



House of Commons

Foreign Affairs Committee

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# UK's relations with Saudi Arabia and Bahrain

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*This is a volume of submissions, relevant to the inquiry: The UK's relations with Saudi Arabia and Bahrain, which have been reported to the House.*

*Only those submissions written specifically for the Committee have been included.*

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## Written evidence from the Bahrain Human Rights Monitor

### 1- Introduction

The UK, more than any country in the world, is well qualified and adequately equipped to deal with the affairs of the Middle East, particularly the Gulf Region. This could be attributed mainly to the deep knowledge it acquired of the region during the colonial era, not only from a Geo-political perspective, but also from the platform of a profound understanding and appreciation of the complex social, cultural and religious heritage that contributed to shaping its political infrastructure and influencing its way of thinking.

\* Though the end of the colonial era and the two World Wars and lately the collapse of the Iron Curtain have ushered a new World Order characterized by the emergence of new global powers with economic, military and subsequently political might, the UK's status on the world stage has never diminished, particularly in matters concerning its former spheres of influence.

\* As such, the stance the UK adopts towards any emerging regional or international issue carries a considerable weight and a tendency to resonate and influence opinion within its allies, if not worldwide.

\* That is why the role the UK could play in helping Bahrain resolve its current crisis is crucial and should never be underestimated.

### 2 - About us

\* We, the "Bahrain Human Rights Monitor" are a London-based Independent Human Rights Organisation that concerns itself with the protection and promotion of Human Rights in Bahrain. As such, we strive to strengthen relations between the civil society organisations, official bodies and International Human Rights Organisations. We provide news follow ups, in-depth analysis and advice on Human Rights issues in the country, through a monthly Bulletin in addition to periodic and occasional statements and publications, symposiums and seminars. One of our major objectives is to help, through our work, in bringing unity and cohesion to a Bahraini Society that has been blighted by divisions, sectarian strife and violence. Since the break of the recent sad events in Bahrain, we have worked doubly hard to document and condemn Human Rights abuses perpetrated by any of the parties involved, official or civil, and to call for an end to the cycle of violence and the sectarian incitement that threatens to derail the Country's march towards Political reforms and greater respect for Human Rights.

\* As we welcome the opportunity to submit this written contribution on the situation in Bahrain to the House of Commons' Foreign Affairs Committee as it prepares to hold an inquiry into the FCO's Foreign policy towards the Gulf Region, we would like to confirm our readiness to participate in any future event the House of Commons and its Foreign Affairs Committee might consider organising on the Bahraini issue.

### 3- The Crisis in Bahrain

\* Until recently, Bahrain was renowned for its religious freedom and tolerance. Nowhere in the whole of the Gulf Region had all religious beliefs, creeds and practices coexisted in total harmony as in Bahrain.

\* What made Bahrain an oasis of serenity and religious tolerance was the fact that the state took it upon itself to act as a custodian of all creeds, not just allowing each and every individual, whether a citizen, resident or even a visitor, the freedom to worship and practice according to their faith and religious beliefs, but also offered substantial financial contributions to all existing religious groups and sects such as Christians, Jews, Shias, Sunnis, Hindus and Sikhs. This fact was duly recognized by the Bahrain Independent Commission of Inquiry's (BICI) report which stated that Bahrain is a model of ethnic and sectarian cohesion when compared to neighbouring countries.

\* Religious or sectarian affiliations had never before been an issue in the Bahraini community, or an element that restricted any interactions or even intermarriages between followers of different religious beliefs.

#### **Then, why has the sectarian element suddenly become one of the focal points of the recent Bahraini crisis?**

\* The roots of the current Bahraini crisis are political in essence... Bahrain had embarked on a reform process initiated since 2002, but the slow pace of the implementation of the political reforms has led to a simmering resentment that burst onto the surface inspired by the popular uprisings in Tunisia, Egypt and Yemen, in what has been dubbed (The Arab Spring).

\* It is fair to say that the initial Bahraini popular protests were political in nature, demanding legitimate and reasonable wider political reforms until a minority of fanatics derailed the course of the protests.

\* The turning point could be traced to the call by an extremist faction of the Shia opposition for the overthrow, not only of the government but also of the Monarchy... That in turn raised suspicion and concern among the Sunni population who felt that any threat to the Monarchy would eventually affect them, and would mean the end of the road to what had hitherto been achieved in the field of political and economic reforms.

\* The harsh measures taken by the security forces combined with the hijacking of the peaceful protests by hardliners led to the violence and confrontation that have sadly resulted in the perpetration of grave human rights violations.

\* Consequently the sectarian card entered the frame as the political leaders on both sides of the sectarian divide succumbed to the extreme elements that were mobilizing the streets and sought, therefore, to employ that card in the political point-scoring.

\* This precarious situation was not helped by a hasty decision taken by the relevant Bahraini authorities to demolish what they had identified as unauthorized Shia places of worship, whereby around 30 of these places, according to the BICI's report, have been demolished between March 1<sup>st</sup> and May 11th 2011. The BICI's report criticised the procedure as well as the timing of that decision.

\* The role played by the Media, official, social and otherwise, has unfortunately, not been conducive to easing the tension and rebuilding the shattered trust between the opposing sides...

### 3- The remedies

\* The government of Bahrain, faced by an International outcry, soon realised the error of its ways and sought to remedy the situation.

\* To be fair The King of Bahrain tried his utmost to contain the situation from the outset by ordering the minister of interior to publicly apologise to the families of the victims of the unrest and later addressed the nation himself acknowledging the legitimacy of the protesters' demands. The King later took the bold and unprecedented initiative in July last year by establishing the BICI, and later endorsing its findings and recommendations. That represented a breakthrough and a clear indication of his willingness to address Bahrain's problems in a manner that would allow the country to move forward and continue the process of political, economic and social reforms, he himself had initiated a decade ago.

\* The implementation of the BICI'S recommendations went ahead with some tangible results in the areas of training of Judges and members of the General Prosecution, compensations, investigating violations, rebuilding of the religious sites, reinstatement of dismissed workers, in addition to taking advanced steps towards instilling Human Rights culture in the education system and drafting legislative amendments to support freedom of expression and enhance media performance.

\* The pace of the implementation of some of the recommendation was to some extent disappointing particularly those related to public security matters and the development of a national reconciliation programme due to the continuous use of violence by some rouge elements among the protesters and the lukewarm response by the opposition to the government's calls for dialogue.

\* On September 19<sup>th</sup> 2012, The 21st session of the UN Human Rights Council adopted the outcome of the Universal Periodic Review of Bahrain in which the latter had, out of 176 recommendations, fully accepted 145 recommendations and partially accepted 13 recommendations, which mainly related to criminal justice, prevention of torture, rights of women, protection of children and minorities, the fight against human trafficking, serious consideration to ratifying the Optional Protocol to the Convention against Torture and other cruel, inhuman or degrading treatment or punishment and the invitation to the Special Rapporteur on Torture to visit Bahrain. The Minister of Foreign Affairs of Bahrain who headed the country's delegation, outlined some of the reforms undertaken by his government, which included the establishment of a Special Investigations Unit to investigate police misconduct to achieve accountability; setting up of ombudsman functions with the National Security Agency; payment of compensation to victims; drafting a new labour law; amending the definition of torture in the Penal Code and amending provisions of Royal Decree 46/2009 on the establishment of the National Human Rights Institution (NHRI), as an independent entity to make it more compatible with the Paris Principles. He confirmed that Bahrain welcomes peaceful expression of disagreement but not incitement to hatred and violence which, he added, damages the social fabric of a nation.

\* An invitation was extended to the Office of the United Nations High Commission for Human Rights to send a technical delegation to assess the progress in the Human Rights situation in Bahrain and to provide guidance and technical assistance.

\* Without being seen as an infringement on the principle of freedom of expression, the Government of Bahrain needs to do more to accelerate the introduction of meaningful reforms to the legislations governing the conduct of the media to ensure that it plays a constructive role in building bridges and promoting reconciliation rather than inciting hatred and divisions. It should also take more bold initiatives to encourage the relevant parties to engage in a serious and genuine dialogue aiming at resolving all outstanding issues and resuming the country's march towards comprehensive political, economic and social reforms.

\* Too much attention and criticism have been laid at the door of the Government, and rightly so. However nobody seems to notice the role played by the opposition in aggravating the crisis in Bahrain. It goes without saying that the opposition has genuine grievances and legitimate political and democratic aspirations. The Government's acceptance of the recommendations of both the BICI's report and the Human Rights Council UPR's final review of Bahrain's report should have gone a long way in satisfying these aspirations, had the opposition chosen to seek cooperation rather than confrontation in order to oversee the full implementation of these recommendations. The truth of the matter is that the opposition has been dominated by a minority of extremists whose sole aim is to dismantle the whole system regardless of the consequences, and despite the fact that the majority of the Bahraini people on both sides of the political and sectarian divide do not share the same objective. Their tactic is simple, incite hatred, and resort to street violence to solicit a response from the security forces, and then wait for the International condemnations that would put more pressure on the government. So as long as the International Human Rights quarters, and in particular the NGOs, continue to single out the Government for criticism, and fail to recognise the well documented abuses, violence and transgressions perpetrated by those rouge elements within the opposition, this vicious circle will continue to put the spanner in the wheels of Bahrain's progress towards resolving its crisis.

#### 4- The Recommendations

\* The interest shown by the House of Commons' Foreign Affairs Committee towards Bahrain is plausible, yet we would like to see the esteemed committee taking a more practical approach such as presenting the UK Government with ideas, projects and suggestions on ways to provide the appropriate assistance and support that would allow Bahrain to enhance its capabilities with regard to the respect and protection of Human Rights.

\* In our view, the UK Government's attitude towards the crisis in Bahrain has been positive in its acknowledgment of the progress the government has made so far in redressing the transgressions of the past eighteen months, which will undoubtedly encourage the latter to keep moving forward. The UK Government should keep stressing on the Bahraini Government the dire need to expedite the process of implementing the remaining recommendations put forward by the BICI's report and the UPR's final review. The Bahraini Government should be advised to establish a National Mechanism that would include all sectors of the Bahraini community, i.e. the Civil Rights Organisations, to oversee the implementation process.

\* Based on its history and long running experience in balancing between the respect for Human Rights and combating extremism, violence and terrorism, the UK Governments would be well suited to offer all sorts of technical assistance to help Bahrain improve its capabilities in promoting Human Rights, particularly in the legal, criminal investigation and policing fields. The visits to the UK during last May and June this year by both Bahraini Ministers of Justice and of Interior had witnessed the conclusion of several bilateral agreements that need to be put into effect. In this context we welcome the visit by a delegation from Slynn Foundation to Bahrain on October 2012, in the context of those agreements, to offer support, advice and training to enhance Bahrain's Judiciary system.

\* Dialogue remains the only credible conduit through which Bahrain could overcome its predicament. The UK Government could use its influence and good offices to persuade all the parties concerned to renounce the violence and to adhere to a code of conduct that does not allow the use of sectarian rhetoric or incitement, particularly in the Media, in order to create a favourable atmosphere for the negotiation process to start without delay with the aim of reaching a consensual agreement by the Shia, Sunni and the Royal Family.

\* As long as the extreme elements within the opposition continue to be indulged by the International Community and Human Rights quarters, the opposition will not feel obliged to change tactics and lean towards dialogue. Therefore it is paramount that the International community should make it known that it will not tolerate transgressions by the opposition the same way it does not tolerate them if perpetrated by the Government.

\* It is also important that the Bahraini Government should realise that denying the NGOs proper access to the country would only serve to confirm the perception that it has something to hide. Cooperation with the International NGOs and all Human Rights entities should represent an essential component of Bahrain's endeavour to promote its Human Rights standing. In this respect we view the Bahrain's welcome to a visit by a delegation from Human Rights First in October 2012 as a step in the right direction, and hopefully an indication that a new page in Bahrain's relations with the International Human Rights Community has just opened.

\* It would be of a great mutual benefit if representatives from the House of Commons' Foreign Affairs Committee could pay regular visits to Bahrain to examine the situation on the ground in order to reach the right conclusions. It is equally important that the committee should consider inviting representatives of all the parties involved in the Bahraini crisis to any symposium, workshop, seminar or event they intend to organise on the Bahraini question. This would certainly allow the Committee the opportunity to form a clearer picture and have a better understanding of all the angles and aspects of the Bahraini crisis.

*17 October 2012*

## Written evidence from Sir Roger Tomkys

### The Author

I was Ambassador to Bahrain 1981-1984. After studying Arabic in Lebanon I served in Arab postings in Jordan, Libya and Syria (Ambassador 1984-1986). In the FCO I was Head of Near East and North Africa Department (1977-1980) and Deputy Secretary, Africa and the Middle East (1989-1990). Since retirement in 1992 I have been based in Cambridge (Master, Pembroke College 1992-2004), serving as President of the British Society for Middle East Studies (1994-2000) and Chairman, of the Arab-British Chamber of Commerce (2004-2010). I have been a regular and fairly frequent visitor to Bahrain and the Gulf for the last 30 years.

### Summary

This submission is primarily about Bahrain and British-Bahraini relations. It is a personal assessment: I have not rehearsed, for example, the findings of the UN Human Rights Council's Universal Periodic Review or the Bahrain Government's response. These are available to the committee; how they are assessed is disputed between the Bahrain Government and the Opposition.

The points I wish to make are:

- 1) The historic relationship between Britain and Bahrain is exceptionally close and positive, with benefits to both parties.
- 2) Despite limited oil and other natural resources, Bahrain has prospered under the Al Khalifa, to the benefit of all parts of its society. It is relatively liberal and open. The Human Development Index has recognised its qualities: education, public health, freedom of worship and the status of women are among the best in the region.
- 3) Bahrain has a long term structural problem. The Ruling Al Khalifa family are of Sunni, Arabian tribal origin; the majority population (the Baharna) are descended from indigenous, sedentary Arab Shia stock. This problem is exacerbated by Iranian pretensions to Bahrain and trouble making at every opportunity
- 4) Bahrain is economically and politically dependent on Saudi Arabia. So long as the House of Saud rules in Saudi Arabia there is no good alternative in Bahrain to Al Khalifa rule.
- 5) The need for reform is recognised on all sides. The divide between regime and opposition is not simply sectarian. There is a lively civil society. The role of Bahrain's friends should be discreetly to encourage and support reform, not to grandstand as though the "Arab Spring" validated attempts to overthrow existing regimes throughout the



region; each Arab State is unique. Britain's close links with Bahrain and its rulers are not something of which to be ashamed.

### 1) Britain in Bahrain and the Gulf

Bahrain with Kuwait, Qatar and the UAE emerged as Independent States in the modern era because of the protection extended by Britain under Treaties going back to the first half of the 19<sup>th</sup> century. These commitments effectively prevented encroachment by the major powers of the region, Iran, Saudi Arabia and Iraq (earlier the Ottoman Empire). Britain was still engaged militarily in this commitment in the 1950's (Abu Dhabi under pressure from Saudi Arabia), and 1961 (Iraqi threat to Kuwait). Saddam Hussain's invasion of Kuwait in 1990 challenged the integrity of the system we had helped establish when we withdrew from East of Suez in 1971. The 1991 operation under UN auspices to expel Iraqi forces and restore Kuwaiti sovereignty was substantially orchestrated by Britain with the US.

Bahrain was, of the Gulf Shaikhdoms, the closest to Britain from at least the 1920's when, in addition to a Political Agent, a Political Adviser, Sir Charles Belgrave, employed by the then Ruler Shaikh Hamad Al Khalifa, helped develop the infrastructure, modernise the legal system and improve education (including secondary education for girls in 1928). Bahrain became a hub for the Gulf, including early Imperial Airways services. After the Second World War the British Residency in the Persian Gulf was transferred from Bushire to Bahrain; Both the Royal Navy and Royal Air Force had important facilities in the country.

In this process the Bahraini population became accustomed to working with the British. Bahrain had limited resources and the pearling industry, the principal source of wealth, was virtually wiped out in the interwar years by recession and the development of cultivated pearls in Japan. Although oil was discovered in the 1930's, the quantity was very limited. Bahrain, therefore, learned to live on its wits and the skills of its relatively advanced and educated labour force to provide services to the region and the British presence in the islands.

This close association has proved durable. The then Ruler, Shaikh Isa, father of the present King, tried to prevent British withdrawal in 1971. After Independence, with the British military presence and the British Residency gone, the British community in the Eighties when I was Ambassador was still, at some 10,000, far larger than any other Western nationality, and enjoyed a special prestige in the eyes of the Bahrain Government and ordinary Bahrainis. The Bahrain Monetary Agency (now the Central Bank) was set up under the tutelage of the Bank of England; telecommunications were established in partnership with Cable and Wireless. British Banks had a privileged position. Personal relations between Bahrainis and the British community were exceptionally close, socially as well as in business and commerce.

Today, with the development of Bahrain as an international financial centre and the vastly increased numbers of Western and other high level expatriates throughout the

Gulf, these links have become less exclusive, just as Bahrain's position as a hub for the region is greatly diminished. On the other hand many more Bahrainis now have residences in Britain and regard London as a second home.

Bahrain is a small country with no more than 600,000 nationals and total population of some 1,200,000. But the relationship with Britain is not all one way. When Saddam invaded Kuwait in August 1990 I was called at once to see the Bahrain Prime Minister, Shaikh Khalifa, who happened to be in London. While other GCC leaders were hesitating Shaikh Khalifa said simply: "this must be stopped and we look to Britain to play its part; whatever facilities you need in Bahrain, we will provide". Bahrain was as good as his word, and so were we.

## 2) Bahrain under the Al Khalifa

Bahrain is not an oil rich state but has earned relative prosperity by provision of services and industry in an oil rich region. The formula has been an alliance between the ruling (now Royal) family, aligned with Britain and the West but close to the House of Saud, an active entrepreneurial merchant class, majority but not exclusively Sunni and of diverse origins around the Gulf, and a labour force, predominantly Baharna Shia with substantial numbers of Indian Subcontinent expatriates. The Al Khalifa have kept overall control, and especially administration of Foreign Affairs, Defence and Internal Security. Economic Development is achieved through cooperation between the Government and the merchant community. Infrastructure projects and agriculture are largely in Baharna hands. All are represented in Cabinet. Generally the Shia are not discriminated against but the Royal Family and their allies are favoured.

The outcome is a close knit and relatively open society made up of disparate elements who are not segregated but remain separate. They rarely intermarry (the Al Khalifa marry almost always within their own family). While there are many rich Shia, the bottom of the social pile are the poorer, working class, Baharna, many of whom live in Shia villages with few of the amenities of Manama. Responsible Bahrainis of all backgrounds are conscious of the need to provide employment opportunities for this working class, especially its young men. This has always been a principal preoccupation of the Government.

Among Arab States, Bahrain has rated highly on the Human Development Index. Education, public health, the status of women and freedom of worship are all advanced for the region. It is a notably liberal and tolerant society. Prior to 2011, although periodic discontent among the Baharna with their position and Al Khalifa rule was of long standing, the atmosphere was notably relaxed. Both Western expatriates, with their families, and other Arabs found Bahrain an agreeable base for work or leisure. International Financial Institutions operate in a well regulated environment, to the economic benefit of all sectors of Bahrain society.

To put in perspective the prevailing image of Bahrain as a society divided on antagonistic religious lines, where Sunni rulers and oppressed Shia never meet, let me record my own

experience in the 1980's. It was my practice as Ambassador to attend the family mourning assemblies whenever any prominent figure died. On several occasions at mourning for a member of the Shia community, I found the then Ruler or his brother the Prime Minister, present on the same errand to pay his condolences; there was no pomp, circumstance or security. In some respects it was still like a small village community, with much of the mutual respect that implies.

### 3) The Systemic Problem

Nevertheless, there is a long term systemic problem which is simply that the Royal Family, with their close adherents took over Bahrain in the eighteenth century as incomers from the tribal, nomadic society of Arabia, and have ever since ruled over the indigenous, sedentary Baharna majority. That the Al Khalifa are Sunni and their subjects Shia makes matters worse but is not the prime cause of friction, which is the natural dissatisfaction of a majority permanently excluded from supreme power, together with resentment at the privilege of the ruling class. Over time the level of discontent has fluctuated and for long periods the Al Khalifa have coopted the support of the majority. But it was natural that events in Tunisia and Egypt should trigger (not cause) a crisis in 2001.

This systemic problem is made worse by historic Iranian claims to sovereignty over Bahrain. This claim, withdrawn by the Shah in 1971, was reactivated by the Islamic Revolution in 1979, with the added factor of Iranian aspirations to defend Shia communities throughout the region. The Gulf Arab response was to establish the Gulf Cooperation Council (GCC) as a common shield against Iranian (and in another context, possible Iraqi) encroachment. Even so, there was a failed assassination/coup attempt in December 1981, shortly after my arrival; the background was never clear but the Government blamed Iranian subversion.

By no means all Baharna are opposed to Al Khalifa rule and not all opposition activists are Shia. In an older generation young men from all backgrounds might be Nasserite or Baathist firebrands and later became pillars of the establishment. Now their successors are Salafist Sunni, whose wish to end Bahrain's liberal ways threatens the economy but this is a wider issue for the Islamic world, not endemic to Bahrain. Meanwhile, a substantial educated middle class are keen to see better, more accountable Government, but are fearful of Islamic enthusiasm and its implications.

### 4) Bahrain, Saudi Arabia and the GCC

Solidarity within the GCC and support from Saudi Arabia are not cost free. With close family and social links, Bahrain is economically dependent on its major neighbour but they are very different societies. While liberal, inclusive, religiously tolerant Bahrain has turned these differences to its economic advantage, Saudi financial support and access to Saudi oil at a preferential rate remain essential. This comes at a price.

Saudi Arabia has its own problem with a Shia significant minority in the Eastern Province. This minority and the Baharna are historically close. Their situation is exacerbated because for the religiously hard line Wahhabi Saudis, Shiism is anathema; and because the despised Shia live and work in the oil producing region. There is no way the Saudi Government would allow the Al Khalifa, even if they so wished, to introduce full Western style democracy power in Bahrain; the risk of knock-on to the Eastern Province would be judged unacceptable and some form of Saudi takeover of Bahrain would almost certainly follow.

