogue that led to results acceptable by a vast majority of participants, and that it would implement what was agreed upon.
- 25.50: The second dialogue was in the late 2013, and the authorities sought it as a result of increasing local

and international pressures calling for the necessity to organize a serious dialogue that might result in an inclusive national consensus. The authorities controlled the number of participants and who they are, in addition to the setting, time, place, agenda, and management of the dialogue. The pro-government parties were given chance to participate by 8 representatives, the Council of Representatives and Consultative Council were given place for 8, and the political opposition societies were given place for 8 participants as well, in addition to 3 ministers. The Minister of Justice was assigned to lead the dialogue session. The political opposition, therefore, constituted 8 participants out of 27; this number was still better than the one in previous dialogues.

- 25.51: Since the presidency of this dialogue was given to the Minister of Justice, the authority was the more effective party in the dialogue, and it was the one to decide timing of the sessions, its length, and when they be ended. It was also the one to decide the session agendas and control seeking experts when necessary in the discussion. And since any decision would be decided based on consensus; i.e. the majority opinion, then the majority had already been decided due to the number of participants. It is impossible that the opinion of the majority pro-government parties to the dialogue (19 members) come in agreement with the opinion of the political opposition (8 members). I am saying this based on facts and tangible reality. Once, one of the participants of the pro-government political societies expressed how proud he is to be like a "*remote control*" in the hand of the government. That way, this dialogue was stripped from its essence and goals, due to the

domination of the ruling party and its tribalism that was apparent in all sessions, which did not lead to any result. It is very strange that the government then says, *“The parties of this dialogue failed the dialogue, its results are disappointing, and they are responsible for this failure.”*

- 25.52: In order to control the dialogue and control the opposition, the ruling party refused to have any external party in the dialogue, even if from an ally country, like from GCC countries, the United States or United Kingdom. It also refused to have any mediators appointed by the UN Secretary General, who publicly announced he is willing to do so. The ruling party also refused any help to make the dialogue successful from any international crisis-solving organization or others, whether private or public help, believing that such help would be destabilizing to the national sovereignty.
- 25.53: I previously mentioned special meetings with high-ranking officials, the nature of these meetings and procedures. In these paragraphs, I will mention some meetings that took place between the political opposition, represented by Al-Wefaq Society, with ruling regime figures, in a bid to remove the vagueness pertinent to these meetings.
- 25.54: I also confirmed that these meetings that the ruling family resort to, come as a result of pressure from a friend country, or from international associations, to ease the anger of the opposition street. The authorities then leak information about these meetings, so that the media outlets and social media platforms circulate them with little objectivity. It is molded in a way that shows the

seriousness of the government to reach a solution to the crisis, and the opposition's exaggeration in its demands. Because the political opposition cannot respond to these allegations, out of fear on its confidentiality, and hoping that it would reach a realistic solution, then an idea is promoted that the opposition is not realistic, as it does not invest in the best opportunities, is distant from the political work, and isn't good with the rules of dialogue in it.

- 25.55: In all those meetings, the ruling party was the one to decide the time, place, and topics, based on its needs. As for the political opposition, it was impossible that the rule answers its request to convene with it. The opposition tried for so long, but all its attempts were rejected or neglected.
- 25.56: These meetings were characterized by the ruling party asking the political opposition to present its vision to solve the escalated crisis, but then refusing to discuss this vision, and the refusing to present its own solution to the crisis. Mostly, the meetings would stop once the opposition presents its vision to the rule, before convening again months later, based on conditions. Such meetings might even be dismissed through a tweet on "Twitter" by a Royal Court official, without informing the opposition and its delegation, like what happened in the dialogue that was dubbed the "*reunion dialogue*". Meetings might also convene again when the ruling party feels there is a need for that, and would ask the opposition to present its vision or perspective again. In case the opposition didn't compromise on any of its demands, the meetings would be stopped and the dialogue would be canceled again.

- 25.57: I previously talked about the Crown Prince dialogue that took place in February and March 2011, as the popular movement gained momentum. I believed that this was an exception to the nature of the abovementioned meetings and discussions. This meeting was serious and honest, and witnessed listening and responding, and listening to each other's opinions. It was possible that these meetings and their findings would have led to a solution that would guarantee the country's security, stability, and an exit from its crises.
- 25.58: With the escalation of the crisis in February 2011 and what followed before the Peninsula Shield Forces entered the country, the Crown Prince was prominent actor in communication with the political opposition. One night, I received from him an urgent call for an urgent meeting. Due to the escalating situation then, I sent my political assistant, who was back then the first deputy to the Parliament Speaker, Mr. Khalil Ibrahim Al-Marzooq, to represent me in the meeting. He had two meetings with him, after which I met with him 3 times. The total number of meetings that we held back then with the Crown Prince was 5. In these meetings, we presented the political opposition's vision and answered all inquiries and questions His Highness asked. The Crown Prince then sent to many political powers, businessmen, professional and women societies, asking them about their visions regarding a dialogue that would resolve the crisis. The political opposition was pioneer in this regard and presented its written vision, expressing its readiness for political dialogue.
- 25.59: The opposition continued its meetings with the Crown

Prince and continued to contact him and his working team. The Crown Prince announced the seven principles on March 13, 2011, and the dialogue over them started. The political opposition praised this initiative in a press conference held at al-Wefaq National Islamic Society on March 14, 2011. On the same day, troops from the Peninsula Shield Forces interfered, and the second day, the state of National Safety was declared. Also, the Pearl Roundabout was raided, being the center of the opposition protests. In the morning of the following day, the talks with the Crown Prince stopped, and all initiatives were ended. Therefore, the political opposition cannot be blamed that it lost the chance of a real dialogue with the Crown Prince, or that if it were more lenient, it would have prevented the country many crises to come. The entire blame needs to be pointed at the ruling party, which locked the door in front of this dialogue and blocked any opportunity having called for the interference of the Peninsula Shield forces.

- 25.60: In 2012, Sheikh Khalid bin Ahmad Al Khalifa, Minister of the Royal Court, asked for convening meetings with Al-Wefaq delegation, in which the latter demanded the Minister to present the ruling regime's vision over resolving the crisis. After much insistence in front of the international community that was watching and listening, a mediator presented to us two unofficial papers with no stamps on them that stated this vision. The same mediator, one week later, came back to verbally communicate a message to us, saying *"the paper you received is from Sheikh Khalid bin Ahmad and its content are no longer valid, and consider it was never delivered to you."*

25.61: In 2013, more meetings were held between the opposition, represented by al-Wefaq, and the Crown Prince. The Interior Minister was among the attendees of the first meeting, during which the opposition presented its vision towards solving the political solution in the document known as "*Manama Paper*". The dialogue was verbal and had no written documentation to prove it happened. After deliberations that lasted around a month and a half, the Minister of Interior, Sheikh Rashid bin Abdullah Al Khalifa, agreed to present the vision of the ruling party to resolve the political crises as an alternative to the political opposition vision. The ruling party's vision did not add anything to the political and security reality. However, al-Wefaq decided to continue the dialogue and discuss its content to avoid any accusations that it had hindered the talks and hoping that these talks would lead to a concrete solution. Al-Wefaq believed that the mere fact of meeting with officials is beneficial to overcome the crisis and find solution. Yet, those meetings didn't lead to any results. The rule closed the doors in our faces and things returned to ground zero.

25.62: On January 15, 2014, a public meeting was held with the Crown Prince, followed by two private meetings that were not announced, between me in my presence as Secretary General of al-Wefaq National Islamic society, and the Crown Prince. The last meeting was on February 13, 2014, which I mentioned before. According to these meetings, and in response to a request from the ruling party, al-Wefaq formed a technical team that would follow up the detailed issues in the political dialogue. This delegation was constituted of three former MPs of al-Wefaq Bloc: Mr. Abdul Jalil Khalil, Khalil al-Marzooq, and Jamil Kadhim.

On the other hand, the government delegation included: General Manager of the office of the Crown Prince Sheikh Salman bin Khalifa, the Media Advisor to the Crown Prince, Mr. Isa Abdul Rahman, and the legal advisors in the Crown Prince Court, Mr. Youssef Khalaf, and Mr. Ali al-Fadel. After the opposition submitted detailed political demands, it represented them in tables to make it easier to read. The ruling party, after all those meetings, responded via an unsigned paper, delivered by a member of the government technical team on August 26, 2014. It included the content of what was later known as "*the document of the prominent figures*" [A document signed in consensus by pro-government figures and citizens].

- 25.63: The opposition responded to this paper, on August 28, 2014, and expressed its readiness to meet with the ruling party to discuss the paper. The opposition's request was neglected and all communications with it came to a halt, after which the ruling party held a meeting known as "*The meeting of figures*", which resulted in ending any talks and dialogue between the political opposition and the regime.
- 25.64: The aforementioned talks took place in a disturbing atmosphere dominated by the security grip, night house raids, arbitrary arrests, detainees torture, continuous political trials, at the same pace described in the Bassiouni report.
- 25.65: The political opposition societies were subjected to many assaults and violations by both the Ministry of Justice and the Ministry of Interior. Malicious complaints and judicial lawsuits were filed against them, and every now

and then, the opposition was warned that criminal lawsuits will be raised against its societies, and would therefore be suspended and dissolved. Many leaders of these political societies were arrested and detained. An example to that is what happened with Mr. Khalil al-Marzooq and Mr. Jamil Kadhim. The leaders and activists in these societies received threatening messages from unknown sources that they would be prosecuted and physically liquidated. I was personally one of those who received such messages; in an attempt to make me feel that I was targeted for demanding the people's general rights and rejecting nominal and unreal solutions for the political crisis.

- 25.66: The opposition never thought twice about attending any of the meetings and talks I mentioned before, with high faith, good intentions, and strong will, and it was loyal to its people and their just demands and future aspirations. The opposition never took those demands for granted and never gave up on any of the rights, neither through threats nor temptations. It always regarded personal benefits as a kind of political misguidance that would eventually lead to giving up on the people's real demands. As a result, they were met with arbitrary detentions, imprisonment, defamation and false accusations. My arrest, trial, and imprisonment, as a leader of the political opposition, represent an evidence to the arbitrary treatment with the political societies and their leaderships.
- 25.67: Al-Wefaq National Islamic Society, along with other political societies, were fast in responding to any call for communication and talks with the ruling party and leaders. However, the ruling party was slow and blocked all possibilities for communication. In many cases, it was hard for the opposition to deliver its written or verbal perceptions

to the King, or even meet him. In addition, there was a letter I wrote in March 2011, in which I mentioned a group of occurrences back then, which included: demolishing 38 mosques, torturing of detainees, arrest of women, excessive use of force, security raids, and unfair trials. This letter never reached the King, and had it, we wouldn't have needed the Bassiouni report, which included all these violations mentioned in the aforementioned letter.

- 25.68: To this generation and those to come, I record in this plea, that all what the official media outlets and social media platforms report, claiming that the political opposition refused dialogue and lost the opportunity to meet with officials, are rather lies and fabrications. Claims that I, as opposition leader, had influenced other political opposition forces to prevent them from holding serious talks were rebuffed in the aforementioned details of this plea.
- 25.69: At the end of this part, I would also like to note that what I included in this plea and the many advices I mentioned, which I, along with other political opposition leaders, sought to present to the regime in pursuit of inclusive reform are not all what we had done. I avoided mentioning some of them due to personal privacy matter, as the current situation does not allow mentioning them, out of respect to the included persons.
- 25.70: In all my meetings with the ruling figures and officials, I conveyed to them my conclusive opinion that seeking to topple the regime is not on my agenda and was never in my mind, neither in the present nor in the future. However, my pursuit and efforts are in the course of confronting the absolute rule, and seeking the right democracy and effective popular participation in decision-making.

Chapter 6
**Chief Demands of Bahrain's Pro-Reform
Activists**

In this chapter of my plea, I will briefly list the key demands that the reform activists voice in this period of Bahrain's history. Those who read history know that these demands are not recent, although it may seem so. True democracy, demolishing discrimination, fighting all shapes of corruption, and other reformative demands the people have today are the same demands that the people were calling for in all movements throughout the decades of the last century.

- 26.1: These reformative demands focus on the root of the problem and seek a comprehensive reform that uproots the problem instead of superficially treating its effects.
- 26.2: I previously indicated that the main predicament in Bahrain is "*the monopolization of power*". I can compare the situation to a vicious person who was able to climb the highest roofs and throw stones at passers-by, consequently injuring them. One cannot deal with the problem by burying the dead and treating the injured. However, by swiftly surrounding the person, taking him down from that high roof, and banning him from inflicting more harm, the problem would be solved.
- 26.3: We cannot find an effective treatment to the main problem I mentioned, through institutions that are dominated, and whose decisions are monopolized by one side. Elected councils, human rights institutions, cultural and academic institutions, journalism and media, and anything else the ruling party tries to bring forth are not able to tackle the core problem and its outcomes.
- 26.4: My definitive opinion is that the monopolizing power and political decision-making are the source of the disease. The most beneficial solution lies in enabling the people to participate in the political decision-making and rendering their will efficacious in

all institutions, especially the legislative, executive and judicial authorities. This solution is an implementation of Article 1 (d) of the constitution, stipulating, "*The system of government in the Kingdom of Bahrain is democratic, sovereignty being in the hands of the people, the source of all powers.*" The political opposition is aware that political struggle occurs between the absolute power that takes exclusive possession of the wealth and surrounds itself with many supporters, on one hand, and the majority of citizens who demand equality, democracy, justice, and dignified livelihood for all the citizens of Bahrain, on the other.

- 26.5: Uprooting this chronic crisis and breaking the cycle of problems it caused, particularly the recurring political struggle it caused, cannot be achieved by means of military force or by terminating [the role of] the political dissidents and marginalizing them politically, socially and economically. The coercive military force can only put out the flames of a popular revolution and defeat its leaders, but it can never stop the pulse of the people who ignited this revolution and insisted on gaining their rights. A thorough reading into the historical events of all the countries in the world, would support the validity of this statement. Europe, which was for centuries under the dominance of feudalism, was liberated by a popular revolution, and the French revolution that broke out in 1789 was not the last. In North America and South America, in Africa and Asia, and in many countries of the West and East, popular revolutions ignited and were unified under the demand of abolishing tyranny and the monopolization of power and establishing a democracy and rule of the people. Revolutions would fail at times, but they would soon glow once again, and their triumph would be the inevitable outcome. The revolution of the people and their demands for reform come from the human being's innate

nature that rejects dominance, tyranny, oppression and cruelty, and yearns for freedom and a dignified livelihood. The entire international community detests tyranny and oppression and rejects all forms of patronage on peoples.

- 26.6: Some will try now, just as before, to justify dictatorship and link it to man's innate nature, where blue bloods prevail over the rest of the people and where the historical right that stems from race, color, particular understanding of religion, traditions and customs, gives certain groups, whether tribal, political, racial, or sectarian, the right to sovereignty, dictatorship, monopolization, and sole decision-making. This justification, however, has become condemned as per the values of free societies, abhorred by religious values, and rejected by international conventions and covenants. It is a senseless false justification to thinkers and rationalists and the social sense of the free people of the world who do not accept injustice, humiliation and subjugation.
- 26.7: The French people ousted Louis the 16th, and ended an ancestry of tyranny in France. The Russian people overthrew the dynasty of the Caesarean Romanov. The Turks ended the Ottoman Empire, and the Egyptian people ousted the rule of Muhammad Ali Pasha dynasty. Dictatorial Kingdoms were diminished and only kingdoms that developed themselves from omnipotent monarchies to constitutional monarchies survived, such as the United Kingdom, the Kingdom of Sweden, the Kingdom of Denmark and others.
- 26.8: Sustainable and actual stability cannot be achieved with an omnipotent monarchy, in which power and decision-making are monopolized. This contradicts human instinct and logic, even if some omnipotent monarchies were able to

achieve superficial stability as a result of forging religious or popular awareness, fretting a religious, sectarian or external threat, offering temptations to a sponsoring state as a result of large financial resources coming from oil and other natural resources, manipulating religious, sectarian, racial, political and tribal differences, misleading their people, or using coercive force. However, the truth that pushes them to hold onto decision-making and monopolization is soon exposed with the development of events and as time passes. This fake stability will shortly crash when subjected to new conditions, consecutive development of events, the awareness of the peoples and their aspirations, as well as their instinctive search for freedom of decision, dignity, and natural yearning to manage their public affairs.

- 26.9: History would not be incriminating or misleading to say that Bahrain, the small country with big aspirations and hopes, witnessed during the past century and beginning of the new century, a popular movement demanding reform. This cannot be hidden and dishonest media can no longer black it out and falsify it. Bahrain is now present in the core of the world and attracts the attention of the international organizations and the institutions of the big countries. No matter how much the media promoted propagandas and allegations that the popular movement in Bahrain is a movement of a small group of people with external support, this media actually has sectarian agendas far from patriotism and reformation. The awareness of the free people of the world cannot digest all this deceit. It has become clear to everyone that the Bahraini people demand political reform and freedom, the execution of the constitution that calls for a constitutional monarchy, the rejection of discrimination, and the abidance by international covenants and conventions. The people

faced killing, homelessness, imprisonment, oppression, and negligence. Constitutional monarchy by peaceful alteration of executive power through genuine democratic elections, was the slogan of the most recent movement in Bahrain. Behind this movement is a popular majority led by a political opposition, which is of a sectarian nature, but did not partake in this movement based on sectarian factors. The entire nation's concerns were its top priority, and its principles, goals and visions were inspired from this nation.

- 26.10: If the military force was able to eradicate this peaceful movement with the support of regional and colonial forces that adorn its actions and tempt it with eradication and oppression, it is because they are benefiting from this, driven by their personal interests and narrow sightedness. This, however, will not go on for a long time, because the rules of the universe reject this and the determination and persistence of the lively active people shall not waver.
- 26.11: In my belief, the appropriate solution to all crises is through mutual understanding and reaching agreements on solving them, not by imposing opinions and giving them preferences. History records that many political regimes and societies in West and East Europe, North, Central and South America, Africa, East Asia and others are all communities wrecked with chaos and struggle, yet were able to solve their struggles and overcome the social, economic and political turmoil they caused, thanks to understandings, dialogues, and agreements. Our local experience in 2001 is an example of this as it saved the state from a brutal struggle that almost destroyed everything. Had it not been for the counter-revolution that forces of tyranny and dominance led, Bahrain would

have been among the most stable, developed, secure, and internationally respected states in the world.

26.12: I also believe that the road to true national reconciliation is still possible, in order to end the current reality and break the historical cycle of political and security crises. This can be achieved by agreeing on a political humanitarian regime, characterized by justice and fairness, and shaped in a democratic constitutional monarchy that accepts the vast majority of the people of Bahrain, in their different factions and sectarian and ideological beliefs. I believe that this road needs patience, efforts, persistence, determination and good faith and that it is the best path to take for reform, which is better than causing an ongoing pointless struggle of strife and malicious force. I have faith that the use of force, eradication and torture will only bring about more losses to the nation and will not bring about a decent outcome.

26.13: It is neither acceptable nor logical to refuse reformative demands by justifying that there are worse cases than ours. Granting public freedoms should not be rejected under the pretext that other countries do not grant such freedoms. It is neither fair, nor wise or reasonable to reject the demand of having an elected parliament with absolute legislative and supervision power because many countries do not grant this to their people. It is also shameful to refuse the principle of separating powers and choosing the Prime Minister, because many countries do not grant this right to their peoples. Hence, we cannot compare ourselves with other countries and peoples when we demand improving the livelihood of people and call for more health and educational services. It is unacceptable to be told that there are countries where half of the population are living on two dollars a day. Why aren't our demands measured

to the standards of more liberal and developed countries of the world? Why are basic mandatory rights considered to be demands that we must beg the regime for? Aren't freedom, dignity, equality, and democracy basic rights of citizens?

- 26.14: On the top of the list of political demands by reform activists in Bahrain, is ending the monopolization of power and founding a constitutional state that allows peaceful alteration of power through just and honest democratic elections. Implementing a democratic constitutional monarchy similar to deep-rooted constitutional monarchies is the road to safe and genuine stability, where the rule will be hereditary within the Al Khalifa family, and the legislative and executive powers will emanate from the people through free and honest elections, under the supervision of an independent national electoral committee. This way, we can achieve the constitutional monarchy that we agreed upon in the Charter, which is harmonious with the human logic that Europe and other stable and developed monarchies implemented. As for the insistence that the monarchy and rule should remain within one family and the rest of the people should be marginalized and prevented from taking political, legislative and executive decisions is equal to insisting on instability and void of any love for our nation. This only seeks achieving the best interest of the Al Khalifa family. Claiming that economic, social, environmental and other problems can be solved without resolving the main problem we indicated above, is a mere aberration and illusion and cannot be applied to reality. In my capacity as a faithful and honest citizen, I call to reconsider and contemplate the political reality, which mostly relies in its existence and maintenance on the power of the army, police, and other security forces, instead of its reliance on its people's conviction and free choice. Dark images of exclusion, dominance, controlling national resources,

wasting people's money, and tribal and sectarian allocation of public jobs and academic expedition are clear, contrary to our ambitions and demands of justice, equality, citizenship for everyone, fair allocation of resources, respect of public freedom, and maintaining the human dignity. Political decision-making, in all fields, would be wiser, truer, closer to the people, and more sustainable when it emanates from the mind, thoughts, and efforts of the community by the institutions that represent the public will. This is undoubtedly better than individual decisions issued by a group that dominates the sources of decision-making.

- 26.15: Reform activists in the political opposition demand implementing a state of citizenship in reality and in action; something that the people agreed upon with the ruling party under the National Action Charter and that was stipulated in the old Constitution of 1973 and the new Constitution of 2002, not to mention that it is among many other issues reiterated by international covenants and conventions. The state of citizenship cannot discriminate between citizens or categorize them or divide their chances in both rights and duties. The state of citizenship, when it is based on the law and the necessity of respecting it and abiding by it, it is because this law originates from institutions that emanated from its free and independent will, because it agrees with mandatory international conventions and covenants endorsed by Bahrain, and because it is far from oppression and confiscation of rights and public freedoms, such as the right of expression and organizing peaceful public assemblies, and the right to association, and so on, which Mr. Bassiouni referred to in his report on the binding international law.

- 26.16: Reform activists demand shifting from a security state to a state that relies on sustainable development to ensure development and growth. This is the wise way and the safe path for a small country with limited resources to distance itself from local, regional and global dilemmas and crises. Sustainable development requires group partaking based on loyalty, love, pride, and a sense of belonging to the nation, which brings about cooperation, integrity, diligence, persistence, respect, appreciation and other values of a decent citizenship.
- 26.17: Reform activists in the political opposition demand finding realistic and practical solutions for numerous problems that stemmed from the root problem of monopolizing power. Among these perturbing predicaments is naturalization, which caused many subordinate problems and had a hand in unhealthy social environments of adversity, complaint and resentment among most citizens. Naturalization led to fewer employment opportunities for native citizens, an increase in unemployment rate, an increase in the number of housing services seekers, depletion of academic and health services, spread of foreign traditions and customs that corrupts social relationships, the transfer of large amounts of money abroad, and others. I remind everyone of Bahrain's excellent experience in 2001, when relative agreement occurred between the regime and the people on the Charter. At the time, and within one year only, Bahrain's status was elevated globally and gained great respect among the peoples and their governments and in regional and international institutions and organizations. In addition, its domestic situations became stable, which was positively reflected on investments and the trust of domestic and global investors. Civilization and development grew abundant and many problems were

solved. The most distinctive outcome from this agreement was the spiritual and emotional proximity between the ruler and the people, and between different groups of society. The abhorrent sounds of sectarianism collapsed and resentment and disdain were extinguished. All people, in all fields of work, focused on production and prosperity.

- 26.18: The political opposition is aware that one of the reasons and roots of the constant crisis of Bahrain is tribal and sectarian discrimination. This pushes the opposition to move away from sectarianism in pursuit of a democratic state that relies on equal citizenship in rights and duties as a sole criterion and respecting tribal, sectarian and racial associations. Reform activists in the political opposition demand finding a radical solution to racial and sectarian discrimination, especially that the solution to the root problem that we indicated above is enough to achieve justice and equality between the people in rights and duties. This will contribute to curbing social difficulties, such as hate and grudges between sects, thus reducing sectarian tension and improving the social environment substantially. It is exceptionally certain that the solution to discrimination will help curb the naturalization dilemma, because the state, which depends on citizenship when dealing with its citizens, will not need more security forces considering that the majority of forces now consists of naturalized agents. It will also not find any shortcomings and difficulty in providing security for everyone, and the state will turn from being a security state that exerts its effort in chasing down and defeating dissidents to a state that focuses on comprehensive sustainable development. It will be able to transfer no less than half of the budget allocated for security, which currently ranges between 35% and 40% of the public budget, to projects of growth and basic services like housing,

health, education and infrastructure. This will help provide more investment and development opportunities and reduce the deficit rate and public debt. It is true that the solution to the aforementioned root problem of the monopolization of power and tyranny in political decision-making is not the solution to all social, economic, cultural and other problems. It also does not mean that our society will become Utopia and the promised paradise in a night, but I accentuate that this will make the society heal from many dilemmas, and that the opportunities of progress and growth in a community of democracy are more than in a society that monopolizes power and is dictatorial in political decision-making. This is perceptible in communities where this conversion took place and that progressed from monopolizing power and autocracy in political decision-making to the circle of democratic countries. Turkey is probably a live example of this.

