

£BAHRAIN

@Banned from Bahrain: forcible exile of Bahraini nationals

1. BACKGROUND

Amnesty International opposes forcible exile when it is imposed as a formal measure by governments against nationals of their own country.

Amnesty International has received countless reports of the forcible exile of Bahraini nationals from Bahrain since the early 1980s. At that time, in the wake of an alleged coup attempt, members of the majority Shi'a community suspected of having links with Iran were forcibly expelled to Iran. Former political detainees and even entire families have testified that they were rounded up, stripped of their Bahraini passports or identity papers and forced to board small boats bound for Iran, even though they had no knowledge of that country or its language. Sometimes, those expelled were even supplied by the Bahraini authorities with false documents stating that they were born in Iran and were Iranian citizens.

In one harrowing case, the wife of a political prisoner described to Amnesty International how she had resisted forcible exile with other members of her family, including her 22-month-old child. Although she was eight months pregnant, she was forced to board a fishing craft together with more than 20 other families and former political prisoners, their hands still handcuffed. All were told to surrender Bahraini passports and birth certificates and were given new documents stating that they were born in Iran. She gave birth shortly after the four-day crossing to Iran.

Following the dissolution of Bahrain's short-lived parliament in 1975, and in the early 1980s, a number of Bahraini nationals decided to leave the country. Some were escaping to avoid imprisonment and torture, while others who were relatives of political prisoners fled the country to avoid other forms of harassment. Some left the country to study or work abroad. A number of them then engaged in political opposition activities from Iran, Syria and former Eastern bloc countries, for organizations such as the Islamic Front for the Liberation of Bahrain, the Bahrain Liberation Front and the Popular Front of Bahrain. (There are no legal political parties in Bahrain.)

In recent years, however, with some improvements in the human rights situation in Bahrain, and the changing political climate, many Bahraini nationals have attempted to return to their country after years of voluntary exile outside the country. Those who have tried to return include the wives and families of a number of political prisoners who had originally fled the country to escape harassment. Many were held for days or even up to a week at Bahrain's international airport upon their return, before being forcibly expelled from Bahrain. A number

of these families have now been permitted to return, but usually after more than one unsuccessful attempt.

Throughout 1993 returning Bahraini nationals have been questioned on arrival at the airport about their past political activities or publications they have written, before being returned to the country of their former residence on the first available flight. No reasons are given. They are given no opportunity to challenge the decision to expel them, or even to know the grounds for the measures being taken. They are denied any opportunity to appeal against the decision to expel them, or to challenge its legality through the courts. Those who return to Bahrain after long periods abroad are often issued with new Bahraini passports - valid for one year only - before being expelled from the country. In some cases, the passports are valid only for two or three countries, such as Syria, the United Arab Emirates or Saudi Arabia. These passports appear to be issued solely for the purpose of facilitating their expulsion from Bahrain and entry to another country.

2. THE VICTIMS

Among the scores of Bahraini nationals attempting to return to Bahrain in 1993 was Dr 'Abd al-'Aziz Rashid al-Rashid, a medical doctor, who has been the subject of repeated measures to forcibly exile him from Bahrain. His first unsuccessful attempt to return to his country was on 6 October 1991, when he was held and interrogated for four days before his expulsion. He subsequently returned to Bahrain on 12 November 1993 and was expelled the following day to Syria via Kuwait. On his arrival in Kuwait, however, the authorities refused to allow him entry as he had no valid travel documents - his Bahraini passport had expired - and returned him to Bahrain the same day, 13 November. At Bahrain's international airport Dr al-Rashid was refused entry once again, and expelled to Syria. The Syrian authorities also refused him entry and returned him to Bahrain, apparently on 14 November. He remained confined at the airport until 18 November, when he was again expelled to Syria.

Ahmed Hussein Akbar 'Abbas was forcibly exiled from Bahrain in 1982 when he was stripped of his Bahraini papers and forcibly expelled to Iran. On his return to Bahrain in September 1993 with his Lebanese wife and four children he was reportedly interrogated and beaten before being forcibly expelled to Lebanon, where he was also refused entry and sent back to Bahrain. He was sent once again to Lebanon where he was given temporary residence.

Al-Sayyid Hashem al-Moussawi, a former political prisoner tried in 1988, was forcibly exiled to Syria on completion of his five-year sentence in April 1993. On his release he was taken to the airport, where he was reportedly issued with a new Bahraini passport valid for one year.

Badr 'Abd al-Malik Mohammad, a writer resident in Cyprus for several years, returned to Bahrain on 9 August 1993. He was returned to Cyprus the following day, after questioning and having been given a new one-year passport. Badr 'Abd al-Malik had been imprisoned in Bahrain on a number of occasions in the 1960s and 1970s on account of his political beliefs and activities, and was reportedly subject to forcible exile from Bahrain for one year in 1969.

So far as Amnesty International is aware, none of the people involved had voluntarily given up their Bahraini citizenship and acquired a new nationality.

3. THE GOVERNMENT'S RESPONSE

Amnesty International has repeatedly raised its concerns regarding the practice of forcible exile with the competent authorities in Bahrain, but although some individuals have been allowed to return and settle in their country again, often after more than one attempt, many more continue to be denied that right.

The Government has responded to some of Amnesty International's communications regarding victims of forcible exile, stating that those who returned to Bahrain were not in possession of valid travel documents and were therefore forbidden entry "in accordance with normal international practice". However, this fails to take into account that states are obliged to re-admit their own nationals. The fact that the Bahraini authorities routinely issue new Bahraini passports to those returning with expired or invalid passports demonstrates beyond doubt that the nationality of the individuals attempting to return is not in question. In practice, the passports appear to be issued with the sole purpose of facilitating their forcible exile.

The Government's response also fails to take into consideration that many Bahraini nationals failed to renew their passports while abroad either because they were required to return to Bahrain at a time when they felt they would be at risk of arrest, torture and imprisonment or other forms of harassment, or because the Bahrain Embassy to which they had forwarded the passport for renewal refused either to return or renew their passport.

Forcible exile contravenes international human rights standards, including the Universal Declaration of Human Rights. All UN member states are obliged to implement the Declaration's guarantees, which provide that:

Everyone has the right to leave any country, including his own, and to return to his country.(Article 13 (2))

The practice of forcible exile is also expressly proscribed under Article 17 (c) of Bahrain's own Constitution, which provides that it is forbidden to expel Bahraini citizens from the country or

prevent them from returning to Bahrain. Amnesty International is calling on the Government of Bahrain to respect these provisions and issue a public declaration that all Bahraini nationals are entitled to return to Bahrain.

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