There is also the Saudi attitude to the “Arab Spring”. Setting aside the proxy war in which Saudi Arabia and Qatar are covertly engaged in Syria against Iran (which is about regional power, not religion, let alone Democracy or Human Rights) Saudi Arabia, Qatar and the UAE have set their faces against any but the slowest, incremental change in their form of Government. They are already alarmed at the difficulties faced by Kuwait consequent on democratic advance in one Gulf State. Saudi Arabia will insist on caution in Bahrain, and will have the tacit support of Qatar and the UAE.

Bahrain has done well to retain its independence and liberal way of life. In my time the Ruler resisted pressure from the Saudi religious establishment to close Bahrain’s churches. With the causeway to facilitate access, Saudi influence in all fields has become much easier to apply.

#### 5) Implications for British Policy

There is no realistic alternative to Al Khalifa rule that would improve the lot of the Baharna, so long as the House of Saud rule in Arabia. Radical democratic reform in Bahrain would not be tolerated by Riyadh. If direct Saudi control were asserted there would be little economic role for Bahrain without its liberal “unique selling point” and all Bahrainis would suffer. The best outcome from the recent crisis would, of course, include real reform measures to improve government accountability and to prevent abuse of police powers. The Bahrain Government accept this; King Hamad began his reign with democratic advances and 2011 saw an impressive list of commitments entered into in response to the crisis.

It is vital that there should be credible interlocutors on the side of the opposition if reform is to succeed. Not all the opposition is Shia and not all the Shia want the fall of the Al Khalifa. Past unrest has been Nasserist; more recently Sunni political Islamists have tried to hijack the infant democratic institutions and to end Bahrain’s liberal customs. Moderate voices need to be heard.

The Bahrain Government get a bad press. The excellent report by Edward Mortimer commissioned by the BBC following criticism of its coverage of the “Arab Spring” is essential reading. The “Arab Spring” became one story of the rise of people power against arbitrary Government and the differences between what was happening in Tunisia, Egypt, Bahrain and now Syria could become lost as correspondents rushed from one crisis to another, caught up in the excitement of another Tahrir Square. The

opposition everywhere got its story across best, and in Bahrain this was widely resented by expatriates and Bahrainis alike. Most of us share a bias for democracy and freedom, but the media (not only the BBC) got carried away.

HMG are not responsible for media coverage. In Bahrain they have rightly given support for police reform etc. I have no doubt that they offer advice and help both to the Government and to responsible opposition figures on the need for reform but also for realism. Britain still has a special status in Bahrain which carries responsibilities in times of need. When the Press run the story of Royal invitations withheld or declined, or when the Bahrain Ambassador is excluded from the Labour Party Conference, no Minister stands up to say out loud that we have good strong bonds of friendship with Bahrain, that Bahrain's future depends on the stability of the Monarchy, and that we will do all we can to help that stability as well as the process of reform to which the King is committed.

HMG were prepared to declare that Qaddafi and Assad must go; they should make it equally clear that Bahrain's Monarchy must stay.

*2 November 2012*

## **Written Submission from Brigadier Peter Sincock, Chairman The Bahrain Society in UK**

### **1. Introduction**

It is my privilege to be the current Chairman of the Bahrain Society in UK, a non-political, bi-lateral Society, which aims, through a variety of meetings and events, to foster relations between UK and Bahrain. There are over 400 members the majority of whom have lived in Bahrain, some for many years, and who want to maintain contacts and interest in a country they have come to admire.

I personally worked in Headquarters British Forces Gulf between 1968 and 1970, was the British Defence Attache resident in Riyadh but accredited to Bahrain between 1988 and 1991 and I have visited on many occasions since retiring from the Army in 1992, most recently in October 2012.

### **2. Impressions of Bahrain**

My overall impressions of Bahrain have always been of a friendly and well organised country which strives to maintain a neutral stance in the Gulf, is a stalwart member of the increasingly successful Gulf Cooperation Council and which values its special relationship with the United Kingdom.

In the 1960s, living in Bahrain was easy for members of the British Armed Forces and it was obvious in many ways that Bahrain valued highly its then relationship with us.

I was responsible then for advice to Gulf countries which were considering establishing or increasing their own armed forces prior to British withdrawal from the Gulf in 1971. I got to know and like many of the senior Bahrainis, including the present King, during that period.

Returning in 1988 it was good to see that Bahrain had developed into a successful and economically viable small country which looked back on its long association with UK as a cornerstone of its defence and foreign policy.

Although it has always been known that there were differences between the Sunni and Shia'a elements of the population in the background these did not then cause serious problems. There are many examples from then of inter-marriage, successful Shia'a businesses and senior positions in Government held by Shia'a. The present problems are caused by only a small percentage of the Shia'a while the vast majority are happy with the status quo.

Iran in the 1960s claimed Bahrain as part of its territory and two seats in the Iranian parliament were reserved for the non-existent Bahraini members. This was not then a problem within Bahrain and was treated by many as a joke. Later in the Shah of Iran's reign the claim was dropped but was resurrected soon after the Ayatollahs came to power.

I believe strongly that many of Bahrain's problems in recent times, and particularly the organised rioting in February/March 2011, have been caused by meddling in Bahrain's affairs by its powerful neighbour across the Gulf. Iran seems intent on exporting its version of the Muslim faith wherever it can.

An indication of the freedom of expression in Bahrain is shown by the wealth of places of worship. There are, of course, mosques to suit all forms of Islam, there are Christian churches, Hindu

temples and places worship for many other religious sects.

### **3. The 1990/91 Gulf Crisis**

Saddam Hussein's unwise attack on and occupation of Kuwait was a particularly poignant moment for British/Bahrain relations. Bahrain immediately offered whatever assistance it could and the small country was quickly a valuable base for British forces again. It was strange to see the RAF Tornados parked in exactly the same places as their Hunters had been some 20 years before. I was in a pivotal position in 1990/91 and the contrast between the immediate welcome from Bahrain and the difficulties experienced in Saudi Arabia was striking. But I do have to say that the Saudis came good later !

### **4. The Succession of King Hamed**

The sad death of Sheikh Isa in 1999 and the coming to power of King Hamed has changed much in Bahrain. Under the rule of Sheikh Isa Bahrain was quietly well governed and he was personally of the opinion that all of his people should share in the success of his country. Undoubtedly there were undercurrents of dissatisfaction and some excesses by the security forces but as ruler, Sheikh Isa had the well-being of his whole population in his heart. The extremists were there but there was little sign of their presence on the surface. However, the influence of Iran was taking greater hold during Isa's later years.

The arrival of Hamed was the start of many reforms and attempts to bring the population together. The National Charter, electoral reform and tighter control of the security forces were all positive and well received initiatives. The way of life of ordinary Bahrainis was steadily improving. Sadly the extreme elements could see that such reforms, if successful, would diminish their own aims.

### **5. February/March 2011 and the Aftermath**

The rioting which broke out in early 2011 was I believe a direct result of Bahraini extremists seizing on the problems of Tunisia, Libya and Egypt (to name the main ones) and believing they had at last the opportunity to change Bahrain for ever.

As the situation elsewhere calmed down the world's media descended on Bahrain and proceeded to tell the same story as they had been telling elsewhere, whereas the situation was totally different. The British Government did not give nearly enough help and support to the Government of a staunch but small ally. Undoubtedly the security forces did not always act with sufficient restraint but the number of deaths and injury were far fewer than had occurred elsewhere and many of those deaths were of security forces members. The British Government could have been much more supportive in its statements and maybe at least some of the media might have listened.

There is no doubt that the influence of the Iranians was strong in the background during this period and was, in my opinion, one of the main reasons that The Crown Prince's initiative to hold unlimited discussions with all elements of the population did not receive the attention it deserved.

The Bahrain authorities were totally bewildered by the behaviour of the foreign media and could not understand why only the sensational stories were reported and little notice was taken of the Government initiatives to calm the situation. It seemed then that the media arrived in force from their coverage of Tunisia, Libya and Egypt, determined that Bahrain was to fit their pattern regardless of the facts they found on the ground. Reporting was wildly over-enthusiastic and

sensational and in my view contributed to the increase in unrest. Even the BBC did not send correspondents who understood the country and its nuances.

The arrival of the Saudi forces in late February is a particular case in point. Stronger statements in London to the effect that they were in Bahrain as part of the Peninsular Shield forces established by the Gulf Cooperation Council could have done much to limit the wilder reporting. At no stage did these forces confront the rioters but were merely there to guard vulnerable points and to release Bahraini forces to take on the front line security tasks. As it was, many reports tried to show that Saudi Arabia had “taken over”.

## **6. Conclusions**

I spent a week in Bahrain in early October 2012 with a party of Bahrain Society members and so much of what I have laid out above is from recent observation. I found Bahrain to be as welcoming and a pleasure to visit as always.

Had all sides in the 2011 events been prepared to enter into the Crown Prince's offer of unrestricted dialogue in March and later, the situation would probably have calmed down. Again, I believe the malign influence of Iran in the background caused the breakdown.

Bahrain is vital to the security of the Gulf area and so to the free flow of much of the world's energy. The defence cooperation extended by Bahrain to British and US forces contributes greatly to this free flow.

The Bahrain system of government undoubtedly allows the most freedom of expression in the Gulf and is the most inclusive in the region. It is a prosperous and “go ahead” country.

Huge strides have been made since early 2011 in the control of the police and security forces, the participation of the people in government and the ability of all people to live their own lives as they would wish.

Bahrain is a valuable ally in a potentially volatile part of the world and needs to be more fairly treated by any British Government. The Bahrainis have a high regard for UK and have many historical links with us. We need to treat them more even-handedly and as a valued friend.

The British Government should continue to treat Bahrain as an entity on its own. It is a very different country to Saudi Arabia. Bahrain has an elected government with its parliament able to call unelected ministers to task. There is complete religious freedom. I spoke to the editor of the main opposition newspaper about two years ago and asked him whether he would print anti-government stories. He smiled and said that he did so most days ! Since the unrest he has continued his editorial policy.

There is no doubt that were the present governmental system to fall every single person in the country would be worse off.

*7 November 2012*



## Written evidence from Peter Francis, Chemical Engineer (Retired)

### Summary

- Peter Francis ~ Retired Chemical Engineer
- Residency in Bahrain 1966-1975 and 1987-1996, frequent visitor until 2008
- Resident in Saudi Arabia 1982-1987
- Senior Engineer in the Oil Industry
- Many Bahraini friends and acquaintances
- Member of the London based Bahrain Society

### Introduction

Peter Francis retired Chemical Engineer with a long association with Bahrain from 1966 to 2008, two residential periods 1966-1975 and 1987-1996, with frequent visits during other times.

Resident in Saudi Arabia 1982-1987.

In Bahrain employed in various engineering positions by Bahrain Petroleum Company.

In Saudi Arabia employed by Caltex and seconded to Petromin as Project Manager for a major petroleum installation in Jubail.

### Bahrain Experience

My work in Bahrain brought me in daily contact with other expatriates and Bahrainis I lived along with my wife and children in the Company town of Awali. Here my children were educated in a mixed community school and we socialised with the same mixed community.

During this long and close relationship with Bahrain and Bahrainis I was in a position to observe that the Bahrain people are among the most hospitable and friendly people that I have had the pleasure to meet and how it now grieves me to see these charming people in such violent disagreement.

It has long been recognised that historically tension exists between the two major Muslim religious groups, which has been exacerbated by outside influences and the growing discrepancy between the have and have not's, as Bahrain's wealth and population has grown. Unfortunately, this is a fact of life throughout the Muslim world, especially where one group dominates the other.

As a result of historical ties and expatriate influence, Bahrainis have always had a close affinity with the UK, enhanced by the almost universal ability of Bahrainis to speak English

and the fact that many Bahrainis have received their advanced education at premier UK education establishments.

Bahrain is a shining example of religious tolerance, which unlike Saudi Arabia, allows the organisation and practise of various religions along with the varying Muslim beliefs.

### **Recommendations**

- Keep an open dialogue with all parties in Bahrain.
- Obtain confidential reports from current expatriates.
- Obtain confidential reports from Bahrainis who are not publically affiliated to one side or the other.

*7 November 2012*

## Written evidence from Bharat Jashanmal

### THE AUTHOR

I am a Bahraini national who has business interests in Bahrain (and the wider GCC) and the UK. My family business (The Jashanmal Group), in which I am now a passive stakeholder, has business interests throughout the Gulf States, however, it is important to point out that it established a presence in Bahrain as far back as 1931. Subsequent to my departure from the family business in an operational capacity in 2004, I established an 'advisory business' that focuses on identifying cross-border investment opportunities for its clients (both individual and institutional) that are based in Bahrain, the other Gulf States, the UK and India.

### SUMMARY OF EVIDENCE

This paper will address the **SEVEN** points on the FCO's foreign policy towards Saudi Arabia and Bahrain, in the broader context of relations between the UK and the Gulf States. Given that the author has spent over forty years in Bahrain, this paper will principally address these points with particular reference to relations between the UK and Bahrain.

### DETAIL

- (i) *The UK's foreign policy priorities in its relations with Saudi Arabia and Bahrain and how effectively the Government balances the UK's interests in defence, commerce, energy security, counter-terrorism, and human rights:*

On the assumption that the single most important priority of UK foreign policy in its relations with Saudi Arabia and Bahrain (and the other Gulf States) is to ensure that regional stability continues to be maintained given how important the region is to the interests of the UK in the areas outlined above, it is clear that the UK Government and the Governments of Saudi Arabia and Bahrain need to continue to work together in ensuring that this stability is maintained. It is also clear that the UK Government's priorities, given the socio-political developments that have taken place in the UK, may have resulted in a change of emphasis that may be placed from time-to-time on the UK's foreign policy priorities. The Governments of Saudi Arabia, and that of Bahrain in particular, are more than aware of this 'change of emphasis', and will therefore work with the UK to address the evolution taking place, as witnessed by the recent public statements and actions by and of the Governments of Saudi Arabia and Bahrain.

- (ii) *The extent to which the FCO's Gulf Initiative has met its objectives of improving relations with the Gulf States more generally and establishing the UK as a "key strategic partner" in the region as a whole:*

Given the history of close relations that have existed between the UK and Bahrain and the Gulf States in particular (possibly less so with Saudi Arabia), the Government of the UK is better placed (possibly more so than some of the regions' other 'friends and allies') to understand the pace and manner in which the Governments of the region are reacting and will continue to react to the macro social and political changes that have taken place, and will continue to take place in the region at large. This understanding by the FCO will play an important role in ensuring that the UK remains a key strategic partner in the region.

- (iii) *Saudi Arabia and Bahrain as foreign policy partners for the UK, particularly with regard to Iran and Syria and as members of international and regional organisations:*

Saudi Arabia and the Gulf States (Bahrain in particular), have always been supportive foreign policy partners for the UK, with significant differences only in the area of how a comprehensive Middle East peace treaty might be achieved. As far as Syria and Iran are concerned, there is no doubt that the Governments of Saudi Arabia and Bahrain share the view of the UK Government that Iran poses a considerable threat to the stability of the region, even in the absence of any perceived threats that may occur as a result of Iran joining the 'nuclear club'. Iran is also the only country in the region that continues to support the regime of Bashar Al-Assad in Syria. And whilst the UK has been more 'aggressive' recently in its support for the opponents of the Al-Assad regime, it has in fact been the Governments of Saudi Arabia and the Gulf States (Qatar in particular) that have led the way in condemning the Al-Assad regime and openly supporting groups that oppose the regime.

In 1998, Bahrain was the first Gulf State to be elected as a non-permanent member of the UN Security Council. In fact, Bahrain, since it joined the UN, has always been an active member of the UN, and in June 2006, partly in recognition of its active role, HE Sheikha Haya Rashed Al Khalifa, was elected President of the 61<sup>st</sup> session of the General Assembly of the UN. Bahrain is also an active member of the IMF, the World Bank and the World Trade Organisation (WTO), and was the first Gulf State to sign a Free Trade Agreement with the United States.

Saudi Arabia is a member of the UN, the IMF and the World Bank and has 'Observer Status' at the OAS (Organisation of American States). Saudi Arabia has thus far however, tended to play a much more active role in ensuring the security and stability in the region and promoting cooperative relations with the other oil-producing countries through its active role within OPEC where it

has played a key role in stabilising oil prices through maintaining crude oil production at high levels.

Both Saudi Arabia and Bahrain are founding members of the GCC (Gulf Cooperation Council).

*(iv) The implications of the 'Arab Spring' for UK foreign policy in its relations with Saudi Arabia and Bahrain:*

Whilst the UK, in concert with its allies in the West (the United States and France in particular) has actively supported the changes that have come about as a result of the 'Arab Spring', most notably in Tunisia, Libya and Egypt, and more recently in Syria, it has also recognised that the 'Arab Spring' has had a fundamental and direct effect on how the Governments of Saudi Arabia and Bahrain (and the Gulf States in general) are now perceived in the 'West', a perception that might exert some pressure on the UK Government to make adjustments to its foreign policy vis-à-vis the region on matters such as accelerating political and social reforms. It does appear however, that the UK Government has recognised, as pointed out in Section (ii), that there are fundamental differences between the culture of the political establishments of Saudi Arabia, Bahrain and the Gulf States, and that of the former regimes in Tunisia, Libya and Egypt, and the Bashar Al-Assad regime in Syria, and that changes are indeed already taking place in the Gulf States.

*(v) How the UK can encourage democratic and liberalising reforms in Saudi Arabia and Bahrain, including its power to effect improvements:*

As there are fundamental and structural differences between the countries of North Africa and Saudi Arabia, Bahrain and the Gulf States, there are also fundamental differences in the pace of 'democratisation and liberalisation' within the Gulf States. Whilst Kuwait was the first of the Gulf States to have a parliament, the electoral base was however very narrowly based. It is in fact Bahrain that has moved forward fastest with the democratisation process; all citizens over the age of 21 (male and female) are eligible to vote to elect members to the Lower House, and women are eligible to stand for election. There is a degree of criticism, with some justification possibly, that the wholly appointed (by the King) Upper House has equal or more power than the lower house (given that Ministers are also appointed by the King). By the same token, there is also however no doubt that the Government of Bahrain is wholly committed to continuing the democratisation process in Bahrain, as witnessed by the continuing efforts by the Government to bring about positive and lasting change in the political and human rights situation in Bahrain by its adoption and support for 145 recommendations fully and 13 partially after reviewing the 176 recommendations made during the second Universal Periodic Review of the UN Human Rights Council. The UK Government has undoubtedly played an important role in encouraging the

Government of Bahrain to move forward with this democratisation process, and whilst there might be some debate as to the speed with which the process is moving forward, the UK Government (and indeed the Governments of the many other allies of Bahrain) will continue to assist Bahrain with the implementation of this democratisation process, which in turn will assist in ensuring the on-going stability of the region.

*(vi) The long term trends and scenarios in the region for which the FCO should prepare, and the extent to which it is doing so:*

The Governments of Saudi Arabia, Bahrain and the other Gulf States all understand that the evolutionary processes in the region as far as the political and social landscape is concerned, will inevitably move far quicker over the next five years for example, compared to the speed with which this process has moved say as recently as two years ago. The 'Arab Spring' has played its part, but more importantly, it is the aspirations of the peoples of the Gulf States, aspirations that to a large degree have been formed by the process of democratisation and liberalisation that these very same Governments started some years ago, that has also played a part in this evolutionary process. The FCO is undoubtedly aware and prepared as to how it should deal with these changes, given that it is in the mutual interests of all parties concerned to ensure the long term stability of the region.

*(vii) The extent to which the FCO has the resources, personnel and capacities required for effective policy in the region:*

One can only assume that given how strategically important it is to the Government of the UK to maintain stability in this region, that the FCO (in concert with its allies) will ensure that it does indeed possess the necessary resources, personnel and capacities required for effective policy in the region.

*12 November 2012*

### Written evidence from George Williams, Editor-in Chief of the Gulf Daily News

- George Williams, Editor-in-Chief of the Gulf Daily News – Bahrain's leading national English language newspaper. Has lived in Bahrain/Dubai for 34 years.
  - SUMMARY: UK policy towards Bahrain and the Gulf; Misleading UK media reports fueling bad feelings; Historic links and past mistakes; Religious meddling by Iran; Future direction.
  - See Bahrain Independent Commission of Enquiry report. Most recommendations already implemented. Full report in a few weeks.
1. As a member of Bahrain's leading English language publishing house, I am writing about my observations and experience as a long-term resident.
  2. England's historic links with this country permeate deeply through the fabric of its society. So much so that Bahrain has embraced the English concept of thinking as a principle in life. Yet sometimes Bahrainis are puzzled by seemingly contradictory policies adopted by Whitehall and subsequently reported by the BBC or London's national newspapers. Whenever this happens, Bahrain is placed in a very embarrassing position when considering Anglo relations.
  3. Older Bahrainis particularly, mostly educated by British teachers, have always been encouraged to think in a broad, liberal way, and believe in gradual reforms which are sometimes patiently carried through over years or even generations. Whitehall mandarins appear to ignore these facts and behave in a puzzling manner when formulating policies. For instance, apparently backing fanatic religious moslems irrespective of whether Sunni or Shia, to the level of discreditiing their historic allies – not only in Bahrain, but the whole Gulf Co-operation Council.
  4. How will Britain benefit from openly supporting backward-minded people who blindly obey the Ayatollah's orders from Tehran, and incite street violence and instability?
  5. Britain must not be seen as two-faced, for British interests lie with the traditional Arab Sheikhdoms, which, despite differences of opinion sometimes, still wish to enjoy the best of relations with Britain as their Number One ally. They view America with suspicion when maintaining relations with allies, because Washington is unclear, vague and intransigent.
  6. This is the time for Britain to bolster its historic ties by assuring GCC leaders of its true allegiance and to erase uncertainties and doubts.
  7. We regularly hear from leading personalities within the GCC : "Is Britain a true friend?" Indeed, until today, it is very much the super respected power in this region, whether through diplomats or British expatriates working here. They are the most reliable and welcomed.