- 26.19: The reformative demands we raised as a motto of our political opposition in al-Wefaq National Society that I lead as Secretary General, and other political oppositions, were portrayed in implementing a constitutional monarchy, and this is the demand of the majority of the people. This is what the National Action Charter in 2001 depicted, "*...it is deemed proper that Bahrain should join democratic constitutional monarchies with a view to meeting people's aspirations to further progress.*" In addition, the constitution of 2002 also stipulated this in article 1d, "*The system of government in the Kingdom of Bahrain is democratic, sovereignty being in the hands of the people, the source of all powers.*"
- 26.20: The National Action Charter stipulated the constitutional state and its democracy, and the sovereignty of the people,

the source of all powers. In this plea, we cite the following excerpts:

- Entitled “*Bahrain’s History. Civilization and Contemporary Awakening*”: Under H.H the Amir, Bahrain has witnessed a vigorous leap forward to further democracy in response to people’s aspiration to a modern state that continues to enjoy security, stability and prosperity; a state where constitutional institutions capable of meeting the aspirations of both leaderships and the peoples and where justice and rule of law reign supreme, be completed. At this historic juncture, the people of Bahrain are resolved to have a shining morrow. They stand for freedom, equality, justice, democracy and participation in governance by all.
- Under the previous title, the following excerpt is mentioned, “...*having fully assumed its full role as a state both in terms of its inter- national relations as well as its sovereign institutions that are based on justice, equality and care for citizens’ rights since independence; in view of H.H the Amir’s aspirations to further deepen democracy through a more balanced structure that maintains constitutional political participation of both government and people, checks and balances, strengthens the judiciary’s mechanisms and allows for the creation of a constitution court, an auditor general and an administrative supervisory authority...* It is hereby resolved that national, political and constitutional constants, including the democratic, constitutional monarchy under which the king serves his people and symbolizes their independent identity and their aspirations to progress, shall be attached to it. It is further resolved that the constitution of the country

shall be amended in such a way as to allow making use of other democracies' experiences in broader participation in government and administration [...]"

- Entitled "*Goals and basis of government*", the Charter stipulated, "*Justice is the basis of government. Equality, rule of law, liberty, security, peace, education, social solidarity and equal opportunity are all core principles of the society that are ensured by the state.*"
- Under the title "*Protection of individual freedoms and equality*", it mentioned, "*Individual freedoms quality, justice and equal opportunity are core principles of the society. The State shoulders the responsibility of ensuring them for all citizens on an equal footing. This is based on a broader principle, namely, that people are equal insofar as human dignity is concerned.*"
- Under the title "*Constitutional Form of the State*", the following excerpt is depicted in the Charter, "*...it is deemed proper that Bahrain should join democratic constitutional monarchies with a view to meeting peoples' aspirations to further progress.*"
- On the outlook, the following was stipulated in the National Action Charter, "In view of the consensus of both the government and people as to the content of this charter; in view of the fact that it serves as a future national action instrument, and in view of the fact that it requires certain amendments of the constitution, it is deemed necessary to decide on the following:
 1. First - The Name of the State of Bahrain
An amendment of the constitution shall determine the

official name of the state of Bahrain as may be adopted by the Amir and the people of Bahrain.

2. Second - The Legislature

The provisions of part 4 Chapter 2 of the constitution on the legislature shall be amended to be consistent with democratic and constitutional developments worldwide in so far as the introduction of bicameral system is concerned. This would mean that one chamber is constituted through free, direct elections whose mandate will be to enact laws, while a second one would have people with experience and expertise, who would give advice as necessary. Laws shall be enacted as prescribed in detail by the constitution and in congruence with constitutional norms and traditions followed in deep-rooted democracies.”

These excerpts blatantly and clearly indicate that the assigned Consultative Council’s work is limited to counsel, and does not have any legislative role like the Parliament; otherwise, they would not have been separated in the terms above. It also reiterates the principles of justice and equality, and the people’s right to manage the affairs of government.

26.21: Many statements and explanations accompanied the issuance of the National Action Charter before voting on it:

- During a visit to His Highness the then King Hamad Bin Isa Al Khalifa, on February 10, 2001, Sayed Abdullah Ghuraifi posed many questions including a handwritten memo⁽¹⁾ on the Charter draft to be voted on. Among

1 (in Arabic) Sayed Ghuraifi’s speech to the Bahrain King; 10 February 2001, see: <https://www.youtube.com/watch?v=hoHPsPiFmRg>

these inquiries was the domination of the current constitution of 1973 over the Charter, the non-violation of constitutional pillars, and the absolute authority of the elected chamber. The King supported all that was mentioned in the memo, and commented, "With all love and appreciation, I join my vote to yours⁽¹⁾."

- On February 4, 2001, the Crown Prince Salman Bin Hamad Al Khalifa issued a statement to local and foreign media on the role of the Consultative Council, cited by Asharq al-Awsat newspaper, "*On this note, Prince Salman said there will be two councils, the elected parliament, which is the legislative council that makes laws, and the Consultative Council, assigned to consult.*" As for the details of the relationship between them, they will be defined in accordance with the conclusions of experts and legalists who will be studying the particulars of the National Action Charter's implementation, indicating that democracy is different according to the needs of every society⁽²⁾. The Bahraini al-Ayam newspaper also published this on its front page in its issue no. 4354 on February 5, 2001⁽³⁾.

1, The memo that Sayed Abdullah Ghuraifi presented to King Hamad, in which the King accepted all its contents, contained the following:

First: Dominion of the Constitution over the Charter, and no constitutional pillars should be touched;

Second: Absolute legislative authority for the elected chamber;

Third: Immediate implementation of the Charter after endorsement;

Fourth: Genuine intention in implementing the constitution;

Fifth: Continuance of generous initiatives issued by His Highness, which provides the appropriate environment for positive interaction with the Charter;

Sixth: We hope that an explanatory memorandum is issued to tackle all the vague points and remove all uneasiness.

In conclusion, we beseech Allah to protect you and lead your steps on the path of construction and giving, and to bring you success of what he loves and is content with, He is the All-Hearing and the All-Responsive."

2 (in Arabic) As-Sharq al-Awsat Newspaper, 5 February 2001.

3 (in Arabic) Al-Ayam newspaper, 5 February 2001.

- In a special interview with the King, who was Crown Prince at the time, attended by a delegation of the sect's figures, headed by Sheikh Abdul Amir Jamri and the membership of Dr. Ali al-Ouraibi and Mr. Abdul Wahab Hussein, the delegation demanded a guarantee from the King that the Consultative Council will not have any legislative role, which the King actually promised. However, they insisted that the promise be known to the people, so the King ordered Sheikh Abdullah Bin Khalid Al Khalifa, Head of the Supreme National Committee assigned to draft the national charter and who was present in this meeting, to issue a statement where he would confirm that the elected chamber is legislative, and the Consultative Council (Shura) is consultative. He also stated that the Charter does not invalidate the constitution but rather actualizes it and is a mechanism to enter the life of a stable democracy. Local newspapers published this statement on their front pages. Al-Ayam newspaper published this news in its issue on February 9, 2001.

26.22: Inquiries on the National Action Charter led to concerns and dreading that this Charter would invalidate or overlook the 1973 constitution, which emanated from a social acceptance, regardless of its content and that the Consultative Council in the Charter would have a legislative role equivalent to the role of the elected council. The conclusive promises and clear statements aimed to remove these concerns and emphasize equality in rights and duties, including equality in electoral votes or justice in constituencies. It also reiterated that the role of the Consultative Council (Shura) is solely consultative and does not play any legislative role that would obstruct the

role of the elected council of representatives, and limited the legislative power to an elected council with absolute authority.

- 26.23: When the National Action Charter stipulated constitutional monarchy, we do not think that it invented a new type of rule. Voters accepted this Charter under delusion, because the implications of the phrase are clear in political jurisprudence, and misinterpreting the context is impossible. It classifies the regime according to a group of clearly featured objective standards. These standards classify the form of the current regime based on the prevalent reality and practice. Labelling a state as a constitutional monarchy is done when the cornerstones of the constitutional monarchy are available in its actual political system. These cornerstones are fixed and do not accept interpretation and alteration, and are not subject to current circumstances related to societies. It is not measured according to certain measurements pertaining to a society, but rather has general standards that the community and international law has determined. If the regime in any country did not meet the minimum standards of a constitutional monarchy, the description of such a monarchy would not be applied, because it depends on implementation through certain standards and criteria, not by the word of mouth. According to the source of sovereignty in the state, ruling can be categorized into several regimes; an individual rule where one individual makes a decision, regardless of the way he received his post in the state, whether by heredity, force, or election. Then there is the regime of the minority, which monopolizes decision-making. Another type is the democratic regime, where the people rule in a direct way or through representatives they elect. Moreover, one can categorize the regime according to the ruling authority's subjugation to the law and constitution. The tyrannical

regime is when the ruler is not subjugated to the constitution or law, and the parties who set the constitution and law serve his decisions, where accountability and censorship disappear. On the other hand, there is the constitutional regime where everyone is subjugated to accountability and censorship, and where the ruler gets his power from the agreed upon constitution or from social customs that the society accepted and has become more like a constitution adopted by the state. The ruler's authorities in this regime are moral, and he assumes full responsibility to practice this power under the supervision of the State's other institutions that monitor his performance and hold him accountable. The ruler begins his rule through others who bear responsibility according to the principle of dual signature⁽¹⁾ in the regime of a constitutional monarchy. In the constitutional democratic regime, there is the constitutional monarchy where the Supreme Head of the State takes on the rule by heredity, whether he is called an Amir, King, Sultan, Emperor or any other title. This title does not disregard the fact that the regime is a monarchy, seeing that the Supreme Head of State assumes the crown by heredity, whether from father to son, brother to brother, or any other way that the regime specifies. There is also a constitutional republic, where the Supreme Head of State leads through direct or indirect elections.

We can say that a constitutional monarchy is a legal democratic monarchy where the Supreme Head of State assumes his post by heredity in a democratic regime, in which the people are the source of all power, but are subjugated to the constitution. It is a democratic state that is subjugated to the law similar to a constitutional republic

1 Principle of Dual Signature: A principle giving the importance to the signature and ratification of state ministers; while the 2nd signature of the ruler is only regarded as a façade showing that the decision or ratification was ministerial.

and unlike a dictatorial monarchy, omnipotent monarchy, or a dictatorial republican, where individual tyrannical ruling prevails.

- 26.24: It is worth mentioning here that the propaganda that Bahrain adopted a constitutional monarchy since 2002 through constitutional amendments is far from being accurate and objective. By going through the powers that the 2002 constitution founded regarding the standards of a genuine constitutional monarchy, it becomes clear that this monarchy that the constitution established does not meet the minimum level of the requirements of this regime. It has eradicated the chief cornerstone of a legal state, when the King decided to rule directly and through his ministers, and established an irresponsible authority, contrary to what the National Action Charter of the people's will stipulated and what the constitution of 1973 depicted, that the Amir should apply his jurisdictions through his ministers. It also deprived the elected council of the complete authority decided upon by the law and promised by the figures of rule, which we mentioned earlier. The constitution of 2002 contradicted the main principle of the Charter in Chapter Two, section four, "*Government system of the state of Bahrain is a democracy where all powers vest with the people. Sovereignty is exercised as prescribed by the constitution.*" This constitution associated the Consultative Council (Shura) with legislative tasks, contrary to what was agreed upon; whereby the Consultative Council (Shura) plays a consultative role only. The Consultative council exceeded the consultative frame to become a contributor in legislative matters similar to the elected council. This violates the principle of popular sovereignty, contrary to

what is depicted by deep-rooted experiences of democratic states.

- 26.25: The political opposition aspires a nation that detests violence of all forms, and where concern and fear are replaced by security and serenity, and where social justice prevails rather than the monopolization of national resources. The opposition also aspires a humane and wise regime under which the people and their sects are not marginalized, and that works on establishing equality among all citizens, instead of tribal and sectarian discrimination. Our goal is to found a deep-rooted democratic constitutional monarchy similar to democratic constitutional monarchies that the National Action Charter had promised, which resembled a social contract between the people and the regime.
- 26.26: In my belief, the Moroccan experience and its partial implementation of the constitutional monarchy, tackled in the Manama Paper of the political opposition in October 2011, and the visions the political opposition presented to the symbols of the regime in its dialogues I mentioned earlier, exhibit an appropriate platform for a comprehensive, conclusive and permanent political resolution. This would place Bahrain on the right track towards gradual and secure democratic development, and rids it of the cycle of chronic political and security crises it faced and is still facing.
- 26.27: In addition to the key demands we have mentioned above, the political opposition demands an immediate treatment of files of discrimination, naturalization, national reconciliation, and transitional justice. On the other hand, the following points can summarize the procedural demands:

- Conducting free and honest elections under the supervision of an independent national committee that would take on their preparation and supervision from the beginning until the announcement of the results, and looking into appeals in presence of international observers.
- Conducting elections based on equality among citizens in terms of the electoral votes, in application of the international and humane principle of “*a vote for every citizen*”, which in turn achieves justice as far as the electoral districts are concerned. Gaps between districts should not exceed the internationally recognized percentage of 5%.
- Parliamentary elections should lead to a Parliament that takes on absolute legislative and censorial powers without restrictions of a Consultative Council (Shura) imposed on its legislative and censorial decisions.
- The Consultative Council role, if it exists, should be limited to consultations only, based on the articles of the National Action Charter we previously mentioned.
- The elected chamber, with an agreed upon majority, must name a candidate Prime Minister and refer the nomination to the King in order to reach an elected government that expresses the will of the people.
- Working on achieving full independence of the judicial authority, in administration, finance, and technicalities.
- Security for all by involving all the factions of the Bahraini people in establishing security authorities and

the Army, producing its ideology and deliberating its policy.

26.28: These demands coincide significantly with the seven principles that His Highness the Crown Prince⁽¹⁾ announced on March 13, 2011, which are represented as follows:

- A parliament with full jurisdictions
- A government that represent the will of the people
- Fair electoral districts
- Naturalization
- Combatting financial and administrative corruption
- Treating sectarian tension
- As well as other principles for national dialogue.

26.29: The bylaw of al-Wafaq Islamic National Society, ratified by the Ministry of Justice, states the essence of these demands that seek to achieve the peaceful deliberation of power in the state. The bylaw also stipulates its electoral agenda in the two parliamentary election terms of 2006 and 2010. I personally mentioned these demands in many direct meetings with the King, the Crown Prince and the Royal Court Minister along with two of the heads of the National Security Authority and other officials. I called for the most significant demand; the peaceful deliberation of power in the Parliament. In one of these sessions, one of these interventions were discussed and were asked to be omitted from the minutes. However, the council voted not to omit the intervention and decided to record it in the minutes.

1 (in Arabic) al-Wasat Newspaper, 14 March 2011.

I had carried on stating my demands from 2001 to 2014 because I was convinced of their justice and necessity for the security, stability and growth of Bahrain and maintaining the welfare of all its components, including the royal family.

- 26.30: Political oppositions demanding political reform in Bahrain stress the peaceful approach of nonviolence in demanding legitimate rights. Mahatma Gandhi described such approach as a positive initiated movement that demands different human rights, whether political, economic, social and other. As for negativity and submission to oppression, they are not peaceful actions, because they lay the foundations of a corrupted reality and surrendering to it. In Gandhi's opinion, the cost of the peaceful and nonviolent movement that demands freedom, democracy and equality is not cheap, because it challenges non-democratic regimes. According to the history of humankind and the current reality, these tyrannical regimes do not return to the right at the beginnings of peaceful movements demanding reform. Reform activists who demand freedom and democracy should be ready to make sacrifices to get back their rights. According to Gandhi, despite the unwillingness of the reform activists to clash with the regime or to sacrifice any of their followers or their freedom, the undemocratic and oppressive regimes impose such sacrifices on them, and they must be ready for this. Mahatma Gandhi used to ask his friends and reform activists committed to the peaceful approach about their willingness to face imprisonment and to bear sacrifices. Many dictatorial regimes do not only imprison the opposition members who demand their rights, but they also kill and fight them in political, economic and social fields of life. Hence, people who demand democracy, freedom, equality and justice must be

ready to resist oppressive procedures with more positive actions and peaceful movements until they seize their rights. They must plan to give as little sacrifices and costs as possible and where possible, because this is one of the reasons behind their choice of peaceful action, but they must be realistic at the same time and ready for the worst-case scenario so as not to be taken by surprise.

26.31: The Manama Paper issued by political opposition societies in October 2011 defined our peaceful approach in practicing political action to demand rights that depend on the principle of nonviolence. This approach was also adopted by Indian activist Mahatma Ghandi, American activist Martin Luther King and other activists who fought for freedom, democracy and respect of human rights. We also emphasized this point in the nonviolence charter, and indicated this many times in statements and press conferences. In the Manama Paper, we clarified the attitudes adopted in the course of achieving our demands as follows, “*In pursuit of democracy, opposition forces intend to fully and solely embrace peaceful measures...*”⁽¹⁾

26.32: In the Manama Paper, the following excerpts⁽²⁾ were stipulated:

1. To respect the basic rights of individuals and community groups, and to defend them.
2. To uphold the principles of human rights, democracy, and pluralism.
3. Never to adopt any means of violence or violations to human rights or democratic means.

1 (in Arabic) al-Wafaq official website, 12 October 2011.

2 (in Arabic) al-Wasat newspaper, 6 July 2014.

4. To condemn violence, in all its forms, sources, and parties.
5. To defend people's rights to freedom of expression and peaceful assembly and to form associations as per the international conventions, at the forefront of which is the Universal Declaration of Human Rights and the International Covenant on civil and political rights.
6. To emphasize and consecrate in our literature, discourse, and programs the culture of nonviolence and to adopt peaceful and civilized means.

It also mentioned, "*we are today in desperate need more than any time before, and with national and collective action from all elements and from all levels to emphasize the culture of nonviolence and adopting dialogue and acceptance of others' opinions and plurality in opinions.*"

26.33: I personally explained this peaceful approach as a sole option in my speeches and statements. I mention some of these in the following examples:

- In the public meeting in Samaheej village on May 9, 2013, I answered a question about my stance from the processions that are taking place, in which I stated, "*We support all peaceful processions and invite to partake in processions and peaceful events. The principle here is 'peacefulness'.*" When asked, "*What do you say if the peaceful approach was violated, if possible through self-defense,*" I replied, "*Try not to give the regime an excuse to use force. Do not give it the excuse. We witnessed this experience for two years now. An individual knows the results because of the nature of the peaceful movement,*

and if security forces came, naturally they will disperse them. Gathering on another day or in another place is better than engaging in a clash with them. Yet, this does not give them the excuse to use the tools of oppression. This does not mean they will stop, no. This only means that they will be exposed and will not be able to say that they are facing violence; even if it was small, they will not be able to. If the movement carried on without any form of violence, it will put more pressure on the regime.”

- *In a protest by the opposition societies in Saar on June 14, 2013, I literally said, “I repeat at the end of this protest our stance from two cases [violence and events]. Our stance on violence: we previously announced this and we will announce it once again: we reject the principle of violence in political work. 95% of the violence is done by security forces, and we reject and condemn this. The other 5% comes from civil parties (and I say this according to the number of victims). Police and the Interior Ministry do not claim the death of more than 5 police persons. Is there a higher claim? There isn’t. The people however have a credible list of more than 120 martyrs. To which side does the scale of violence tilt? Where is violence occurring? This 95% is rejected, and the other 5% is unacceptable and I call on to avoid [violence].”*
- *In a public assembly in Manama on July 3, 2014, I stated the following, “There are general regulations we must pay attention to. We must pay attention that it is highly dangerous and difficult to manage a non-peaceful battle in this country, when we have close experiences like Syria and other countries. The outcomes*

of managing a non-peaceful battle are very costly and unguaranteed. Meanwhile, managing an active, brave, peaceful, and patient process, in Allah's will, will most probably instigate the transition from tyranny to democracy."

- In the previous assembly, I answered a question related to the invitation to a rebellion, and al-Wefaq's stance on this was as follows, "*We support all peaceful actions, and if a rebellion is peaceful, then we support it as part of supporting peaceful action. For a movement to win our support and be within our strategy that we expressed many times and I reiterate now, [it should be peaceful], and as such, we support any group in Bahrain or abroad that initiates an idea to activate peaceful work that demands democracy (Ok, you hear me and mark my words): Is the act of rebellion an act that demands democratic change in a peaceful manner? Then, we support this movement or others. Someone, I do not know who, will come and resort to violence. I will tell you to stop. I will not support you openly because I see that this damages me. You have your opinion, but I also have my opinion and I do not support you. I say I do not support any act of violence. I do not support violence and do not welcome it. There are peaceful movements, may Allah bless them. We support every peaceful movement that calls for democratic change in Bahrain."*
- In the same assembly, I stated, in clear phrases that cannot be subject to interpretation, "*Political forces' efforts are acceptable, the diversity of methods is acceptable. We must only avoid violence. The rest of the political forces' efforts are at the top of the demands.*

From the first day, we voiced that public and private properties are a sanctity that cannot be violated.”

- In a public assembly in Noaim suburbs in Manama on July 11, 2013, I stated the following, “ *We continue to demand our rights with peaceful tools and we encourage people to participate in peaceful escalating steps to demand rights. If they want to say that we are inciting [sedition], then yes, we are inciting to carry on with peaceful work that demands democracy and ending dictatorship. Our job is to stand up to dictatorship. Is that wrong?*”
- In a speech on December 24, 2014 in Imam al-Sadeq Mosque in Gufool, I announced, “ *We will continue to attend the popular peaceful movement in different places until we attain our legitimate, fair and simple rights.*” I reiterated this until my last speech in the latest al-Wefaq General Forum on December 26, 2014, when I said, “ *Holding onto complete peacefulness in methods and action... the Bahraini people grasp peacefulness and were able, through this mature opposition, to keep going despite all circumstances and to maintain peacefulness in this nation. The people were able to let Bahrain avoid entering a destructive war like the war in Syria. The Bahraini opposition was offered to take the approach of the Syrian opposition and turn the country into a military battle, but this opposition’s persistence on peacefulness and its clear vision are the main element that kept Bahrain far from violence... But by all the scenarios, we aim at a key goal, which is to carry on with the popular peaceful movement.*”

26.34: Political oppositions demanding political reform in Bahrain stress that dialogue is the most appropriate approach to achieve political demands. This approach is harmonious with the principles of peacefulness and nonviolence that we adopted in our reformative movement. As the Secretary General of al-Wefaq Islamic National Society, the largest political opposition society in Bahrain, I emphasized this approach in many positions, assemblies, and meetings. I cite the following as examples of this:

- In an assembly in Sitra village on May 3, 2013, I literally said in my speech, *“We, as the national political opposition forces, support serious and genuine dialogue... that results in a political agreement. On what basis? On the basis of respect for this people.”*
- I reiterated in a protest for opposition societies in Saar on June 14, 2013 that the required solution in Bahrain *“was driven by South Africa and Ireland’s experiences, and from the experience of all those who fought for humanitarian and democratic change in their countries. The required solution, I tell all those who hear me in the regime and myself. A political solution is based on equality between citizens in rights and duties. A citizen from Sitra is equal to a citizen from Riffa. A person who belongs to one tribe is equal to the person of another tribe, there are no differences between them. No political regime in 2013 can rule by discrimination. Let us come together to reach a political solution based on equality between citizens in rights and duties.”*
- The last thing I said in this regard was during a Friday prayer on December 12, 2014 in Imam al-

Sadeq Mosque (as) in Gufool, after statements issued from the US State Department, French and Italian Foreign Ministries calling to reject violence. I stated in this speech, entitled "*Welcoming the American, French, Italian stances*", "*In the past few days, the US State department, French Foreign Ministry and Italian Foreign Ministry issued statements condemning violence from any party. We support this condemnation of violence, and we are among those who fight violence and are the ones harmed the most by it, because it hits our bodies, homes, and regions. We are the most affected by it, as condemners of violence and demanders of genuine national dialogue, towards finding a political compromise as an only way out for Bahrain. We agree with this diagnosis and welcome this call.*"

- In my speech on the 10th night of Muharram in Manama on November 2, 2014, I said, "*Come on government, and let us apply what we agreed upon in the National Action Charter, where a constitutional monarchy like other democratic kingdoms lies. In democratic monarchies, the king reigns, and does not govern. The government would be established through elections and popular will, and would be for the Prime Minister and other state affairs. We must cooperate, and this is what constitutional monarchies accomplish and execute. Come on government; let us agree upon a road with clear timing, terms and phases, to transfer into this democracy and this true and honest constitutional monarchy. Come on government, and listen to the voices of your people and their fair and legitimate demands, where all the good lies. The nation cannot be ruled based on monopolization and struggle. Cooperation*"

and participation based on clear constitutional articles and respect for each other as individuals and equal citizenship rights is the road to building this nation.”