8. As an indication, an overwhelming number of Gulf Arab families, and government authorities, send their youngsters to study in Britain – clear evidence of their respect and appreciation of our system of education.
9. One additional fact should be borne in mind – that these governments are truly honest and principled in their dealings with Britain. Yet Britain is always waving the banner of human rights, democracy and freedom in their faces, all of which ARE developing here. Such a brow-beating and sometimes patronising attitude, accompanied by endless statements, often resulting from an ignorance of street realities, creates doubts and damages the reputations and economies of GCC nations.
10. Whitehall mandarins need to seek the opinions of greater numbers of British expatriates living in GCC countries. They will discover how wrong many of their policies are – of seemingly embracing the Ayatollah's stooges and other fundamentalists, describing them as 'peaceful protesters'. Also sheltering them in Britain at the expense of taxpayers.
11. It is time for London's top decision-makers to accept that GCC leaders and their law-abiding people are not fools! The UK should change its methods of dealing with them, adopting a more subtle, intelligent approach.
12. As far as Saudi Arabia is concerned, King Abdullah is transparently doing his best to implement reforms, but these cannot be completed overnight. It can take a generation.
13. King Abdullah, compared to his predecessors, is an outstandingly progressive monarch. Remember also that he is still paying dearly for misguided policies enforced on Saudi Arabia years ago, during the Afghan-Russian war, when the west, including Britain, virtually ordered his country to send its Muhajedeen to fight against the then USSR. After the Russians withdrew, these brave men were left completely in the lurch and in limbo. As we know, this decision spawned Al Qaeda, which is now ensconced in Egypt, Yemen, Syria and Iraq.
14. Wrong Western policies in the Middle East have been frequent and disastrous. Western-minded Arabs hope that past mistakes will not be repeated.
15. As a person living and working closely with many Bahrainis from all walks of life, I can sincerely confirm that the Ruling Family of this country has always had, and will always look forward to continuing excellent relations with Britain. This is not the result of today's political situation, but a fact of history, that they are immensely proud of.
16. It is also worth noting that when unrest broke out in Bahrain 18 months ago, three British Airways evacuation flights returned to London from Bahrain empty!

*12 November 2012*



### Written evidence from Amjad Bseisu

I am a Bahraini of Palestinian origin. My first recollection of life is in a house on Juffair Road in Manama where I lived with my parents and two siblings. Life in those days was relatively simple.

I grew up in Bahrain doing my primary and secondary education before leaving for higher education in Lebanon and the US. I have lived intermittently in Bahrain since my youth. I was naturalised as a Bahraini citizen in 1973 and view Bahrain as my nostalgic home, with all my childhood and adolescent memories being there.

Bahrain was a British colony in my early years. I vividly recall Christmas evenings at the high commissioner's house and Christmas plays in my Christian missionary school, which gave me a varied and open perspective on all walks of life. The plays have been etched in my memory and were some of the best training I ever received in my early years. I recall the day of Bahrain's independence; I was in the home of one of my father's best friends whose wife was British. I remember the friend being so happy about the independence but so sad to see the British leave since they had given their systematic help to Bahrain over so many years.

My first job was as a technical assistant at the BAPCO refinery (Bahrain Petroleum Company) in Sitra. Even though the conditions were harsh, there was no favouritism or partiality given to anyone, irrespective of sect or creed. The main focus of the competitive staff was to move up in the organisation and replace the expatriate population, which was predominantly British, to Bahraini nationals. There was also some tension between the higher management expatriates and the technical expats. My mentor was a British gentleman named Paul who took the time and effort to teach me the intricacies of the electrical systems in the refinery. From Paul I learnt focus and persistence were critical issues for applying academic knowledge to practical solutions. He was one of my early inspirations.

In my youth my closest friends were a mix of Bahraini, Lebanese and Palestinian Shia and Sunni individuals. In my time there I don't even once recall ever discussing religious backgrounds. Bahrain always saw itself differently to other Gulf Arab states – it had always been a settled area since 4,000 BC as opposed to a tribally based culture. Hence, the population was accepting and supportive of differing people from various backgrounds.

The role of women improved during my time in Bahrain and a number were taking more prominent positions in business, education and government. I noted my mother and sister were changing roles to be more engaged in publishing and banking, respectively.

I have a holding Company in Bahrain - Mecon Holdings - which manages investment, both in-country and outside. Its staff is a mixture of Bahrainis from different religious backgrounds, as well as expatriates.

Only one of the employees was impacted by the recent events and opted to take a services severance package rather than continue to work with the business. Most Bahraini employees are Shia. In all my years of employment I have not seen any form of discrimination against any

of the sects in the company I run, nor any intervention from the government or its subsidiaries who have promoted favouritism towards anything other than Bahrainis. The government has an active nationalisation program which stipulates that at least 70% of employees are Bahrainis, which is definitely understandable. The disturbance last year perturbed but has not halted the operations of the company.

In the past few years, and with politicisation of the social and youth movements in Bahrain, an unwelcome bifurcation has occurred. This divergence has created a Shia based political movement which represents the underclass and a wider Sunni based coalition representing the Sunni population and status quo.

This bifurcation is a dangerous one. I believe this detracts from the modern principle of civil society and respect for the rule of law. I truly believe that political organisations need to be based on political and social platforms, not religious platforms. Building a successful civil democracy has to be driven by meritocracy based on performance across all religious sects and ethnic backgrounds.

Bahrain was always a place where, for many centuries, people co-habited peacefully. I ask why this has now changed and we have reverted to a religious focus of the society. There are three reasons for this. First, post colonisation, the population saw their affinity to the wider Arab world and Arab culture as a defining core of their values. Arab Nationalism's failure created a big gap in this core value and created a clearing for religion defined by sectarianism. The second reason for the division of the people in Bahrain is the prevalence of Iran and the Iranian Islamic revolution, plus the bi-polarization of Saudi and Iran in the region. The third and last reason for this breakdown is the relative disparity of wealth between all lower classes and the upper classes. This disparity is across all sects but represents a higher percentage of Shias since they form a greater part of the population.

Engaging the entire population on social and political reform is needed to move the country to a successful constitutional monarchy. The ability to engage with all sectors of society is imperative for the start of a national dialogue. The UK system and approach is very relevant to Bahrain as it moves to a constitutional monarchy system. The close relationship and respect of the UK system would allow the UK to intervene very effectively on both sides and introduce concepts and principles of governance and political organisation. I believe the UK is uniquely placed to carry out this role, as other players are viewed with more differential practices which render them less credible, especially with the Opposition.

*12 November 2012*

## Written evidence from Raymond Weaver

### Summary

- Raymond Weaver
- Resident in Bahrain 1956 – 1982
- Head Operator in Power Plant for Bahrain Petroleum Company (BAPCO)
- Head Operator for Aluminium Bahrain (ALBA)
- Organiser of Awali Reunion meetings
- Member of Institute of Royal Engineers
- Member of the Bahrain Society

### Introduction

Raymond Weaver arrived on Bahrain in 1956; his family joined him in 1958.

### Experience in Bahrain

- My work in BAPCO was in Power and Utilities Department (P&U) as a Shift Engineer.
- The Policy was that we should train Bahrainis to take over that position. This was achieved after 8 years.
- My next post was with the aluminium smelter (ALBA), again in the Power Plant.
- I then returned to BAPCO and to P & U, mainly writing JIT (Job Instruction Training) manuals.
- Both my children were educated in a mixed community school in Awali (the Oil Company's town), and at St Christopher's School in Manama the capital of Bahrain.
- Bahrain began the education of girls in 1928 and they then came out into the community, empowered to take on almost any task. Four Bahraini women are members of the Government.
- Many Bahrainis come to the UK for further education.

### Conclusion

- Bahrain was a British Protectorate under the UK government until 1970, when it became independent.
- Bahrain has always had close cultural links with the UK, many people speaking excellent English.
- I have many Bahraini friends and acquaintances, and have always found them to be both hospitable and friendly, but have no idea whether they shia or sunni.
- Bahrain has always shown religious tolerance, allowing all faiths to practice their religions.

- It is essential that the UK maintains a good relationship with Bahrain, due to its strategic location in the Gulf.

*13 November 2012*

## **Written evidence from the Bahrain Human Rights Watch Society**

1. The Bahrain Human Rights Watch Society (BHRWS) was founded in 2004. It is an independent, non-profit, non-governmental organisation. Our board is made up of people from all backgrounds of society from a multiple religions, sects and social standards. The society works to ensure that the principles of human rights are followed in Bahrain. BHRWS works at both legislative and practical levels to prevent violations of human rights and guarantee non-discrimination of citizens on race, language, religion, sex or opinion. In addition, the society works to raise the standards of democracy in Bahrain, to monitor the application of existing human rights and political legislation and to encourage the membership of international conventions and agreements in relation to human rights.
2. We recognize that when His Majesty came to power, he brought in considerable reforms. Among many reforms we welcomed the introduction of the bicameral parliament, the participation of women in parliament and key ministerial posts and the establishment of a Constitutional Court. However we felt that a few years later, the speed of reform and implementation had slowed down.
3. Because of the reduced pace of reform, at the beginning of the protest movement of 2011 BHRWS joined the calls for reform from the Government. We felt that reforms had slowed down and not enough progress was being made. However over a short time it became apparent that radicals were hijacking what had initially been legitimate calls for reform and were turning protests violent with the intention of regime change in favor of an Islamic republic. It was clear that there was some influence by foreign actors. We had absolutely no interest in calling for the overthrow of the Government so we decided to withdraw from the protests, however we were intent on following the actions closely.
4. It was apparent by their coverage that the majority of Western media did not understand the situation that was taking place in Bahrain and applied similar analysis in Bahrain as they did in North Africa (Tunisia, Egypt and Libya). The Crown Prince promptly offered an unconditional dialogue to the main opposition party Al Wefaq for reforms. Al Wefaq refused the Crown Prince's call for dialogue, and refused to cooperate with the government.
5. Things worsened in Bahrain. The protestors began striking in schools, hospitals, universities and shut down major roads. BHRWS was extremely concerned with the impact this was having on the fabric of Bahrain's society and the economy, which became polarized and was more or less shut down. As a result some foreign companies left Bahrain, putting the economy and jobs at risk. It was clear to BHRWS

that the protestors had no programme of reform and did not seek to engage the Government.

6. As things began to escalate the Gulf Peninsula shield entered Bahrain to protect essential installations. The BHRWS is not critical about the Peninsula shield's presence as they have not had any contact with any protestors since they entered Bahrain and we believe their presence in Bahrain is essential until things stabilize. Their entry into Bahrain was based on longstanding defense agreements with the GCC.
7. The security forces reacted by taking a heavy-handed approach that the BHRWS is very critical of. As the Independent Commission's report highlights, serious mistakes were made and as a result, tragically a number of protestors and police officers lost their lives. However the BHRWS found that in some situations individuals among protesters deliberately sought out confrontation with police (and in some cases migrant workers) to raise their profile and encourage further radicalization.
8. Following these events the government held a National Dialogue, 300 people including our organisation took part from across Bahraini society including a number of the opposition parties. 291 recommendations were reached through consensus and are in the process of being implemented. However the main opposition party Al Wefaq withdrew after just two days. BHRWS felt this highlighted that they had little interest in genuine reform; instead wanting to impose their own agenda on the Bahraini society.
9. A number of activists called on the Government to allow Iran or Iraq to mediate between the Government and the opposition to reach a path forward. We believe that as a sovereign country the Government was right to reject these calls. The majority of the Bahraini people also felt this was inappropriate.
10. The Government of Bahrain then called for the Bahrain Independent Commission of Inquiry. The inquiry looked into the mistakes that were made during the unrest of 2011 and came up with a series of recommendations. This was led by Professor Cherif Bassiouni and we worked with the commission to give our evidence. The Government wanted to correct the mistakes that had been made and do what they could to ensure such mistakes would not happen again. Subsequently we believe the Government is genuinely working hard to implement the recommendations in full. We are following the implementation process closely and we accept that some of the recommendations the Government is implementing may take time (such as training) or may require infrastructure and legislation. We believe it is crucial that the quality of reforms is not undermined through rushing the implementation process, but we will be following this process closely and critically to ensure it stays on track.

- 11.** We are now certain that for peace and further reform there needs to be an end to the violence and the beginning dialogue. We agree with HM King Hamad's call for an end to the violence and for the opposition to join in inclusive dialogue, which have so far been rejected. Without both we are unable to come to an understanding that represents everyone's interests. BHRWS does not believe that one party should decide the future of Bahrain.
- 12.** Our biggest concern is that violence is escalating. Explosives, molotovs and the targeting of innocent civilians are all becoming more common. This is resulting in injuries and deaths to the protestors, police and innocent bystanders which we feel is completely unacceptable. We are also concerned by the way the police has handled protests, and call on them to practice restraint and appropriate force when handling protesters.
- 13.** BHRWS also believes that international actors have played a role in the attempted overthrowing of the Government under the guise of an 'Arab Spring movement'.
- 14.** In conclusion, our organisation has always supported further reform. We were initially supportive of the objectives of the movement in early 2011 as we felt the reform process had stalled. It has since become clear to us that the intentions of certain political activists are more about political power than reform and as such we cannot condone the behaviour. The actions that took place on both sides have concerned us over the past months, however we welcome the Government's efforts to correct mistakes that have been made and introduce further reform. We are concerned that irreparable damage is being done to the unity and fabric of Bahrain's society and all Bahraini's should work to prevent this. We call on the international community to encourage opposition activists to condemn all forms of violence and engage in dialogue for the benefit of all Bahrainis.
- 15.** We are able to provide written and photographic evidence to support our submission should you require this please do let us know.

*14 November 2012*

## **Written evidence from Marilyn Collins**

(Marilyn Collins is a semi-retired event organiser; Committee member of the Bahrain Society and Member of the Awali Reunion Society)

### **ASSOCIATION WITH BAHRAIN**

#### **August 1951-aged 7 years**

Arrived in Bahrain with brother and parents. Father worked in Maintenance department of Bahrain Petroleum Company from 1948. Family lived in company town Awali situated roughly in the centre of the island.

#### **August 1956**

Returned to UK (Glasgow, Scotland) for secondary school education.

#### **Summer 1958 & Summer 1959**

Spent vacations in Bahrain with family.

#### **November 1986**

Returned for first time after leaving in 1959 and it was such an emotional experience I felt that I could not be alone in feeling thus. If that was the case, then using my knowledge and experience in event management I felt that I would be well placed to arrange to take others on trips down memory lane to relive their memories of very happy times.

When I circulated my idea to members of the Awali Reunion Society and the Bahrain Society (also known as the Bahrain/British friendship Society), it proved to be the case that many others were be as keen to return as I was.

The above societies are based in the UK and their members are Bahrainis and expats who worked in Bahrain, going back many years. Members also come from the second generation of expats who, like me, think of Bahrain as their second home. Both of these societies are strictly non-political and exist purely to foster and promote friendships between friends of Bahrain and its people. The Bahrain Society also befriends and assists, when requested, Bahraini students furthering their education in the UK.

#### **October 1993 to date**

Over this period, I have organised and accompanied over 700 ex-pats in small groups on “trips down memory lane”. Some have travelled back with me on more than one occasion. These visits have not been part of my business and were always done “for love” with no profit motive. I gain only from seeing the pleasure such visits brought to those who participated.



## **Present day**

I spend at least one week a year either on my own or with groups visiting Bahrain and plan to continue to do so for as many years as I am able.

The last group visit I organised was in October this year and there were 19 people of mixed ages from a teenager to two octogenarians who were very happy to go to Bahrain and experience the new as well as make visits to the old Bahrain of their memories. Although a few were a bit apprehensive as to what they would see in Bahrain, all were pleased that the hospitality and friendship of the people they met in shops, restaurants etc. were just as they had always remembered. None felt in any way threatened during their 6 night stay. I visited several merchants in the Manama souk who bemoaned the fact that the uncertainty was keeping away customers and, as a result, their businesses were in jeopardy.

## **Summary**

I have to speak as I find and, through my travels to many parts of the world, nowhere have I met such warmth as I do from the people of Bahrain – friends and strangers alike.

So far as living conditions etc. are concerned, they have improved enormously since I first arrived there in 1951 when many villagers lived in barastis (houses made of palms) and the sanitary conditions were very basic. Nowadays no-one lives in barastis – new towns have sprung up where people all live in “proper” houses. Families have free health care, there is free education for all children, up to and including university. As a businesswoman I take pleasure in the fact that women in Bahrain have freedom to study, to work and succeed in whichever career they care to follow. This is not new, that has been the case for as long as I can remember.

Religious freedom is, and always has been the case in Bahrain. There is a church in Awali which is regularly used by Roman Catholics and Anglicans as well as Non-denominational congregations. I am aware of a Jewish community in Bahrain as well as several churches in Manama with thriving memberships including an Anglican Cathedral. Again, this is not new, this has been the case for as long as I can remember.

Events in February last year shocked and upset me, particularly the coverage by television news media. I questioned at the time, and indeed still do that if reporters on the ground falsely call the Pearl roundabout a square (for what reason?) how can they be trusted to report truthfully and accurately on actual events? It is a small thing perhaps but, I feel, an important one.

The so-called Arab Spring, as it relates to Egypt, Libya and Syria etc. seems to me a world away from the Bahrain I know and love. For one thing, Bahrainis have had a vote for 11 or 12 years - it is work in progress and who of us who have had votes for many, many more years can say “hand on heart” that we have it right!!

As I see it, Bahrain, like the rest of the world, has progressed hugely in recent decades. There is always room for improvement and, if allowed to do so without outside interference, I hope those tasked with dealing with this are allowed to do so in consultation with all of those who are prepared to put the people of Bahrain first. Although I am aware that there have been

many calls to “the opposition” to come to talks on the way forward and, so far they have not done so. The peace loving gentle ordinary people of Bahrain deserve better.

This is, I know, an emotional statement for which I make no apology. I love Bahrain and have many friends there (I know not whether they are Sunni or Shia) and would be devastated if the progress of the last 60 years or so is destroyed by those who wish ill to Bahrain and its people.

*When asked many years ago what reason I could give for my love of Bahrain and I was able to say without hesitation, “the people” and my opinion has not changed since then.*

*12 November 2012*

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**I HAVE NEVER BEEN TO SAUDI ARABIA SO AM NOT ABLE TO COMMENT ON THAT COUNTRY**

## Written Evidence from Dr Omar Al-Hassan

### The UK's relations with Saudi Arabia and Bahrain

#### **Executive summary:**

Bahrain and Britain share a rich history of strong and meaningful relations, as illustrated by the level of support Britain has extended onto Bahrain both prior to and following its independence in 1971. The two countries have always circumvented the challenges they face through dialogue and understanding. Britain acknowledges Bahrain's critical positioning in the oil-rich Gulf region, and thus is astutely aware of the pivotal role that Bahrain plays in terms of global energy security and the stability of the international system. Distinguished relations between both countries have aided Bahrain's democratic development

#### **Introduction**

In response to the calls for evidence by the Foreign Affairs Committee I feel it is important in the introductory remarks to recall the recent progress that has been made within Bahrain in terms of incremental democratic reform and the provision of human rights guarantees. I would also like to offer my own evaluation of the period of unrest that has followed the events of February and March 2011 which I believe to be unnecessarily prolonged due to the opposition's obstinacy.

1-1 Since King Hamad came to power in 1999 Bahrain has undergone a period of profound democratic development, as illustrated by:

- Issuing an amnesty for political prisoners in February 2001, allowing the return of exiled persons, and rescinding the state security law and court.
- Drafting the National Action Charter which was subsequently approved by 98.4% of voters in the 2001 national referendum.
- Issuing the amended national constitution in 2002.
- Conducting parliamentary and municipal elections in 2002, 2006 and 2010.
- Permitting the establishment of political societies - a precedent for the Gulf region. By 2012 there were 20 political societies in operation, along with 656 civil society organizations (compared to 275 in 2001), and several trade unions.
- There have been over 10 charters, agreements and treaties related to human rights. A Ministry of Human Rights was also established in 2011.
- In 2000 the Press Association was established, issuing licenses for the creation of new newspapers. As of 2012 there are more than 14 newspapers in Bahrain.
- Although temporarily prohibited – Bahrain has witnessed a number of sit-ins, marches and demonstrations in Bahrain, with approximately 420 such events in the last three years alone.
- Empowering women socially, politically and economically. In 2002, women were notably able to vote and stand for political office for the first time In

addition to their representation in the two chambers of the parliament, the Supreme Council of Women was established in 2001. Moreover, in 2012 there were 18 active Women Associations operating inside Bahrain.

- As revealed by the UN Human Development Index (HDI) Bahrain has headed the Arab states in terms of human development in eight of the last fifteen years despite its limited resources and size.

#### *Positive responses to the events of February and March 2011*

- a) Persistent attempts to establish a national dialogue:

The Crown Prince launched an initiative for dialogue with opposition forces after less than a week after the beginning of protests in February 2011. This was rejected by the opposition, thus prompting the King to declare a state of national safety to maintain security and stability within the country.

After the situation was stabilized, a dialogue of national consensus began in July 2011, with participation of all sections of Bahraini society, which initially included Al-Wefaq Society prior to its later withdrawal. Dialogue has resulted in drafting constitutional amendments that have been ratified in May 2012. These constitutional amendments granted parliament greater supervisory powers over government, as well as the authority to approve government appointments, and the ability to dissolve entire government, etc...

- b) Dealing with the crisis's repercussions and holding perpetrators accountable for their actions:

In July 2011, King Hamad ordered the establishment of an independent fact-finding commission - the Bahrain Independent Commission of Inquiry (BICI) - in consultation with the UN Human Rights Council. The BICI report revealed that some violent acts were carried out against demonstrators (in response to the violence committed by demonstrators themselves); however, the claim that torture was systematic was unproven. Nevertheless, the King then agreed to all of the BICI recommendations and established a National Commission to oversee their implementation. The following progress has been made:

- Compensating the families of victims – e.g. thus far \$2.6 million has been paid to the families of 17 victims.
- Creating a Special Investigations Unit - which presents its reports to the Attorney General with the aim of investigating potential police misconduct.
- Installing cameras in all relevant police stations and interrogation rooms to ensure the protection of human rights.
- 90% of those laid off from their work during the events have returned to their jobs. The remaining 10% is related to the private sector and is being investigated by Ministry of Labour.
- All charges related to the right of exercising freedom of expression were dropped.
- Security personnel accused of engaging in acts of violence against demonstrators are being investigated, and, wherever necessary, prosecuted.

- Personnel previously prosecuted in a military court were referred to civil courts for retrial.
- 8 houses of worship were repaired, 5 demolished sites are being rebuilt, and 8 other sites are still being studied in terms of their status of title deeds and planning requirements.
- It is worth mentioning that 96% of the recommendations have been implemented, while the recommendations that hadn't yet been fully implemented are those that require legislative changes or judicial decisions.

*The destructive influence of opposition groups:*

Opposition groups (especially Al-Wifaq bloc), have changed from being a positive influence (as embodied in its previous participation in the Chamber of Deputies) into a negative, or even destructive influence, as demonstrated by:

- The resignation of its representatives from the Chamber of Deputies in May 2011.
- Using threatening and provocative language against the state and the government.
- Refusing offers for dialogue free from any pre-conditions.
- Seeking to benefit from political and media support offered by external powers, namely Iran, Hezbollah, and certain Iraqi Shiite leaders.
- Deliberately attacking police men, terrorizing citizens and expatriates, in addition to attacking public facilities and trying to harm the national economy. For example there have been: approximately 1,300 injuries incurred by the security forces, 70 with serious injuries that could cause permanent disabilities; 129 military vehicles have been damaged as a result of Molotov cocktails, explosives, and petrol bombs; 293 attacks have been conducted at schools; 2,089 incidents of blocking streets; 2,910 cases of burning tires.
- Attempts to deliberately damage the national economy through the siege of Financial Hub has resulted in a \$1.4 billion loss in the Bahraini economy following the Kingdom's damaged reputation as an attractive market for investment and tourism etc.

**1- Britain's foreign policy priorities in its relations with Saudi Arabia and Bahrain, and how the government balances effectively between its interests in the fields of defense, trade, energy, security, fighting terrorism and human rights:**

1-1: Maintaining the flow of oil supplies and energy to the United Kingdom is one of the central pillars of British foreign policy towards the Gulf region, with the Gulf accounting for 41.7% of the world's oil reserves, 20 % of crude oil exports, in addition to its oversight over the Strait of Hormuz, through which about 40% of the world's seaborne oil exports pass. The Gulf also holds at least 22.8% of the world's proven reserves of natural gas.

1-2 Having acknowledged the importance of the Gulf region to broader international energy security and stability, such acknowledgement has led to ever increasing coordination with Bahrain and Saudi Arabia in the fields of defense, security, business and commerce. For example, according to the UK Trade and Investments Department, there are approximately 200 joint Saudi-British companies in Saudi Arabia, whose

investments amounted to £11 billion; in addition to about £8 billion worth of British exports.

Britain is one of Bahrain's leading European trade partners. There are 548 British trade agencies registered in Bahrain and 72 branches of British trade companies, working in the fields of industry, trade and services. There are more than 100 Bahrain-based British companies, in addition to 300 joint companies between British and Bahraini investors. Moreover, there are more than 7 thousands Britons living in Bahrain.

1-3 The subtle approach the UK government and foreign policy officials adopt when addressing any Gulf-related human rights concerns they might is commendable, favouring closed-door discussions as opposed to overt-aggressive public defamation. Mediators are arguably more successful if criticism stays behind closed doors. Such an approach also prevents the undesirable inflammation of tensions on the ground. To its credit, with regards to Bahrain, the UK has persistently urged the need for dialogue, calling on all parties to come to the negotiating table free without any preconditions for their engagement.

**2- To what extent the Foreign office's Gulf initiative achieved its goal to improve relations with Gulf countries in general, and also to make the UK "a major strategic partner" in the region as a whole.**

2-1 In 2010 the British Foreign Office launched an initiative to strengthen its relations with the Gulf Cooperation Council through strategic dialogue, stemming from its belief in the importance of each party to the other. In the context of this dialogue, two ministerial meetings were held, the first in New York in September 2011, the second in London on 21 June 2012. In these two meetings, suitable mechanisms were considered to activate the bilateral security agreements and related Memoranda of Understanding, as well as underlining the importance of facilitating trade exchange, and travel procedures for citizens and businessmen in order to help deepen bilateral relations between the GCC and the United Kingdom.

**2-2:** This strategic dialogue could have several benefits for both sides:

- Politically: Britain has a long experience in democracy and could help the GCC states implement their incremental reform projects.
- Economically: the GCC is considered the seventh largest market for British exports. According to the figures of 2011, the volume of trade exchange between the GCC and Britain reached £17 billion.) The GCC also has approximately \$1,380 billion worth of sovereign wealth funds – as revealed by the Institute of International Finance's report in April 2012. Thus there is room for yet further GCC investment in UK markets.
- Militarily: The exportation of arms, technology and technical assistance has been a defining characteristic of British-Gulf relations. Currently in the pipeline are the Typhoon jets which Britain is looking to sell to the United

Arab Emirates, Saudi Arabia and Oman. Also, in October 2012, Britain signed a new agreement on defense cooperation with Bahrain.

- Security: both Britain and the Gulf states have benefitted from the exchanging of intelligence to combat terrorism, particularly after the events of 9/11. The Gulf states have also taken advantage of British security expertise in their own attempts to fight organized crime.

### **3- Saudi Arabia and Bahrain as partners in British foreign policy, particularly in relation to Iran and Syria, and as members of the regional and international organizations:**

#### **3-1 Iran:**

*The issue of Iranian interference in Bahraini affairs:*

- Iranians' migration to Bahrain has led Iran's rulers to believe that they have a legitimate territorial claim over Bahrain. It is to Britain's credit that it sent a memorandum to the Iranian government on 29/11/1927 confirming that it did not recognize Iran's claims of sovereignty over Bahrain, as well as also later supporting a referendum held under the auspices of the United Nations in 1970 during which the Bahraini people chose independence of Bahrain, and stick to its Arab and Islamic identity led by the "Al Khalifa" ruling-family.
- Iranian allegations have not stopped since Bahrain's independence, and especially after the Iranian revolution, with Bahrain still perceived as the 14<sup>th</sup> Iranian province. Iran has not hesitated in its attempts to destabilize Bahrain by fomenting civil unrest through the exploitation of its ties with certain forces operating inside Bahrain - as was evident in the protests of February and March 2011. These interventions led to the crisis taking on an increasingly sectarian dimension since February 2011, which in turn threatens the security and stability of the economically important Gulf region.

*The Iranian Nuclear issue:*

- The Iranian nuclear programme is regarded as a source of mutual concern for both Britain and Bahrain because of the two nations' doubts about the peaceful nature of Iran's nuclear ambitions. The danger here lies in the negative repercussions of Iran evolving into a nuclear power, which would endanger western interests in the region. Britain is rightfully weary of Iran blocking the Strait of Hormuz, consequently endangering global oil supplies, which would inevitably lead to inflated oil prices. This concern led Britain to deploy a new battalion of ships in the Gulf region, resulting in increased coordination between Britain and the Gulf states.

#### **3-2 The Syrian crisis:**

The Syrian crisis is rightly regarded as a grave threat to regional security, with Syria's neighbours weary of the apparent spill-over effects of a bloody civil war fuelled by Bashar Assad's unrelenting brutality. Moreover the situation is worsened by external

actors vying for influence, with Russia, China, Iran and Hezbollah coming up against the US, UK, Turkey, and some of the Gulf nations.

Settling the Syrian crisis is a primary concern for both Britain and Bahrain, as exemplified by the fact that:

- During the Bahraini King's meeting with the British Prime minister David Cameron on 23<sup>rd</sup> August 2012, both expressed their concerns over the humanitarian catastrophe in Syria and the negative repercussions of the Syrian crisis on regional stability.
- There was also an agreement, reflected by the British-Gulf joint meeting on 21/6/2012, on the significance of ending the Syrian peoples suffering.

### **3-3 Cooperation through regional and international organisations:**

There is a shared understanding between Britain and Bahrain of the importance of coordinating efforts through discussions within regional and international organizations. This is clear when looking at Bahrain when operating under the framework of the Gulf Cooperation Council (GCC), and also when Britain operates under the framework of the European Union (EU), exerting joint efforts to sign a Free Trade Agreement between both parties. On the other hand, both countries have coordinated with one another in several conferences related to the vital issues emanating from the Middle East such as the London conference on the situation in Yemen in January 2010, as well as a conference on Afghanistan held in London on 28/2/2010.

### **4- Arab Spring's implications on British foreign policy and Britain's relations with Saudi Arabia and Bahrain:**

4-1 Following the events of February and March 2011, the current British ambassador to Bahrain, Ian Lindsay, indicated that Britain acknowledges that each country differs from the other in terms of protest movements, as well as recognising the reformist trend of the Bahraini leadership.

4-2: Britain was keen to monitor how Bahrain dealt with the crisis, on the basis of the historical importance the Kingdom represents for Britain. This was indicated in the following developments:

- It praised Bahrain's decision to establish the BICI. For example, David Cameron, in a letter to King Hamad on 26/1/2012, welcomed the swift response of the Bahraini government to the BICI investigation, citing the signing of a Memorandum of Understanding between the International Committee of the Red Cross (ICRC) and the Bahrain Ministry of Interior. On the 13/6/2012 Alistair Burt, Minister of State for Foreign Affairs, outlined his support for the Bahraini government and the progress made vis-à-vis implementing the BICI recommendations.
- Bahrain hired British personnel such as John Yates, the former assistant commissioner of the Metropolitan Police, to develop the Bahraini police; as well as legal experts Sir Daniel Bethlehem and Sir Geoffrey Jaoul, to help with the implementation of the BICI recommendations.



- John Yates declared on 6/5/2012 that Bahraini Police were on the brink of achieving comprehensive developments, including: establishing a forensic laboratory and an academy for criminal sciences; deploying 500 police officers to carry out patrols in streets; establishing an independent body for complaints; and taking measures to prevent the recurrence of abuses mentioned in the "Bassiouni" report.

## **5- How can United Kingdom encourage liberal and democratic reforms in Saudi Arabia and Bahrain, including using its influence to achieve improvements?**

*5-1: Adopting a balanced foreign policy approach towards the unrest in Bahrain that differentiates between peaceful protests and acts of violence and sabotage carried out by opposition forces.* The wave of protests doesn't reflect the reality of the social, political and economic situation in Bahrain. On the contrary, there were huge demonstrations in which about 300 thousand people, Shiites and Sunnis, participated, with the aim of supporting the leadership after these events. Yet such events are never acknowledged outside of Bahrain.

*5-2: Supporting the King's vision for incremental democratic reform.*

One must acknowledge the cultural and religious particularities which shape Gulf society – e.g. the preeminence of Sharia law – and thus understand the friction caused when trying to implement Westernized democratic reforms. Nonetheless, democratic development in Bahrain continues to evolve and thus shall continue to develop as time goes on. The FCO can help in this regard through taking advantage of mechanisms and joint agreements between two countries which contribute in achieving this goal, including:

- The Joint Bahraini-British work team, which was agreed upon between the King and British Prime Minister during their meeting in London in July 2010. This team can perform periodic discussion for the contents of the Foreign Office's annual report on democracy and human rights in Bahrain.
- The initiative launched by British Foreign Office in 2010 to improve relations with GCC countries, through strategic dialogue.
- Specialized workshops organized in the field of democracy – e.g. establishing workshops in which parliamentary delegates, researchers, and academics from research institutions and prestigious universities from across the globe are invited to participate.
- Britain could consider including the Kingdom of Bahrain in the Arab Partnership Program.

*5-3: Urging opposition groups in Bahrain to participate in the national dialogue.* Moreover, the Foreign Office must take a firmer stance on opposition figures who utilize Britain as a base to exercise their counter-productive activities, scrutinizing opposition's viewpoints that often: falsify facts; defame the Kingdom's reputation; and increase political tensions, thus reducing the possibility of kick-starting the national dialogue.

## **6- Long-term trends and scenarios in the region that the British Foreign Office should be prepared for, and the extent of its achievements in this regard:**

6-1: The Gulf region remains a regional playing field prone to outside interference with external powers looking to benefit from the generous economic, geo-political and strategic benefits on offer. This competition could at any time boil over into conflict, and as a result of the so-called Arab Spring a new local and regional dimension has been added to this external competition for influence. The consequent security vacuum and social unrest in the Arab region has damaged the security and stability of the GCC, and therefore British interests therein. This makes it a must for the British foreign policy to prepare itself to face the future challenges related to this matter, through:

- Helping to contain the crisis in Bahrain, with the realization that the threat of the sectarian dimension of the crisis does not only affect Bahrain, but affects the whole region, subsequently playing into the hands of Iranian regional aspirations. Hence, the British Foreign Office, after having signed the recent defense cooperation agreement with Bahrain (October 2012) should adopt a position that urges the opposition to meet the King's call for dialogue and to renounce violence and acts that disturb security.
- Neutralizing the Iranian nuclear programme by continuing to search for diplomatic and political solutions, no matter how long it takes in preference to engaging in a costly military operation.
- Assisting with the various reform programmes in the GCC states.
- Adopting a carefully constructed approach that deals with its Gulf partners in a rational and diplomatic manner that avoids inflaming the problems within these countries.

## **7) Recommendations and proposals for the Commission:**

I would advise that the FAC present the results of its inquiry in a list of recommendations to the Bahraini and Saudi government in a diplomatic and confidential way rather than public defamation through media outlets. Public criticism would intensify protests, threatening the two countries' security and stability. At the same time, it would provide Iran with a foothold in Bahrain, then in the rest of GCC member states, to the detriment of British interests and international stability.

Whilst it is only natural to focus on the distressing events that continue to take place on the streets of Bahrain; one should not lose sight of what is occurring elsewhere. King Hamad and the Bahrain government are doing far more than is rarely acknowledged, in the hope of achieving some form of reconciliation between the conflicting parties and interests within Bahrain. One should acknowledge the positive steps that have been taken thus far (particularly with regards to the extensive implementation of the BICI report's recommendations), and the steps that shall continue to be taken in the hope of bringing Bahrain out of this troubling moment of uncertainty. I hope that the FAC will recall the progress that has been made in the fields of socio-economic, political and human rights over the last thirteen years as a stark reminder of what the Bahrain leadership is hoping to achieve, namely, incremental and durable democratic reform that is able to weather severe internal and external pressures.

In the context of the UK's historical responsibility to the Palestinian cause, and to avoid accusations of hypocrisy, I would urge the FAC to conduct a similar investigation into the UK's relations with Israel. Let us not forget the daily suffering of the Palestinians within the occupied territories (and those living in refuge elsewhere). For example, there are over 4,500 prisoners held by Israel, many under the unlawful terms of administrative detention, and about 1,600 inmates having gone on hunger strike. Then there is the unrelenting demolition of Palestinian homes, the bulldozing of farms, all to be replaced with illegal Israeli settlements. Extra judicial killings and the disproportionate use of force are but further measures which have come to define the Palestinian people's existence.

*15 November 2012*

**Written evidence from Rehman Chishti MP, Member of Parliament for Gillingham and Rainham**

**Introduction**

1. Rehman Chishti MP is the Member of Parliament for Gillingham and Rainham and Vice Chairman of the All Party Parliamentary Group (APPG) on Saudi Arabia.
2. Mr Chishti visited Saudi Arabia between the 4 – 8 December 2011, as part of the APPG's delegation to the country.

**UK and Saudi relationships**

3. The UK has long standing links with Saudi Arabia and the relationship between the two countries has been beneficial. Saudi Arabia is a key country in the region for the UK.
4. On his visit to Saudi Arabia in January 2012, the Prime Minister David Cameron said that having a strong relationship with Saudi Arabia is vital to advancing the UK's priorities in the region. This includes investment and exports, co-operation on security, counter terrorism and promoting stability, reforms and protection for human rights.

**Commerce**

5. British-Saudi relations have historically been successful and brought economic benefits to both countries.
6. Saudi Arabia is the UK's largest trading partner in the Middle East and trade represents more than £15 billion per annum. More than £62 billion has been invested in the UK by the Saudis.

**Counter Terrorism**

7. Saudi Arabia has also suffered from terrorism but has not yet introduced new counter terrorism legislation. Instead they have relied on the general principles of Islamic Law.
8. An anti terrorism law is in draft form and is being considered in the Consultative Council. For it to become law, it would have to be referred to the Committee of Security Affairs, seek the views of relevant authorities and representatives of the Government.

## **Judiciary**

9. In 2007, legislation was introduced to enhance the independence of the judiciary and reform the Ministry of Justice.
10. This included giving the Supreme Judicial Council powers usually held by the Minister of Justice, including the supervision of the court system and judicial appointments.
11. The Kingdom has been subject to criticism for human rights violations and for the absence of a codified penal law. They have since passed legislation to address this and last August a plan to develop the Higher Institute for Judicial Studies has passed in an effort to reform the judiciary and raise standards. For example, the judiciary must now be trained by the institute.
12. In 2010 a Human Rights Watch Report commented that as a result of King Abdullah's judicial reforms, the judiciary may become a fairer institution.

## **Human Rights**

13. The Kingdom's approach to human rights has been changing. Although laws are inferred from Islamic Law, to improve clarification, in 2010 the Council of Senior Religious Scholars approved the codification of Islamic Law.
14. The Kingdom has also taken action to set up relevant institutions to guarantee the protection of human rights in the country. This includes the Human Rights Commission and the National Society for Human Rights.
15. The Human Rights Commission was established in 2005 and aims to protect and promote human rights in accordance with international standards.
16. The National Society for Human Rights was established in 2004 and aimed to implement international human rights charters. It has introduced a special panel to monitor women's rights, and to support citizens in pursuing and protecting their rights.
17. In addition, departments and institutions have also been created. For example the Commission for the Protection of Virtue and Prevention of Vice has established a human rights department.
18. On Women's rights, the Labour Law of 2006 eased sex segregation in employment. A Royal Decree in 2005 permitted private enterprise with certain requirements to employ women and the Council of Ministers Resolution 125 enabled women to be able to apply for business licences.

19. Recently reforms have enabled women to travel without a guardian and the King has appointed Dr Nora al Fayez as the Deputy Education Minister for Girls' Education, the first woman to hold such a position.
20. In September 2011, the King granted women the right to enter the consultative council as full members and has pledged to appoint more women to the Shura Council (consultative council) next year. Furthermore the King has announced that women will be allowed to vote and stand as a candidate in the next municipal council elections in 2015.

### **International relations**

21. The Kingdom signed the Vienna Agreement with Austria and Spain to establish the International Centre for interfaith dialogue in Vienna and the Kingdom has worked to create greater understanding between religions and cultures.
22. The Kingdom has also worked for peace between Arabs and Israelis and has produced a widely praised peace plan for the region.
23. Saudi Arabia is also the country which donates the most for humanitarian causes with its total aid budget of \$3.5 billion in 2010.

*12 November 2012*

### Written evidence from Sir Harold Walker

**Summary** This submission offers concise comments only on the human rights element in the UK's multi-faceted foreign policy towards Bahrain. It suggests that in recent times that element has been given an inappropriate place in public discourse in the UK.

**The submitter** I served in the British Diplomatic Service from 1956 to 1991. All my overseas postings bar two were in the Middle East, and I was ambassador to three Gulf countries, including Bahrain (1979-81). In retirement I have retained an interest in the Middle East: among other ME-related appointments I was Chairman of the Bahrain Society from 1993 to 1999, and President of the British Society for Middle Eastern Studies from 2006 to 2010.

**Facts and argument** Since the atrocities in Rwanda (1994) and, particularly, Srebrenica (1995), human rights abuses have rightly played a bigger role than previously in deciding the policies of Western governments towards other states, and in shaping media comment. Attention is paid to the views of organisations such as Amnesty International (founded in 1961) and Human Rights Watch (founded in 1978). The promotion of human rights world-wide is in our strategic interests: as the Foreign Secretary put it in a speech on 15 September 2010, "Our security is weakened when others lack the conditions for safety and where the absence of law creates fertile ground for future conflict or terrorism".

However, it is a shortcoming of private-sector organisations promoting human rights abroad that by nature they tend to stress the negative. Where Bahrain is concerned, the authorities have had much to answer for. But in the recent period little credit is given to the government for the remarkable step of establishing the Bahrain Independent Commission of Enquiry (BICI), for the subsequent setting up of the National Commission, or for its acceptance of the majority of the recommendations of the Universal Periodic Review of the UN Human Rights Council. In so far as such events are recognised, the government is then criticised, despite numerous steps taken, for alleged slowness in following up the recommendations accepted. There are particular areas in which Bahrain has a good record: freedom of religion (Bahrain has appointed both Jewish and Christian ambassadors) and the status of women. This is largely ignored; nor is it pointed out that the government would have moved further in the direction of a satisfactory Family Law but for the negativism of opposition Shi'ite scholars and members of parliament. Individual events are given slanted treatment: it is regularly stated that medical personnel at the Salmaniya Medical Complex were taken to court just for treating members of the opposition, while no reference is made to the BICI finding that "the involvement of some doctors and medical personnel in various political activities on and around the SMC premises was clearly difficult to reconcile with the full exercise of their medical responsibilities". No attention is paid to the provocations facing the security authorities in the way of the burning of tyres on public roads and the use of Molotov cocktails against the police. Western sensitivities over human rights are allowed to prevail over the interests of the Bahraini people, as for instance when human rights organisations lobbied for the cancellation of the Formula 1 race in Bahrain when the main opposition group in Bahrain itself was on economic grounds in favour of its being held. Due credit is not given to the Bahrain authorities for their repeated efforts to enter into dialogue with the opposition.

These matters are admittedly difficult to treat fairly, but the bias of the human rights organisations is hard to deny. Unfortunately much of the media accept their views unquestioningly. The public picture presented is thus one-sided.

What is perhaps more important is that media presentations imply that the UK's relations with Bahrain should be governed by human rights considerations, and furthermore that UK criticisms of Bahraini performance should be loudly stated. While this may have political resonance, it cannot be correct. The UK's relationship with Bahrain is multi-faceted, including trade, investment, culture, and above all the strategic role of Bahrain as a member of the Gulf Cooperation Council in a sensitive part of the world. The UK's policies towards Bahrain, and the government's public presentation of them, have to balance all these considerations.

In the speech referred to above Mr Hague said that "Our starting point for engagement on human rights with all countries will be based on what is practical, realistic and achievable". Practicality and realism will mean in most cases, and certainly with regard to friendly countries, that criticism should not be loudly voiced from the roof-tops: states, like individual human beings, tend to react adversely to such criticism. The first step should be through normal diplomatic means to urge the governments concerned to live up to obligations they have themselves undertaken. Aside from the Universal Declaration of Human Rights, Bahrain is a party to various UN Conventions, including the Convention against torture or other cruel, inhuman or degrading treatment or punishment and the International Covenant on Civil and Political Rights. Other steps include the provision of specialised expertise. There is a place for public criticism, but it should be carefully judged. Dialogue should be the watchword. Achievement on the substance, and damage to other aspects of our relationship, should not be risked on the altar of giving satisfaction to single-issue lobbies and the media.