- In a Friday sermon in Imam al-Sadeq Mosque in Gufool, on December 26, 2014, I said, *“The road to salvation is national reconciliation based on equal citizenship and transferring to a democracy according to prevalent humane and political standards today, respecting international covenants and conventions that Bahrain had signed. We signed these and are supposed to be a part of our constitution and domestic laws, chiefly the International Covenant on Civil and Political Rights that establishes a humane democratic regime similar to prevalent democratic regimes.”*
- In the General Forum of al-Wefaq National Society on December 26, 2014, the last speech I made before my arrest was entitled *“Continuing communication”*, I said, *“Continuing to effectively communicate does not aim to waste time, or present an empty image. It has a sole fundamental goal, which is to reach a political agreement upon a permanent and comprehensive political settlement that achieves legitimate popular expectations for democracy, freedom and equality, and leads to a true democratic rule.”*

26.35: Within the scope of the reformative demands that included a constitutional monarchy similar to deep-rooted democracies, and through a peaceful approach and the principle of nonviolence in political work, and whilst relying on dialogue as a means to reach these demands, my public speeches with their true and realistic connotations were

addressed to those who wanted the truth and sought it out. I call for change to a deep-rooted democratic constitutional monarchy and for the persistence of the peaceful popular movement. I sometimes call it the reformative peaceful revolution, and I talk about the current and past national struggle of the people of Bahrain and about the peaceful civil resistance, and other connotations whose interpretation, explanation or deviation can be regarded as a call to oust the regime or incite violence or slander a group of people or a certain ministry.

- 26.36: Briefly, our main demand is represented by reforming the regime in order to achieve a democratic constitutional monarchy. Our approach is peacefulness and nonviolence in political actions and our path undertakes genuine national dialogue as a means to reach a political agreement. I believe that the struggle to enact a constitutional monarchy in Bahrain and achieve permanent stability needs a conscious and peaceful struggle that brings together the word of the people and unifies their opinions. The strength of this struggle lies in the justice of its cause, the popular faith in it, and awareness of the circumstances of demanding it. It is also portrayed through the size of the active group of people that supports it, the peaceful commitment to achieving it, the media's role in spreading it, as well as the total commitment to the aspect of the human rights it is concerned with and the available potentials of those who believe in it.

Chapter 7

Why am I under trial?

I see that my prosecution is purely political as a result of my patriotic stances. This is portrayed as follows:

- My prosecution is a vengeful act against my stances and the political demands that I raise and call for equality among citizens in rights and duties and reject discrimination based on sectarianism and tribalism.
- It is based on my demand for a constitutional monarchy that the National Action Charter brought the glad tidings of, having promised the people a constitutional monarchy similar to other noble constitutional monarchies. I have indicated these articles in previous parts of this plea.
- I believe that it is my legitimate right to express opinions, criticize and demand rights. It is a national and legal right, and a religious and humane duty that my post imposes, regardless of the authority's stance from it, be it acceptance and recognition or rejection and rivalry. This remains my right and my duty on the national, religious, humane and moral levels.

27.1: I read the Constitution of Bahrain (2002) thoroughly, and Article 1 (b) therein stipulates, "*The regime of the Kingdom of Bahrain is that of a hereditary constitutional monarchy.*"

Where the constitution stipulates this, the kingship (Head of State) belongs to Al Khalifa. As for ruling and assuming authorities, including the post of Prime Minister and other posts, they belong to the people and appointments are done through honest elections based on equality in the citizens' votes. This logic is established and undeniable. No constitutional monarchy in the democratic world allows

the Prime Minister's post and political and key posts to be occupied by members of the royal family.

- 27.2: If the people had voted for the National Action Charter in 2001 with a high percentage, it was because they voted for a constitutional monarchy. The general understanding of constitutional regimes and what well-established democracies decide require that the person who occupies the post of Prime Minister be from the common people, and not a member of the royal family. This is what prevails even in Arab constitutional democracies, such as Jordan and Morocco, which do not assign the post of Prime Minister to the royal family.

- 27.3: I am being tried because of my demand to apply Article 1 (d) of the Constitution that stipulates, "*The system of government in the Kingdom of Bahrain is democratic, sovereignty being in the hands of the people, the source of all powers. Sovereignty shall be exercised in the manner stated in this Constitution.*"

This is an article that governs all other articles of the Constitution that should not contradict it and all the laws that should be subjected to it and in harmony with it. All constitutional articles and laws that contradict it are not legitimate. Laws must be drafted in a way that enables the Bahraini people, with all its components, to elect the legislative and executive authority in their capacity as the source of all powers.

- 27.4: The concept of democracy is well-known. No scholars, constitutionalists, legal specialists, politicians or rights specialists dare to argue about it. Democracy is the peaceful alteration of power. The international

community approved of clear standards to assess democracy, including separation of powers. It does not focus on one side only. It is the freedom of association and its effect in creating a diverse society, equality in electoral votes and the right to vote, the right to establish a civil, active, and independent society, the freedom of journalism, the guarantee of the right to reach justice, the independence of the judiciary, and the sovereignty of the law. When we look at the standards of our prevalent political situation, we do not find anything related to the aforementioned standards. As such, we conclude that in reality, the constitutional script that defines the political regime was not applied. Our dominant regime is far from being democratic. I relayed in previous chapters of this plea a group of matters the regime failed in regarding the establishment of a constitutional monarchy similar to other well-established constitutional monarchies.

- 27.5: I am under trial now because I voiced my rejection to assign a Prime Minister we did not choose ourselves in ballots, and because I rejected that a specific council seize the will of the elected parliament under any pretext. I also rejected what is known as “*Elites Document*”¹ that devotes the current reality based on tribal and sectarian discrimination among citizens and consecrates the rule of a few members of one small tribe in Bahrain, and completely marginalizes the Bahraini people, Sunnis and Shiites alike, from active participation in political decision-making. This document practically puts legislative, executive, judicial, security and media authorities and national wealth in the hands of Al

1 Elites Document: Elites Document: A document signed by elite and political figures of Bahrain, as called for by Bahraini Crown Prince on September 17, 2014. The document elaborated on claims pertinent to breakthroughs in the national dialogue, and other reforms..

Khalifa alone. It is odd for me to call for equality, unity and dignity for all, and have my call refused. At the same time, I am asked to accept the discrimination against me and being a citizen of the fourth class, enslaved in the modern image of slavery, and weak in my homeland where I was born and subdued subjected to modern exploitation. Because I rejected all that, I have been oppressed and accused, detained and imprisoned.

27.6: I am being tried because I called, like all national democratic societies, for not taking part in the sham elections on November 22, 2014 that consecrated a reality based on tribal and sectarian discrimination. This call led to barring the elections before the international community.

27.7: Moreover, I am being prosecuted because those who own the political decision-making issued an order to arrest me, and I utterly declare that my demands are the same demands of Mahatma Ghandi, Priest Martin Luther King, and Nelson Mandela of equality, freedom, justice for all and a true democracy. If these fighters lived in our nation, they would have met the same fate as mine.

27.8: I believe the goals behind arresting me were as follows:

- Silencing moderate voices who demand democracy, equality and justice in Bahrain.
- Weakening al-Wefaq Islamic National Society, since it is the largest political force among the Bahraini national democratic oppositions.
- Terrorizing Bahraini political and rights figures and forces.

- Psychologically affecting the crowds who demand democracy in Bahrain.

27.9: As for the practical results expected from going forth with my apprehension, they are as follows:

- Continuity of the political and security turmoil based on the refusal to meet the people's just demands, and the persistence of the security campaigns against the opposition, including the arrest of thousands of citizens.
- Tightening the grip on what convinces more youths to resort to open and reformative peaceful action when facing the regime, and presenting more justifications to oppose this direction because the regime does not respect peaceful action and detains politicians and rights activists. Consequently, this increases the likelihood of the eruption of violence, due to the negative practices of the authority when facing the people's peaceful approach.
- Placing the Bahraini cause in a wider scope of regional and international circle of interest at the media, rights and political levels.

Chapter 8
Discussion of Charges

In this chapter, I will clarify my response to the four charges the Public Prosecution accused me of according to the investigations report conducted by Chief Lieutenant Mohammad Khaled Saeedi of the Ministry of Interior and the testimony he made to the Prosecution. My response will include four key arguments:

- The indictment statement and the legal texts applied in the trial.
- Refutation of the accusations.
- The response to all the accusations.
- Discussion of the accusation evidence.

In response to the allegations I am accused of, I refer my responses to my statement to the Public Prosecution during my interrogation and when the charges were pressed against me and to what I have mentioned in the first trial session.

28.1: The indictment statement and the legal texts applied in the trial:

The Public Prosecution claims as per the list of indictments it issued against me the following:

28.1.1: Between 2011 and 2014 in the Kingdom of Bahrain, he (in reference to myself):

- **First accusation:** promoted and incited a coup d'état against the political regime in the country by force and coercion and by illegal means, through opposing the state's authority, inciting to resist it, threatening to resort to military force for this aim, calling on carrying weapons when confronting the authorities, and claiming that the regime has lost its legitimacy.

Moreover, he called on partaking in illegal processions, which aim at causing turmoil and chaos in the country and eventually oust the regime. He committed these acts verbally through the speeches he delivered in public occasions and events and his statements in the media through the means detailed in the investigations.

- Second accusation: publically incited disdain and hatred towards a group of people, which aimed at upsetting general safety. This was done when he insulted people who have acquired the Bahraini citizenship, labelling them as mercenaries and asserting their disloyalty to the nation, their capability of committing crimes of terrorism, and their suppression of the people, by collecting the native people's share of the nation's wealth and services. He committed these acts verbally through speeches he delivered in public occasions and events and his statements in the media through the means detailed in the investigations.
- Third accusation: publically incited not abiding by the law and encouraged incriminating actions, by calling on not to abide by the law in regards to the organization and regulations of processions in the speeches he delivered in public occasions and events. Moreover, he called on the Islamic Council of Scholars to carry on its activities regardless of his knowledge of the council's disbandment by virtue of a final court order.
- Fourth accusation: publicly slandered an authoritative body (the Ministry of Interior Affairs) by openly describing its staff as mercenaries, claiming that some are involved in terrorist organizations, and stating that the Ministry acts based on oppression and the violation of rights. He committed these acts verbally

through the speeches he delivered in public occasions and events and his statements in the media through the means detailed in the investigations.

28.1.2: The Public Prosecution demanded punishing me, claiming that I committed the notorious crimes mentioned in articles 92/1, 2, 160, 172, 173 and 216 of the Bahraini Penal Code. The articles applied to the case based on the Public Prosecution's request are:

Article 92: In pursuance of the provisions of this Law, the following shall be deemed as methods of publication:

- Acts, gestures or movements performed or made on a public road, at a public meeting or in an open place that is accessible or kept under the sight of the public if they are performed or made so that they can be seen by whoever shall be in such places or if they are communicated thereto by any mechanical device.
- Verbal statements or slogans if uttered or shouted at any of the aforesaid places, or if uttered or shouted so that they may be heard by persons at such places, or if broadcasted by a mechanical device so that they shall be heard by persons not involved in the use of such devices.
- Written materials, drawings, pictures, signs, films and other means of expression if they are displayed at any of the aforesaid places, or if indiscriminately distributed or sold to a number of people, or offered for sale at any place.
- Article 160: Imprisonment for a period not exceeding 10 years shall be the punishment for any person who

favors or advocates in any manner whatsoever, the overthrow or change of the country's political, social or economic system with the use of force, intimidation or such other illegal methods.

- Article 172: A punishment of imprisonment for a period of no more than two years and a fine not exceeding BD 200 or either penalty, shall be inflicted upon any person who incites others by any method of publication to hate or show contempt for a certain faction, if such incitement undermines the public peace.
- Article 173: The punishments provided for in the preceding Article shall be inflicted upon any person who incites others by any method of publication not to comply with the applicable laws or to do any act that constitutes a crime.
- Article 216: A person shall be liable for imprisonment or payment of a fine if he offends, by any method of expression the National Assembly, or other constitutional institutions, the army, law courts, authorities or government agencies.

28.2: Refutation of the accusations

I shall refute all accusations against me and rebuff each allegation:

- 28.2.1: Plea of the first accusation: The indictment statement depicted that [I] "*promoted and incited a coup d'état against the political regime in the country by force and coercion and by illegal means, through opposing the state's authority, inciting to resist it, threatening to resort to military force for this aim,*

calling on carrying weapons when confronting the authorities, and claiming that the regime has lost its legitimacy. Moreover, he called on to partake in illegal processions, which aim at causing turmoil and chaos in the country and eventually oust the regime. He committed these acts verbally through the speeches he delivered in public occasions and events and his statements in the media through the means detailed in the investigations.” I refute this by the following points:

1. A. In response to the first half of the accusation, *“promoted and incited a coup d’état against the political regime in the country”*:
 - The most blessed beginning to my response is Allah’s verse: *“Say (O Muhammad): If Allah had so willed, I should not have recited it to you nor would He have made it known to you. Verily, I have stayed amongst you a lifetime before this. Have you then no sense?”*⁽¹⁾ I have been in political work for more than 20 years since 1992, and nobody could testify that I ever preached the use of force and ousting the regime. Since the beginning, I have been part of an honest political path and a clear flawless principle that called on reforming the regime and holding onto peaceful actions. Changing the regime was not part of my political activity and movement. This was evident in my overt peaceful political work, my signature on the Elite Petition of 1992, and then my signature on the Popular Petition of 1994. On both petitions, I pressed to resort to the 1973 constitution and the elected National Assembly. The approach that demanded

1 Surat Yunus, Verse 16.

the regime's reform by peaceful means continued even after I was arrested and exiled on January 15, 1995, after which I settled in London until 2001. Meanwhile, I continued my political activities there and issued tens of proclamations and hundreds of statements and underwent hundreds of televised and radio interviews, in which my stance was frank and strong and motivated to demand reform and grasp peaceful work and condemnation of violence. None of my stances demanded or called for the regime's overthrow.

- After my return to Bahrain in 2001, I mentioned to the King, during my meetings with officials, that I believed in true and genuine reform that could achieve a constitutional democratic monarchy. I do not see any interest in toppling or changing the regime. Therefore, you cannot label me as attempting to topple a regime or practice violence. However, you will hear my voice rise, demanding reform and true constitutional monarchy and condemning all corruption, aberrance or indiscretions that executive authorities and all other state powers commit. On this note and with this belief, I participated in founding al-Wefaq Islamic National Society, which holds reform as part of its fundamental pillars and the final goal for its political work, and not changing the regime.
- On this note and based on this, we had participated in the municipal and parliamentary elections between 2002 and 2010, in order to push the process of change and reform forward

through existing institutions, exerting all efforts for this goal.

- When the youth of Bahrain embarked on a movement along with the Arab youth that called for democracy in Tunisia, Egypt, Morocco, Jordan, Yemen, Libya, Syria and other countries, 2 demands were distinctive in the Pearl Roundabout. The first was to change to a republican system, and the second was to update and reform the regime and apply a constitutional monarchy. I personally supported the second demand, along with al-Wefaq and other political democratic national opposition organizations. As a result, we held onto reform and open peaceful actions.
- In this regard, we have issued numerous statements and stances calling for reform and constitutional monarchy and adhering to peaceful actions as the sole option. We crowned our movement by issuing the Manama Paper and announcing the principle of nonviolence⁽¹⁾, which are documents that call for reform, and not changing or overthrowing the regime, and peaceful action, as well as rejecting violence and calling for dialogue.
- Then we continued our work for reform and accepted all invitations for dialogue, although there was no reply to our notes that depicted the need for a guide and an introduction to the success of such invitations. We sustained our efforts tirelessly and effectively for the sake of the

1 (in Arabic) al-Wefaq official website, 7 November 2012.

dialogue's success to reach political agreement with the regime.

- The regime conducted the most recent dialogue sessions unilaterally and announced unilateral elections. Despite this, we sent a letter to the King and the Crown Prince to demand dialogue and political agreement days before the specified date for the dialogue.
- Activity in al-Wefaq National Society and other national opposition associations is based on two major pillars: reforming the regime and achieving constitutional monarchy; and holding onto a peaceful approach and rejecting violence. Consequently, demanding the overthrow of the regime violates our approach, and if this were an option, the General Secretariat of al-Wefaq and other opposition associations would have expressed their objection and held those responsible accountable, because this does not represent the demands of these associations.
- The entire international community has built rapport with me, al-Wefaq and other opposition associations since 2002, for its definite knowledge that al-Wefaq, political associations, and I, demand the reform of the regime and seek a genuine constitutional monarchy through peaceful means.
- The international community society had renewed its query and studies after 2011 and reached the conclusion that the political associations demand a democratic constitutional monarchy, a diverse

civil society, and peaceful action. The international community had continued its meetings with us on that basis, and exerted its efforts to try to reach a political outcome between the regime and ourselves and rid Bahrain of its political and security crisis.

- There is not one word or phrase I uttered, throughout the course of my political career, that the prosecution can present as evidence of me demanding to “*overthrow the regime*” or “*change the regime into a republic one*”. When the investigations report and the confidential informants could not implicate anything related to this grave accusation, they interpreted general speeches I delivered and took them out of context. This aimed at proving the validation of this malicious prosecution that violated the truth and reality. It based its allegations on the following evidence:
- First piece of evidence: The prosecution based its accusation on my speech on May 3, 2013 in the popular demonstration that political organizations held under the slogan “*Persevering*” in Sitra, according to the Prosecution in its hearing on December 24, 2014. It aimed at validating the investigations report issued by the General Directorate of Criminal Investigation with the approval of Lieutenant Mohammad Khaled on December 23, 2014.

The prosecution quoted the following excerpt from my speech: “*This people, with their conscience,*

perseverance, persistence and will to sacrifice, imposed a political equation for more than two years now and settled on this equation that cannot end but through change. After two years, there is no more doubt in this revolution, and it will carry on until citizens become the center of authority and the monopolization of power by one family ends."

My response: This claim was deliberately taken out of context and my words were interpreted in a way that contradicts the truth. I have many evidences in my speech that support and reiterate reform as an open and fixed demand. The prosecution interpreted the term "change" in the excerpt as "inciting to change the regime by force and coercion and by illegal means" in order to accuse me of attempting to overthrow the regime. This allegation lacks proof and is taken out of context.

"Change" in its general context means reform. Some cited the Prime Minister in 20012002- as saying: "Why do you say reform, as if the past was corrupt. Say 'change and development', which are required in every time and place." If we were to describe in this chamber every advocate of change as seeking to overthrow the regime by coercion and illegal means, the Ministry of Justice's headquarter would not have enough space to receive the large of number of perpetrators.

The Crown Prince once admitted in a televised interview⁽¹⁾ the necessity of change. Did he mean

1 (in Arabic) "Sawsan al-Shaer's Interview with Bahrain's Crown Prince", 6 March 2011, in minute 5:30 of the video.

he wanted to overthrow the regime, with him being the Crown Prince? Does logic validate the achievement of reform, progress and advancement without any change in the current situation? Change is a term that implies transferring from one state to another.

If those who made the accusation were not familiar with politics and its terminology, it would be beneficial to remind them that the key phrase of Mr. Obama's campaign the first time he ran for presidency was "*change*".

Political speech, whether western or eastern, rarely leaves out this term. I even clarified this meaning in many contexts. In the same speech, I said, "*Moreover, the peaceful reformative revolution shall carry on until this reality is changed.*" The term is clear and focuses on peace and reform, because the change aimed for is peaceful and reformative.

In the same speech, I said, "*We support, as the national political opposition, honest and sincere dialogue where political agreement is established.*" Among the irrefutable evidence is that the person who demands dialogue in the same speech and in almost all of his speeches does not intend by "*change*" overthrowing the regime. Even an individual ignorant in politics and news certainly knows that dialogue never toppled a regime, and that the political agreement that I demanded in the same paragraph of my speech is an agreement between the regime and opposition. This contradicts and denies the prosecution's statement

of me seeking to topple the regime by force and in legal or illegal means. Dialogue and agreement with the regime could not overthrow it.

In my speech on October 10, 2014 in Imam al-Sadeq (as) Mosque, I stated, "*Regimes that wish to remain in their general structure must change. Many factors impose the extent of such change. Sometimes 20% change is enough, but other times it takes a minimum of 30%, 60%, 70% etc. of change.*" This excerpt indicates that the change I am talking about does not mean overthrowing the regime. Toppling the regime does not occur by these percentages.

In a press conference on October 11, 2014 held in al-Wafaq Islamic National Society's headquarters, I stated, "*The opposition led a race of national struggle for a long time, and it tried with different means, including its attempt in the parliament, to seek change.*" It is evident that the change the parliamentary opposition seeks is a constitutional monarchy, and not the overthrow of the regime. It is impossible to overthrow a regime from inside the Parliament.

- Second piece of evidence: the prosecution grounded its accusation on my speech on May 4, 2013 in a solidarity demonstration entitled "*Two years, Mahfouz Behind Bars*" that took place in the headquarters of the Islamic Action Society. According to page 2 of the Prosecution's investigations report, "*The current reality, with all its sacrifices, martyrs, detainees, immigrants,*

harassments and raids, is better than any notion of surrendering to this dictatorial regime". The rest of the speech that the prosecution deliberately left out, stated, "Our reality in this moment is better. Let them kill us, fire us and imprison us, but we will insist on getting our rights. We consider this state to be better than submission"

In this speech, I meant that we should continue to demand our rights. "*We will insist on getting our rights. We consider this state to be better than submission to this reality.*" This is my opinion and that of many others in this nation. Where do I demand the overthrow of the regime? Where do I "*publically incite to change the political regime by coercion and illegal means?*"

Therefore, I defined the term "*revolution*", fortunately, in the same speech, in which I stated, "*I named it the peaceful reformative revolution*". I explained this in a number of my speeches, and we later published a booklet entitled "*Revolution Q&A*"⁽¹⁾.

Thus, it is evident that this excerpt of my speech is far from inciting to change the political regime in the country by coercion and illegal means.

- Third piece of evidence: the prosecution took out a piece of a speech I delivered on October 31, 2014, in Imam al-Sadeq (as) Mosque in Gufool, "*When you impose incarceration, exile, trials and*

¹ A booklet that answers different questions regarding the revolution's demands, methods, visions, strategies, and thoughts. It is a Q&A for everything pertinent to the revolution that the bystander could think of. Published in Arabic and English in 2012.

dismissals, will people love you? Or will that make them rebel even more? They will indeed rebel, and the spirit of revolution will be instilled in them even more and more. All of my work these past three years has made this society more convinced that it needs change, and needs the resistance until change is made. The more you oppress, the more they will persist. This logic is natural."

This speech alone is enough to be taken as evidence to refute accusation of public incitement to change the political regime in the country, by coercion and with illegal means. The change that the reformative peaceful revolution seeks is a transfer to a true constitutional monarchy. The rest of this speech that the Prosecution did not mention rebuffs the accusation, in which I stated, "...*this society is more convinced that it needs change and needs the resistance until change is made. The more you oppress, the more they will resist. This logic is natural, especially at a time that such procedures had not affected the people's determination or stopped their demand for change, practical agendas and moving for democracy, freedom, justice and equality...*" It is clear that the goals intended for resistance is to reach democracy, freedom, justice and equality, and this could be achieved through an esteemed constitutional monarchy that the National Action Charter of Bahrain suggests and the Constitution stipulates. In the same speech, I reiterated that arms should only be with the State, in which I said, "*Everyone will be with Tunisia's call and with anyone who leads the country against*

terrorism, extremism, violence and the illegal use of weapons. These will support any regime."

Moreover, I stated in the Friday sermon in Imam al-Sadeq (as) Mosque in Diraz on October 17, 2014, "*Dear loved ones, after depending on Allah Glorified and Exalted Be He, we must carry on with advancements, renewals, innovation in the methods of our peaceful resistance and demands, determination, and hard work, and the good end is for the pious.*"

I also said in a speech on October 31, 2014, "*legitimate and reformative demands will not cease.*"

Where is the truth in the accusation "*coercion by illegal means*"? Aren't these excerpts proof that my request to reform is peaceful? And that I speak of comprehensive reform because I speak of change, and I clarify that my method is peaceful?