*12 November 2012*



## Written evidence from Sir John Shepherd KCVO CMG

### Summary of evidence

This evidence will not cover the second, sixth and seventh of the Committee's questions which focus on evaluations of current UK policy, which the writer is not qualified to comment on; it will concentrate on the background, primarily in Bahrain, against which that policy has to operate. It will deal only tangentially with Saudi Arabia and other Gulf States.

- a) The strategic importance of Bahrain is often under-rated, as it is relatively poor, very small and internally divided. But, respecting its long relationship with the UK, it has always stood by the UK and Allies when needed – within the limits of its resources – in the second world war and both Gulf Wars. In addition Iran regularly seeks to destabilise it (partly to weaken Saudi Arabia and the GCC), and trouble in Bahrain, let alone the overthrow of the current political system or its annexation, has to be seen as a major prize for Iran.
- b) Given its vulnerability, we cannot expect Bahrain to take a leading role in international or Arab forums; but, with care, we can ensure they understand and where possible support to the reasonable aims of the UK, EU and US in the region.
- c) The internal situation in Bahrain is not simple, as it is often portrayed. In many respects the complexity of the situation resembles that in Northern Ireland, where religious, ethnic and economic divisions overlap and are mutually reinforcing. Events in Cairo and elsewhere have triggered an outburst of protest and frustration (which the authorities did not handle skilfully), but this is merely one chapter in a longer saga. A policy of pressing for rapid “progress to majority rule” is no more appropriate in Bahrain than it was in Northern Ireland.
- d) But a policy of engagement in and encouragement of a process bringing the communities together, while back-channel political contacts slowly build the political conditions for change, has a better chance of achieving long-term improvement, without increasing the strategic risks (see a)) inherent in mistakenly treating Bahrain as if it were a smaller version of Egypt, Tunisia, Libya or Syria.

### The writer

I was a Middle East specialist in the Diplomatic Service, serving as Ambassador to Bahrain (1988-1991 – covering the first Gulf War) and Director for the Middle East (1996-1998) and Deputy Under Secretary supervising the Middle East (1998-2000). After retiring from the Service I was the founding Secretary-General of the Global Leadership Foundation (GLF), which seeks to deliver discreet mentoring to political leaders worldwide; I remain a Board Member and project manager for GLF (details: [www.g-l-f.org](http://www.g-l-f.org)). I submit this evidence in my personal capacity.

### Detail

- i) *the UK's foreign policy priorities in its relations with Saudi Arabia and Bahrain and how effectively the Government balances the UK's interests in defence, commerce, energy security, counter-terrorism, and human rights*

1. For long periods the warmth of the UK's relations with Bahrain has been expressed in words rather than deeds, even though the relationship dates back to a treaty in the early 19<sup>th</sup> century, which gave Britain a privileged position in Bahrain's relationships with its neighbours and other powers. Bahrain has frequently showed its loyalty to the partnership with the UK, even after the UK ceased to exercise effective control over the island's foreign relations, including defence and trade.

2. In the Second World War Bahrain financed the building of a Spitfire. It provided basing facilities for the RAF in the Kuwait crisis of 1961. Its support was more conspicuous when Saddam Hussein invaded Kuwait in 1990 and the UK needed forward bases for its forces, first the RAF and later the RN; the Bahraini authorities bent over backwards to accommodate these forces even though both the RAF and the RN had initially reckoned they did not need basing in Bahrain, where other allies quickly took up the slack, during the late summer. They remained close and helpful allies throughout the first Gulf war (unlike others in the region, such as King Hussein) and the second.

3. So much had the UK taken Bahrain for granted that until early 1990 there was no defence agreement. It was ironic that, although it was the Bahrainis who invoked the agreement's obligation to consult within 6 months of its signature, it was the UK which soon drew the greater benefit. The Bahrainis were kind enough not to point that out.

4. No doubt in a period of tension, especially if Bahrain felt exposed to an external threat, they would again support UK involvement in any way they could. But it would be short-sighted to assume that to be automatic, if we were to display indifference to Bahrain's problems and the efforts of the authorities there to resolve them.

5. Bahrain's long survival – some 5,000 years – as an identifiable organised community owes much in modern times to a consistent policy of maintaining good relations with all its neighbours. (Britain's 19<sup>th</sup> century treaty fits the pattern, as the activities of the East India Company in the Gulf brought Britain into close contact with the Gulf states.) Its tiny size and relative lack of natural resources have ensured it never harboured regional ambitions but made it vulnerable to any predatory and powerful neighbour. In practical terms it is caught between Saudi Arabia and Iran. The revolutionary regime in Iran revived the claim to Bahrain reluctantly abandoned by the Shah. While one may doubt whether the Iranians would in any way gain from pursuing that claim aggressively, they undoubtedly exploit it frequently, not least to exacerbate tensions within Bahrain. Were the Iranians to detect or infer any weakening of the commitment of the UK (which fathered the process by which the claim was dropped) to Bahrain's sovereign independence or the system by which Bahrain and other Gulf States are ruled, they would be encouraged to press their claim more vigorously, and step up internal trouble-making, increasing tension in an area already subject to enough stress. This factor needs to be brought to bear on the readiness of UK governments to see as the main basis of policy towards Bahrain open public criticism of the human rights problems in Bahrain and the government's handling of them, as reported in the media. Such over-simplification of a complex scene is regarded in Bahrain as unconstructive in the same way as was the support which came across the Atlantic, often from influential quarters, for the "anti-colonialist freedom fighters" of the PIRA.

6. Saudi Arabia is, of course, a more agreeable neighbour for Bahrain. Economically it has helped Bahrain for decades. A serious Iranian threat to Bahrain would be seen there as a

threat to Saudi Arabia, partly because Saudi Arabia has its own internal tensions, especially in the neighbouring oil-rich Eastern Province. But this cuts both ways: over the years it has made clear to Bahrain that there are limits to the social “progress” it is prepared to tolerate there. That restrains the Bahraini authorities in their search for ways to resolve problems such as those recently experienced. The readiness of the Saudis to send forces into Bahrain at the height of last year’s tensions clearly strengthened the hand of those in power in Bahrain who wanted to avoid concessions to the people who had come out on to the streets, in their attempt to exploit the Arab Spring in the context of Bahrain’s long-standing problems.

*iii) Saudi Arabia and Bahrain as foreign policy partners for the UK, particularly with regard to Iran and Syria and as members of international and regional organisations;*

7. Faced with Iran’s long-term hostility, Bahrain understandably welcomes any sign of willingness on the part of its friends to limit Iran’s ability to threaten the region as a whole. But precisely because it is a target of an Iranian territorial claim we cannot expect the Bahrainis to take any sort of lead on Iran (or indeed other Middle Eastern issues such as Syria) in regional or international forums, including the UN. It lacks the wealth and the internal cohesion to allow it to act with the self-confidence displayed by its nearest neighbour, Qatar. But with careful nurturing of the relationship, we can be fairly sure they will not lead any opposition to UK/EU/NATO interests in those organisations. A Bahrain that feels it is not always under attack by its Western “allies” and their media will be a more outspoken defender of their legitimate interests.

*iv) the implications of the Arab Spring for UK foreign policy in its relations with Saudi Arabia and Bahrain;*

8. That is not an argument for the UK and others turning a blind eye to the problems and instabilities in Bahrain’s political and communal set-up. Reasoned criticism, also in public, has an important role. One element of great stability, unique to Bahrain in the Gulf (providing it does move with the times) is the assured succession at head of state level. But that stability can have a downside if it leads to immobility; it tends to be outweighed by ultra-slow and cautious movement, reflecting in part all too visible divergences between leading members of the ruling family. But, leaving aside the question whether there really is an “Arab Spring”, it would be a grave mistake to see Bahrain through the same prism as Tunisia, Libya, Egypt and other Arab dictatorships which have experienced greater or lesser degrees of regime change. It is an equally grave error to see Bahrain in simple terms of a ruling elite repressing the rights of a majority of its population, even though a decision such as the recent deprivation of citizenship imposed (subject to appeal) on a former MP might seem to belie that.

9. Although the parallel is far from exact, it can be helpful to make comparisons with a long-running problem close to home – in Northern Ireland. As in Northern Ireland, Bahrain has a toxic combination of fault-lines in its population: ethnic, historical, religious and economic. These fault-lines broadly coincide and reinforce one another. But they are more complex than the usual portrayal of ruling Sunni elite and Shi’a underclass.

10. The ruling Al Khalifa (Sunni) arrived in 1789 (from Saudi Arabia via Kuwait and Qatar) attracted by the resources of pearl-fishing under-exploited by the indigenous Baharna people (Shi’a). In order to trade internationally the Al Khalifa welcomed merchants from (then) Persia, who settled and became Bahrainis – several of the key business families today are the

descendants of these merchants. Most are Sunni. The indigenous Baharna people, not of Persian/Iranian origin, maintained their historic links with Shi'a communities elsewhere, especially in Iraq and Persia/Iran. After the Iranian revolution these links provided Tehran with an easy opportunity to exploit the long-standing grievances of the relatively poor Shi'a communities, which the ruling family had never seriously addressed. Some among the Shi'a were ready to take such support, but the majority have never felt themselves to be other than Bahraini nor wanted to be subject to Tehran. However, many of them do not accept the rule of the Al Khalifa. An early experiment in parliamentary democracy failed, as the Shi'a majority simply voted en bloc against the government. As there is almost certainly a Shi'a majority still, the ruling authorities understandably assume that any "simple" move to a majority parliamentary system would equate to their overthrow. So advocating a rapid transition to democracy in the form of majority rule would hasten an unpredictable and possibly violent situation in an already tense environment.

11. Historically, the nervousness of Saudi Arabia about knock-on effects in the Eastern province of the relative liberalisation in Bahrain, added to the activities in London and elsewhere of opposition figures advocating violence (egged-on, as the authorities saw it, by human rights activists in the UK), reinforced the instinctive caution of the ruling family and the Sunni elite. As in Northern Ireland, when the "troubles" started, the conservatives among those in power were able to prevent rapid change occurring, but using police methods which inevitably proved counterproductive for the longer-term relationship between the communities.

12. The "Arab Spring" provided a context in which accumulated tensions produced an outburst. The efforts of those who wanted to deal with it by dialogue were swamped by those who insisted that control had to be re-established first. Saudi National Guard forces played psychologically the same role as the Army in Northern Ireland, though on a quite different scale. Differences became more deeply entrenched. Reporting in the western media (seen as biased by a large section of the Bahrain population) and easy comparisons with events in Cairo and elsewhere led spokesmen to adopt positions critical of the Bahrain government, reinforcing the hands both of the opposition and of the hard-line conservatives.

13. It is tempting to take the lack of response from opposition figures to offers of dialogue from the government as a signal that the government is simply not doing enough. But its publication and simultaneous public acceptance of the bulk of the report of the BICI amounted to a courageous step by the government, which cannot have been easy to take, given the background described. It accepted many criticisms of its actions and undertook to address the criticisms. Implementation has been slow, and it is still hard to point to any specific improvements on the ground. But, with some external help and advice parts of the framework are changing. The challenge now is for the individuals involved to make that changing framework deliver better results: there is a good way to go, and the reform agenda itself is incomplete.

14. The government stresses how frequently it offers dialogue, but only with those who renounce violence. The Northern Ireland case (in common with many UK end-of Empire experiences) shows that such a precondition impedes dialogue, even on "back-channels". The government has still probably not yet found a way to open a real "back channel" dialogue with opposition figures with authority to engage. The opposition is far from united, and many in it would be suspicious of colleagues who appeared to sign up to the government's demand. Northern Ireland experience suggests that bringing about such change after generations of

deepening distrust requires an enormous, sustained and imaginative engagement by political leaders, away from the glare of publicity. It is easy to forget how long it took to achieve peace in Northern Ireland and how much quiet external effort was needed to help the two sides to build enough trust to talk. In Bahrain's case one may doubt whether the capacity for such action exists at the top levels. But the response should be to help them develop it.

15. Given Britain's historical relationship with Bahrain (during much of which the internal situation has been unsatisfactory and unstable), and Bahrain's regional strategic importance (iii above), discreet engagement in specific actions and patient encouragement are more likely to be effective in bringing about change (rather than violent revolution) than diluting a long-standing alliance because of the difficulties Bahrain has in dealing with its deep internal problems.

- v) *how the UK can encourage democratic and liberalising reforms in Saudi Arabia and Bahrain, including its power to effect improvements;*

16. Private engagement and patient encouragement are not sufficiently specific to constitute a policy recipe. If the UK government is already doing much in private to strengthen the hands of those who would lead the sort of change that can command the support of a large majority of the people, so much the better – even if power-sharing as such must be a long way off. But it is likely that the authorities and others in Bahrain need time to re-establish their trust in the goodwill of UK governments and non-government actors after recent events. A longer term and preferably bi-partisan policy strategy is needed, which the Bahrainis can learn to trust. General lines of a policy within the UK's power to deliver could be:

- a) continued demonstration (by word and military presence) of UK commitment to security in the Gulf, including Bahrain, not least in the face of territorial threats from whatever quarter (the last perpetrator was, after all, an Arab not an Iranian).
- b) refraining from instant comment on every unsettling event within Bahrain, which too often only makes matters worse, either because blame is mis-attributed or because a spurious balance is attempted even when responsibility is clear. (That should not inhibit comment when clarity has been achieved locally through investigation, legal process etc.)
- c) ensuring that when comment is necessary it serves the strategic purpose of encouraging engagement and dialogue (without being specific as to the details which may be deliberately kept secret).
- d) exploiting the UK's trump card, i.e. our (ongoing) Northern Ireland experience, to introduce Bahrainis – not necessarily at central government level or indeed in government at all – to the methods painstakingly developed to bring the communities there together and keep them together even when setbacks occur. This does not need to involve UK government figures but can be implemented by providing linkages and modest funding for private or charitable operations to share their experience and help Bahraini counterparts (who do exist), with the knowledge and backing of key people in Bahrain. One recent such case (not involving governments at all) has shown that such possibilities exist, for action even on a very small scale.
- e) continuing to respond to any Bahraini interest in advice on institutional development, which may result from the seriousness that would be demonstrated by support for small-scale community-level steps. It would be sensible not to beat the drum for the Westminster model.

- f) as much as anything, the Bahrainis who see change as necessary need help in gaining the support of those who resist change, at all levels of society. Discreet mentoring at top levels by non-government actors would be one method; discreet professional PR advice, directed at the Bahraini audience, not the usual effort to influence the “image of Bahrain” abroad, is another.

*14 November 2012*

**Written evidence from Dr. Shaikh Khalid bin Khalifa Al-Khalifa, Chairman,  
Committee on Foreign Affairs, Defense and National Security, Shura Council-  
Kingdom of Bahrain**

Bahrain and the United Kingdom have shared a close cooperative relationship going back over two hundred years. The historical relationship between our countries has instilled in us a shared purpose: we have made common cause in facing pressing regional and global challenges that transcends generations. We both demand good governance of ourselves. We are responsible, and responsive, to the aspirations of our people. And we invite and welcome constructive engagement with our allies, within the framework of mutual respect and mutual benefit. In the customary spirit of good relations between our nations, and in the hope of deepening inter-Parliamentary relations, I am pleased to contribute to the Committee's discussion on Bahrain-UK relations.

Bahrain's most recent experiment with democracy dates to 14 February 2001, when 98.4% of our citizens – that is to say all segments of our society – approved a document called the “National Action Charter”. This document put before our people the basic structure of our present governance system. I'd like to commend to you three fundamental tenets:

- We established a constitutional monarchy, namely one with the King's powers limited by legal Charter and royal decrees are subject to Parliamentary rejection.
- We approved the principle of separation of powers, namely a belief that a system of checks and balances, with the three branches of government cooperating with one another, best serves the aspirations of our people.
- We organized Parliamentary life along bicameral lines, with one of two chambers of Parliament elected, requiring legislation to be passed through a concurrent majority of both houses and not based on the “tyranny of the majority” as John Adams, Alexis de Tocqueville and John Stuart Mill would put it.

At this stage of our young political life, no friend of democracy should assume that this is unhealthy. Safeguards are indispensable. Some elected MPs have been prone to making anti-democratic proposals to please their crowd, focusing on civil service promotions, dress-codes, restrictions on women, the expulsion of foreigners, and religious control of private life – not on housing or health or education. The upper house has played an integral role in giving a voice to the more vulnerable groups in society. For example, in the first decade under our new Constitution, only one woman was elected to Parliament – while 11 entered by royal appointment. Bahrain's Parliament has always included a member of our longstanding Jewish community, and of course he/she was not elected. The ambassador in Washington is a Jewish woman, in London the post is occupied by a Christian woman, and in Beijing by a Muslim woman – all of whom came up through the ranks of the upper house.

Yet a decade on, violence has disrupted life in Bahrain. Protesters have claimed – wholly inaccurately – to represent 70% of the people, and expressed their dissatisfaction with this very Constitution that provides all Bahrainis – not just some – with a real stake in our national future. How is one to comprehend it? Was the first decade of the century one of failure for Bahrain?

To the contrary, it was a period of unprecedented progress. Today, our unemployment rate stands at 3.7%, which is to say, our government stepped in to provide employment when the Great Recession hit us. Our GDP per capita is at European levels – just under 30,000 US dollars – which is to say our people are some six times better off than the MENA region average. Our combined gross enrollment of both sexes in education is among the highest in the world, over 90%. We are a small country – half the size of London – but equally rich in diversity. Our population of 1.2 million is multi-ethnic and multi-denominational and around 50% expatriate, a substantial number of whom have lived – and thrived – amongst us for generations. The government protects and affirms women’s and minority rights. Although society is still being modernized, it is tolerant. We have long-term planning in place for the national future. We are one of three GCC governments ranked in the top group of countries providing for human development. According to the most recent UNDP index, our level of human welfare is similar to Portugal, Poland, Lithuania and Latvia.

This is why the events of last year shocked my country. We now know what happened, thanks to the forensic examination of the Bahrain Independent Commission of Inquiry.

The chaos began on 14 February, a date carefully chosen for maximum political advantage. The planning had begun some time before and by mid-February media tents had been erected, communication channels established amongst the protest leaders, and ushers primed to “turn out the crowd”. The world’s media was there. One matter disturbs me greatly. Whenever I read of the “thousands” of “activists”, I am forced to remind people to carefully read the BICI study. There, one finds the thousands – yes thousands – of people at these rallies were in fact grade 5-9 students instigated on by politically active university youth.

I remember the 14th well. Over 50 demonstrations and rallies, some comprising hundreds of people, erupted throughout the country. The three main roads controlling the country were paralyzed. There was widespread disruption, rioting, and vandalism. Unprecedented threats were made against various segments of the population. All this was occurring simultaneously in different zones. The police had no experience of the rules of engagement for crowd control of this magnitude and complexity. They were taken completely unaware. Everything was rife with rumor and events spun out of control. It took a month and a half to subside.

By the end of March there had been four types of mortal victims: 13 protestors, 5 torture victims, 5 security men, and 4 uninvolved persons. These last four had been killed by mobs only because they were perceived to be foreigners. There were 8 other fatalities, but the Commission of Inquiry was unable to directly link them to the violence. Each is one



life too many. We have announced compensation of US\$6.2 million for the families of the civilian victims. We hope they find some comfort.

By the end of March 2011, 226 patients with injuries related to the protests had been admitted to the main hospital. This was less than 7% of the total patient intake during that time. Some 40% of the protest injuries were expatriates injured by the mob. One worker's tongue was cut off because of his religious denomination and nationality. Three policemen were murdered in very public circumstances, three kidnapped, and over seven hundred assaulted seriously enough to merit medical treatment. Countless complaints of mob violence, vandalism and intimidation were received. The mob tortured many persons – solely because of their religious affiliation or national origin. Some thirty cases of attempted murder were lodged. One was the arson of the University of Bahrain – which I started my career as an assistant teacher of history and rose to become the University Registrar – building with people known to be trapped inside.

These figures from the BICI Report give immediate pause.

Are these the figures of a confrontation between peaceful unarmed protestors and a furious police force armed to the teeth? Are the police-to-civilian death and injury ratios 1:100, as the emotive expressions “ruthless crackdown” and “massacre” seem to suggest, or even 1:10?

No. These numbers tell a different story. One that concludes either that there was a confrontation of roughly equal forces – or else significant restraint on the part of the police.

I invite you to draw your attention to the BICI Report. The full narrative is in Chapter II. You will find it is different from the running commentary one reads in the papers and popular internet websites.

\* \* \*

The BICI Report set out our shortcomings in responding to this extraordinary situation. We accepted the criticism constructively. The entire nation – or substantial portions of it – acted with great dedication to implement the bulk of the BICI recommendations: an “all in” approach. It was marked by a spirit of cooperation and healing. This was a program of comprehensive government reform – from the security sector to judicial and prosecutorial capacity to labor, media and educational policy. In parallel, we undertook a National Dialogue that involved 400 persons from all segments of society to reach consensus on key issues underlying social differences.

Such a structural response is not found anywhere else in the region or in the world. There is full transparency. All original documents and around 100 pieces of our new legislation and administrative instruction are freely available on the internet. The reform effort continues. The Cabinet directs it and Parliament oversees it. There is no ceiling in our endeavor to continuously improve the life of every Bahraini citizen and resident.

Why do we do this?

The events of last year were such a shock that they prompted internal soul-searching in Bahrain. What had gone wrong? Why did it go wrong? An ugly form of sectarianism and xenophobia was being introduced into Bahraini society. Like in any society, there are those who believe they can take advantage of the politics of division. We saw religious and denominational symbols increasingly used in political activity – from glorifying mortal victims to political slogans chanted in religious funeral marches to shrouded faces in political rallies to insurgency tactics. Some religious fanatics have taken to calling for violence and interfering in politics; other political activists have openly called for the establishment of an Islamic Republic. This is aimed at tearing down the Bahraini identity as a tolerant and pluralistic society. It is bloc politics of the worst sort.

Those of us in public life knew we had to lead. We did this by taking responsibility for our mistakes as well as by embarking society on a path of national reconciliation and retrenched unity. These are linked – national reconciliation cannot occur with a cover up. That is why we wanted the facts known. Our country accepted its errors and implemented far-reaching reforms to ensure they don't occur again.

Complementing the internal reform process, Parliament and government have reached out to all segments of society to come together in a dialogue. We adopted laws on freedom of speech found nowhere else in the region. We strengthened Parliamentary powers in a way that gives elected representatives control of the legislative agenda. The amendments also provide the elected House with full oversight over the executive branch. We have made extraordinary budgetary provision for social programs that strengthen social cohesion.