- Fourth piece of evidence: The prosecution based its accusation here on a speech I delivered in Imam al-Sadeq (as) Mosque in Gufool on October 10, 2014. The speech detailed, "*The policies the regime executed differentiated between 2002 and 2011, and beyond 2011, but its policies of discrimination were characterized by oppression and blatant and scandalous discrimination that is close to sectarian oppression.*" This excerpt, like previous ones, does not depict an "*overt incitement to change the political regime in the country by coercion and illegal means*" in any way. In this speech, I was

clarifying some of the differences between 2002 and 2011 and beyond, which called on boycotting the elections in 2014. I spoke of the extent of oppression that the regime practiced, which Mr. Bassiouni documented in a phrase that is a thousand times harsher than this one. And the King agreed on this description. Conferences in Geneva on the Bahrain file documented this, and they entailed 176 recommendations, but Bahrain only accepted 156 of these recommendations. In addition, tens of reports issued by impartial international rights organizations, such as Amnesty International, Human Rights Watch, and Human Rights First, the High Commission for Human Rights and its former Commissioner Navi Pillay and rights reports issued by Foreign Ministries in democratic countries, such as the US State Department all documented the oppression the state is imposing on groups. This is not new or odd of me to say, because I have mentioned this oppression many times in my meetings with officials, including the Crown Prince whom I met on January 15, 2014 regarding the issue of sectarian division, that is occurring on four groups: the Al Khalifa family, their supporters, the naturalized citizens, and the Shiite oppositions. The Crown Prince commented on this saying, "*It is irrational that a sect is not represented in the state's institutions*" in an indication to the Shiite sect. Regarding the discrimination growing in Bahrain, the UN's Special Rapporteur on freedom of religion and belief Mr Heiner Bielefeldt commented on Sheikh Hussein Najati's exile⁽¹⁾, "*I expressed grave*

1 (In Arabic) Manama Voice Radio, 24 April 2014.

concerns to the Bahraini government regarding what would seem like discrimination of religious background and unjustified restraints imposed on Najati's basic human rights, including his right to peacefully practice his religious beliefs." He also emphasized, *"Targeting one of the most influential religious figures in Bahrain could lead to terror, and in turn discrimination against the entire Muslim Shiites in the country for their religious beliefs."* In the same speech, I also said, *"Regimes that wish to remain in their general structure must change. Many factors impose the extent of such change. Sometimes 20% change is enough, but other times it takes a minimum of 30%, 60%, 70% etc. of change."* This portrays the meaning of gradual change, and gradual does not mean toppling the regime. I stated in the same speech *"change comes from the inside"*, which is from inside the Parliament. This also clarifies that the term *"change"* in my speech means reform in transferring to a democracy by applying the constitutional monarchy that the Charter stipulated.

Thusly, I have refuted the four parts that the prosecution relied on as evidence to the accusation *"incited to overthrow the political regime in the country by force and coercion and by illegal means"* and proved its falsity. The irrefutable truth in these excerpts reiterates gradual change in the country's regime, and eventually impose constitutional monarchy through dialogue with the regime, not its overthrow.

I also mentioned some clear excerpts from my speeches and statements in many situations, as evidence of my general direction to demand gradual political reform, which refutes the prosecution's statement that I am seeking to overthrow the regime in illegal means, and proves my innocence from the said allegation.

- I had mentioned in the General Forum of al-Wefaq Islamic National Society, while presenting its political report on December 26, 2014, "*Inspired from al-Wefaq's vision and path, its strategic goals enlisted in its fundamental bylaw, and what consequently led to the Manama Paper signed by democratic national opposition forces in Bahrain, the agenda of al-Wefaq National Society, along with the rest of the democratic forces, focuses on one political goal, which is to reach peaceful alteration of power, similar to the deep-rooted democracies that the National Action Charter stipulated.*"
- In a speech in Manama on November 3, 2014, I literally called on the government to "*a dialogue, a true partnership in managing the country's affairs, which we all participate in and write down in the constitution and apply in reality based on equal citizenship*" I also called on the government "*to apply what we agreed upon in the National Action Charter, where the constitutional monarchy like other democratic kingdoms lies. In democratic monarchies, the king reigns, and does not govern. The government would be established through elections and popular will for the Prime Minister*

and other state affairs. We must cooperate, and this is what constitutional monarchies accomplish and execute. Come on government; let us agree upon a road with clear timing, terms and phases to transfer into this democracy and this true and honest constitutional monarchy.”

- *In an open meeting in Hajj Abbas’s funeral in Manama on Thursday July 3, 2014, I stated, “The idea from meetings, whether with the Crown Prince or with Khaled Bin Hamad, or other members of the royal family, is that we believe there is a need for drastic reform. This fundamental reform must be agreed upon.”*
- *In response to a question that was addressed to me, I said, “We want reform, we want to live with dignity. We brought forth martyrs, we offered detainees, and we are united so that we can change our reality to one where our dignity is reached and where our right in leading a dignified life is attained.”*
- *In a popular demonstration entitled “Persevering” in Sitra on May 3, 2013, I said, “We support, as national political opposition forces, an honest and genuine dialogue where political agreement lies.”*
- *In a speech I made on December 5, 2014 in Imam al-Sadeq (as) Mosque in Gufool, I stated, “The third milestone is action based on the meaning and concept of reform in order to found and develop a sound political regime that does not cause political, economic, social and other crises.”*

- In a Friday sermon in Imam al-Sadeq Mosque in Gufool on December 12 2014, entitled, “*Welcoming the US, French, and Italian stances,*” I mentioned, “*We call for a genuine and serious national dialogue, in order to find a political settlement, as an only exit for Bahrain. We agree upon this diagnosis and welcome this invitation.*” Welcoming the invitation to dialogue does not fit or meet with the notion of overthrowing the regime in any form.
- In a Friday sermon in Imam al-Sadeq (as) Mosque in Gufool on December 26, 2014, I stated, “*The road to salvation is national reconciliation based on equal citizenship.*”
- In another part, I said, “*The road to change this is true national reconciliation based on equal citizenship, charters and international standards, and a political regime that allows the people to manage their affairs in a sensible way like in humanitarian and civilized countries.*” Obviously, he who demands “*national reconciliation*” could not intend overthrowing the regime. National reconciliation is with the regime itself, and this does not fit the call for ousting the regime in any way.
- In the latest al-Wefaq General Forum last year, held on December 26, 2014 in Karrana, entitled “*Continuing Communication*”, I said, “*Continuing to effectively communicate does not aim to waste time, or present an empty image. It has a sole*

fundamental goal, which is to reach a political agreement based on a permanent and comprehensive political settlement that achieves the legitimate popular expectations of democracy, freedom and equality, and leads to a true democratic regime.” My stance is to “*continue to communicate with the regime*”, and my goal is to “*reach a political agreement upon a political settlement.*” This is far from the false allegation of “*publically inciting to change the political regime in the country by coercion and illegal means.*”

I will mention excerpts from general speeches in different places and at different times, which all prove that my political demand is peaceful and aims at reforming and developing the regime, and not overthrowing it as the Public Prosecution had accused me of. Invitation to dialogue does not suit, let alone contradict the claim of me seeking to overthrow the regime or promote or coerce its overthrowing. Dialogue means agreeing with the other party on a common interest and removing a common harm. Whoever calls for dialogue with the regime certainly does not want overthrowing it. A simple child is aware that dialogue does not topple a regime, because the history of humankind confirms that this cannot happen. Lying to a party who calls for dialogue and claiming that it promotes and incites overthrowing the regime is unacceptable. My call to dialogue in my speech is evident to all.

These many speeches, which reflect my demand for

reform and dialogue, are enough to deny all charges pressed against me. In December 2014 alone, I spoke on four occasions, emphasizing my demand for reform and dialogue. These were the last of my speeches shortly before my arrest. Nobody can say that this stance is old and something else came up. These speeches are an extension to my former approach that I have adopted ever since I began political work. I have not derailed from it and it has not changed. This utterly contradicts the accusations that I “*publically incited to change the political regime in the country, by coercion and illegal means,*” and does not suit my path. I am certain that the proof of indictment is the same and it shows evidence and proof of my innocence, and reiterates my reformative approach.

2. B. Second point: In response to the second part of the first accusation, “*threatening to use military force for this aim, calling on carrying weapons when confronting the authorities,*” I had already clarified, in my response to the first part of this false accusation, that my reformative approach depends on peace, dialogue and counsel. This is enough to respond to this allegation. However, I indicate that the Public Prosecution based this accusation on three excerpts from three speeches I made. The speeches are as follows:
 - - First part: In a speech I made on June 14, 2013 in a popular demonstration entitled “*Everyone’s Nation 3*”, organized by political organizations in Saar, I stated, “*We will pay back twofold. When I say we will pay them back twofold, I mean that*

their agenda is invalid. If their agenda includes killings and underdevelopment, let us pay them back twofold." As usual, the accusation is taken out of context and misinterpreted. For accuracy and to achieve justice and fairness, we must refer to the script of the speech from which the witness took "pay them back twofold" out of context. The Public Prosecution considered it a "concrete evidence of calling to use force and violence against the regime." What an accusation! Let us listen to the speech, or read an excerpt of its script, which is the following: "Let us pay them back twofold like this Sheikh – in an indication to Hajj Samoud, the Sheikh who was distinctive in all peaceful protests and processions – by being present in all fields. Yes here, yes in this crucial moment, I am placing a restriction back since day one, and I will not back down. I am placing a restriction I had put in 1992 – when a number of unemployed individuals wanted to go to the labor market or the Ministry of Labor to demand their dream. I told them: Maintain peacefulness, my sons, and depend on Allah. And today, I give my sons a fatherly advice, a brotherly advice, an advice of a political hard worker; Depend on Allah, hold onto peacefulness, then depend on Allah." This evident phrase that emphasizes a firm and unwavering approach from 1992 to that date does not derail from grasping onto peacefulness as a condition for any movement. It then turned, in the only testimony of the witness and the investigations report, into evidence used

against me, which they considered from their perspective “*an evident message to use force and violence against the regime.*”

- - Second part: The Public Prosecution and the prosecution’s eyewitness based the accusation of incitement to coerce from a part of a speech I delivered on October 10, 2014 in Imam al-Sadeq (as) Mosque in Gufool, in which I said, “*the success of national unity and others are indications to this force. Now, I am talking about a military force. I hope these people do not need to defend themselves by military force the way the Kurds had done in the face of unexpected variables, to the extent that women had to arm themselves. I hope we do not need this one day.*” The investigations report deliberately dropped out the word “*not*” when presenting the evidence in my trial to indicate that I threatened to use military force. The real script of the speech aforementioned is: “*The success of national unity and others are indications to this force, in which the people are motivated to bring more and more strength. All you have to do is awaken this force now. I am ((not)) talking about military force, and I hope that the people do not need to defend themselves with military force the way the Kurds had done in the face of unexpected variables, to the extent that the women had to arm themselves. I hope that we do not need this one day. But I am talking about the economic and educational forces, communal unity, media, political rights and popular scopes. All these factors can be grown.*” A fair reader may contemplate the

difference between the two texts. The first one that the Public Prosecution mentioned as grounds for accusation omitted the word “*not*”, and the second is the original speech that was taken out of context, where the whole meaning changed. The original text stated that we do not need armed forces that others resorted to when necessary and that our strength lies in prestigious education, economic strength, communal unity, media, and political rights. However, incrimination and oppression in reading and interpreting the excerpt subjected me to suspicion when the investigations report editor dared to omit the word “*not*” so the sentence would become “*I am talking about military force*”. What a heinous and blatant lie! What a ridiculous aspersion of the truth in changing my words and deviating its meaning, only to accuse me of a lie of calling for and threatening to use military force. In this context, I use my right to present the voice record of this part, so the forged truth may be exposed to the court’s justice. Will this false testimony and malicious trial have a pillar to hold on to besides being described as false, inciting, and averting from the truth for political revenge?!

As for the part related to Kurdish women arming themselves for self-defense, its timing was appropriate, because ISIS had attacked Kurdish areas. This occurrence happened so close to the time of the speech, where ISIS has been threatening Bahrain, and four ISIS Bahrainis threatened the Bahraini state, institutions, people, and foreign presence in a tape, and other ISIS forces ripped

their passports, among which was a Bahraini passport, and threatened the Bahraini King. My speech was a response to this, in which I said, “*I hope that the people do not need to defend themselves in the face of unexpected variables, to the extent where women had to arm themselves. I hope that we do not need this one day.*” My statement of needing to arm ourselves was related to the possibility of ISIS attacking Bahrain the way they attacked the Kurds. I was, and still am, concerned of ISIS’s growth in the region. I often reminded people of this danger, especially when I warned, in a Friday sermon in Imam al-Sadeq (as) Mosque in Gufool on October 17, 2014 – the Friday following the Friday in which the aforementioned excerpt was taken from my speech as incriminating evidence – of the danger of ISIS, “The latest agenda is the state of ISIS, and this agenda is neither with the people nor with the regime. This agenda supports the past, the project of killing, and I don’t mean the good past, but the past in the sense of bigotry and ignorance. An agenda of blood and seclusion, and one that is threatening Bahrain.

In a speech I delivered on the 7th General Forum of Wa’ad Society on Thursday October 16, 2014, I stated, “*During this time, there are some [people] who want to establish this so-called Islamic State as depicted in it reality; a state of murder, captivity, ignorance and narrow-mindedness.*” I speak here of ISIS’s attempt in founding their state in Bahrain, based on their threats and ideologies. We implore Allah that this situation does not happen, or we,

Sunnis and Shiites, government, supporters and opposition, will all have to arm ourselves defending Bahrain and its people, just as the Kurds and their women had done. My words are far from inciting to carry weapons in our domestic affairs. This is as clear as daylight in the context and timing of the speech, in which the witness tried to deny his aim to mislead. Is there, after all this clarification, any doubt and suspicion on my insistence on peace?

- - Third part: an excerpt from my speech on December 5, 2014 in Imam al-Sadeq (as) Mosque in Gufool that the Public Prosecution and investigations report depicted as follows: *“But the most significant milestone is the peaceful movement, rejection of violence and not resorting to the military option, which was one of the options suggested and still is.”* When the Public Prosecution asked its witness what the defendant’s speech on December 5, 2014 in Imam al-al-Sadeq (as) Mosque in Gufool indicated, he replied, *“...However, he was reiterating that the military option was one of the options posed and still is, and this is a blatant threat that he is able to resort to military force according to his previous speech. He meant the use of military against the regime.”* When listening to my speech, we find that the unmodified original text that talked about Ayatollah Sheikh Isa Qassim is, *“The largest contribution by Ayatollah Sheikh Isa Qassim through leadership in this movement was in leading a large part of this people, in order to crystallize this movement’s milestones, which are many. But, the most important milestone of this movement was*

peacefulness, rejection of violence, and not resorting to the military option, and this option was posed and still is. His leadership emphasized peacefulness and abandoning the military option.” I then carry on in the speech to mention the positive features of Ayatollah Sheikh Isa Qassim’s leadership, in which I state, *“The second basic standard is national communication and serious dialogue, not ludicrous formalities, in order to find a comprehensive national settlement. Also, it avoids turning Bahrain into a regional and international tool, works on finding a comprehensive national settlement that brings about justice to the Bahrainis, and does not isolate, oppress, or discriminate anyone, and agrees upon this settlement.”* I add, *“The third fundamental standard is developing the political regime to become a sound regime that does not create political, economic, and social crises.”* In this speech, I focus on the peaceful approach that Ayatollah Sheikh Isa Qassim dictates for the popular movement that demands legitimate rights. The speech praises and reiterates this approach and calls on following and abiding by it. This leadership defined fixed and clear marks for the movement, which are represented by peacefulness, rejection of violence and refusing military force that was posed as an option and still is by factions called Saraya al-Ashtar. These factions and others call for violence, put it forth as an option to oppose the state, and constantly issue statements that adopt explosions. However, Ayatollah Sheikh Isa Qassim and his leadership –whom I follow as is known – rejected

this option. The witness testified that he said, "*He means*", leaving out the candidness of the speech that does not need any interpretation and that is enhanced by words shown in this same speech and others, and in many stances. He relied on interpreting my intentions, portraying the worst actions to present invalid and false evidence. The aforementioned speech the Public Prosecution presented as a carved out excerpt blatantly and clearly rejects a military alternative and violence that some factions adopt. It turned the speech, by the false testimony of a witness that does not fear Allah and by an inaccurate investigations report, into one that entails a threat to use military force by means of forgery, misinterpretation and taking my statements out of context, which aimed at misleading the listener and reader. This third pillar, as it seems, was destroyed at the time when the void allegation of "*promoting and inciting changing the political regime in the country by force and coercion with illegal means*" was made. The foundations of this accusation and this entire case collapsed.

3. C. Third point: in my response to the Public Prosecution's accusation of "*the regime losing its legitimacy*" that was mentioned in the investigations report and the testimony of the witness in the first accusation, I stated, "*The Public Prosecution carried on with questioning its witness who deliberately omitted words and used biased ones to mislead the Prosecution and the court's justice. The witness had said in this testimony on page 212, 'He always describes the regime*

as being illegal.” Here he whittled my words to hide his intention. These words were mentioned in a speech I delivered on October 10, 2014 in Imam al-Sadeq (as) Mosque in Gufool. The actual content is, “The international community looks at the regime as being undemocratic and violating human rights, and still does. The regime has lost its popular legitimacy, and when most of Bahrain’s people come together to demand change, this means that he who enjoys popularity – meaning that his popularity is legitimate – should not have these demands. I will distinguish here between the international community’s use of legitimacy vs. some regimes that lost legitimacy through these public popular rallies and marches, representing most of the Bahraini people who demand profound political and rights reforms. This pushes us to demand an elected government chosen by the people, to represent them and their will and to gain the acceptance and satisfaction of citizens.”

The previous text in my aforementioned speech, from which the prosecution’s witness picked out what he wanted and left out the rest to condemn me, is as follows:

I accept the expression the international community used when it described Hosni Mubarak and Ghaddafi’s regimes as illegitimate, when their Egyptian and Libyan peoples moved to demand their leave.

I distinguish between the notion of the regime that has no legitimacy, which applies to the two aforementioned regimes, on one hand, and the regime

that has lost popular legitimacy, because it does not enjoy the approval of its people's factions, on the other hand, like in Bahrain, which I see that it does not represent its people and does not base its existence on popular choice. This is why demonstrations and protests demanding its replacement are taking place. Replacing the government does not mean replacing the monarchy stipulated in the constitution. I emphasized this meaning in my speech, when I said, "*Most of the Bahraini people who demand deep political and rights reform.*" This phrase coincides with the opinion of political experts on the definition of "legitimacy" because its meaning differs according to legal, religious, social and political approaches. In the political approach, legitimacy is defined as the majority of the community accepting and obeying the political regime, for their belief that it seeks to achieve the goals of the whole, expresses its values and expectations, and is worthy of power and its practice in their opinion. In the legal approach, legitimacy is defined as the sovereignty of the law, and the public authorities' submission to the law and commitment to its limits. The law extends to include the written legal rules (constitution) and the unwritten rules (customs¹). As for the global social dictionary, it defines legitimacy as "*the bases that the ruling body relies on in practicing authority and is based on the government's right to practice authority and the subjects' acceptance of this right.*" This formula of demanding reform explains the meaning of "*lost popular legitimacy*", and not "*lost legitimacy as a regime*", which marks a huge difference.

1 Customs is defined as a group of rules that the people have been accustomed to for a long time until it has become harmonious with the obligation of these rules

I clarified in my response to the Public Prosecution that even western democratic regimes are described sometimes as having lost popular legitimacy, when the public mood swings and there is a majority against the current government. As an example, when Mr. Tony Blair's government in Britain participated in the war on Iraq in 2003, and the popular disposition changed towards it, it lost its popular legitimacy for lacking the support of the majority, but the British regime did not lose its legitimacy.

Unfortunately, the writer of the investigations report, the only witness and the Public Prosecution picked out my words and altered them, taking out what suited them. They used "*illegitimate regime*" instead of "*regime that lost popular legitimacy*", which is the popular majority that does not support the government, and not the official regime.

Fortunately, I indicated in this speech the following, "*I distinguish between the international community's use of legitimacy regarding some regimes, such as Ghaddafi and Mubarak's regimes at a certain period, when the international community declared them as regimes that have lost legitimacy, and thus they must leave. Meanwhile, Bahrain, which was filled with peaceful reform-demanding movements, was described as having "lost popular legitimacy", and that is why the regime was asked to conduct dialogue with the rest of the political forces that have popular majority to reach an agreement on a political settlement that satisfies both parties and reaches a middle ground between them.*

The end of the same paragraph that mentioned "*the regime that lost popular legitimacy*" clarifies its meaning, in which I distinguished between losing popular legitimacy and the popular rallies and marches, which represents the majority of the Bahraini people who demand political and rights reform. This means that the government, and not the regime, has lost its legitimacy, because the popular majority that demands political and rights reform rejected such a government. This demand does not suit the meaning of the official regime losing legitimacy, the way Ghaddafi and Mubarak's regimes lost their legitimacy. The author of the investigations report and the only witness insisted on ripping the word "*popular*" from the term, although I mentioned it three times. This is an indication to the malicious intentions and bad faith in preparing the investigations report and presenting the testimony to the Public Prosecution.

It is known that the term "*losing popular legitimacy*" is a term deep-rooted in the media that touches almost every government and president. If there was someone who would be allowed to say this to the court, all eastern and western oppositions, all media, and all research centers and polls against the regime would have supported me in the chambers of court, because they always talk about the governments' loss of popular legitimacy, majority, and support.

In all my speeches, I never mention that the regime lost its legitimacy and stop there, as I always follow it up with speaking about losing popular legitimacy, and not legitimacy per se, hence the term "*loss of popular*

legitimacy". I have expressed this concept in a press conference on November 22 held in al-Wefaq Islamic National Society's headquarters, where I literally said, "We also object to the concept of appointing ministers because we demand that the government express the people's will, starting with the Prime Minister. So, we reject the concept of entering governments that lack popular legitimacy."

If I considered that the regime is illegitimate in its existence, I wouldn't have called for dialogue with it, because dialogue with an [illegitimate] regime cannot be done. And this is not the case with the Bahraini regime, and that is why I continued to call for dialogue with it.

4. D. In response to the prosecution in the aforementioned accusation, "He called on partaking in illegal processions to cause turmoil and chaos in the country", I stated, "When processions and protests were forbidden under the State of National Safety, and despite our reservations on this measure and decree, al-Wefaq, national democratic societies, and I, did not call on partaking in any protest, rally or procession in compliance to this decree despite our reservations on it. In spite of our reservations on the amendment of the law on processions and rallies banning peaceful assembly in the capital, al-Wefaq, national democratic opposition associations, and myself did not call for partaking in any procession in the capital after this decree was issued. Neither the witness nor the Public Prosecution presented any evidence that would prove otherwise. Many international organizations supported us in our reservations on the amendment,

as it violates international conventions and charters pertinent to the right of peaceful assembly, such as the International Covenant on Civil and Political Rights. I expressed this in a speech I delivered in a Friday sermon in Imam al-Sadeq (as) Mosque in Gufool, in which I literally said, "To avoid clashes, we will not come to the capital anymore." Despite our reservations on many clauses in the law on assemblies – before and after the amendment and during its issuing – and announcing our reservations in conferences, seminars and the Parliament, and working on amending this law, al-Wefaq, national democratic opposition associations, and myself abided by it. After lifting the State of National Safety, it became our right and the right of the people to practice peaceful assembly. I called for practicing this right according to this license by law. All the assemblies that I partook, participated in and called for, occurred after conducting the required legal procedures. The three excerpts that the witness and Public Prosecution submitted as evidence of calling for processions, were part of these calls, and they were not illegal processions. We have committed to interpreting the law in its narrow scope regarding the law on assemblies. We did not explain it the way Mr. Bassiouni did in his report, when he said, "The law that this report is based on is the International Covenant on Civil and Political Rights and the Arab Charter of Human Rights.

Mr. Bassiouni indicated in paragraph 1280 of his report, "*In the light of the way that these provisions have been applied in Bahrain, the Commission has a number of concerns about their conformity with international*

human rights law and with the Constitution of Bahrain.”

It is known that the ratification of the International Covenant on Civil and Political Rights and other charters and covenants renders their clauses a part of the domestic law that the authorities must respect. This is what the President of the Supreme Judicial Council Salim Bin Mohammad Al Kuwari concluded, when he stated, *“In case the domestic law contradicts the international law, the international law comes in first.”* Although we commit to the domestic law of assembly and give notice about all the processions and popular events, we face most of the time dictatorship from security authorities and we are banned from practicing our right recognized by the law when banned to organize an event. Consequently, we cease any events from our side to avoid any clashes and to maintain the safety of the participants and the security officers. We commit to the ban and abide by it to avoid any possible clash. This refutes the allegation stipulated in the first accusation that I called for illegal processions to cause turmoil and chaos in the country.

Despite that, I will display the excerpts that the witness and Public Prosecution extracted from the three speeches as proof of my invitation to illegal processions to cause turmoil and chaos in the country.

First piece of evidence: It is an excerpt from a speech I delivered on July 6, 2013 after the Evening prayers in Al-Kheif Mosque in Al-Dair. The accusation is based on the following part of my speech, *“The positive thing is that the community in general has become determined to carry on with this revolution and rising to the end, and that all*

oppressive measures will not stop any group of society nor any working class, nor any social class to move on. Do not give the regime any element to succeed in its schemes and oppression. Carry on the way you were. Partake in processions and protests. Partake in all the appearances of revolution and announce your existence. Let the regime do what it does."

The first fallacy in this argument is that the Public Prosecution omitted the word "*peaceful*" from the paragraph. The word "*peaceful*" is depicted in the paragraph as follows, "*Partake in processions and protests. Partake in all the peaceful appearances of revolution, and announce your existence.*" Omitting the word "*peaceful*" indicates malicious intents and forgery. This call is in the scope of demanding legitimate rights via legitimate means represented by peaceful processions and assemblies that al-Wefaq Society and other political societies hold, where all required legal procedures are taken to attain a license. This excerpt was part of a speech I delivered in events held in Al-Dair and Samaheej that were licensed and all legal procedures were approved of. Then where is the call to break the law?

In the same speech, I literally said, "*Carry on with peaceful actions that demand our rights*" and I spoke of the highest reformatory demands, which is a constitutional monarchy, and as I stated, "*...especially under the roof of constitutional monarchy, which is an essential element for the stability of Bahrain.*" Is urging to continue with peaceful action to achieve a constitutional monarchy in a licensed event a crime?

- Second piece of evidence: The Public Prosecution based its accusation on 5 excerpts from a speech I delivered on July 13, 2013, in an open meeting held in Imam Ali (as) Obsequy in Bu Quwah. The following are the excerpts as stipulated in the Prosecution's report:

"To the regime, this revolution will continue. Oppression will not stop this revolution."

"We have our rights gains [...] that exposes the scandal of the regime being dictatorial."

"What is the problem? Tyranny and disregarding the people. What is the solution? The people must move from discrimination to a state of having a choice."

"On the adoption of processions and protests, it is considered the spinal cord of the revolution. Without processions and protests, we wouldn't have said the revolution is persistent and has popular demands."

"Being present in these processions, even if it took the longest time, no matter how long, is driven by our national duty to be there and persist until we receive our rights."

My response:

- a. The first three excerpts are far from the accusation of *"calling on to partake in illegal processions,"* and there is nothing that would prove this accusation. Consequently, there is no need for comment.
- b. The fourth excerpt: *"On the adoption of processions and protests, it is considered the spinal cord of the*

revolution. Without processions and protests, we wouldn't have said the revolution is persistent and has popular demands," is a diagnosis to the meaning of revolution and its continuance, not a call for processions. Here I link between peaceful processions and protests, as mechanisms, and the revolution.

- c. The fifth excerpt: *"Being present in these processions, even if it took the longest time, no matter how long, is driven by our national duty to be there and persist until we receive our rights."* I stated here that our national duty is to partake in protests to demand our rights. I did not say, *"Partake in illegal processions to cause turmoil and chaos,"* as the Prosecution falsely claimed.

It is known that we, as political societies, organize processions and protests, and call on people to participate in these licensed processions, and we take the required legal action to do so.

To reiterate this meaning, I literally said in this sermon where I called for taking part in the Friday protests that the political societies organized, "Wasn't the Arab revolutions' momentum, [those that were] called processions of millions? When are they processions of millions? On Friday. This momentum is beneficial to those who gather on Friday, and because the dissidents in Iraq gather on this day, then the same goes for Bahrain. This weekly momentum occurs, where success in this activity is enough." I then added, "Yesterday's call," referring to the festival that the political societies

organized under the title “People who do not give up their dignity” Friday night on July 12, 2013 in Maqsha Square. It was an assembly that we informed the competent authorities of, in which I continued to say, “This event [protest] is the right outcome for the violations against [activist] Rihana [Al-Moussawi] and the torture of our sons in detention centers. This is motivational, but thank God, people are gathered here in the street and this is a success.” In a third paragraph, I said, “Political societies partake in processions, and some people say, what did we profit from this?”

It is clear and evident that my call and words focus on attending these legal processions and protests, and there is no crime here, unless we considered calls to licensed events and protests that abide by the legal regulations as a criminal act.

- The third piece of evidence that the Public Prosecution based its accusations on is an excerpt from a speech I delivered on December 12, 2014 in Imam al-Sadeq (as) Mosque in Gufool. It mentioned:
 1. 1st paragraph: Concerning the blasts, our stance is clear, and it is based on the sanctity of the blood of any party. We emphasized this before and reiterate it now, and we will continue to emphasize the sanctity of blood. We forbid belittling the blood of anyone on this land. We are responsible towards this land and elsewhere, but our responsibility here [on this land] is direct. We do not tolerate nor do we encourage any action that would lead to bloodshed or injury.”
 2. 2nd paragraph: If we were to hold anyone accountable,

the biggest responsibility lies on those who refuse justice and insist on achieving what's contrary to it, and who reject reform and insist on monopolizing decision-making and national wealth. Every drop of blood, every injury, and every casualty is a result of this reality. If the fair, legitimate, basic, and essential demands of the people of Bahrain were accepted and agreed upon, these tragedies and unfortunate reality would not have happened.

3. 3rd paragraph: If every father, mother, brother, sister and person's rights were met and voice was heard, they would have objected anyone who partakes [in protests]. However, since they are oppressed, marginalized, unemployed, detained and incarcerated and do not enjoy their humanitarian right in managing their affairs, no one would stand in the way of those who demand their rights.

In all my speeches, I always stressed on practicing our rights to peaceful and legitimate assembly, and never called for violence and vandalism in any way at any time. Neither the witness nor the Public Prosecution presented any incident of violence or vandalism in relevance to my speech as evidence. Calling for processions comes in the context of the right to protest, and we sought to practice this right according to the law, despite our reservations on it as it imposes conditions that restricts the origin and essence of this right. Article 31 of the 2002 Constitution stipulates, *"The public rights and freedoms stated in this Constitution may only be regulated or limited by or in accordance with the law, and such regulation or limitation may not prejudice the essence of the right or freedom."* In addition, the call

for processions is not aimed at causing turmoil and chaos in the country, but is rather a legitimate tool to express opposition, reject tyranny and demand change. The matter is not as the witness claimed it to be when he changed my words and speeches in bad faith and altered its reformative and peaceful intentions. Hence, this portrays the voidance of the first accusation by the invalidity of the entire evidence of the accusation as a whole.

- 28.2.2: Second: Plea to the second accusation, which stipulated, *“publically incited disdain and hatred towards a group of people, which aimed at upsetting general safety. This was done when he insulted people who have acquired the Bahraini citizenship, labelling them as mercenaries and asserting their disloyalty to the nation, their capability of committing crimes of terrorism, and their suppression of the people, by collecting the native people’s share of the nation’s wealth and services. He committed these acts verbally through the speeches he delivered in public occasions and events and his statements in the media through the means detailed in investigations.”*

I respond to this allegation as follows:

Regarding my indication to the environments that some of the naturalized citizens come from, and that they solve their dilemmas by booby-trapping cars and wearing explosive belts, which is contrary to the nature of the Bahrainis, Sunnis and Shiites alike, no one can argue against that, for example, booby-trapped cars and explosive belts in the political and sectarian conflicts are spreading in Pakistan. This is a reality that the media mentions daily, displays pictures of and presents witnesses for. In my words, I did not accuse any of the naturalized people of this action, but

I only referred to their environment, and this is a procedure all the countries resort to. They take precautionary measures towards the areas witnessing conflict and turmoil, by being stern in giving entry visas to their countries or banning them for a while, to avoid any risks that could backfire at them.

I literally said, *“These people are being naturalized from different cultures. For example, when the Bahrainis argue, they raise their voices at each other. You sit there and allow the entry of people who booby trap cars and wear explosive belts if they argue with someone.”* The context refers to what is happening in the environments they came from. I did not accuse them of booby-trapping cars in Bahrain. This statement is only a warning for some of the risks that naturalization might bring about, which are not safe for anyone. This does not insult a group of people.

Moreover, regarding my threat to have them returned in coffins is a blatant lie. My words clearly stated that what Saddam Hussein did when he had naturalized people returned in coffins is unacceptable, unacceptable, unacceptable. I stated this in an interview with Lualua TV on June 12, 2014⁽¹⁾. The interview was as follows:

“Interviewer. OK, Sheikh, in order to resolve this critical file [naturalization], what is the solution in your opinion?”

In the local dialect I said, *“There isn’t any actual problem when there is harmony among the citizens of the nations, because the people who came under naturalization did not come from space. If he comes from Saudi Arabia, he would have a Saudi citizenship and does not need a Bahraini*

1 (in Arabic) Lualua TV’s interview with Sheikh Ali Salman , 12 June 2014.

citizenship. If he comes from Syria, he would have a Syrian citizenship and does not need a Bahraini citizenship. A Pakistani would not need a Bahraini citizenship either. They say that we could need him for work. OK, and he would be dignified and revered in any place he would work in. Security institutions always had foreign staff, for over 60 years. One of the demands of the movement of 38 (1930s) was to replace the foreign police with Bahraini citizens. When they brought them from Iran and Pakistan, they called them foreigners. Now, they want to replace foreigners with Bahraini citizens. These people have citizenships, and you don't have a problem with them. You would say that humane circumstances came up, and you would deal with the humane circumstances. We do not call for doing what the Iraqis did to the Egyptians one day. Do you remember what the Iraqis did to the Egyptians? When Saddam Hussein brought them for certain goals, he brought the Kurds from the South to the North and brought Egyptians to Baghdad. He then caused problems that led to them leaving in coffins. The Bahraini community does not want this kind of approach, but it rather wants humane forms to end this phenomenon. Its consequences and all the mistakes that entailed must be corrected."

In a nutshell, I did not incite to disdain or hate a group of people. I expressed my opinion in naturalization to respect them as is obvious in the interview. I did not go beyond my right to express my opinion in general matters and present my vision to solve them.

Copies of two recent articles are attached to this plea, where the writers both expressed the same stance as mine on naturalization, without them being accused of inciting hatred towards a group of people. If we accused

all who spoke of naturalization with this general and loose allegation, many people would have been standing with me in this court.

Fortunately, those who heard what I said about naturalization did not cause a problem to people who were recently naturalized. This is proof that my opinion was void of any incitement to hold disdain towards them that would cause disruption of public peace.

However, the clashes that did happen were between newly naturalized people and the Sunni community, in which the former are mostly present.

- 28.2.3: Third: Plea to the third accusation that stipulated, “*publically incited not abiding by the law and encouraged incriminating actions, by calling on not to abide by the law in regards to the organization and regulations of processions in the speeches he delivered in public occasions and events. Moreover, he called on the Islamic Council of Scholars to carry on its activities regardless of his knowledge of the council’s disbandment by virtue of a final court order.*”

I prefer to refute this accusation consecutively as follows:

The accusation stipulated, “*He also called on to partake in illegal processions to cause turmoil and chaos in the country*”

- a. The Kingdom of Bahrain, in the field of human rights – which includes the freedom of peaceful assembly, association and opinion – is obligated by the international law to abide by it. This commitment was reiterated in articles 102, 103, and 104 of Bassiouni report.

Article 102 stipulated, “*The following sections will consider*

aspects of the legal and judicial system of Bahrain relevant to the work and investigations of the Commission [in the events of February/March 2011]. These include the relevant provisions of the Code of Criminal Procedure, the jurisdiction of the criminal courts, the powers of both the Public Prosecution and law enforcement agencies and applicable international legal obligations.”

Moreover, article 103 stipulated the Kingdom's commitments in the field of human rights and legal centres, “*Bahrain is party to a number of the main international human rights treaties. These include the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social, and Cultural Rights (ICESCR), the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD), the Convention Against Torture, and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and the Convention on the Rights of the Child (CRC). Bahrain is also party to a number of the fundamental conventions of the International Labour Organization (ILO). At the regional level, Bahrain is a party to the Arab Charter on Human Rights.”*

As for article 104, it depicted, “*As a State party to these treaties, the Kingdom of Bahrain is obliged to respect, protect, promote and fulfill the human rights of all persons within its jurisdiction. This includes the obligation to provide an effective remedy (including the provision of reparations) to individuals whose rights have been violated. Bahrain is also obliged to undertake genuine investigations into allegations*

of human rights violations and to hold the perpetrators of those violations accountable.”

According to the regulations of the international law, we must conclude the following:

1. Banning peaceful processions, including the ones they were notified of, is an assault on citizens' right to peaceful assembly; a right ensured by international conventions and the constitution that the Kingdom of Bahrain is obligated to follow.
2. Governments have the right to organize peaceful processions and rallies, however they do not have the right to ban peaceful gatherings.
3. Article 21 of the International Covenant on Civil and Political rights stipulated this right, which mentioned, *“The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.”*
4. Mr Bassiouni stated in article 1286 of the Bahrain Independent Commission of Inquiry that Article 179 of the Penal Code has also been used by National Safety Courts to convict persons who opposed the GoB. The use of article 179 in connection with the events of February/March 2011 was similar to the use of articles 165, 168 and 169 as discussed above,

namely as a means of repressing freedom of assembly and punishing those who seek to exercise that right. Article 179 criminalizes acts that constitute “*attempts*” to participate in violence, which this provision characterized as rioting. However, this definition does not include a key element of the crime of attempt, namely the taking of material or tangible steps towards the commission of the crime. Thus, article 179 can be used against persons seeking to exercise their internationally guaranteed right of freedom of assembly, without the need to prove the commission of material or tangible conduct. Moreover, article 179 criminalizes attempts to commit acts of violence, without requiring any act leading to violence to have been committed.

5. In the next article no. 1287, the Bassiouni report depicted, “*In the light of the way that these provisions have been applied in Bahrain, the Commission considers that the cumulative effect of articles 179 and 180 of the Penal Code is to place overly broad restrictions on the right of assembly, which is protected by the Constitution of Bahrain, the ICCPR [article 21] and the Arab Charter [article 14]. Law enforcement officials have, under these two articles, have the authority to take forceful measures to disperse individuals who have not committed specific acts of violence or taken substantial steps in that direction.*” It is evident that Mr. Bassiouni is aware of a violation to the right of peaceful assembly that the Bahraini constitution, article 21 of the ICCPR and article 14 of the Arab Charter on Human Rights guarantee.

6. The international laws depicted in article 21 of the International Covenant on Civil and Political Rights, article 14 of the Arab Charter, and the Constitution of Bahrain all ensure the citizens' right to peaceful assembly, including the right to protest at the Gulf Cooperation Council Roundabout or at other places, and ensure their right to peaceful processions and rallies. The government's duty is to enable the people to practice this right, or else it would be counted as a violation to the constitution and international law the Kingdom of Bahrain is obligated to abide by. The government should be the party that violated the law by banning protests, and not the people who enjoy the right to peaceful assembly.

All my invitations to the citizens were for peaceful processions licensed by security authorities. I have already spoken about this before and focused on sustaining their peacefulness.

- b. Regarding the Islamic Scholars Council, I state, *"I am completely aware that the building of the Scholars Council had been returned to its owner before my current speech [the plea], and the entity of the Scholars Council was not in effect at the time that I delivered my speech. I had addressed the former members of the Council as religious scholars and that it is their duty to carry on their religious duties. My speech focused on the religious role that scholars play in terms of guiding, directing and serving the community as individuals practicing this social role. The script of my speech was clear in this context, as follows: "Add some extra dynamism to what you were doing. Weren't you performing congregational prayers? Use these congregational prayers to cover the empty*

spaces at the three different times of prayer.” I addressed them individually, adding, “Weren’t you delivering speeches? Deliver speeches in mosques and obsequies.” I further encouraged them in a personal and individual manner, “Your interests were weak. You belong to this area, you are the area’s scholars and you are counted as belonging to the area. Put an extra hour for religious lessons.” Moreover, I addressed them in an individual manner, “Sit with the youth who study and create a new place for teaching and learning.”

My call was addressed to the scholars, indicating that they must perform their religious role of performing congregational prayers, delivering religious speeches, establishing religious and Quranic studies, and giving lessons in Jurisprudence and morals. These matters are the essence of a religious figure, and calling for this is not considered a violation of the law or inciting to violate the law, whether there was a Scholars Council or not. This absolutely does not mean that I am calling for re-establishing the Scholars Council.

- 28.2.4: Fourth: Plea to the fourth accusation: publicly slandered an authoritative body (the Ministry of Interior Affairs) by openly describing its staff as mercenaries, claiming that some are involved in terrorist organizations, and stating that the Ministry acts based on oppression and violation of rights. He committed these acts verbally through speeches he delivered in public occasions and events and his statements in the media through the means detailed in the investigations.

In response to this allegation, I state: I did not announce anything more than what the Interior Ministry declared

through its Twitter account on Thursday September 4, 2014, where it mentioned, “*Former lieutenant Mohammad Isa al-Binali was suspended before, as a result of his negligence in work,*” I did not say that the staff of the Ministry of Interior are currently members of ISIS, or that they are involved in terrorist organizations. In my speech on August 22, 2014 in Imam Sadeq Mosque in Gufool, I mentioned, “*Now another source of concern that is becoming a real and true worry is the other factions related to the thoughts of ISIS. Some of these are present in security places, some have gone to fight in Syria, and some are still in Syria and Iraq.*” My statement was based on the announcement the Ministry of Interior made about one of its former officers, Mohammad Isa al-Binali, joining ISIS and becoming a high commander there. The word “*some*” refers to the same person the Ministry of Interior mentioned in its tweets, since he was a former security officer. I do not mean everyone or the majority, and I do not mean that the staff in the Ministry of Interior are members of ISIS, for it to be an insult to this Ministry.

The word “*some*” is clear in using the plural sense to indicate a part. An example of this is Allah’s verse in the Holy Quran: Your ally is none but Allah and [therefore] His Messenger and those who have believed - those who establish prayer and give zakah, and they bow [in worship]⁽¹⁾. All interpreters or the vast majority, said that only one person is meant in the part: “*...those who establish prayer and give zakah, and they bow [in worship]*”, i.e. Imam Ali Bin Abi Taleb (peace be upon him), however the phrase came in the plural context.

1 Surat al-Ma'idah, Verse 55.

In the aforementioned speech I delivered, it evidently indicates the escalating concern of terrorist organizations that are recruiting many youths. It does not have anything to do with slandering the Ministry of Interior whatsoever.

Moreover, citing the actions of a ministry from the Bassiouni report, other impartial and prestigious organizations, or Special UN Rapporteurs is not considered slander. They all accused the Ministry of Interior of the malpractice of the power it is granted, the oppression of citizens, the unnecessary use of force, and the torture of detainees by its personnel, which led to the death of some. Aren't these actions that the Ministry of Interior's personnel did, what led the Public Prosecution and the Ombudsman (General Secretariat of Grievances) to prosecute a number of the Ministry's personnel on charges of unnecessary use of excessive force in killing Hani Abdul Aziz, and charges of beating to death in the cases of Ali Saqer, Abdul Karim Fakhrawi and others. A member of the Ministry of Interior was recently prosecuted in January 2015 for unnecessary use of force against a citizen carrying a picture and the Bahraini flag.

Thus, describing and criticizing some of the Ministry of Interior's actions on its abuse of power or violation of a law or certain procedures is not considered slander to this Ministry. Otherwise, criticism would have ceased, the National Audit Office's work would have stopped, and the Ombudsman would have been cancelled. Also, the Bassiouni report, the National Audit Office report, rights reports issued by the US State Department, Geneva's report and recommendations issued by the Human Rights Council, and rights statements issued by 48 countries

would have been the first to slander the ministries, in which they expressed their concern on the human rights situation in Bahrain.

We present to the court panel examples of what was mentioned in the Bassiouni report on the Ministry of Interior and the violations its staff were involved in:

In paragraph 660, Mr Bassiouni stated, "The available evidence and the progression of events during these days do not indicate that orders were issued to the police to use lethal force against demonstrators. However, as discussed in Chapter VI, Section B, the Commission has found that police units used force against civilians in a manner that was both unnecessary and disproportionate. This was due, at least partially, to inadequate training of field units, ineffectual command and control systems and, at times, insufficient numbers of police to handle demonstrators."

In paragraph 667, he stated, "Many of those arrested were subjected to mistreatment at police stations. This situation continued until 31 March 2011."

Paragraph 864 stipulated, "The Commission finds that there were nine deaths which are attributable to the MoI and which resulted from the use of excessive and unnecessary lethal force. There is one case which is attributable to the MoI but in which the available evidence is not sufficient to conclude that the death resulted from excessive use of force."

Moreover, paragraph 873 mentioned, "The Commission finds that five persons died as a result of torture. Three of these deaths occurred while the deceased persons were in the custody of the MoI at Dry Dock Detention Centre. The MoI

conducted investigations into the circumstances surrounding all three of these deaths. The Commission concludes that all three deaths are attributable to mistreatment while in custody.”

Paragraph 889 of the report stated, “The number of deaths described above raises many issues about a widespread practice of excessive use of force, failure to conduct effective investigations and failure of those in the higher levels of the command structure to prevent and repress the excessive use of force through effective command and control of their subordinates in the field.”

In addition, paragraph 1112 concluded, “An examination of the evidence presented to the Commission has revealed that PSF units involved in the events of February/March 2011 and subsequent events in many situations violated the principles of necessity and proportionality, which are the generally applicable legal principles in matters relating to the use of force by law enforcement officials. This is evident in both the choice of weapons that were used by these forces during confrontations with civilians and the manner in which these weapons were used.”

The following paragraphs address the issue of necessity and proportionality with respect to the use of shotguns, tear gas, rubber bullets and the conduct of security forces at checkpoints.

Paragraph 1113: “The Commission has found that PSF units used shotguns in many situations when this was not necessary. Overall, PSF units fired shotguns on civilians in situations where police personnel were not subjected to an “imminent threat of death or serious injury.”

Paragraph 1114: *“In many situations, PSF units that used shotguns during the execution of their duties did not respect the obligation enshrined in Bahraini and international law to use firearms in a manner that was proportionate to the seriousness of the danger presented.”*

Paragraph 1115: *“The Commission has also found that in the use of shotguns, PSF units did not, at all times, strictly comply with their legal obligation to target the individuals in a manner that would disable or incapacitate the individual. The available evidence, including forensic and ordnance reports, indicates that on a number of occasions PSF personnel fired their weapons without taking due care to ensure that individuals were not fatally injured.”*

Paragraph 1116: *“Similarly, the Commission has found that PSF units fired rubber bullets in a manner that did not aim to cause minimal injuries to civilians.”*

Paragraph 1117: *“The Commission has found that PSF units resorted to the disproportionate use of tear gas for the dispersion of protesters. On many occasions, the number of tear gas canisters fired at protesters was disproportionate to the size of the demonstration and the number of participants. In a number of situations, tear gas canisters were fired at private homes, in a manner that was unnecessary and indiscriminate.”*

Paragraph 1118: *“The Commission has found that excessive force was used by PSF units at the checkpoints that were set up on various roads in many areas of Bahrain. PSF personnel beat, kicked and physically harassed individuals who were suspected of having participated in or sympathized with the protests that occurred in Bahrain.”*

The Bassiouni report dealt with the issue of arbitrary arrests, depicted in the following paragraphs:

Paragraph 1172: Between 21 March and 15 April 2011, Bahrain security forces systematically raided houses in order to arrest individuals, and in so doing terrified the occupants. The security forces intentionally broke down doors, forcibly entered and sometimes ransacked the houses. This practice was often accompanied by sectarian insults and verbal abuse. Women and children and other family members frequently witnessed these events. In many of the reported cases, the women were asked to stand in their sleeping clothes, which did not adequately cover their bodies, thus humiliating the women, the children and their arrested spouses or relatives. This practice also constitutes a violation of Muslim and in particular Shia religious practices.”

Paragraph 1173: *“When the MoI was asked about its role in these arrests, it stated that it was merely assisting the NSA and that no joint operations were carried out. However, the witness statements provided to the Commission indicate that the MoI did in fact take part in these raids.”*

Paragraph 1174: “Most of the arrests described in this section were based on Royal Decree No. 18 of 2011 on the Declaration of a State of National Safety, which gives the authority to the Military Attorney General to issue arrest warrants for an indefinite period of time, without having to state the evidentiary basis supporting the arrest and without having to secure any judicial authorization. The assumption under this Decree is that the Military Attorney General is a judicial officer. Based on this reasoning, the National

Safety Decree did not provide for any judicial oversight. In addition, the National Safety Decree does not require the arresting officer to produce an arrest warrant issued by the Military Attorney General, nor is there any requirement for obtaining a search warrant to search the premises of the person arrested. On its face, this type of arrest constitutes arbitrary arrest under article 9 of the ICCPR. In all of the cases in which arrests and incidental searches of residential premises and seizures of property were made, no arrest or search warrant was shown to the person arrested or the person whose premises were searched. As discussed in Chapter III, the constitutionality of Royal Decree No. 18 of 2011 has been challenged by every defendant who has been charged under it, and the Commission recommends that the constitutionality of this Decree be reviewed by the Supreme Constitutional Court.