Significant challenges remain. Reforming institutions takes time. There is inherent bureaucratic inertia and entrenched interests. But we are committed and already significant effects of our reforms are being felt. For example, there is a zero tolerance policy on torture. All allegations of mistreatment are promptly investigated. Our penal laws have been amended so as to bring them into line with international standards. Parliament has stepped up and is doing what is required of it.

But challenges reside outside of national institutional life. Some political societies – an anomaly in the region – have boycotted Parliament. They believe that continued unrest on the street affords them a political advantage not provided by dialogue. As the BICI Report notes, this is a frustratingly shortsighted strategy. It is backfiring. We are seeing support for rejectionist stances drop and fewer people coming out in the street to protest. But this new reality has an ugly side. To keep up the momentum and media coverage, the protests are becoming increasingly extreme and vandalistic in nature. The logic is inescapable – non-participation in a political dialogue strengthens the hands of the extremists. Time is to their benefit and against progressive politics.

I cannot emphasize this enough. National reconciliation cannot be dictated. It has to be organic and representative of every segment of society. What is needed is a balanced view of the situation. All parts of society need to step up. All groups with political

aspirations must move away from the politics of the street to the politics of the table or else there is dim hope for democracy. Violence does not beget democracy – the European historical experience proves this.

There are some who call upon you to take a punitive stance against Bahrain and speak the language of embargoes and sanctions. Often their claims are highly contestable and sometimes downright dubious. But more fundamentally, does the logic hold: is the cause of progressive reform in Bahrain best served by a cooperative or punitive stance? Maintenance of friendly relations is not an obstacle to helping one another be better.

There are concrete ways by which to upgrade the Bahrain-UK relationship for the benefit of those who prefer cooperation to conflict.

*First*, let us deepen inter-Parliamentary contacts. Let us expand the ties from individual Parliamentary groups to a more formalized inter-Parliamentary forum. To this end, my Committee on Foreign Affairs extends an invitation to you, our counterparts in the UK. Furthermore, on 12 November 2012, our upper house of Parliament established a standing Committee on Human Rights – the first ever such Parliamentary body in the Arab world. Having these – independent – Committees are strong institutional steps towards instilling a culture of human rights within society. They would serve as useful channels to direct our constructive engagement on a wide-range of issues of mutual interest and foster mutual respect.

*Second*, my Committee also firmly supports His Majesty King Hamad's call for an Arab Court of Human Rights. This is a platform to build mutual trust and engagement; and to ensure justice is achieved. Bahrain is sponsoring the initiative within both the GCC and the wider Arab League and my Committee is interested in drawing upon the vast experience of the European Court of Human Rights. In particular, we are interested in learning how the UK Parliament participated in the initiative for the European court.

I look forward to welcoming you to Bahrain.

*17 November 2012*

## Written evidence from Philip Smith

This is my personal submission to the forthcoming Foreign Affairs Committee hearing with regard to my personal experience of living in Bahrain.

I am a former RAF officer and retired to come to work in Bahrain as an Instructor Pilot in 2003. For the first 4 years I worked for BAE Systems before going direct hire with the Royal Bahraini Air Force in 2008.

Firstly, I'd like to state that Bahrainis in general are courteous, kind, likeable and tolerant regardless of religious affiliation. They are strongly family-orientated and accept other nationalities readily, a trait I presume to come from their being on a major trade route for many thousands of years and the exposure to different people and cultures that has brought.

Until recently, crime was low, graffiti non-existent and vandalism rare. Bahrain was and I hope one day will again be a thoroughly nice place to live. This explains why so many western expats spend long periods of time here up to and in many cases beyond retirement age.

I have been baffled by the bias I have witnessed in the media, particularly the BBC and Sky news. The vast majority of the population are peaceful and law-abiding. The tiny minority who throw molotov cocktails at the police, block roads with burning tyres and tree trunks and most recently leave explosive devices that kill innocent people do not represent the way the country should be heading or most people's views.

This behaviour would not be tolerated in any civilised country and it is not tolerated here, quite rightly. Freedom of expression exists in this country provided it does not interfere with the right of others to go about their lawful business. The egregious Alex Crawford of Sky News came to Bahrain and expressed her amazement at the fact that Bahraini women could go out and about on their own, driving cars and in some cases not even wearing a hijab(head covering). A resounding illustration of her ignorance.

Bahrain is the most liberal country in the Middle East and is as far removed from places like Saudi Arabia, Iran or China as Kensington. There is a case for further reform in the Kingdom which is being addressed but cannot happen overnight. The fact that dialogue is permitted is a clear indicator that this is not some sort of despotic regime. The media often uses sensationalist language and mis-portrays the true picture of the situation in Bahrain and I hope that the Committee recognizes this during deliberations.

*18 November 2012*

## Written evidence from Paul Mercer, Kuwait Finance House (Bahrain)

### 1. Summary

- 1.1 I am a UK citizen and a UK law qualified lawyer and I am currently living and working in the Kingdom of Bahrain. I have lived and worked in the Kingdom of Bahrain for over 12 years.
- 1.2 The UK government should pursue a foreign policy towards the Kingdom of Bahrain whereby the UK remains an "ally" and a "friend". Allies and friends help each other when they experience difficulties and accordingly at this time the UK needs to do more to help Bahrain while it is experiencing political turmoil. Such help, in my humble opinion, should be in the form of encouraging adherence to the rule of law and supporting legitimate and credible NGOs to effect realistic and achievable change utilizing the current system of government. This is how the UK system of government evolved over time. The UK is well placed to assist Bahrain in this regard. In turn, realistic and achievable change can occur which does not put the population at risk. This will then allow Bahrain to continue to prosper economically and therefore the UK can benefit from continued trade links as a trusted "ally" and "friend" and the UK (and the World) will benefit from energy security and effective counter terrorism by not destabilizing a crucial part of the Middle East. By not supporting Bahrain in such a way, the UK will no longer be acting like a "friend" and exposes Bahrain to greater risk of political turmoil and instability. This could have disastrous consequences for Bahrain, the region and UK (and the World) in terms of energy security and counter terrorism.

### 2. Introduction

- 2.1 By way of introduction my name is Paul Mercer. I am a UK citizen and a UK law qualified lawyer and I have lived and worked in the Kingdom of Bahrain for over 12 years. I am married with five children, four of whom were born in the Kingdom of Bahrain (the fifth one was born in the Kingdom of Saudi Arabia). All my five children attend English schools in the Kingdom of Bahrain.
- 2.2 I am currently an executive manager at Kuwait Finance House (Bahrain) (one of the World's largest Islamic banks), the Chairman of Elaf Bank (an Islamic investment bank based in Bahrain), the Vice Chairman of Menatelecom (a Bahrain telecommunication company) and recently worked as a contract expert on legal aspects of Islamic finance for the International Monetary Fund. I am also a director of Turkapital (an Islamic investment company which focuses on investing in Turkey) and Motherwell Bridge (an engineering company in the UK). I used to work as a lawyer for English law firms

Macfarlanes, Norton Rose and Clifford Chance.

2.3 Here are the websites for each of the companies I currently work for or sit on the board of directors:

<http://www.kfh.bh/en/>

<http://www.elafbank.net/>

<http://www.menatelecom.com/>

<http://www.turkapital.com/en/>

<http://www.motherwellbridge.com/>

2.4 Given the time I have spent in the Kingdom of Bahrain I have become very attached to the country and its people and would very much like Bahrain to succeed and come out of this current period of political turmoil. In this regard I am trying to utilize my skills as a UK law qualified lawyer to assist Bahrain during this difficult time and I have just initiated an international lawyers pro bono forum with the objective of coordinating pro bono work by international lawyers in the Kingdom of Bahrain and I am in the process of establishing a human rights NGO with the objective of providing a truly independent look at human rights in the Kingdom of Bahrain.

2.5 As a UK citizen living and working in Bahrain I would like to offer my humble views and suggestions as to the direction of the UK government's foreign policy towards the Kingdom of Bahrain. I believe that the UK government's foreign policy towards the Kingdom of Bahrain should reflect the longstanding good relations between the two countries as "friends" and "allies" which in turn should lead to improved and better trade and business opportunities together with appropriate assistance on human rights issues. I believe that my submission reflects the views of a number of longstanding British expats and British business in the Kingdom of Bahrain.

### **3. Balancing the UK government's current foreign policy towards the Kingdom of Bahrain in terms of defence, commerce, energy security, counter-terrorism and human rights?**

3.1 For the past couple of years I have attended business roundtable meetings involving UK firms in Bahrain, prominent UK businessmen in Bahrain and the British Embassy in Bahrain and from such meetings I have my own views as to the UK government's foreign policy towards the Kingdom of Bahrain from the perspective of being "on the ground" in Bahrain. Indeed, up until February/March 2011 I would have described the UK government as an "ally" and "friend" of Bahrain which in turn led to mutually beneficial trading and commercial opportunities. Since February/March 2011 the UK government's foreign policy does not seem as supportive of Bahrain with the perception

that it could change if political change occurs. Whether there is a policy to this effect or not this is the perception and indeed the view amongst some of the British business community in Bahrain is that the UK government could be more of a friend to Bahrain during this period of political turmoil.

3.2 With regard to promoting human rights in Bahrain it would help if UK foreign policy was even handed and focused on the human rights of all and not just the self proclaimed "opposition". The UK should not take sides and I suggest it should support the work of legitimate NGOs in this field i.e. those which truly do not have a political agenda. In this context it would help if the UK government could stress that changes should be done within the current legal framework and on the basis of what is practical, realistic and achievable. Indeed, you will be aware that the Bahrain government is amenable to change which can be seen through the work of the Bahrain Independent Commission of Inquiry ("**BICI**") and the Bahrain governments acceptance of its findings, warts and all, and its sincere dedication to adopt the recommendations of the BICI. Evolution is better than revolution. Also, what do we mean when we say we want to promote human rights? Human rights covers a broad range of issues and should not be used as a cloak to effect political change. I believe that the UK could assist (and therefore be more of a friend) by assisting the work of credible NGOs on the full spectrum of human rights issues. In this regard I am working on establishing a politically neutral NGO to work on human rights in Bahrain utilizing the skills of volunteer British lawyers already living and working in Bahrain who wish to offer their services on a pro bono basis. I consider it would be worthwhile for the UK government to support such initiatives as this way it would be a "friend" to the country, actually a "friend" to the people of Bahrain.

#### **4. Understanding the political situation in the Kingdom of Bahrain**

4.1 Before initiating any foreign policy towards the Kingdom of Bahrain I believe that it is essential to understand the political situation in the country. Indeed, following the "Arab Spring" in countries such as Egypt, Libya and Tunisia some may consider that the same is happening in Bahrain and therefore the UK government's foreign policy towards Bahrain should be on the side of political change and "democratization". As a long time resident in Bahrain and as someone who witnessed the protests in Bahrain during February/March 2011 first hand, I would say that it would be wrong of the UK government to assume that Bahrain is on the verge of a popular uprising like what occurred in Egypt and Syria. Bahrain is totally different.

4.2 I live and work with Bahrainis representing the full spectrum of political views and it is my clear understanding that a significant portion of Bahrain citizens (i.e. most) are content with the current system of government. This is not to say that Bahraini citizens don't want change. Some do, but they want change based on the current system. We know from UK history that such change takes time and we should allow for that time. Moreover, we have seen that where change is too quick you risk destabilizing the country and indeed the

region. This is obviously not good for the people of Bahrain just as it is not good for UK foreign policy in terms of energy security, counter terrorism and trade. We saw what happened in February/March 2011 when change occurs too quickly and it leads to chaos and therefore exposes the population to danger.

4.3 From my interaction with Bahrainis it seems to me that only a very small minority want to change the system of government. I think it would be a mistake by the UK government to think that those who throw Molotov cocktails have widespread popular support. Indeed, at the time of writing, we have just experienced 5 terrorist blasts around Manama which killed two Asian expat cleaners and seriously injured another. There is no widespread popular support for such actions. Bahrainis by their very nature are kind and peaceful and it would be wrong to think that such behavior is a reflection of the views of the majority or as a sign of frustration at the lack of political change.

## **5. Understanding Bahrain culture and the current system of government**

5.1 Before adopting any policy towards the Kingdom of Bahrain I think it is essential to understand the culture and the current system of government in Bahrain.

5.2 The system of government in the Kingdom of Bahrain, like all the Arab Gulf States, is based upon a ruling royal family (much like the UK in the past) and that members of the ruling families are expected to serve their countries and the people within them. Central to this system of government is the concept of "majlis". "Majlis" literally means a place to sit, however, it has a wider meaning which embodies gatherings where various issues are discussed and typically government bodies which deal with legislative and administrative matters are referred to as a type of "majlis". In this system of government, elders are respected for their wisdom and play an important role in society. Further, should any resident or citizen have a problem or a concern which isn't being fairly addressed he/she can seek access to a "majlis". HRH Prince Khalifa bin Salman and his "majlis" effectively oversees the organs of the Bahrain government in parallel with HRH King Hamad.

5.3 So how does the "majlis" system work? Well I have had the privilege of attending a "majlis" of the Prime Minister HRH Prince Khalifa bin Salman and can provide you with a first hand account. Anyone, can ask to attend a "majlis", the idea being that the ruling family are available and provide access to all. At the "majlis" I attended I can testify to this as I noticed the attendees represented all aspects of Bahrain society. I noticed a delegation from the church, a Shia scholar, a Sunni scholar, businessmen, professionals, members of parliament, doctors, expats and others. At the "majlis" HRH Prince Khalifa bin Salman took the time to listen to the concerns of those who wished to raise them and further he made it a point to ask the community about the



general living condition of residents and expats. Amongst other things he asked whether there were enough medical centres and whether people were able to go about their daily lives in comfort and I got a genuine sense that HRH Prince Khalifa bin Salman was concerned about the welfare of everyone in Bahrain's society. Where else in the World can a normal resident or citizen have access to the head of a government? Would you be able to raise any issues you have with the UK's Prime Minister David Cameron or the US President Barak Obama?

5.4 Incidentally, the "majlis" system of government has been employed in Arab and Islamic cultures for centuries and it seems to me that this is often not appreciated.

5.5 The point I wish to make is that just because the system of government in Bahrain is different it doesn't mean it is necessarily wrong. It is based on Islamic and Arab culture and it is capable of evolution Accordingly, I would suggest that the UK government recognizes this and assists in realistic change based on the current system of government. This is how the system of government evolved in the UK so why not take the same approach in Bahrain?

5.6 I would also like to refer to the role of the Prime Minister HRH Prince Khalifa bin Salman and provide some perspective from someone "on the ground". Whilst the self proclaimed "opposition" often refer to HRH Prince Khalifa bin Salman as the World's longest serving unelected prime minister, this ignores the fact that a very large portion of the Bahrain population want HRH Prince Khalifa bin Salman as the prime minister.

5.7 I saw the response of HRH Prince Khalifa bin Salman to the political crisis in Bahrain. At a time of great uncertainty for residents and citizens alike, HRH Prince Khalifa bin Salman became a reassuring figure encouraging people to return to their normal lives and to continue working and bringing up their families. Indeed, when the period of National Safety was declared, the mood in Bahrain was tense and many of the population were concerned about venturing out. In response, HRH Prince Khalifa bin Salman toured the country and showed to everybody it was safe to return to normal life. Again, when an illegal gathering occurred in the country's main shopping mall scaring away families, within hours HRH Prince Khalifa bin Salman visited the mall and immediately gave an assurance to the country we can continue our everyday lives. The point is that many see the role of HRH Prince Khalifa bin Salman as a man who cares passionately about the people of Bahrain and the success of the country as a commercial entity much in the same way as I imagine Queen Elizabeth II feels for the UK. Moreover, given the role of HRH Prince Khalifa bin Salman you can certainly appreciate that if he were to no longer continue his duties there would be an enormous power vacuum that would de-stabilize Bahrain further. Indeed, in an interview with Der Spiegel HRH Prince Khalifa bin Salman said he would resign if that would solve Bahrain's political unrest but he cannot as it wouldn't – a large portion of Bahrain's society would not

agree to this.

## **6. February/March 2011**

- 6.1 I was in the Kingdom of Bahrain during the unrest during the period February/March 2011. As you will probably recall this coincided with the "Arab Spring" in other Arab countries. But this was no popular movement to overthrow the incumbent government like in Egypt or Syria. What started off as a movement for change with an almost festival like feel it quickly took a sectarian, radical and violent turn. In my view, it was wrong to allow a permanent mass protest in the centre of the capital (i.e. Pearl or GCC roundabout) as this proved to be a danger for the population as a whole. For example, would the UK allow a similar occurrence in London? Is this the way to effect meaningful and effective change? Such forms of protest are not allowed in the UK and as we now know creates instability and the loss of security. Not only is such a situation not beneficial to the population (including those who want change) it destabilizes the country and the region which in turn puts at risk UK (and World) interests in terms of energy security and counter terrorism.
- 6.2 When Bahrainis consider change you must note that this is in the context of an existing benevolent society which currently offers free education, free healthcare, zero income tax and free housing. Bahrainis do not want to lose these benefits.

## **7. Business between the UK and Bahrain**

- 7.1 Because of previous friendly and good relations between the Kingdom of Bahrain there is no doubt that this has fostered good business relations between the two countries. Obviously to maintain such business relations the UK should seek to maintain friendly relations and seek to continue being a "strategic partner".
- 7.2 Bahrain is a key financial centre in the Middle East and especially so for Islamic finance. I have seen how the friendly relations between the countries have encouraged trade. This is because Bahrain is comfortable with the UK as a trusted business partner. This is seen in business where UK qualified professionals are well respected and are well represented within Bahrain companies. Moreover, English law is often used as a governing law for commercial transactions as there is a general view in Bahrain that UK laws and business practices are generally fair. Should the UK no longer have friendly relations with Bahrain or should the UK not help Bahrain as friends could or should do you put at risk such trading and commercial ties.

## **8. Suggestion**

- 8.1 The UK government should pursue a foreign policy towards the Kingdom of Bahrain whereby the UK remains an "ally" and a "friend". Allies and friends

help each other when they experience difficulties and accordingly at this time the UK needs to do more to help Bahrain while it is experiencing political turmoil. Such help, in my humble opinion, should be in the form of encouraging adherence to the rule of law and supporting legitimate and credible NGOs to effect realistic and achievable change utilizing the current system of government. This is how the UK system of government evolved over time. The UK is well placed to assist Bahrain in this regard. In turn, realistic and achievable change can occur which does not put the population at risk. This will then allow Bahrain to continue to prosper economically and therefore the UK can benefit from continued trade links as a trusted "ally" and "friend" and the UK (and the World) will benefit from energy security and effective counter terrorism by not destabilizing a crucial part of the Middle East. By not supporting Bahrain in such a way, the UK will no longer be acting like a "friend" and exposes Bahrain to greater risk of political turmoil and instability. This could have disastrous consequences for Bahrain, the region and UK (and the World) energy security and counter terrorism.

8.2 Should you require any further input from me please do not hesitate to contact me.

*18 November 2012*

## Written evidence from Lieutenant General (Rtd) Sir Graeme Lamb KBE, CMG, DSO

### Summary:

- The 'so called' Arab Spring isn't.
- Iran and its Foreign policy are increasingly dominated by the Islamic Revolutionary Guards Corps.
- The case for UK to continue to support and to provide positive guidance to the Kingdom of Bahrain is I believe proven.

### Introduction:

I am Lieutenant General (Retired) Sir Graeme Lamb KBE, CMG, DSO I served in Her Majesties Armed Forces for 38 years and had extensive experience of operating in the Middle East. I continue to advise across the Region for HMG and the US Military and travel to and from the Middle East regularly.

### The Arab Spring

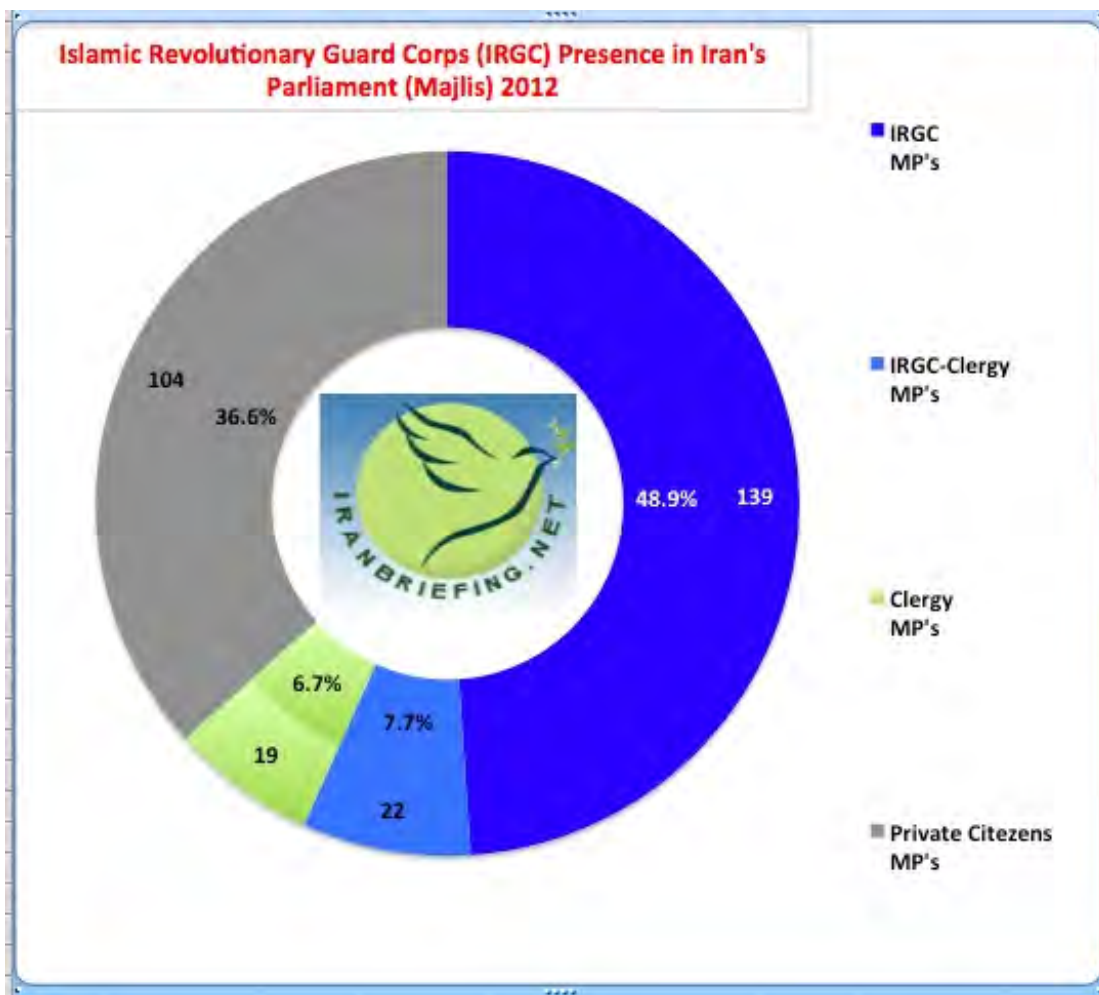
1. I would bring to the committee's attention the opening statement on the 7<sup>th</sup> of March 2012 by General James Mattis in Congress to the House Armed Services Committee on the proposed Fiscal 2013 Defence Authorization as it relates to USCENTCOM & USSOCOM hearings which brings some clarity to the so called Arab Spring;

“Let me begin with what I see today in the Central region. The Arab Awakening is manifesting differently in each country. While we may hope for and certainly will firmly support efforts for more democratic government, the awakening's origins are not necessarily a rush for democracy, rather this awakening stems from breakdown in the social contract between governments and their people. Unjust or unresponsive regimes have fallen or are in the throes of falling as is the case in Syria. However, the transition to a democratic government is never easy as we see in Egypt. Further, it is not clear what the resulting governments across the region will look like. Challenges remain beyond the promise of the Arab Awakening. Iran and its surrogates continue to orchestrate violence worldwide as evidenced by its plot to kill the Saudi Ambassador here in Washington, D.C. Iran represents the most significant regional threat to stability and security. Its reckless behavior and (inaudible1:48:33.7) have created a high potential for miscalculation. While we've made security gains in the fight against terrorists, the threat remains. Al Qaeda and associated groups continue to kill innocents from the Levant to Yemen and are adapting in the face of U.S. pressure. While we maintain our pressure on the enemy, we are nest in our military efforts inside four broad U.S. diplomatic objectives for the region: first, we support each country's political reform to adapt at their own pace; second, support for economic modernization to provide the people ownership for their future; third, a renewed pursuit of Middle East peace, recognizing the status quo is simply not sustainable; finally, we stand firmly with our friends and we support regional security, territorial integrity of sovereign nations and the free flow of commerce”.