Paragraph 1178: *“In conclusion, the Commission finds that a substantial number of the arrests made pursuant to the pattern described above violated international human rights law and Bahrain law. In particular, security forces carried out the arrests without presenting an arrest or search warrant. The Commission finds that in many cases, the manner in which the arrest was performed involved unnecessary excessive force, accompanied by terror-inspiring behavior on the part of the security forces in addition to unnecessary damage to property. All of these factors reveal a failure to follow the appropriate procedures identified by the MoI and NSA. In regard to the seizure of items in connection to arrest, the agencies involved did not provide any records of the seized items. The Commission investigators were also not informed of any investigation commenced by the respective agencies on the basis of complaints by the persons arrested or members*

of their families. This evidences a pattern of disregard for violations of any procedures that may have existed as well as disregard for Bahrain law and international human rights law pertaining to fairness and due process in connection with arrests."

Paragraph 1179: *"Furthermore, the very fact that a systematic pattern of behavior existed indicates that this is how these security forces were trained and how they were expected to act. This could not have happened without the knowledge of higher echelons of the command structure of the MoI and NSA."*

Paragraph 1180: *"The failure to investigate these practices effectively, and the failure to take adequate measures to prevent violations by security forces, could constitute the basis for superior responsibility."*

As for the methods of torture and mistreatment, the report thoroughly explained parts of these practices as depicted in the following paragraphs:

Paragraph 1234: *"The most common techniques used on detainees included the following: blindfolding; handcuffing; enforced standing for prolonged periods; beating; punching; hitting the detainee with rubber hoses (including on the soles of the detainee's feet), cables, whips, metal, wooden planks or other objects; electrocution; sleep-deprivation; exposure to extreme temperatures; verbal abuse; threats of rape to the detainee or family members; and insulting the detainee's religious sect (Shia)."*

Paragraph 1235: *"As detailed in Chapter VI, Section C on Manner of Arrests, most detainees were arrested by security*

forces without presentation of an arrest warrant and without being promptly informed of the reasons for their arrest. The present Section shows that many detainees were then held for weeks or even months with limited, if any, access to the outside world. In particular, there was no access to the courts to challenge the lawfulness of detention. Detainees were denied access to lawyers, sometimes for long periods and sometimes even until the day of the trial. In addition, the GoB withheld from detainees and/or their families information about the detainee's whereabouts for periods ranging from days to weeks. In a few cases, the GoB failed to acknowledge even the fact of detention for periods of up to two weeks."

Paragraph 1236: "These practices represent multiple violations of the prohibition of arbitrary detention, as laid down in article 9 of the ICCPR and article 14 of the Arab Charter. The Commission notes that the GoB deposited a derogation from article 9 of the ICCPR with the UN Secretary-General on 28 April 2011, although the State of National Safety was declared on 15 March. It is clear that measures involving denial of access to courts and lawyers for periods of weeks can never be considered "necessary measures" that would be protected by such derogations."

Paragraph 1237: "In addition, it is generally accepted that prolonged incommunicado detention may itself violate the prohibition of cruel, inhuman or degrading treatment or punishment. Where the family of a detainee is denied information as to the fact of detention or the whereabouts of the detainee, the anguish that family members suffer may render them, too, victims of violations of the same prohibition. The Commission notes that it is precisely when individuals are detained without access to the outside world,

especially when they are denied access to lawyers and courts, that they are most vulnerable to torture or other prohibited mistreatment.”

Paragraph 1238: *“The physical and psychological treatment described above evidences a deliberate practice of mistreatment on the part of the NSA and the MoI. In some cases, this practice was aimed at extracting confessions and statements by duress, while in other cases such mistreatment was intended for the purposes of retribution and punishment. On the basis of the Commission’s investigation and particularly the forensic medical reports, it finds that the NSA and MoI followed a systematic practice of physical and psychological mistreatment, which in many cases amounted to torture, with respect to a large number of detainees in their custody.”*

Paragraph 1239: *“Many of the detainees expressed the view that the security forces acted with complete impunity and that there was no prospect of accountability for the treatment that the detainees suffered. In some cases, detainees reported that when they were released they were told simply to “forget about what happened”. Some detainees told the Commission that they informed a judge or Military Prosecutor about their mistreatment during their trial. In one case, the detainee alleged that the Military Prosecutor “did not believe him”. In another case, the detainee reported that the Military Prosecutor assured him that the beatings would stop, but the beatings nonetheless continued as soon as the detainee left the courtroom; moreover, upon his return to Dry Dock Detention Centre, the detainee was told that he would be beaten more severely if he complained about his mistreatment again. A third detainee stated that, in court, he witnessed another detainee complaining about attempts*

of rape and mistreatment, and that detainee was dismissed by the judge and then beaten afterwards.”

Paragraph 1240: *“The Commission notes a number of statements by detainees consistently showing that those inflicting mistreatment expected impunity. The Commission is of the view that the lack of accountability of officials within the security system has led to a culture of impunity, whereby security officials have few incentives to avoid mistreatment of prisoners or to take action to prevent mistreatment by other officials. In the light of this culture of impunity, the Commission acknowledges the immense courage that was required for the victims of torture and mistreatment to report their experiences to Commission investigators.”*

Paragraph 1241: *“The Commission received evidence indicating that, in some cases, judicial and prosecutorial personnel may have implicitly condoned this lack of accountability. For example, during the trial of the SMC doctors before the National Safety Court, the defendants filed a motion in which they alleged that they had been tortured while in detention and that their confessions had been obtained by torture. In its judgment of 29 September 2011, the Court rejected the defendants’ motion and ruled that it could consider the confessions as part of the totality of the evidence in the case. All of the defendants were convicted. The judgment was appealed before a civilian appellate court. At the first appeal hearing on 23 October 2011, the Attorney General amended the charges and withdrew the prosecution’s reliance on the confessions. The next appeal hearing is scheduled for 28 November 2011. The Commission acknowledges that the situation has been remedied with respect to the 20 medical staff who were previously convicted*

by the National Safety Court. However, the fact that the National Safety Court acted in this manner is a subject of great concern to the Commission.”

Paragraph 1242: *“The Commission notes that many of the forms and techniques of abuse described in this Section were also reported to have been employed in Bahrain during the 1990s. In 2005, the UN Committee Against Torture identified a number of “subjects of concern” in regard to Bahrain’s compliance with its obligations under the CAT. These included the following:*

- a. The large number of allegations of torture and other cruel, inhuman or degrading treatment or punishment of detainees committed prior to 2001;
- b. Reports of incommunicado detention of detained persons following the ratification of the Convention and prior to 2001, for extended periods, particularly during pre-trial investigations;
- c. The inadequate access to external legal advice while in police custody, to medical assistance and to family members, thereby reducing the safeguards available to detainees; and
- d. The apparent failure to investigate promptly, impartially and fully the numerous allegations of torture and mistreatment and to prosecute alleged offenders, and in particular the pattern of impunity for torture and other mistreatment

committed by law enforcement personnel in the past.”

Paragraph 1243: *“The recent recurrence of many of the violations identified by the Committee Against Torture may indicate that prison officials are being guided by a similar set of practices, or even policies, as existed in the past. This indicates a systemic problem, which can only be addressed on a systemic level.”*

Regarding the seizure of the freedom of opinion and expression, the report mentioned the following:

Paragraph 1279: *“A large number of individuals were prosecuted before the National Safety Courts and imprisoned for violating articles 165, 168, 169, 179 and 180 of the Bahrain Penal Code in connection with the events of February/March 2011. The Commission considers that the GoB used these articles to punish those in the opposition and to deter political opposition.”*

Paragraph 1280: *“In the light of the way that these provisions have been applied in Bahrain, the Commission has a number of concerns about their conformity with international human rights law and with the Constitution of Bahrain.”*

Paragraph 1281: *“Article 165 of the Penal Code was applied in a way that infringes upon the freedoms of opinion and expression by excluding from the public debate opinions that express opposition to the existing system of government in Bahrain, as well as opinions that call for any peaceful change in the structure or system of government or for regime change.”*

Paragraph 1282: *“Paragraph 1 of article 168 places broad restrictions on the exercise of freedoms of opinion and expression by criminalising “any false or malicious news reports, statements or rumours or spreads adverse publicity”. The absence of clear thresholds governing the application of this provision, and the ambiguity of notions such as “malicious news reports”, “rumours” and “adverse publicity”, raise concerns about the overly broad restrictions imposed by this article. These concerns are heightened by the manner in which the provision was applied in connection with the events of February/March 2011.”*

Paragraph 1283: *“Paragraph 2 of article 168 criminalises the possession in any way or form of material proscribed by paragraph 1. This has been applied so as to restrict the freedoms of opinion and expression by infringing the right to seek, receive and impart information.”*

Paragraph 1284: *“Articles 165, 168 and 169 of the Penal Code also restrict opinion and expression by criminalising incitement to hatred towards the regime or damaging public interest, without requiring any material act that causes social or individual harm. They have been applied to repress legitimate criticism of the GoB.”*

Paragraph 1286: *“Article 179 of the Penal Code has also been used by National Safety Courts to convict persons who opposed the GoB. The use of article 179 in connection with the events of February/March 2011 was similar to the use of articles 165, 168 and 169 as discussed above, namely as a means of repressing freedom of assembly and punishing those who seek to*

exercise that right. Article 179 criminalises acts that constitute “attempts” to participate in violence, which this provision characterised as rioting. However, this definition does not include a key element of the crime of attempt, namely the taking of material or tangible steps towards the commission of the crime. Thus, article 179 can be used against persons seeking to exercise their internationally guaranteed right of freedom of assembly, without the need to prove the commission of material or tangible conduct. Moreover, article 179 criminalises attempts to commit acts of violence, without requiring any act leading to violence to have been committed.”

Paragraph 1287: “In the light of the way that these provisions have been applied in

Bahrain, the Commission considers that the cumulative effect of articles 179 and 180 of the Penal Code is to place overly broad restrictions on the right of assembly, which is protected by the Constitution of Bahrain, the ICCPR and the Arab Charter. Law enforcement officials have, under these two articles, have the authority to take forceful measures to disperse individuals who have not committed specific acts of violence or taken substantial steps in that direction.”

Consequently, the Commission recommended to release the detainees in paragraph 1291, which stipulated, “The Commission recommends that all persons charged with offences involving political expression, not consisting of advocacy of violence, have their convictions reviewed and sentences commuted or, as the case may be, outstanding charges against them dropped.”

Moreover, the conclusion recommendations depicted in paragraph 1722 clause (h): "To review convictions and commute sentences of all persons charged with offences involving political expression, not consisting of advocacy of violence, or, as the case may be, to drop outstanding charges against them."

This recommendation completely applies to my case. When acting in accordance with the obligatory laws and covenants of the Kingdom of Bahrain, and looking into this recommendation, this court should not start from the base, because it contradicts these mandatory international commitments. This recommendation depicts that the trial must cease and all charges must be dropped because it evidently falls under the category of the freedom of expression guaranteed by covenants and charters ratified by the Kingdom of Bahrain.

- 28.3: It is impossible that mentioning a few known facts is "slander". These facts are fixed in Mr. Bassiouni's report and other international reports, and fixed in the practice of the Ministry of Interior itself. When the Ministry of Interior presents its personnel to be tried in court for "beating to death", it dealt with a case that violated the law. Also, referring police personnel who fired his gun inappropriately is dealing with a case that violated the law. We find numerous cases where the Ministry of Interior's personnel committed crimes against the law. On this note, they are interrogated, disciplinary actions are taken against them or they are referred to the Public Prosecution and Judiciary. It is also known and fixed that security bodies have taken precautionary measures based on ISIS's threats

and calls for defection. This is the logical reaction to take in such circumstances.

Mentioning and sharing these facts is a natural right for every human being, and is stipulated in article 19 of the International Covenant on Civil and Political Rights, *“Everyone shall have the right to hold opinions without interference. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”*

Article 32 of the Arab Charter on Human Rights of 2004 also depicted this, *“The present Charter shall ensure the right to information, freedom of opinion and freedom of expression, freedom to seek, receive and impart information by all means, regardless of frontiers.”*

Moreover, paragraph 1268 of the Bassiouni Report explained the freedom of expression issued by the UN’s Human Rights Committee, *“For instance, the value placed by the ICCPR upon uninhibited expression is particularly high in the circumstances of public debate in a democratic society concerning figures in the public and political domain.”*

Therefore, the accusation of “slandering” the Ministry of Interior and the other allegations pressed against me are but an incrimination to my practice of the freedom of expression that binding international covenants guaranteed in Bahrain. Mr. Bassiouni also mentioned in his report after depicting covenants and conventions that the Kingdom of Bahrain committed to in paragraph 104, *“As a State party to these treaties, the Kingdom of Bahrain is obliged to respect,*

protect, promote and fulfil the human rights of all persons within its jurisdiction.”

If a true initiative to strictly apply the recommendations of Mr. Bassiouni's report took place, a genuine beginning would have been designed to get out of this battlefield, and these political trials, which lack the assurances of a fair trial, would have stopped, knowing that they are aimed at silencing the opposition.

- 28.4: In conclusion, I demand the genuine reform and development of the regime and ultimately reaching a constitutional monarchy similar to other notable monarchies. I also implore the necessity of holding onto peaceful and nonviolent actions when demanding reform, and I believe in the significance of maintaining the freedom of expression, peaceful assembly, association and other public freedoms. Moreover, I believe in respecting all human rights, especially the right to criticize official and civil authorities, because it is the logical path to reform and correcting wrongs made. Despite my stance of rejecting naturalization as a systematic approach the regime adopted to outnumber its native people, I respect nevertheless the entire population of Bahrain, be they citizens or residents. I consider this as a duty that religion, humanity, and ethical values impose upon me. In addition, I believe in the necessity of continuing the peaceful popular movement and carrying on with political, media, and rights actions effectively, until the required reform is achieved.

Chapter 9

Discussion of the Incriminating Evidence

In this chapter, I rebut the false testimony of Lieutenant Mohammad Khalid Saeedi, which is full of lies that are clear in some cases and hidden in others. He misinterpreted my plain and honest words that called for peacefulness and reform, and accused me of void allegations that lacked any conclusive evidence. He would sometimes dare to accuse me of lying and misleading without any excuse, and would prosecute my conscience and intentions he claims are contrary to what I display and publically do in regards to political actions as Secretary General to the largest political opposition in Bahrain. I will present this in this chapter.

29.1: Lieutenant Mohammad Khalid Saeedi's testimony to the Public Prosecution on January 17, 2015 is based on:

- a. Confidential sources he refused to disclose, claiming that they could be harmed if disclosed, which is a dishonest exaggeration.
- b. Deliberately picking out certain terms and taking them out of context, similar to taking the following verses out of context, as in the verse "*... do not approach prayer*" where the phrase "*while you are intoxicated*" would be omitted, or saying "*There is no God*" and omitting "*but Allah*", thus changing the whole meaning. He also resorted to partially altering words by changing a letter or omitting a word, intentionally changing the context. For example, in a speech I delivered on October 10, 2014, a sentence was altered. The following is the original text: "*I do not speak of military force.*" He omitted the word "*not*" and it became "*I do speak of military force*" and

considered it to be evidence of summoning to threaten and use military force.

- c. False interpretation of words taken out of context and giving them a different meaning. For example, in a speech I delivered in a protest in Sitra on May 3, 2013, the word “*change*” was interpreted as overthrowing the regime, contrary to its general meaning and context of reform.
- d. Invention of null accusations, knowing that they were not mentioned anywhere in any of my speeches, such as “*demanding an Islamic Republic*” or my support to processions that he called “*military*”.
- e. Delving into intentions and claiming to know what is hidden in my conscience, in which he resorted to establishing his testimony on what he believes I think and intend. He came up with his own meanings to my words that would agree with his own conclusions, even if the widespread reality of my attitude and actions differs. Here he poses as a great creator who knows what the soul whispers to me, claiming that he is closer to humans than their own selves. Hence, he interprets the popular movement of February 14 as a coup d'état, which is a false explanation that contradicts reality and contrasts the truth. Their Highnesses the King and Crown Prince and other senior officials considered the popular movement as legitimate with legitimate demands. The King offered his condolences to the victims and declared

an official period of mourning. If a certain number of participants disrupted the movement, this does not justify the description of a “*coup d'état*” whatsoever, and does not incriminate its participants or its supporters. Mr. Bassiouni and all international organizations considered it to be a popular movement practicing its natural right of demanding its rights in a peaceful popular way.

29.2: Now I will present some examples of the testimony given by the witness, and not all of them due to his repetition in some places and the resemblance in approaches. These examples are enough to show the invalidity of this testimony, which is full of mendacious allegations.

a. In page 206 of his testimony, he said, “*Ali Salman Ahmed Salman was under surveillance and had, in the recent period, gradually and publically incited vandalism, violence, trespassing public property and assaulting security officers...*” This contradicts the truth. I did not incite violence, trespass on public property, or assault security forces in any speech I delivered ever since I began my political career. The witness did not offer any tangible evidence to these wrongful accusations that he led blindly in his testimony, which is in contradiction to reality and facts. I was always attentive to emphasize calling for peace and not taking it out of context. Examples of my peaceful speeches are as follows:

- In a speech I delivered on December 5, 2014 in Imam al-Sadeq (as) Mosque in Gufool, in

the framework of praising Ayatollah Sheikh Isa Ahmed Qassim and his positive role, in which I reiterated his peaceful approach, I literally said, *“However, the most important milestone is the peaceful movement, rejecting violence, and not resorting to military [actions].”*

- In the speech of October 10, 2014 in Imam al-Sadeq (as) Mosque in Gufool, I said, *“This people and we hold onto our right to peaceful assembly.”*
- In a speech on December 12, 2014 in Imam al-Sadeq (as) Mosque in Gufool, regarding the recent blasts, *“Concerning the blasts, our stance is clear, and it is based on the sanctity of the blood of any party. We emphasized this before and reiterate it now, and we will continue to emphasize the sanctity of blood. We forbid belittling the blood of anyone on this land. We are responsible towards this land and elsewhere, but our responsibility here [on this land] is direct. We do not tolerate nor do we encourage any action that would lead to bloodshed or injury.”* This is an obvious stance that condemns violence of all forms and even forbids it in a clear language that cannot be misinterpreted. It emphasizes *“the sanctity of the blood of any party”*, *“We emphasized this before and reiterate it now”*, *“We forbid belittling the blood of anyone on this land”*, *“We do not tolerate”*, *“nor do we encourage”*, *“any action”*, and notice the phrase *“that would lead to bloodshed”* or *“injury”*. Despite these terms and their repetition in my speeches in different wording, the witness was thorough in accusing me

of legislating violence, which is a false accusation, like someone who claims the sun is set in the middle of the day. And yet, despite my repeated condemnation of all forms of violence from all parties, I am accused of authorizing violence.

- In a speech delivered at a General Conference on December 26, 2014 in Karrana, I said, "*Holding onto complete peacefulness in methods and action*". In another paragraph in the speech, and under a subhead of maintaining peacefulness, I said, "*[Bahraini people] were able through this mature opposition to carry on despite all circumstances and maintain peacefulness in this nation. The people were able to let Bahrain avoid entering a destructive war like the war in Syria.*" I then continued, "*The Bahraini opposition was offered to take the approach of the Syrian opposition and turn the country into a military battlefield, but this opposition's persistence on peacefulness and its clear vision is the main element that kept Bahrain far from violence*". In another context in the same speech, I said, "*We aim at one key goal, which is to carry on with the popular peaceful movement.*" These are four points in one speech where I emphasize holding onto complete peacefulness and rejecting violence and military actions. One of the wonders of the investigations report and testimony is that it could turn this speech that stipulated peacefulness and rejection of violence terminologically and contextually into, "*threatening to use military actions*". This accusation is no less than accusing Ghandi, who believed in the principle of nonviolence, of inciting

and calling to practice violence. I have cited these obvious excerpts on peacefulness and rejection of violence in my speeches dated October 10, 2015, December 5, 2014, December 12, 2014, and my last speech on December 26, 2014 before my arrest. Rejecting violence and calling for peacefulness are the approach I have adopted since 1992, and I will continue with this approach until democracy is achieved. This is flagrant proof of the falsity of the testimony of the witness, when he accused me of “*publically inciting acts of vandalism and violence, and trespassing public property.*”

- In his testimony in page 207, the witness claimed, “*This scheme is considered to be a platform to portray the state as unstable, and that there are legitimate demands for a group of these people, contrary to the truth.*” This statement invalidates the King’s statements. The King had said in an article published in the Washington Times⁽¹⁾ that there are legitimate demands for the Bahraini people and those who protested on February 14, 2014. The article mentioned, “*On Feb. 14, the winds of change that are sweeping the region hit the shores of Bahrain. Demands for well-paying jobs, transparency in economic affairs and access to better social services were received with good will. There is no doubt that grievances about civil and political rights for all Bahrainis are legitimate. In response, we offered an unconditional dialogue with the opposition so as to maintain the stability of our country and address the demands for reform.*” This

1 “AL KHALIFA: Stability is Prerequisite for Progress” By His Majesty King Hamad bin Isa bin Salman Al Khalifa, The Washington Times, 19 April 2011.

also invalidates the Crown Prince's statements, which stated that the Bahraini people who gathered in Pearl Roundabout have a common agenda and legitimate demands¹.

- The witness stated in his testimony in page 207, *“Offering legitimate cover for all factions of violence in the state, especially the so-called February 14 organization, which is considered among the terrorist organizations in the Kingdom, and directing these factions to conduct military parades similar to the processions of the Lebanese Hezbollah and Hamas.”* However, the witness did not offer one piece of evidence to support his allegations, and deliberately forgot the unquestionable truth that I condemned violence committed by any party in all of my speeches after describing them as terrorist organizations, regardless of the validity or invalidity of this description whatsoever. In addition, I did not utter one word in any day in which I call to conduct what he described as *“military parades”*. This allegation is a flagrant lie and his testimony is seen as perjury. The witness did not present any proof that would support his fabricated, picked out, and untruthful accusation, as what he usually does in other allegations.
- In his testimony in page 208, the witness said, *“The defendant continued his criminal activity without condemning or rejecting these actions.”* This is contrary to the bright truth of me repeatedly condemning violence of all forms. The following

¹ (in Arabic) “Sawsan al-Shaer’s Interview with Bahrain’s Crown Prince”, 6 March 2011, see: <https://www.youtube.com/watch?v=dU4ZLWYSZ-U>

examples will expose the lies of the witness. Unashamedly, this witness claimed that I support al-Ashtar Brigades, although he is aware of many speeches where I condemned violence of all forms. I delivered a speech on December 12, 2014 in Imam al-Sadeq Mosque in Gufool, where I said, *“Concerning the blasts, our stance is clear, and it is based on the sanctity of the blood of any party. We emphasized this before and reiterate it now, and we will continue to emphasize the sanctity of blood. We forbid belittling the blood of anyone on this land. We are responsible towards this land and elsewhere, but our responsibility here [on this land] is direct. We do not tolerate nor do we encourage any action that would lead to bloodshed or injury.”* How can his testimony that I support al-Ashtar Brigades be in harmony with my clear condemnation of this Brigade in all of my public speeches? I delivered many speeches clearly condemning violence and adopting the peaceful approach. For example:

- a. I stated in a civil assembly in the southern Sihla village on August 3, 2014, *“We, as the opposition, issue statements, and (even now with what happened in Budaiya), the so-called al-Ashtar Brigades came and claimed responsibility for the operation. We are against this and against every action it adopts (what is this title? An intelligence one, a civil one; I still do not have a final reading on this), but we are against it. Period. Anything that adopts violent actions and calls for violence, we are against it. We do not want to lead our country into a battle of violence where blood would be shed by*

the thousands. This is part of the civility of conflict that I mentioned: How do we curb our losses? How do we curb the other party's losses? How do we curb our economic losses?"

- b. I emphasized in a festival in Maqsha square on December 29, 2011, *"Peacefulness has brought about gain to our cause, which covered a long road to achieve its demands. The world was in solidarity with it, and it is a source of power, not weakness nor failure. No, my dear ones, a rose will always be stronger than weapons. Roses and love will always be stronger than weapons, and stronger than death. Live the love and live the peacefulness that is open to everyone's welfare."*
- c. In a speech on Friday prayers in Imam al-Sadeq Mosque in Gufool on August 22, 2014, I stated, *"Violent battles do not suit us. They destroy our nation and their cost is high. They disturb our demands. Everyday a new name comes up. Brigades this and brigades that and resistance cells. All these names are condemned and rejected."*
- d. Emphasizing our fixed stance from violence, I stated in a popular protest in Saar on June 14, 2013 entitled *"Everyone's Nation"*: *"Our stance from violence: we announced this before and I declare it again, we strictly reject the principle of violence in political work."* I clarified this principle from the beginning, which rejected violent incidents.
- On page 208 of his testimony, the witness delivered another false accusation without providing any proof, in which he stated, *"With his full knowledge*

“Conduct your investigation,” and the group was released after a few days.

- In page 210, the Prosecution asked the witness, *“What is the link that connects the sources to the defendant, that enabled you to reach the information you mentioned?”* The Prosecution pointed out the information related to my incriminating activity and the alleged scheme to change the regime, in which the investigator had yet to know who was aiding me, since this grand allegation is unbelievable. The witness replied, *“I cannot reveal this for fear of the life and safety of the source.”* This exaggeration aimed at portraying me as a threat to the sources or witnesses. I said here, *“Even in Saddam Hussein’s trial, the witnesses were listened to, and they spoke from behind a veil. Confidential sources and confidential witnesses were not enough. Let him bring his confidential sources and prove his false allegations.”* I also stated, *“I am one of the people who were tortured by the so-called Adel Fulayfel twenty years ago like tens of other citizens and like the women he violated. When this person was laid off his job for several reasons, no one inflicted any harm on him, so is it acceptable for a witness to take maintaining the safety of the witnesses as an excuse to avoid presenting them and summoning them to hear their testimonies? Isn’t this also a false allegation with no grounds?”*
- The editor of the investigations report and the only witness Mohammad Khalid Saeedi wrote in page 211 of his testimony, [in reference to me], *“From*

time to time, he would announce his acceptance to conduct dialogues with the State, which could restore tranquility and stability to the country. However, the intelligences we received and the investigations we conducted indicated and confirmed that the defendant is persistent in his schemes, and he does not seek any dialogue or genuine reconciliation. This was evident in 2014 when he, along with his culprits, failed to conduct any genuine dialogue, but rather incited and summoned many political opposition societies to help him.” I refute this false allegation with the following:

- a. Al-Wefaq National Society, along with other political oppositions, were always the party who called for a true and genuine dialogue. Its decorum, press conferences, and letters addressed to the King, the Crown Prince, the Minister of the Royal Court and the Minister of Justice witness this desire and seriousness.
- b. Al-Wefaq, along with other political oppositions, attended all invitations to dialogue, genuinely partook in it and presented its vision to solve the political crisis and achieve true national reconciliation. However, its vision failed.
- c. The authorities unilaterally ceased the dialogue that took place in 2014 when it invited the Elites and did not continue its dialogue with al-Wefaq and other societies.
- d. I received an invitation on January 14, 2014 from the Crown Prince to attend a meeting on

January 15, 2014. I accepted the invitation and attended with three other figures of al-Wefaq's leadership. On the other hand, when we request a meeting, months and years pass, and sometimes the authorities never even respond to our request.

- e. The witness claimed that I incited the other political opposition societies. Here, I demand the testimony of political oppositions representatives Sayed Radhi al-Moussawi and Youssef al-Khawaja from Wa'ad Society, Dr. Hassan Aali and Mahmoud Qassab from the Unitary National Democratic Assemblage, Mr. Abdul Nabi Salman and Abdul Jalil al-Nuaimi from the Progressive Democratic Tribune, as well as Sayed Moussa al-Ansari and Mahmoud al-Shehabi from the al-Ikha' National Society to testify and reveal which party obstructed dialogue and curbed its productivity. Let the court's justice judge who thwarted dialogue, and if I had a hand in it or incited to end it.
- The investigations report editor and only witness stated on page 211 a false allegation, in which he mentioned, "... *His support for some agents to suggest the project called the people's referendum, although this procedure is illegal and violates the constitution.*" This is a scandalous lie, because I did not, and still do not support the idea of the people's referendum in any form.
- The only witness and editor of the investigations report exploded a flagrant lie when the Public Prosecution asked, "*What kind of regime does the defendant want to reach?*" He answered,

“He wants to end the monarchy and establish an Islamic Republic similar to the Islamic Republic of Iran.” This is a lie and an atrocious statement that cannot possibly be believed. All those who knew Ali Salman and knew al-Wefaq and other national opposition societies knew that they clearly adopt the constitutional monarchy similar to other deep-rooted democratic constitutional monarchies, according to the National Action Charter and the Constitution. It has become evident that they are categorized in Bahraini politics as demanding constitutional monarchy. People near and far know this. This flagrant accusation attempted to overlook a known and famous fact about the opposition being divided in 2011 into two; those who demand a republic, in which none demanded for it to be Islamic, and those who demand a constitutional monarchy. Al-Wefaq, other political opposition societies and I support the second category. We issued the Manama Paper to include therein our demands of reform and democratic constitutional monarchy, and I had the honor of drafting this document. In addition, I declared in many statements in several occasions that we do not seek to establish an Islamic regime in Bahrain. Among these statements is the speech I delivered in the launch of Wa’ad Society on October 16, 2014, in which I said, *“In this period of time, some want to establish an Islamic State, in its sense of a state of murder, a state of imprisonment, a state of narrow-mindedness, and a state of extreme ignorance.”* I also stressed this in an interview with

al-Jazeera TV channel⁽¹⁾ in March 2011, where I joined former MP and Minister Dr. Salah Ali.

- When the Prosecution asked the witness in page 212, “*How is the defendant linked to the case you indicated?*” in an indication to the connection between demanders of a Republic and Ali Salman, the witness oddly answered, “*He did not have a direct connection, but he secretly supported it.*” Hence, the sole witness and editor of the investigations report identified my intentions, which is an audacity to Allah’s power, a fabrication, falsehood and perjury.
- The witness wrote biased and missing statements, deliberately misleading the Public Prosecution and the community, when he said in page 212, “*He always describes the regime to be illegitimate.*” Here he selectively chose my words to hide the truth of my statement. My statement he mentioned was in a speech I delivered on October 10, 2014 in Imam al-Sadeq Mosque in Gufool, in which I said, “*The international community looks at the authority as being undemocratic and violating human rights, and still does. The regime has lost its popular legitimacy, and when most of Bahrain’s people come together to demand change, this means that he who enjoys popularity – meaning that his popularity is legitimate – should not have these demands.*” I previously indicated the

1 (in Arabic) “Manama Dialogue on al-Jazeera with Sheikh Ali Salman and Salah Ali on the dialogue and February 14 Revolution, see:
<https://www.youtube.com/watch?v=tWUJmcrf2RI>

general sense of what I mean by the regime that has lost popular legitimacy. Here I am referring to the government that represents the executive authority, and not the regime of the state that I had called to dialogue. My description of losing legitimacy does not fit my request of dialogue and initiative. The international community, when it refers to the regimes as losing legitimacy, it would be the result of processions and assemblies of a popular nature. This applies to Bahrain, when the majority of its people demanded radical political and rights reform, which dictated that we demand an elected government chosen by the people, which represents the people and expresses their will and receives the acceptance and satisfaction of citizens.

- In page 212, the investigations report editor and the sole witness wrote a false allegation, stating, "*He also describes the Royal Family as a tribe that occupies the country.*" I do not know where he got this invalid allegation from, because I did not utter, in all my twenty years of political work and speeches, a word or notion of "*a tribe that occupies the country.*" However, he is fabricating the accusations without consideration.
- The witness continues his false allegations, and deliberately selects certain parts of my speeches and takes them out of their general context, phrasing flagrant accusations, "*Threatening the ability to use weaponry, and he was offered to turn Bahrain into a Syria where fighting is done*

by weapons.” However, he does not present the rest of the sentence of my speech, in which I said, “...*The mature opposition and the opposition’s persistence on peacefulness and its clear vision is the main element that kept Bahrain far from violence.*” This indicates his ill intentions that aim at accusing me of false allegations. I implore the court panel, in order to achieve justice, to listen to the complete excerpts of the speech, so you may observe how these words were taken out of true context that reiterated peacefulness and rejected military actions. The Bahraini opposition appreciates peacefulness and not being accused of threatening to use weapons. I said in my last speech in al-Wefaq’s conference held on December 26, 2014 in Karrana, only two days before my arrest, “*The great Bahraini people grasp peacefulness, and were able, through this mature opposition, to keep going despite all circumstances and to maintain peacefulness in this nation. The people were able to let Bahrain avoid entering a destructive war like the war in Syria. The Bahraini opposition was offered to take the approach of the Syrian opposition and turn the country into a military battle, but this opposition’s persistence on peacefulness and its clear vision are the main element that kept Bahrain far from violence.*” This excerpt is firm and clear in holding onto peacefulness and rejecting military actions and violence. Here the context envisages the pride of holding onto peacefulness and never threatening to use weapons. It is a speech that

rejects violence and stresses on the choice of peacefulness and rejects all other options.

- The witness wrote in page 213 of his investigations report, "*He is also counted among those who promote support for military processions that violent groups hold.*" I do not know what he based his accusation on, and which speech he relied on to suggest this flagrant lie. I did not indicate in any of my speeches any support to what he called "*military processions.*" It is easy for him to accuse people without consideration, as long as he is not asked to present any evidence to his allegations.
- In page 213, the witness Mohammad Khalid Saeedi made another false accusation without proof or basis, in which he stated that I said, "*The regime is illegitimate and its overthrow is a religious duty.*" I do not know from where he invented this lie that I called for the overthrow of the regime as being a religious duty. As usual, he made accusations without any proof, and he could not find any part from my speeches to pick it out from. I am quite certain that such a saying does not exist and that the witness invented it merely to convict me.
- The witness made yet another accusation, in which he claimed that he is aware of my intentions and my conscience and based his claim on his awareness of my intentions, where he commented on my repetitive calling for peacefulness in page 216, "*He calls for peacefulness, and this is a deceitful statement to the truth.*" What kind of statement did

he rely on regarding my deceit, besides his claim to know what lies in my conscience? He regards himself as Allah the All-Mighty in knowing what lies in the human spirit and conscience. This state of claiming to know what lies in my conscience and intentions was repeated in his testimony several times.

- Under the intentional and blasphemous picking out statements and taking them out of context in a manner that does not bear any other interpretation, the witness falsely accused me in his testimony in page 219, "*The defendant deceits and cheats when explaining his statements, attempting to evade liability. Otherwise, what is the meaning of his decision of peacefulness when he calls on his audience to persist and be ready for sacrifice, and announces that matters settled on change, and that the revolution will continue until change occurs.*" He explains the act of calling for persistence and preparation for giving and sacrifice as not being peaceful or based on peacefulness. He overlooked the reality and the fixed truth in communities that demand their rights with peacefulness; the reality that they are subject to killing, detention, oppression and torture. This situation has been going on for a long time, where these communities offer huge sacrifices because of their persistence on peaceful demand of rights. This requires their persistence, determination and willingness to sacrifice, and this is what I meant when I addressed those who demanded their rights. Ghandi was the pioneer of nonviolence,

and he would ask people who would help him in his cause, “*Are you ready to be imprisoned?*” with him being Ghandi and the pioneer of nonviolence. In the same speech, I had indicated the violations that happened to the people who were demanding their rights, and they were not seeking to overthrow the regime nor were they using force and violence. Abdul Karim Fakhrawi was killed under torture, and he was not practicing violence nor did he demand ousting the regime. Mr. Bassiouni had documented this case in his report, and he also shed light in the whole report on some of the violations that the Bahraini people were subjected to. Moreover, he held the authorities accountable to several violations they committed during the peaceful demands movement, such as the martyrdom of many citizens, injury of others, arbitrary detainment of thousands, laying off thousands from their jobs, torture of hundreds, destruction of mosques and other violations.

- The witness interpreted the term “*change*” in a manner that does not bear such interpretation, based on many excerpts from the speech. He had claimed that the word “*change*” meant “*inciting to change the regime by coercion by illegal means.*” Where does the term “*change*”, commonly used by the young and old, opposition and government alike, indicate the change of the regime by military force and by illegal means? I mentioned this point previously.
- In his testimony in page 220, the witness denied to

name those who fell casualties due to the authority's violence or mention those who were detained. He consequently incriminated me, stating, "*He glorified those whom he called martyrs, detainees and others, although he knows that those who died were committing crimes against security forces and citizens.*" It is as if this witness never heard of or read Mr. Bassiouni's report, which the King of the State accepted and endorsed everything it mentioned. This report stated that the authority used unnecessary and unjustified excessive force, which led to some citizens' death. I will name all whom Mr. Bassiouni recorded as dead due to security measures or from torture in detention centers, and fell martyrs, because these people did not confront security forces. Some of the cases that I refer to as martyrs are: Martyr Ali Saqer, Martyr Hassan Jassem Ferdan, Martyr Abdul Karim Fakhrawi, Martyr Zakariya Al Asheri, and Martyr Jaber al-Alawiyat. It is as if the witness did not know of the King and officials' condolences to the victims' families, having expressed their sorrow for the victims and announced an official period of mourning.

- The witness incriminated me and snatched my basic rights of thought and diligence, because I am convinced that a number of those detained are prisoners of conscience. They are, according

to the witness, accused of terrorist crimes. This is why he wants me to consider my brothers in religion and my peaceful friends, whom I am convinced of their commitment to peacefulness and their anti-violence approach and who were detained, as terrorists, just because he calls them so. This witness gave himself the right to this label and denied me the right to call them prisoners of conscience. As long as my opinion differs from his, he will always fabricate accusations. He stated in pages 220221- of his testimony, "*Those whom he calls detainees are accused of crimes of terrorism.*" It is as if he did not read the reports of Mr. Bassiouni and impartial and prestigious international organizations, the constant demands of the High Commission for Human Rights, and the reports from Special Rapporteurs that considered many of these detainees as prisoners of conscience who must be exonerated and released. He incriminated me because I call those who fell victim of excessive violence of security forces as "*martyrs*", and the politicians, athletes, doctors, teachers, and women who were detained, tortured and imprisoned as prisoners of conscience. My attitude was considered as "*an incitement to hate the regime,*" although I am citing this description from Mr. Bassiouni's report that is officially adopted by the authority, and from reports of international organizations whose objectivity is undoubted. On this note, he deprived me of my freedom of thought, my freedom of belief, my freedom of expression, and threatened me with

prosecution because I practiced these freedoms. No oppression is crueler than that which comes from a person who is supposed to commit to objectivity in his attitude and statements.

- When the Public Prosecution asked him the following question, *“What is your opinion on what the defendant decided... and what the Special Rapporteur concerned with religious freedoms concluded regarding the exile of Ayatollah Sheikh Najati as being sectarian oppression?”* He replied, *“This is not true.”* He ignored the statement of the United Nation’s Special Rapporteur on the freedom of religion or belief Mr. Heiner Bielefeldt, in his comment on Sheikh Hussein Najati’s exile, where he said, *“I have expressed to the Government of Bahrain my grave concerns at what appears to be an act of religiously motivated discrimination which would seem to impose unjustified restrictions on Mr. Najati’s fundamental human rights, including his right to practice and profess peacefully his religious beliefs.”* He further stressed, *“Targeting the most senior and influential Shi’a religious figure in Bahrain may amount to intimidating and thus discriminating against the entire Shi’a Muslim community in the country because of its religious beliefs.”*
- The witness stated in page 222 that if I allegedly attempted to warn the authority, as I claim, then in my capacity as head of a political opposition society, I should be aware that there are legitimate channels to address the authorities. In response,

I say that I have addressed the authorities and its chief figures in matters of reform and the demands of these people through private messages, and requesting private meetings to discuss this. I did not leave a road for lenient advisory I did not take. I went into details about this in the chapter on advisory in this plea.

- In the response of the witness to the Prosecution's inquiry in page 223 of his testimony, which said, "*What was the speech on November 3, 2014 in Manama about?*" He replied, "*It contained incitement to change the regime by coercion and by illegal means.*" In refutation to this allegation that lacks any evidence, I shall cite the excerpt of the speech he based his accusation on, "*Come on government to a dialogue, a true partnership in managing the country's affairs, which we all participate in and write down in the constitution and apply in reality based on equal citizenship. Come government to apply what we agreed upon in the National Action Charter, where the constitutional monarchy like other democratic kingdoms lies. In democratic monarchies, the king reigns, and does not govern. The government would be established through elections and popular will for the Prime Minister and other state affairs. We must cooperate, and this is what constitutional monarchies accomplish and execute. Come on government; let us agree upon a road with clear timing, terms and phases, to transfer into this democracy and this true and honest constitutional monarchy.*" Is this the tone of someone inciting to

change the regime by coercion and illegal means, as the witness falsely claimed? Or is it a tone of someone calling for true reform and execution of a constitutional monarchy that we agreed upon in the Charter through a defined time frame and clear steps?

- When the Prosecution asked the witness in page 224, “*What do you say about what the defendant stated that he described the strugglers and fighters as demanding their rights in a peaceful manner because their demands are legitimate?*” He replied, “*This is not true.*” His statement was based on a speech I delivered, which said, “*Peace be upon you, O followers of Hussein and strugglers. Peace be upon you those who stay behind bars for following the path of Hussein (peace be upon him). Peace be upon you, o demanders of reform.*”
- When the Prosecution asked the witness in page 224, “*What do you say about the defendant’s claim that what he meant in this speech was the Jihad by words, and not the military Jihad?*” He replied, “*This is not true.*” This question was on an excerpt from a speech I delivered, in which I said, “*Yes, the regime might have this day the means of military force, because we did not choose the military option.*” This excerpt is proof of the choice we made in demanding political rights, the peaceful choice, and Jihad in the sense of Jihad, enjoining good, and demanding reform. In this speech, I addressed the women as strugglers, in which I said, “*Peace be upon you struggling mothers, sisters,*

and wives, O those who are patient to the harm you endure in the name of Allah, whether directly, or indirectly through your kids and husbands." This is also proof to the sense of Jihad. It is known that women did not carry arms and did not practice violence. Despite this, I called them strugglers just as I called men strugglers, because they belong, men and women alike, to this peaceful popular movement. Jihad here is enduring harm and adversity to achieve fair demands. It is common that people call a patient and striving man a struggler. For example, people also call the late Sheikh Abdulamir Jamri (may Allah have mercy upon him) a struggler, and he never armed himself with anything but words which his resistance was based on. As Prophet Mohammad said, "*The most virtuous jihad is when one speaks a word of truth before an unjust ruler,*" and "*Your foremost Jihad is your selves, if you are able [to control it], then you are more able to [control] others.*" Jihad is not limited to weapons. There is the Jihad of the word and enduring harm inflicted upon a person as a way to achieve justice. Insistence upon demanding legitimate rights by peaceful means is a form of Jihad.

- The Prosecution asked the witness, "*What is your proof?*" He replied, "*When he talked about Jihad and sacrifice, and what they had to offer as injured, martyrs and detainees, which cannot be the Jihad of the word as he claimed...*" In response to this, I said, "*What did those who demanded democracy do, when they gathered for the first time*

at the Pearl Roundabout on February 16 and 17, 2011, besides peacefully gathering? Didn't martyrs and injured people fall when the first assembly at the Roundabout was dispersed? Didn't the state announce a period of mourning for those who fell? Didn't the King offer his condolences to the victims' families?" Mr. Bassiouni's report bears witness to the injured and martyrs and arbitrary arrests. He also demanded to hold those responsible for these actions accountable and release the detainees. However, the witness only evaluated in his mind that the word Jihad only meant force and arms. When martyrs and injured people fall and others are detained, then this must be because they used arms, according to the mindset of the witness. Anything that falls outside this circle is out of his range of service.

- When the Prosecution asked the witness the following question in page 224, "*What was said in the speech of October 3, 2014 in Imam Sadeq Mosque in Gufool?*" This speech tackled the situation in Tunisia and Egypt and the suppression of the Islamic movements. The witness had claimed that I said the following among other big crimes, "*Islamists are not the ones who are oppressing and excluding*" and that I said, "*Whoever is oppressing in Egypt and Tunisia are not Islamic movements or Islamic currents. It should be noted for the uprising that it succeeded in opening up political horizons, maintaining freedoms and allowing others to work. We highly appreciate with immeasurable praise that decent democratic elections were conducted by the*

will of the Tunisian people without forgery of the election's prologues, nor counterfeit in the results, and no bigotry to the results of the elections." When I said, *"We salute them for accepting the results of these elections that brought them in second place,"* where is the crime in applauding this attitude of the Tunisian uprising?

- When the Prosecution asked the witness, *"What do you say about the defendant's claim that the speech is an assessment of the political situation in Tunisia, and that he appreciates that the Islamic movements did not partake in any injustice, but the previous regimes did?"* He replied, *"Here I find that the defendant is trying to exonerate all types of movements that the Islamic currents lead, and at the same time, attempting to exonerate himself as a religious figure who exploited religious speeches to achieve his schemes. Here he is incriminating all Islamic movements."* It is noteworthy to mention that in a speech I delivered in Imam al-Sadeq Mosque in Gufool in Diraz on October 17, 2014, I said, *"The ISIS agenda is neither with the people nor with the regime. This agenda supports the past, the project of killing, and I do not mean the good past, but the past in the sense of bigotry and ignorance. An agenda of blood and seclusion, and one that is threatening Bahrain."* In this speech, I also mentioned, *"Because the opposition and its people are aware that an agenda based on sectarianism will harm them, whether opposition or government, then national unity and coexistence are pillars of the opposition's agenda."*

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- When the Prosecution asked the witness, “*What is your proof of this?*” He replied, “*He used religious speech as a legitimate cover in all his inciting speeches as was previously mentioned.*” This is an accusation with no basis whatsoever, because in all my speeches I call for reform, tolerance, and civil peace.
- The witness said in page 217 of his testimony, “*He described the trials as unjust, and promoted this as a justification to overthrow the regime and change it by all means to implement his criminal scheme.*” Here I mentioned this testimony, “*My comments regarding judicial judgements were expressed by international rights organizations. In Mr. Bassiouni’s report in paragraph 1720, the following was mentioned, “To make subject to review in ordinary courts all convictions and sentences rendered by the National Security Courts where fundamental principles of a fair trial, including prompt and full access to legal counsel and inadmissibility of coerced testimony, were not respected be subject to full review in the ordinary courts.”* The High Commissioner for Human Rights Ms. Navi Pillay cited High EU Representative Ms. Catherine Ashton on these trials as being characterized with political oppression¹. The UN Secretary General Ban Ki Moon strictly criticized the judgements on the opposition, calling on Manama to release all political prisoners. Ban Ki Moon’s spokesman, Mr. Martin Nesirky stated that

1 (in Arabic) al-Wasat newspaper, 25 June 2011.

the Secretary General expressed his deep concern over the cruel judgements issued by Bahrain against the citizens, adding that these judgements were issued in circumstances that pose serious questions on the legality of these procedures⁽¹⁾. The deputy director of the Human Rights Watch for the Middle East and North Africa Division, Joe Stork, said on the occasion of issuing the organization's report on the judiciary in Bahrain, "*A police officer in Bahrain who kills a protester in cold blood or beats a detainee to death might face a sentence of six months or maybe two years, while peacefully calling for the country to become a republic will get you life in prison. Bahrain's problem is not a dysfunctional justice system, but rather a highly functional injustice system*"⁽²⁾. These are the people I cite, who are according to the whole world, advocates of peace that no one dares to accuse of promoting lies, and undoubtedly, it is not possible to accuse them of promoting to overthrow the regime in Bahrain or slandering an official authority. As for the sole witness and editor of the investigations report, he considered, in his opinion and belief, that I get my strength from the international community as a cornerstone of my alleged strategy to overthrow the regime. Is it possible that these statements and words that fill the testimony of our only witness come from a sane person?

1 (in Arabic) "Bahrain: Sentences of Imprisoning Shiite activists reaching life sentences", Munsif Al-Sulaimi, 3 October 2011.

2 "Bahrain: A System of Injustice", Human Rights Watch, 28 May 2014, see: <https://www.hrw.org/news/2014/28/05/bahrain-system-injustice>

- The witness stated in his response in page 228, *“He rather offers legitimate cover to groups of violence and terrorism, especially the February 14 terrorist organization involved in a number of terrorist crimes.”* This is another accusation stated aimlessly lacking any proof. I never spoke of the February 14 organization in any of my speeches having been labelled a terrorist organization, despite my beliefs of the validity of this description. The witness failed to provide any proof to his false allegations. In the same page (page. 228), he said, *“He sponsors these groups and directs them to conduct military parades similar to the processions of the terrorist Hezbollah and Hamas movements. This is one of the strategic foundations in supporting terrorists and delivering a certain message of his legitimate support for them.”* Where did he bring this flagrant accusation from? There is no indication in any of my speeches to supporting *“military processions”*, even if my speeches were changed or altered, for I did not take on the subject of *“military processions”* in any of my speeches whatsoever.
- Moreover, in page 228, he answered a question the Prosecution posed, *“What did the defendant’s speech on June 14, 2013 during a popular protest entitled ‘Everyone’s nation 3’ in Saar include?”* The witness said, *“The defendant, through this speech, executes the foundation of using force and threatening to overthrow the regime by the aforementioned*

strategy, by delivering a clear message to his listeners and all groups of violence against the authorities. This occurred when he said, "We will pay them back twofold", and he describes the regime's agenda as invalid and claims that is based on revenge and murder, and thus the authorities must be confronted. This is a clear message that calls on to use force and violence against the regime." As I mentioned before, the witness took the part he wanted from the speech out of context. The following is the excerpt from which the phrase "we will pay them back twofold" was taken, which was considered "a clear message to call on the use of force and violence against the regime." I said in my speech, "Let us pay them back twofold like this Sheikh – in an indication to Hajj Samoud, the Sheikh who was stood out in all the peaceful protests and processions – by being present in all fields. Yes here, yes in this crucial moment, I am placing a restriction since day one, and I will not back down. I am placing a restriction I had put back in 1992 – when a number of unemployed individuals wanted to go to the labor market or the Ministry of Labor to demand their dream. I told them: Maintain peacefulness, my sons, and depend on Allah. And today, I give my sons fatherly advice, brotherly advice, advice of a political hard worker; Depend on Allah, hold onto peacefulness, then depend on Allah." This clear message that emphasizes a fixed and unwavering approach, since 1992 to hold onto

peacefulness as a restraint for any movement, turns into a testimony for the only witness of an accusation of being “*a clear message to use force and violence against the regime.*” This testimony is similar to that of Prophet Joseph’s [Youssef] brothers when they brought his fake-blooded shirt. The witness here tried to cover and falsify the truth. Here I address the court panel and state that the original script is available, both written and oral. After listening or reading it, would there still be any suspicion that I guided towards peacefulness and called on to avoid all kinds of violence?