Comment: The media and adopted term 'The Arab Spring or Arab Awakening' limits our horizons to only some 22 Nations and some 280 Million people, Thomas Hobbes and Jean-Jacques Rousseau amongst others of the Enlightenment Movement saw the breakdown in the social contract between

Governments and the people as a universal outcome, we should as no one else has matched the depth of this thinking accept that and broaden our own 21<sup>st</sup> Century thinking on the events in the Middle East accordingly. Furthermore the underlying threat exposed in Gen Mattis’s statement of Iranian behavior in the Region justifies the inquiries attention.

2. Ayatollah Khomeini urged that the country’s military forces should remain unpoliticised an intent that held from 1980 to 2004 where representation in the parliament was in single percentage digit figures; that is no longer the case and will increase:



Comment: The militarization of Iranian politics both domestic and foreign is rapidly increasing along with the IRGC’s controlling influence of large parts of the economy. Under the Iranian Constitution Article 150 the IRGC are defined as the ‘guardians of the Revolution and of its achievements’ a role they are increasingly embracing while hidden behind the public political and Religious fronts.

3. I wrote two articles pone for the Times (Op-Ed) and a Web piece for the Guardian neither by way of an apology but of one which saw the events that were unfolding in Bahrain as a Regional contest. The article’s makes clear my objection to the manner in which the Police acted and the need to bring those responsible to account. The Web piece brought to people’s attention the cold hand of Iran across the Region including Bahrain. My greater interest lies with the actions of Hezbollah and Hama’s, in Yemen

and Lebanon. The other facts (specifically on Bahrain) are those I gathered for the Times article to ensure I had a balanced view of the situation and not one coloured by visual and occasional media comment:

Times Article: 'Without doubt, Bahrain is guilty of the use of excessive force, of damned bad judgment, of unacceptable behavior by its own security forces and of failing to do what a responsible sovereign state must which is to protect and listen to its own people. As a Bahraini woman told Chatham House on 4 July 2011: *'I love my country and I don't want any change of regime. We wanted a democratic life.'*

Unacceptable as their action was, this was not from my personal experience routine or established bad practice of causal excesses, but truly unworthy when set against Bahrain's record and its aspirations. Images of doctors defending the injured and themselves being arrested are unbecoming and not ones compatible with being part of an acceptable global society. For part of an acceptable global society it was and returning to that is important for Bahrain, for its leadership, its people and for us.

For Britain has good reason to help, it has a special responsibility. Our links to Bahrain go back to the 18<sup>th</sup> century with the country subsequently becoming a British protectorate; it gained its independence forty years ago this month.

Bahrain has always been considered one of the most progressive of the Gulf and Arab states. According to the UN, Bahrain is the 39<sup>th</sup> most developed country in the world – ahead of the likes of Portugal and just 13 places behind Britain. It has high literacy (86% compared to Tunisia's 43%), high GDP (some \$40,000 per head against \$4,800 in Syria), and low unemployment (3.6% again Tunisia at 43.3%). It has a welfare state with free education and free healthcare.

The country has freedom of worship. It has a synagogue and churches. Women had the vote back in 1924. When Bahrain was elected head of the UN General Assembly in 2006, it chose the first Middle Eastern woman to fill the role and only the third woman in history. So to scoop Bahrain up into the same Middle Eastern melting pot of Syria, Libya or Egypt is for our part equally unworthy as her actions have been.

Britain should help steer the country back onto the course it held before these events that being one of progressive change. We should support the independent commission appointed by the King to assess what happened and who is to blame.

We should remain open minded. Cerif Bassiouni, the UN human rights expert leading the independent commission, told Reuters earlier this month that he does not believe there was a policy of excessive use of force or torture from the top. It was, Bassiouni thought, a case of people at a lower level acting with an inadequate chain of control.

We should do everything we can to encourage Bahrain's rulers to act decisively and constructively when Mr Bassiouni and his commission report in October. We should also support renewed focus on political reform and making the government accountable to the elected chamber of parliament.

At the same time, we should also seek to better understand what has happened and to listen carefully to both arguments. I have been struck by the one sided nature of our debate so far, Bahrain as I suggested is not Syria, Libya or Egypt.

Most importantly we must do everything in our power to make sure that Bahrain does not slide into chaos, a course which would benefit no one other than the most extreme elements. To believe such elements do not exist in a country sitting atop of the Shia/Sunni fault-line running across the Middle East is wishful thinking.

I am a practical man so a sense of realism, a term I always use cautiously is needed. We should be careful not to be duped by the long-standing complex Trans-National influences being played out in this small state. On one side of the Gulf are the omnipresent hands of Iran, which has the most to gain from turmoil and regime change in Bahrain; on the other is Wahhabi Saudi Arabia, which will not tolerate a Shia-state on its Eastern flank. Majority rule as I recall was tried in the early years of independence and simply failed.

We need to have a better understanding of what happened, a better and balanced view point in order for Britain play its full part in guiding all parties toward a better outcome. But as we reflect on Bahrain's forty years since independence, we should also recall that 30 years earlier, this same country, without the benefit of large oil revenues found the money to fund six Spitfires to battle for Britain. Bahrain in my humble opinion has earned the right to a fair hearing and Britain's help and support at this difficult time.

Web Article for the Guardian: Why, a year on from the Arab Spring, do we limit our judgment on political progress and constitutional reform to just the Arab world? The Arab Nations are made up some 22 countries and around 280 million people who are clearly experiencing an 'Awakening'; a public event we all watched unfold first in Tunisia and then saw progressively cascade across many of the countries that make up the Arab League. My question is - why have we limited our focus to this narrow band? Is it because it neatly fits into our view of the 'Arab' and if so, do we not widen our scope then to include the Middle East (18 countries) Greater Middle East (38) Near Eastern (31) or Muslim majority countries (49 such as Turkey and Tajikistan) hoping that a more compliant Islam emerges? Using a catchy strap line 'The Arab Spring' or 'Arab Awakening' limits the international and regional debate to a narrow prism. Or does it suit a spectator status that we in the West feel comfortable with, assuming our governments are the glowing example for others to follow, in particular the Muslim nations? I am no apologist but I do believe in fair debate, and the current debate is not a fair deal. We must seek to understand with some rigor the open discussion we are engaged in.

Is the Arab Awakening really a 21st Century struggle for democracy by 22 countries? I care to think not. It is more a statement of the failure of the social contract between government and the people. The causes of the current unrest across the region are little different to those which brought about the French Revolution in 1798. They are rooted in politics, indifference and injustice. Today's uprisings are similar because they are focussed on regimes that failed to meet expectations, and failed to provide opportunities of employment and economic prosperity for their people. I find it incredible that we debate progress in Iraq, Kuwait and Bahrain but do not consider Iran. Iran was supposed to have had a 'Persian Awakening' in 2005 and again in 2009, prompting 'fair' elections that had been forced upon government by public opinion and the Green Movement. Yet Iran doesn't appear to have made any significant concessions, changes or constitutional adjustments. Iran's response has been a brutal stamping out of public protest and continued interference in the 22 countries we have

now placed in the spotlight. And a harsh spotlight that is. Bahrain is a telling example. Here is a country that enjoys the 10th freest economy in the world (GDP per capita at \$23,450 seven places ahead of Saudi Arabia by IMF calculations), and was the first Arab country to institute unemployment benefit. It has empowered women unlike any other - yet it will be hounded in the press for failing its people. Of course, Bahrain could and should do better.

But Iran is a bigger, and more immediate problem. It has a claim on Bahrain, a country it sees as its own (they lost it in 1783). Iran's cold, manipulative hand is encouraging violence by organized gangs, and inciting public protest to its own national selfish self-interest.

Yet little international attention is given to its political freedoms and its reform programme. The Arab Spring is to be welcomed but welcomed for what it is, not simply what we would wish it to be. Our debate must be broader and our judgments must be wider than those we impose on a selected 22 countries. The Social Contract and underlying intellectual case was, in the 18th Century, hotly and globally debated and with good reason for the people's lot was truly wretched. Two hundred year ago Jean-Jacques Rousseau wrote that 'If there were a nation of Gods, it would govern itself democratically. A Government so perfect is not suited to men'. We should be careful of whom and what we judge.

#### The Facts:

- According to the Heritage Foundation Bahrain is the 10<sup>th</sup> freest economy in the world – just one place behind the USA and first out of the 17 countries in the region.
- Canada's Fraser Institute also ranked Bahrain as having the highest level of economic freedom of all Arab nations in October 2011.
- Fair taxation of Bahrain's mineral wealth enables all Bahraini's to benefit from generous funding of public services, including free education and free healthcare.
- In 2007 Bahrain became the first Arab country to institute unemployment benefit as part of a series of labour reforms instigated under Minister of Labour, Dr. Majeed Al Alawai
- Bahrain is a beacon in the region for women's rights:
  - o Women have the right to vote
  - o They are represented in Parliament,
  - o They have the right to own and inherit property
  - o Women have the right to get divorced and to child custody
- The first girls school in the Gulf was opened in Bahrain in 1928
- In June 2006, when Bahrain had the honour of being elected head of the UN General Assembly, it chose Haya bint Rashid Al Khalifa to fill the role, making her the first Middle Eastern woman and only the third woman in history to do so
- It has two woman ministers
- Bahrain leads in terms of freedom of worship in the region; alongside Mosques there are also Churches and a Synagogue.



- Dr Jasim Husain, former MP for opposition party al Wefaq, told a Chatham House gathering on 4 July 2011: *'Bahrain has been an agent of change. We were the first country to introduce education and modern administration in the area. So Bahrain can be really something positive for the region as a whole.'*
- Such progression prompted Britain's former Foreign Secretary Jack Straw to call it *'a paradigm of Arab democracy'*.

## Democratic Governance Indicators

	<b>Elected parliament</b>	<b>Parliament has power to remove PM</b>	<b>Women voting in national elections</b>	<b>Women candidates</b>
<b>Bahrain</b>	✓	Following national dialogue, power to remove ministers. HM appoints PM.	1973 (i.e from Independence)	11 women out of 40 chamber 4 out of 40 in the N Opposition (Al Wef candidates
<b>Kuwait</b>	✓	✓	2005	4 women elected in
<b>Oman</b>	✓	No – there is no PM	2003	1 female MP – out o
<b>Qatar</b>	No – appointed 35 member consultative	No	No elections	No elections
<b>Saudi Arabia</b>	No	No	No national elections	No national election [local elections?]
<b>UAE</b>	50% elected indirectly via electoral college, 50% appointed	No	Yes	7 MPs (17.5% - one of 468 candidates a
<b>Iraq</b>	✓	✓	1980	By law 25% of MPs
<b>Iran</b>	✓	Parliament cannot remove Supreme Leader but can remove ministers	1963	No women allowed 2009 presidential e
<b>Syria</b>	One party state	No	1949	31 (12.4% - in 200
<b>Lebanon</b>	✓	Parliament elects the president for a 6-year term	1952	4 MPs (3.13%)
<b>Others</b>				Egypt – 376 women 508-seat People’s A Jordan – 13 women appointed upper Arab world average

## Geographical Indicators

	<b>Population</b>	<b>Life expectancy</b>	<b>Size</b>	<b>Expatriates</b>	<b>GDP</b>
<b>Bahrain</b>	1,234,596	78.15 years	760km <sup>2</sup>	666,172	\$22.66bn (2010 est.)
<b>Kuwait</b>	2,595,628	77.09 years	17,818km <sup>2</sup>	1,291,354	\$136.5bn (2010 est.)
<b>Oman</b>	3,027,959	74.22 years	2,092km <sup>2</sup>	577,293	\$75.84bn (2010 est.)

	<b>Population</b>	<b>Life expectancy</b>	<b>Size</b>	<b>Expatriates</b>	<b>GDP</b>
<b>Qatar</b>	848,016	75.7 years	11,586km <sup>2</sup>	-	\$129.5bn (2010 est.)
<b>Saudi Arabia</b>	26,131,703	74.11 years	2,149,690km <sup>2</sup>	5,576,076	\$622bn (2010 est.)
<b>UAE</b>	5,148,664	-	83,600km <sup>2</sup>	-	\$246.8bn (2010 est.)
<b>Iraq</b>	30,399,572	70.55 years	438,317km <sup>2</sup>	-	\$113.4bn (2010 est.)
<b>Iran</b>	77,891,220	70.06 years	1,164,195km <sup>2</sup>	-	\$818.7bn (2010 est.)
<b>Syria</b>	22,517,750	74.69 years	185,180km <sup>2</sup>	-	\$107.4bn (2010 est.)
<b>Lebanon</b>	4,143,101	75.01 years	10,400km <sup>2</sup>	-	\$59.37bn (2010 est.)

*18 November 2012*

## Written evidence from LuaLua TV

I am writing to you as the Director of LuaLuaTV to inform you of the difficulties we have faced as a result of a sustained attempt to stop us from broadcasting.

LuaLuaTV began its test launch in July 2011 as Bahrain's first and only independent TV station. We broadcast daily news bulletins, political talk shows and light entertainment. Our aim is to promote democracy, justice, peace and equality in Bahrain.

After just four hours of broadcast we had our satellite signal jammed. Post investigation it became clear that the source of this jamming was the Kingdom of Bahrain. (Please find attached Eutelsat response). Although it is not possible to know for certain that the Government of Bahrain is carrying out this interference, it is of course very likely.

Such an operation costs a huge amount of money and expertise and therefore it seems impossible that there was no official involvement in this process.

As a means of continuing to broadcast, LuaLuaTV started a partnership with the online streaming service, Livestation. This allowed us to broadcast online with huge viewing figures coming in the first couple of weeks.

But once again individuals in Bahrain targeted this. After two very successful weeks, we received reports that the website that carries our live stream was being blocked in Bahrain (Please find attached evidence of the Blockage for Website and Mobile Applications). As before it cannot be confirmed that the Authorities are involved but Bahrain is well versed in attacking press freedom.

A few months ago the press freedom group, Reporters without Borders, referred to the King of Bahrain as a 'press freedom predator' in reference to the illegal detention of journalists, blocking of critical websites and other suspect practices.

In reality, LuaLuaTV has attempted to avoid any direct confrontation with the Bahraini Authorities. We have invited Government officials to take part in debates, always addressed the Royal Family in a respectful manner and tried to keep criticism at a minimum.

Therefore, it is all the more frustrating that we are finding that our hard work is being wasted, as at every turn we are being stopped from broadcasting. Freedom of the media and press are an integral part of any democratic society and thus Bahrain must respect independent media if it is truly to flourish.

According to Article 19 of the Universal Declaration of Human Rights, which states 'Everyone has the right freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, received an impart information and ideas through any media and regardless of frontiers'. Also Article 19 of the International Covenant on Civil and Political Rights of which Bahrain is a signatory to state that '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 or ally, in writing or in print, in the form of art, or through any other media of his choice’.

We believe Bahrain must either stop its attacks on LuaLuaTV or if it is not involved, do everything it can to find and halt those responsible. For too long the people have had to put up with state media, telling only the side of the story that the Authorities want to hear. LuaLuaTV is giving Bahrain the opportunity to embrace free media and therefore democracy too. So far, Bahrain has failed in this respect.

*18 November 2012*

## Written evidence from Citizens for Bahrain

### Summary of key points:

- Britain was right to continue engaging with the King and Crown Prince, as moderate figures capable of bringing Bahrain safely through a period of crisis.
- Britain was right not to treat Bahrain as a pariah state. Instead adopting a position of constructive, friendly advice; not finger-wagging and megaphone diplomacy.
- Britain was right not to cut Bahrain loose and leave us to the mercy of sectarian extremists. Bahrain is by far the most tolerant and liberal country in the region.
- Britain was right to back initiatives to support the justice & security sectors & investigate terrorist activity in Manama. These gave tangible evidence of Britain's solidarity.

### Who are we?

Citizens for Bahrain is an organization dedicated to reflecting the views of ordinary Bahrainis and ensuring that the full spectrum of opinions get a fair hearing locally and internationally.

### Citizens for Bahrain's evidence to the FAC

Citizens for Bahrain's position regarding the FAC's investigation was set out in some detail in an article included below which was circulated previously.

The points in the below submission refer specifically to Bahraini views concerning the questions being investigated by the FAC. We hope that this evidence will be given its due weight: On too many occasions the Bahrain crisis is discussed as if the only two important constituencies are the Government and Protesters, as if the views of the vast majority of Bahrainis not taking to the streets every Friday are irrelevant.

We hope that the wise figures within the FAC do not fall into this trap.

### Full text of submission:

Much international criticism of UK policy on Bahrain began from the simplistic standpoint that Bahrain and other Gulf governments were the “bad guys” and therefore any kind of engagement with Bahrain’s leaders was not in Britain’s higher interests.

A key question should have been: Was the Bahraini government a pariah regime acting against the interests of its citizens and the region – as was the case with Qadhafi and Al-Assad? Or was the Bahraini Government – despite some serious mistakes – essentially acting in the interests of its citizens and, as Churchill would have said: the least worst option for Bahrainis?

It is likely that FCO officials specializing in Bahrain and the Gulf came to the latter conclusion: i.e.; despite making some well-known grave errors at the outset of the uprising, the Bahraini leadership, under the direction of the King and Crown Prince, took a step back from the brink, commissioned the BICI report and embarked on a far-reaching programme of reform.

### **Empowering the moderates**

The most prominent Bahraini figures who Britain has consistently engaged with are the King and Crown Prince. There is almost certainly a very good reason for this, as these are the two stalwarts of enlightened and moderate rule within a ruling system pulling in several directions.

At moments during the worst of the disturbances the public standing of the Crown Prince and King were arguably damaged by seeming to concede too much to the opposition and being too ready to make concessions. In the eyes of many loyalist Sunnis they were going too far.

In such a polarized environment, by publically standing by these two figures of moderation the British government sent an important signal of support. We are aware that more ignorant parts of the British press were denouncing our King as a “brutal dictator” whenever he was due to meet the Queen or British Prime Minister, but this couldn’t be further from the truth. Without the King wisely pulling Bahrain back from civil violence and sectarian strife and trying to get the sides into dialogue, Bahrain would be a very different place today.

We have the King to thank that since his accession to power just over a decade ago he took Bahrain in the direction of Constitutional Monarchy, an elected Parliament and progressive reforms.

### **Learning the wrong lessons from the Arab Spring**

The British media had a tendency to lump all Arab states together, as if all these nasty Muslim states are ruled by bloodthirsty dictators and the Arab world suddenly awoke from political slumber in 2011 to overthrow their evil leaders and establish

utopian democracies. The lesson which should not be drawn from the so-called Arab Spring is that all leaders are bad and all protesters are liberal democrats.

For example, in Bahrain in February 2011 there was indeed a coalition of Sunnis, liberals, women, intellectuals and middle classes who went out and called for reform. Most of these constituencies quickly deserted the movement because they were repulsed by the sectarian agenda of the de facto leaders of the movement. In recent months mass demonstrations have taken place when the religious leadership, like Ayatollah Isa Qassim, have told people to come out.

Britain should not make the mistake the West made in 1979 and sit back while a retrogressive and repressive regime stormed to power in Tehran.

### **British solidarity with an oasis of liberalism in an intolerant region**

For diplomats who have spent time in Bahrain, it is only too obvious that this country is something unique in the region; liberal in dress, culture, civil society and attitudes and tolerant of diverse religions and backgrounds. It is only too obvious from nearby experiences of how easily a cosmopolitan culture can be swept aside when extremists and bigots gain the ascendancy.

Bahrain is arguably the closest country there is in the region to a liberal European-society. For that reason alone, in such a strategically crucial region, Bahrain deserves Britain's support and solidarity to help avoid the evils of sectarianism, extremism and intolerance.

### **Britain as a partner for reform**

Britain has been most effective in encouraging the Bahraini Government to follow through on its reform promises when this has been done in a constructive and pragmatic manner. The US acquired a lot of unnecessary criticism in the Bahraini media because of a number of poorly-chosen statements and there are still numerous Sunnis who believe that Pearl Roundabout was somehow a US conspiracy.