- The lies and misrepresentations that this witness presents reach an unimaginable extreme as it is evident when he falsely claimed that I “*call on to threaten and use military force,*” as mentioned in pages 229 and 230 of his testimony. When asked by the Prosecution, “*What did the speech delivered on October 10, 2014 in Imam al-Sadeq Mosque in Gufool include in regards to threatening to use military force to change the current regime?*” he replied, “*The defendant shows off and threatens to use military force, and boasts that the people hide a greater strength. All he needs is to awaken this strength, stating that he is talking about military force.*” When asked, “*What do you have to say then about that when the defendant was confronted with the speech contained in the investigations report he clarified that what he meant was that he did not see any necessity or*

validity to use force in Bahrain, and that this is rejected?" the witness replied, *"This is not true, and the defendant always talks about arms."* When he was asked, *"What is your proof?"* he said, *"The defendant clearly talked in that speech about the possibility of awakening the strength of the people,"* citing the phrase, *'I am talking about a military force,'* and this phrase does not need any interpretation or explanation as he claims [referring to me] to be a social or economic force." In order to show how the witness distorted my statements to base his malicious accusation of me calling for and threatening to use military force, I will present the excerpt that the witness referred to, which is an excerpt of a speech I delivered in Imam al-Sadeq Mosque in Gufool on October 10, 2014, *"...that awakens the people strength more and more. All you have to do is to awaken this force now. I am ((not)) talking about military force, and I hope that the people do not need to defend themselves with military force the way the Kurds had done in the face of unexpected variables, to the extent that the women had to arm themselves. I hope that we do not need this one day. But I am talking about the economic and educational forces, communal unity, media, political rights and popular scopes. All these factors can be grown."* The term is clear that the topic was about the elements of economic strength. The editor of the investigations report deliberately dropped out the word "not" so that the phrase

would become “*I am talking about military force*”. What a heinous and flagrant lie and an intentional omission of my words to accuse me of allegedly of calling on and threatening to use military force. I previously indicated the circumstances in which I delivered the speech and the imminent danger threatening Bahrain from ISIS terrorism, where Kurdish women along with their men had to carry arms.

- The witness stated the third accusation of threatening and inciting to use military force to change the regime. When the Prosecution asked, “*What did the defendant’s speech, delivered on December 5, 2014 in Imam al-Sadeq Mosque in Gufool, include?*” the witness replied, “*He stressed that military action is one of the options that was posed and is still posed, which is a blatant threat to the possibility of what he mentioned in his previous speech on using military force. He meant the use of military force against the regime...*” Here, I find it necessary to present my speech on December 5, 2014 in Imam al-Sadeq Mosque in Gufool, “*The largest contribution by Ayatollah Sheikh Isa Qassim through his leadership in this movement was in leading a large group of this people, in order to crystallize this movement’s milestones, which are many but, the most important milestone of this movement was peacefulness, rejection of violence, and not resorting to the military option, and this option was posed and still is. His leadership consecrated peacefulness and moved away from the military*

option.” I then carry on in the speech to mention the positive features of Ayatollah Sheikh Isa Qassim’s leadership, in which I state, “The second basic standard is national communication and serious dialogue, not ludicrous formalities, in order to find a comprehensive national settlement. Also, it avoids turning Bahrain into a regional and international tool, works on finding a comprehensive national settlement that brings about justice to the Bahrainis, and does not isolate, oppress, or discriminate anyone, and agrees upon this settlement. The third fundamental standard is developing the political regime to become a sound regime that does not create political, economic, and social crises.” In this speech, I focus on the peaceful approach that Ayatollah Sheikh Isa Qassim dictates for the popular movement that demands legitimate rights. The speech praises and reiterates this approach and calls on following and abiding by it. This leadership defined fixed and clear marks for the movement, which are represented by peacefulness, rejection of violence and refusing military force that was posed as an option and still is by factions called al-Ashtar Brigades (Saraya al-Ashtar). These factions and others call for violence, put it forth as an option to oppose the state, and constantly issue statements that adopts the explosions. However, Ayatollah Sheikh Isa Qassim and his leadership – whom I follow as is known – rejected this option. In this speech, I clearly rejected the military option

adopted by these factions and others. However, the speech was turned, by the false testimony of a witness who does not fear Allah and by the inaccurate investigations report, into a speech that entails a threat to use military force by resorting to forging, interpreting and taking my statements out of context, aiming at misleading the listener and reader. As such, the fake third pillar, on which the void allegation of “*promoting and inciting changing the political regime in the state by force and coercion with illegal means*” was made, collapsed. Actually, the foundations of this accusation and this entire case collapsed.

- The witness stated another false accusation when he wrote in page 232 of his testimony, “*The same as mentioned before, he glorified the suspects accused of an attempted coup in the 90s.*” He forgot that the 90s movement’s demand was to return to the 1973 Constitution and the National Assembly. Its main slogan was ‘the Parliament is the solution’, and when I met the King on March 21, 2001, he told me, “*I was not content with your exile and what happened to you.*”
- The witness wrote yet another allegation that I had called on to partake in processions of riots, vandalism, and violence. When the Prosecution asked him on page 232, “*What did the defendant’s speech he delivered on June 6, 2013 after the evening prayers in Al-Kheif Mosque in Al-Dair contain?*” he replied, “*In this speech, the defendant consistently called on to carry on with*

the revolution of February 14, 2011, till the end. He blatantly called on to carry on with processions and protests, although he is completely aware of the riots, vandalism and violence that accompanied them, but his intention was to create chaos in the state to achieve his criminal scheme.” Here I commented and said, “What I consistently called for is what was mentioned in the speech, which said, ‘Partake in processions and protests. Partake in all the peaceful appearances of revolution, and announce your existence.’ This is an invitation to attend peaceful events, processions and protests. I repeated the phrase ‘Carry on with peaceful action to demand our rights,’ in this speech several times. I reiterated it in another excerpt, ‘This movement and its continuance confirm its peacefulness.’ Where do I call on to partake in processions of vandalism and violence? What is the goal of spreading chaos from a speech that reiterates peacefulness in three different parts of it?”

- *The Prosecution then asked him, “What do you say about what the defendant stated that he meant to reach an agreement between the opposition and the regime to achieve the aspirations of the people of Bahrain of truly and effectively participating in the management of public affairs?” He replied, “This is not true,” in a clear and flagrant violation of what I reiterated in the speech where I stated, “We must agree upon a way to manage our country and completely participate in its management.” In another part, I said, “...under the roof of a constitutional monarchy, which is an essential*

element for the stability of Bahrain, which means that it is not a challenge to you as much as it is a challenge to succeed in Bahrain.” In another part, I said, “Why do we insist on the minimum level of a constitutional monarchy that the Manama Paper suggested? We want stability for this country, we want this country to be able to delve into true challenges and meet the needs of citizens, all citizens, in different services. [We demand] their sense of genuine dignity and respect in their own country, Sunnis and Shiites alike. This human need, this tangible and actual need, is a necessity to this agenda to be achieved in this way.” It is completely clear that I point out to agreeing on implementing a constitutional monarchy. However, the witness understood it as aiming to overthrow the regime and create chaos. How can his testimony continue to be effective and credible after it became clear that he is taking words out of context⁽¹⁾?

- *The Prosecution asked the witness about the same speech in page 233, “What do you say about what the defendant stated that he addressed his call to his religious listeners on the necessity of achieving political reform through peaceful means, and that he reiterated holding onto peacefulness?” He replied, “This is not true.” Here I provide the same answer that I mentioned in the three parts of my*

¹ In an indication to Allah's saying in verse 13 of Surat al-Ma'idah: "So for their breaking of the covenant We cursed them and made their hearts hard. They distort words from their [proper] usages and have forgotten a portion of that of which they were reminded. And you will still observe deceit among them, except a few of them. But pardon them and overlook [their misdeeds]. Indeed, Allah loves the doers of good."

speech that called for political reform by peaceful approach, mentioned in the previous paragraph.

29.3: Before concluding my defense in this case, I state the following:

1. First: The High Commission for Human Rights, prestigious and impartial international rights organizations such as Amnesty International, Human Rights Watch, Human Rights First and the International Federation for Human Rights and others, looked into the accusations pressed against me. They also looked into my speeches used as evidence against me. They all concluded that my statements were within the framework of expressing opinions, according to international covenants and conventions that Bahrain must follow and respect. These are the international laws that Mr. Bassiouni adopted when looking into the events of February 2011 and beyond. He had preferred international laws over domestic laws, and he had issued his recommendations in every section on this basis. These recommendations were accepted by the King of the State, in which he confessed that international laws that organize the freedom of expression and peaceful assembly and association and organize the freedom of belief and others, are binding to all domestic authorities in Bahrain, including the Public Prosecution and judiciary. Will the court consider these laws and respect them, based on Mr. Bassiouni's legal perspective, the King and government's recognition, and the perspective of the High Commission for Human Rights and the rest of

the international organizations that looked into my case based on international standards?

2. Second: I shall supplement this plea with a number of international stances on my arrest and my prosecution in the case I am under trial for, now. I will only indicate them and mention their online links in the annex, leaving the details to whoever wants them.

29.4: The Defense's Closing Argument: At the end of my plea, I wonder; is the court biased to the understanding of the sole witness and editor of the investigations report, that re-mentioning the documentations of the Bassiouni report and the documents issued by various international organizations and the High Commission of Human Rights is a crime I should be tried for? Is restating the Geneva recommendations of the International Council for Human Rights, reports from the US State Department, UK's Foreign Ministry, the European Parliament and the British Parliament, and statements issued from official spokespeople of Foreign Ministries on peaceful expression of opinion a similar crime? Or does the court side with the humanitarian vision of the UN, the High Commissioner of Human Rights, as well as prestigious international human rights organizations and the Bassiouni report, that this is a basic right for humans, which exonerates an individual from all charges?

Conclusion

Concluding this plea, I firstly address an appeal to the international community and a statement to my local community, where I express my opinion and perspective in the crisis that is taking place in my dear country Bahrain that I am proud of and honored to belong to.

30.1: Appeal to the International Community

The people of Bahrain who demand equality, freedom, democracy, and social justice, feel that the international community gave up on its support for them in their legitimate and fair demands. It gave preference to its interests when dealing with the regime and the countries of the region over their values of spreading democracy and respect for human rights. This is despite that the movement of the Bahraini people is one of the clearest movements in its democratic demands, and the people are one of the peoples who mostly hold onto peaceful approaches. The people and democratic forces appreciate the stances of the international community that condemns human rights' violations and its constant calls for meaningful dialogue, which would consequently result in an agreed upon political solution based on prevalent humanitarian standards. However, the people regard these stances as lenient and as a delicate diplomacy, which did not drive the regime to cease its violations nor did it thrive for a genuine dialogue with the opposition. Hence, I address the international community, hoping that it will extend a helping hand to Bahrain, the government and the people alike, in two aspects:

1. Political Aspect:

I indicate that Bahrain, as a member that ratified the International Covenant on Civil and Political Rights, is

bound to implementing this covenant in all its clauses, especially article 22 on the political regime in the state and the interpretation of its committee. Therein, we request the international community to perform its duty towards Bahrain and its people by:

- Asking the authority in Bahrain to abide by this covenant and meet its requirements.
- Publically stating the Bahraini people's right to elect its government in a democratic way.
- Supporting the demands of the Bahraini people's just demands of freedom, equality, democracy and justice until achieved in reality.
- Sponsoring a genuine national dialogue that results in a political agreement among all parties, which leads to lasting political stability, achieves development, and truly respects human rights of the international community through the United Nations or any other appropriate mechanism.

2. Rights Aspect:

We call on the international community to address the authority in Bahrain and urge it to:

- Open a permanent office for the High Commission for Human Rights that enjoys absolute authority to protect and enhance human rights in Bahrain.
- Join the Rome Convention regarding the bylaw of the International Criminal Court.

- Allow the UN's Special Rapporteurs to visit Bahrain periodically.
- Enable Bahrain rights activists to open their rights institutions in Bahrain and protect them so that they may perform their humanitarian role in improving and protecting human rights.
- Enable international rights organizations to visit Bahrain constantly.
- Demand the release of all political detainees and hold the culprits of human rights violations accountable for their actions.
- Form a joint national committee of the regime and opposition to implement Mr. Bassiouni and Geneva's recommendations as Mr. Bassiouni stated in the first recommendation of his report.

30.2: **Appeal to the Bahraini community:**

I address at the end of this plea an appeal to the Bahraini community of all groups and sects:

In the Name of Allah the Merciful,

After depending on Allah, alone, without any partner, and out of love and benevolence to all tribes, families, religions, sects and races in our dear Bahrain, I will continue, for the rest of my life, in exerting all my efforts in Jihad, by good wording, enjoining good and forbidding evil and calling for reform with wisdom and good guidance. This is to achieve equality, justice, freedom and dignity for all of people without discrimination and exclusion.

My political agenda can be summed up in seeking to achieve a genuine democratic constitutional monarchy, similar to other deep-rooted constitutional monarchies, which would enable the Bahraini people to elect their legislative and executive authorities. This could be achieved through periodical free and genuine elections, within a true political diversity and away from shameful designations in legislative and executive authorities.

To reach this goal, I resort and depend on Allah. My approach is the approach of “nonviolence” that Ghandi established, referring to the international laws that are mandatory for Bahrain to implement and that the authorities are obligated to respect and implement, since Bahrain had signed and ratified these laws, at the forefront of which are the International Covenant on Civil and Political Rights, the Arab Charter for Human Rights, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and other laws and conventions pertinent to human rights, freedom of belief, opinion, assembly, and association. I rely on this peaceful approach of nonviolence that the free peoples practiced in their peaceful struggles and resistance movements, to achieve democratic change that I aspire for my nation and this noble people. This includes peaceful processions and assemblies, peaceful civil disobedience, labor demonstrations and other acts that related international laws and conventions allow and legislate.

Moreover, I urge all the wise good-doers from all tribes, families, races, religions and sects, to work together to

reach this noble humanitarian goal and to maintain national unity and civil peace.

I call on the international community, in all its institutions, to extend a helping hand to Bahrain to reach this humanitarian goal, which achieves humane values and objectives that the UN seeks to consecrate in political, social and economic fields, and that contributes to a lasting stability and sustainable development.

I depend on Allah in this regard, “And say, ‘Do [as you will], for Allah will see your deeds, and [so, will] His Messenger and the believers. And you will be returned to the Knower of the unseen and the witnessed, and He will inform you of what you used to do,⁽¹⁾” “And victory is not except from Allah,⁽²⁾” “Upon him I have relied, and to Him I return.⁽³⁾” I pray to Allah to make this country safe and stable, and to bless its people with welfare and blessings, and join their hearts upon good, love and the right guidance.

Ali Salman – Bahraini citizen

- 30.3: I see that it is important here to summarize the chief demands that the Bahraini people focused on and the political opposition societies adopted. On the top of the list is to transition to a true democracy and achieve the principle of equality. Demanding our humanism, our freedom, and our legitimate and necessary just rights is a duty that the Sharia depicts and the human logic and conscience support. The International Bill on Human Rights is recognized by Bahrain by virtue of its membership in the United Nations, and its

1 Surat Taubah, Verse 105.

2 Surat Al-Imran, Verse 126.

3 Surat Houd, Verse 88.

belief in the Universal Declaration of Human Rights, and its ratification on the International Covenant on Civil and Political Rights and the International Covenant on Social, Economic and Cultural Rights. These demands are the same demands that the Manama Paper and the visual media of the national opposition societies mentioned in different dialogues. Following is the summary of the demands:

- Open and honest elections under the supervision of an independent national committee based on justice in constituencies and equality in electoral votes among citizens. An elected Parliament that takes on the legislative authority and censorship without veto and obstruction of a certain council.
- Governmental elections that represent our people's free will.
- Independent and just judiciary.
- Security for all.
- Appropriate solution for the naturalization and discrimination files and national reconciliation.

30.4: I reiterate that the road that leads to achieving these rights and the obligatory approach to adopt are based on:

- Compassionate speech and honest advice to the decision-makers, according to Allah's saying: "*And speak to him with gentle speech that perhaps he may be reminded or fear [Allah].*"¹⁾ One of the tools of this mechanism are private messages, advice, elitist and popular petitions, and closed and open dialogues.

1 Surat Taha, Verse 44.

- Peaceful assembly of temporary and constant processions and protests, and peaceful resistance. These would be through means ensured by the international covenants ratified by Bahrain, such as the International Covenant on Civil and Political Rights and others, which obligate Bahrain, as a member state of the UN, to provide human rights, including the right to peaceful assembly, the right to association, freedom of conscience and expression, and the right to labor strikes.
- Political work in all peaceful forms.
- Human rights work.
- Work in media.
- As well as other peaceful and legitimate methods ensured by obligatory international covenants and standards to the State Member.

30.5: I believe that several matters must be taken into consideration in the popular demand movement, chiefly:

- Maintaining the safety of the security officers and our own safety and avoiding clashes with them.
- Maintaining all public and private property.
- Respecting and regarding the rights of others who do not agree with our movement.
- Maintaining national unity and civil peace.

30.6: I believe that our movement and demands call for justice and equality among citizens and granting them their rights,

without exclusion, prejudice, or discrimination, regardless of being a religious or a political minority or majority. We do not aim at oppressing anyone or depriving them of their rights, which our history, work and statements prove. We believe that oppression is heinous and ruins the lives of tyrants more than the oppressed, and leads to the destruction of the most significant life, which is the afterlife. I believe that it is the duty of every adult in the Royal Family and the two noble sects to condemn this reality of discrimination, isolation and the absence of authority, and to conduct dialogue with gentle speech and advice. Moreover, they must exert all their efforts towards peaceful means, in order to transition to a new reality based on equal citizenship and enabling the people to possess legislative and executive tools through democratic open and honest elections based on freedom and political diversity. This, in my opinion, is the only lifeboat against [the tides of] crises that would allow it to avoid drowning in a swamp of domestic and regional political and security turmoil.

- 30.7: I stress on implanting pure amity among us, as sons of this nation and sons of this community. Let this amity prevail among us in the demands movement of legitimate, just and necessary rights, not only among the seekers of these rights, but also among those who prohibit these rights and obstruct receiving them. I detest the spirit that is full of abhorrence and hate, which seeks oppression and assault on others. Brothers in religion, patriotism and humanity require a spirit of love to guide and save them from the evils of their selves and actions. This spirit of amity is what joined religious missions. The missions of Moses [Moussa], Jesus [Isa], and Mohammad, were missions of good and love to their people who fought and opposed them. Hence,

do not give up on this spirit, until Allah judges between our people and us by righteousness, and Allah has power over all things.

- 30.8: I have no doubt of the righteousness of our people's demands. I detailed these demands in the Manama Paper and the media of the democratic opposition forces and presented them in different dialogues. The most distinctive demand is an elected Parliament that takes on legislation and censorship without the guardianship of a certain council, and is able to elect its government. Moreover, the other most significant demand is fair elections based on equality in electoral votes among citizens. The fairness of these popular demands should not be prohibited if an individual or a limited faction caused any mistake in a certain slogan or attitude. This cannot change the justice and rightfulness of the people's general demands. The fairness and practicality of these demands made the King recognize them when he stated this in the New York Times as aforementioned in previous chapters, and the Crown Prince admitted to in several contexts. Most of the rivals of these demands know in their hearts their fairness, rightfulness, and legitimacy, but the extremist decision-makers ask why should we give up absolute power in our hands for just demands as long as there is no necessity for such a compromise?! I believe that the matter is not about prevalence and conflict, but due to the development of time and humanity, these demands have become necessary for the stability and true development of Bahrain. Obstructing and rejecting such demands destroy the state's present and future, due to the stubbornness and prejudice in favor of the interests of a few individuals, a family, or a tribe over the public welfare of this people and this nation. So, I believe that continuing to

demand these rights and seeking to achieve them in reality is a patriotic duty upon all families, tribes, sects and every caring citizen. We will not cease to demand them, whether we were a numerical and political majority or a numerical and political minority. No one should presume or believe those who said they want to establish an Islamic State. Our demand is a democratic and civil state based on the equal rights and duties system, regardless of religion, sect, race, and tribe, and for this state to respect the religion and sect of every citizen, ensure its practice, and not limit the citizen except in what would harm others. This type of state that has a successful and practical implementation in western democracies, whether republican or monarchic, is what we want for our nation and people. This is the bylaw of al-Wefaq Society and what the *Manama Paper*, signed by democratic national opposition forces, stipulated. As the people, we demand our fixed right in earthly and divine legislations to choose our government and Prime Minister and choose our Parliament who takes on full legislative and censorial power.

- 30.9: In this plea, and for the preparation of my defense, I was obligated to talk about the past with all its tragedies and events and to tackle the present that is overwhelmed with conflict that is based on dominance. I believe that if we carry on like this, we will lose years of the nation's lifespan. In case we insist on the state of dominance and defeating the other, we will continue to subject Bahrain and its people to domestic, regional and international turmoil. On the other hand, if we want to build a positive future, we must seek a true and comprehensive national reconciliation that is based on respect, mutual humanity, and equal citizenship. We must conduct dialogue with good faith of

developing our political system, so that the biggest number of common welfare could be achieved, without exclusion or partiality towards any party, regardless of the number of its individuals. Bahrain must be allowed to found a system of positive collaboration and partaking in constructing the country and serving the community, according to paragraph 1725 of the Bassiouni report, which stipulated, "*In general, the Commission recommends to the GoB the development of a national reconciliation programme that addresses the grievances of groups which are, or perceive themselves, to be deprived of equal political, social and economic rights and benefits across all segments of Bahrain's population.*"

- 30.10: This plea does not represent the truth except for me and those who believe and are convinced of what I am convinced of. I believe that this represents the majority of the Bahraini people. Hence, disagreeing with the thoughts, information, and conclusions mentioned in this plea is a right every individual enjoys. Any person has the right to express his perspective and beliefs. All I hope is that this plea would be looked into with fairness and willingness to take in everything honest mentioned. I also hope that they have patience and do not close their minds except to revenge and punishment. Whoever has different beliefs and convictions from the people, opposition and pro-government alike, whether they were individuals or groups, I respect their different opinion and appreciate them for that. Whoever believes in their hearts that this plea is true, but feel obliged to attack and criticize this plea due to their jobs and to maintain their interests, despite their belief in it, they may do so. I know that this miserable reality and doomed period of time were imposed on many people who seek easy money as humans innately do by hypocrisy and

political and social cajolery. This is the requirements of life, and they may say what they please, and I do not hold any grudges towards any of them.

30.11: I greatly thank and appreciate every citizen who stood with me and rejected my arbitrary arrest. My heart aches with agony for the severe injuries inflicted on the citizens who supported me and for the arrest of others. I plead that they protect themselves from harm and arrest as much as possible in the future. I give my thanks to all the countries, parliaments, rights and political institutions, and individuals who stood in solidarity with me outside Bahrain. I look up to them to carry on their support for the Bahraini people's just and legitimate demands of freedom, equality, democracy and justice until achieved.

30.12: This is my opinion that I bring forth to all people with pure intentions and good thoughts. Whoever finds good in it, believes in it, and acts upon it, is following his own convictions and beliefs, and whoever finds it faulty and wrong and avoids it, this is his right and beliefs. I do not ask anyone to give in to my thoughts and opinions, nor do I ask anyone to act upon my opinion, if they were not personally convinced of the validity of this action.

30.13: I end this plea with the supplication: O Allah, make this country safe, bless its people with good and blessings, bring their hearts together and join them upon the good, amity and guidance.

Our last prayer is that all praise is due to Allah, the Lord of the Worlds.

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