Britain managed to quietly establish itself as a partner by providing tangible support for judicial and security reforms, and therefore in the minds of most Bahrainis Britain is a partner in reform, rather than a closet supporter of militant revolutionaries.

Many of the most criticized recent measures by the Bahraini Government, such as the temporary halt on protests have actually been highly popular among important swathes of the population as well as the majority of expats and foreign workers. Most Bahraini citizens have for too long been held hostage by a small number of militants determined to bring Manama to a halt every week and there is widespread frustration that the Government didn't act sooner.

While the British Government is right to call on the Bahraini Government to abide by



its human rights commitments, it is also important that there be recognition that the interests of all citizens be taken into account. While the Government of Bahrain has certainly not always made the right call, it is important for there to be wider recognition that the protest movement does not equate with the interests of ordinary Bahrainis and is often diametrically opposed to the aspirations of those who want to get on with their lives.

Britain's undertaking to provide support for investigating recently discovered bomb factories and explosives stores was important. Many Bahrainis are gravely concerned about a wave of explosions that has recently rocked the capital. While not on the scale of Baghdad or Beirut, it would not take much to scare off tourists, terrorize civilians and create the kind of climate London witnessed during the IRA bombing campaign.

We value such pragmatic gestures of support, which may produce results in showing who is providing the youth of Bahrain with sophisticated explosive devises.

### **Carrots and sticks**

We are glad that Britain generally shunned the policy option of embargos, boycotts and threats. There was much pressure to boycott this year's Grand Prix, an event which Bahrainis are rightly proud of and which puts our tiny nation on the map. Hundreds of Bahrainis are employed every year in jobs associated with the F1 and the associated wave of tourism and revenue helped refloat our economy. Small and medium sized businesses were the worst hit by continual opposition activism and thus, most ordinary Bahrainis would deeply oppose anything which reduced Bahrain's trade connections with the outside world.

Similarly, threats to halt sales of military goods is not just an issue which concerns the Government. We are situated on a tiny island in the centre of the Arabian Gulf and a much larger neighboring nation periodically claims Bahrain as its 14<sup>th</sup> province. The smaller Gulf States largely owe their existence to British defence guarantees, as one-by-one they gained independence during the 20<sup>th</sup> century. We have Britain to thank that these states exist today as sovereign independent entities. This is an achievement, which Britain can be deservedly proud of. We hope that Britain would never consider backing out of these historic commitments by withdrawing Bahrain's capacity to defend its sovereignty – a right enshrined in the UN Charter.

### **When Bahrain benefits Britain benefits**

Too often the media sees trade and political engagement with Bahrain as exclusively benefitting Bahrain's leaders. Britain is not only promoting its own interests when encouraging trade and investment with Gulf states, it is also acting in the interests of citizens in this region.

In an oil-dominated economy, our struggling private sectors greatly need stronger ties with Britain and Europe. The primary beneficiaries will be the medium-sized

businessmen and their families - in all our countries.

Too often diplomats allude to trade issues and promoting British business as if it is something to be ashamed of. In fact, by empowering smaller businessmen we help create a broader civil society which can interact with Gulf rulers; lobbying for more effective services, better infrastructure, less bureaucracy, a better trained workforce etc. – aren't these the factors which drove democratic reform in 19<sup>th</sup> century Europe?

In summary, let's not bow to the wisdom of those idealists who believe that because a Government is imperfect it deserves to be swept away and replaced with a blank slate. You, as experienced experts in international politics, do not need us to provide you with historical examples to show that this is a recipe for catastrophe.

Britain can help to make Bahrain a better place for all its citizens by continuing to be the pragmatic friend of all Bahrainis and guaranteeing British solidarity in enabling Bahrain to move forward as a haven of enlightened reform.

We Bahrainis know best our own shortcomings and profit little for outsiders pointing out our failures – however, we do benefit when our friends help us with constructive solutions.

*19 November 2012*

## Written evidence from Caroline Nokes MP

### Background

The background for this paper is based upon discussions and meetings with representatives of the Saudi administration during a Parliamentary delegation in December 2011, and independent research as a result of that trip.

### Synopsis

This submission is narrow in its focus, and comments primarily on two issues – the participation of women in municipal life, and the general status of women in Saudi Society, their liberties, and assumptions made about women in Saudi by both the west, and Saudi men.

### Women in Saudi Society – recent developments

Whilst visiting Saudi, I was informed by representatives of administration, the 2011 reforms on women's rights, introduced by the King, were progressive and at a pace which was quicker than the general attitudinal change of wider Saudi society. In other words, the King was instigating reforms which were not always supported by his subjects (both male and female) who were more conservative than him in this respect. If this claim is verifiable and true, this should be acknowledged by those who criticise the pace of reform in Saudi, and give hope for the future.

To the western mind, not based in the religious or cultural legacy of nomadic lifestyles and Wahabi Islam, the way women in Saudi are segregated, and subject even in adulthood to the will of a male Guardian, can be shocking and disconcerting.

The general assumption of Saudi, informed by media reports and which my own experience verifies, is Saudi society – male and female, generally speaking does not share the view that women have, or indeed should have, inherent equality in terms of status to men.

Accurate or not, this assumption is deeply rooted, and at odds to western attitudes, which since the enlightenment, and particularly in the years following the Great War, have changed to reflect the roles women now fill in Western society. This increase in the ability of women to self-determine is particularly quantifiable in terms of their economic activity, which is now one of a number of cultural expectations western women have of themselves.

An on-going lack of equality in Saudi society is therefore seen in both legal and cultural restrictions, much of which is grounded in *Sharia*, the basis of the Saudi legal system. This form of Islamic jurisprudence teaches the primary role of women is to be a mother and homemaker, and whilst this approach may be argued by some, even in the west, to have far reaching societal benefits, it cannot be a lifestyle imposed upon women, but must be a lifestyle actively chosen by women themselves.

Whilst the historic assumptions over the division of labour, steeped in nomadic history and Islamic jurisprudence, is historically and culturally explicable, it is hard to justify to a modern western audience, given the west's cultural acceptance that women have no formal role defined by law or culture, but merely roles which they choose for themselves.

Therefore, equality of employment, economic participation, property rights, self-determination, and exercise of choice over dress are expectations which women in Saudi are increasingly claimed to have, yet denied at this time.

The impression, with some good reason, is that in Saudi, the woman is still very much the 'property' of a man, lacking in self determination, freedom of will and even the right to dress in public as she would choose. This it seems to me is the issue most in need of resolving, the woman's inherent right to be her own person, and not the de-facto or even de-jure property of another.

Contrasting western expectation across a number of indicators, one must conclude that whether by the choice of the women of Saudi, or by legal imposition, or by imposed cultural standards of behaviour, Saudi women enjoy significantly fewer freedoms than women in western societies.

However, there are claims this is changing. For example, taking two anecdotal observations, it was interesting to hear the claim that 70% of saving deposits in Saudi banks were owned by women. However, using this as an indicator of the improving status of women in Saudi has to be balanced by the reality of the power of the Guardian has over a woman, and that having legal title to such deposits might not equate to the liberty to dispose of them as the woman sees fit.

In terms of employment and careers, it was interesting to meet with female law students from Jeddah University, who were very optimistic about their future career prospects, and gave no impression that their studies were anything other than a route to future employment. However one could again question how free these students would be to do so should they not gain the consent of their male Guardian, and one could ask what ability a woman might have to pursue a career without the acquiescence of the male Guardian.

## **Municipal Elections**

The Shura Council is wholly appointed by the King, and for all its supposed democratic deficiencies, can be said to offer advice which is valued in the same way our own House of Lords is able to offer insights which are free from the pressures of needing to appeal to an electorate. Furthermore, the Shura Council also benefits from being non-party political. I have no doubt the Shura council is a valuable body or wisdom, and a genuine source of advice to the King. The west should be more measured in its criticism of its limited powers, and more mindful of its considerable influence.

However, at a municipal level, democracy is being practised in a manner which we in the west would recognise. Elections are free, although turnout is extremely low.

Whilst the turnout is disappointing, it should not of itself undermine its significance. Democracy in Saudi needs to be given time to become established, and for its appeal and value to grow to both candidates and the electorate.

Democracy in Saudi has to be seen in its wider cultural context. Saudi society is steeped in the cultural norms of a nomadic people, tribal in its organisation and practices, with strong monarchical and patriarchal influences. Therefore it would be naive of critics to assume this

deeply held cultural mindset, which has been reinforced by Sharia law, can be overturned and western style democracy instigated speedily. Indeed, to seek to do so radically risks undermining the goal of a functioning democratic Saudi society, as it might create further hostility to progress and change by militating and radicalising conservative sections of society.

However, there are lessons which we may offer to those seeking to build an effective municipal democracy. Chief among them are enabling candidates, but especially women, to communicate, campaign and canvass.

Whilst In Saudi, I repeatedly asked what help and encouragement Saudi women thinking of standing for election receive, to which the answer was they had the right to do so. Clearly, there is a role for the international community, in which the United Kingdom could play a significant role, in mentoring potential candidates as well as the institutions they seek election to. Whilst the right for women to stand is welcome, they also need to be practically enabled to do so. In a society where women lack many of the basic liberties which women politicians in the west enjoy, a right which is almost impossible to exercise is merely tokenism.

*19 November 2012*

## **SAB 33**

**Written evidence from The Bahrain Federation of Expatriate Associations (BFEA)**

### **Introduction:**

1. For decades the lifeblood of Bahrain's workforce, consisting of both blue and white collar workers, has been comprised largely of an expatriate labour force drawn from every continent on the planet. Bahrain has long been known for its warm and diverse culture and generous warm hearted people that have welcomed expatriates with open arms. The government of Bahrain realise the vital role the expatriate worker holds in its society and thus the creation of **The Bahrain Federation of Expatriate Associations** was established as an NGO in order to protect, monitor and advance the interests of this pivotal segment of the population, which totals over **600,000 people** or more than **51% of the total population** of Bahrain. Expatriates are the majority and our collective voice must be heard. We have Rights too.

2. Recent events that have rocked the usually peaceful daily environment of Bahrain have greatly affected expatriates living on the Island and it is the collated testimonies of many of these people that The BFEA is submitting to this Inquiry .This will shed new light on the state of affairs in The Kingdom and provide a different point of view that is often overlooked or considered mute by foreign governments, their respective NGO's and the world's media.

### **Standard of Reporting by the World's media:**

3. A common frustration felt by locals and foreigners in Bahrain is the regular mis-communicé of some of the world's media when reporting on events. Many feel that the all too commonly careless and often lazy form of journalism has seen an increasingly reckless trend in its inability to capture the true happenings and events that mar the daily lives of ordinary residents striving to live within the laws, customs and traditions of the country.

4. Huge frustration is felt by those living and working in Bahrain when events or opinions are reported with a level of inequality and a lack of thoroughness. It is a common grievance shared by many, that only a certain segment of the total population's voices are heard and only specific areas of the situation are afforded coverage. It is felt that the majority view is simply **not** being represented by various media outlets and in particular BBC and Sky News. Among other consequences, this disparity in presenting the facts accurately, thoroughly and impartially leads to a gross level of confusion for those not present in Bahrain which is ultimately damaging to Bahrain's image to the outside world.

5. This indolent and ill-informed journalism has resulted in appropriating Bahrain's issues as a defining part of those countries that have been affected by the "Arab Spring". This hasty grouping of Bahrain within this bracket has produced a grossly misrepresentative characterisation of the actual issues that are current and beset the Kingdom. One unfortunate consequence of this is that a general misconception develops and seems to grow which allows the issues specific to Bahrain to become associated with those of say Egypt, Syria or Libya. This provides an easy route for any opposition functioning in Bahrain to capitalise on such media generated misconceptions. It plays into those hands which would have one believe that Bahrain's issues are purely sectarian. (Shia's having universal grievances with Sunni's and vice versa) Nor is it accurate to suggest that Bahrain's issues are as severe, deep rooted and intractable as the other countries affected by the "Arab Spring". Equally, it is misrepresentative to create an impression that Bahrain's issues and the common route to effect changes are views shared by the majority of her people. While it may be true that the overall majority wish to see constructive dialogue and implementation of reforms towards greater democratisation, equal rights, transparency and accountability at all levels, it is by the same token not representative to report only those views which are in fact expressed by the more radical factions of what is in fact the overall *minority*.

**Further Misconceptions Perpetuated by Media:**

6. The issue of “majority” versus “minority” argument fuels the illusion that Bahrain’s government are proactively sectarian in favour of Sunni’s, yet the majority of the population are Shia’s ruled by a Sunni minority and that the ‘majority’ are somehow in complete political unison. This is a sad and unjust distortion and does nothing to address the bona fide concerns of all sectors of the community irrespective of their religious faith or political alliance. This is another sensationalist tactic employed by the media to portray this “struggle” as a juxtaposed David versus Goliath situation. That the Government of Bahrain is recognising and addressing concerns and making considerable progress in implementing reforms does not make sensationalist news and therefore in most cases it makes no news at all. This is a constant frustration for Bahrainis and expatriates.

7. Testament to this is the numbers that many in the country including expatriates, witnessed at the Pearl Roundabout, (shamelessly dubbed “Pearl Square” to further draw comparison to Egypt’s Tahrir Square by the world’s media) was once more very much unlike other Arab countries affected by the “Arab Spring” such as Egypt’s Million Man March to Tahrir Square. There did not seem to be the relative numbers present nor was there the unified agenda present, as in “Arab Spring” countries. Another confusing element was that expatriates who did visit the site noted a lack of understanding as to why or how the demands of the opposition (whose identity was a further mystery with regards to party representation) were going to go about their change.

8. This is still very much a problem today as there is no clear democratic communication of the needs of the opposition apart from the incessant violence, vandalism and intimidation that is carried out by masked thugs. What has been witnessed by many of us as we travel about trying to conduct our daily lives is that much of the violence is initiated by masked thugs, randomly, entirely maliciously and not as a result of police presence or intimidation. Rather police arrive on the scene to try to maintain order and are attacked with Molotov’s and other weapons. This confusion further polarises the legitimacy of the opposition in the eyes of the expatriates and only achieves an air of terrorisation, fear and extreme frustration, all of which have always been alien experiences for anyone living in Bahrain.

**Examples of Common Incidents Affecting the Daily Lives of Expatriates:**

9. There are daily tyre burnings and placing of incendiary devices at major junctions and highways around the key traffic routes of the country creating serious traffic delays and producing dangerous toxic fumes.

10. Another tactic that generates great fear is the constant attacks on police patrols with Molotov’s. As these Patrols operate on highways and within residential areas, this often means there are incidents where civilians are inadvertently hit by Molotov’s however, it becomes more sinister when a driver or passer-by refuses to remain in place and tries to flee to safety while they are subjected to a proximal tyre burning and this often results in them being attacked directly by the rioters. There have been several documented cases of expatriate families being attacked in their motor vehicles by heavy rocks, iron rods and Molotov’s.

11. Vandalism and defacing of people’s properties and cars are increasingly common along with destruction of traffic lights, street lights, garbage trucks and vile graffiti on churches, schools and community property and blowing up of gas cylinders has resulted in some residential areas becoming virtual ‘no-go zones’ for expatriates who are forced to relocate at great cost to themselves to ensure the safety of their families.



12. Initially such incidents were relatively benign and passed without major consequences on residents but this has recently become more sinister. Warning notices to expatriates have been placed in some villages (**see attachment 1**). This was followed by indiscriminate placing and detonation of bombs and incendiary devices. On the 5<sup>th</sup> of November 2012 five such devices were placed in areas that are predominantly populated by expatriates, these were detonated without any warning. Tragically this led to the death of two expatriates, the serious injury of another, damage to several vehicles and community property. The discovery of other similar devices in the days that followed led to a climate of fear and panic. The BFEA have been inundated with calls for help and advice from both expatriates and Bahrainis who implore us to make the truth of their plight known to the outside world. Many expatriates are now reconsidering their position in Bahraini society with some being forced to leave to other Gulf Countries or return to their respective homelands. This has been a very difficult decision for some families as many have been in Bahrain for decades, many are well established members of the community and have invested heavily in properties, businesses, seen their children born and raised in Bahrain and very much feel safe, valued and comfortable. If this continues it will leave a great void in the community both socially and economically.

**Longstanding Racial, Social, Religious and Cultural Diversity of Bahrain:**

13. The expatriate community in Bahrain has always been a vastly diverse one. We all enjoy the diverse cultural, religious and social freedoms that are part and parcel of the Bahraini community. Muslims, Christians, Jews, Hindus and Buddhists have lived together in harmony for centuries. The number of churches, synagogues, temples and mosques is testament to Bahrain's belief in Freedom of Religion which allows all faiths to openly practice their religion without hindrance, unlike some of her GCC neighbours where such practices are deemed illegal.

14. Socially Bahrain is a haven for expatriates. This is evident particularly within the British segment of the population and is a legacy from the time Bahrain was a Protectorate of Her Majesty's Empire. Most predominantly the British Club and Bahrain Rugby Football club enjoy members from many nationalities and backgrounds and people are free to enjoy their time as they please. This freedom has prompted a "self-policing" of the behaviour of those that attend these social clubs, ensuring they have a self-conforming attitude in respecting the local laws, customs, religions and cultural traditions. This attitude of mutual respect and tolerance is why multiculturalism not only survives but thrives in Bahrain where many communities such as Indian, Pakistani, French, German, Pilipino and Egyptian nationals have formed their own Clubs and Societies.

15. These freedoms have allowed a mutation of the Bahraini culture and it has pervaded many aspects of society including the educational sector. The country has enjoyed a long pedigree in promoting education (Bahrain being the first Gulf country to promote Women's education) and many specialist schools for expatriates are evident. Examples of these include Indian, Pakistani, French and British Schools which allow expatriate children to not only achieve a first class education, but also preserve their ethnic and linguistic background.

**Current Human Rights Situation in Bahrain: "A Welfare State".**

16. A fundamental need for any human being is the maintenance of their health. Expatriates both established and recent enjoy comfortable and easy access to free healthcare. A wide range of hospitals and clinics, including a brand new state of the art government hospital that caters to any medical from emergency to consultancy based. These facilities provide a mental safety net for any expatriate in the country and are a major asset in attracting expatriates considering Bahrain as a destination to live and work.

17. The determination of the Bahraini government to uphold their obligations as a signatory to the Universal Declaration of Human Rights has been impressive over the last few years. This advancement is apparent in the aforementioned examples such as religious freedom, universal healthcare and education and the modernization of its legal and punitive framework to ensure the country has the basic foundations to ensure its complete modernisation. The recent creation of a new Ministry of Human Rights and the Permanent Human Rights Committee established by the Upper House of Bahrain's bicameral parliamentary system, The Shura Council, displays the government's willingness to improve the overall human rights situation in the country. This allows that any legislation not up to standard is amended to bring it up to a standard that would be on par with any other system in the world. This is an increasingly positive factor in the eyes of most expatriates, particularly those hailing from countries with a long established pedigree in human rights. This initiative is considered a pioneering one when compared to neighbouring Gulf countries. BFEA recently announced the opening of a residential Shelter for expatriates in need and the government and the Minister of Human Rights have been extremely supportive and encouraging in this regard (see attachment 2). It also must be noted that Freedom of Speech and the Right of Assembly are widely practiced with almost daily Marches and growing number of publications, blogs and social media activity. Equal rights for women who enjoy senior positions in all walks of life are to be commended.

**Legal and Political Framework of Bahrain:**

18. A defining cornerstone of any democratic country is its willingness to harbour and nurture a strong political framework. Although Bahrain's democracy is clearly a fledging one compared to many in the West, it does have a clear system of transparent elections, the encouragement of multi-party political societies that is supported by a backbone of a constitution backed by an overwhelmingly popular National Charter. This is reflected in Parliament's make-up that consists of representing officials from all regions, political and religious backgrounds that provides all Bahrainis with a voice in how the country is governed. There is a significant impression made on expatriates that feel Bahrain is on the right path

to having an established political culture, in particular Western expatriates who arrive from other Gulf Nations point out Bahrain's lead in its politics over others in the region.

19. The political culture in Bahrain ensures there is a constantly evolving legal structure to uphold the law and the rights of citizens and expatriates. Any advanced nation should possess the relevant mechanisms to ensure that any laws that are deemed unfair or obsolete are capable of being rectified and that the system that they operate within is enforced and further advanced and updated. Bahrain's court system is based in the common law system, introduced by the British which still remains today. The government has also ensured local and religious customs are protected by the assimilation of the legal tenets of Sharia Law that cater for both the Shi'a and Sunni segments of the population, providing a fair and affective legal framework for all.

20. The commercial legal system is considered to be the most advanced in the Gulf Region and it is this advancement in both the commercial and labour laws of the country that makes conducting business in Bahrain an easier one compared to other GCC countries. A plethora of already established businesses that are expatriate owned ranging from small to medium enterprises to fully established limited liability companies are protected by law and they provide the entrepreneurial expatriate with an easy route to economic advancement both personally and nationally. However many expatriate businesses are reporting severe losses due to the effect of the current violence and bankruptcy is a realistic threat. Many expatriates bought Properties in Bahrain with a view to becoming permanent residents. Due to the unrest these Developments have halted and many have lost their life savings as a result. Many have no other funds and no other home and they fear for their family's future.

#### **Bahrain's Police Force:**

21. The advancement and upholding of the law is maintained through effective and fair policing. Due to recent events the government having realised the antiquity of the system, introduced by the British Empire, embarked on an extensive modernisation programme in all areas of the police force. A particular note is drawn to the professionalization of the riot police who are at the forefront of protecting the inhabitants of the country from daily attacks that take place. The employment of British consultants and the creation of the Independent Police Ombudsman have led to the prosecution of several policemen, further creating a benchmark of quality and accountability and transparency in the police force's daily actions. This modernisation actively discourages any corruption or heavy handed approach when dealing with mass rioting which backs Bahrain's determination to uphold its human rights commitments and create a solid pedigree for a modern and professional police force.

#### **Conclusion and Recommendations:**

22. BFEA research revealed that many Bahrainis and expatriates feel let down by the UK whom they see as unreservedly supporting the Opposition and they feel *their* voices and human rights are being ignored. The feeling is that the UK Government have abandoned them to a bleak future at the hands of violent lawless thugs. BFEA recommends that the UK take a more balanced and informed approach to the unrest in Bahrain. Respect and loyalty to UK has waned considerably due to her stance on Bahrain and this could have potentially negative implications on trade, cultural and political relations not only with UK/Bahrain but with UK and Bahrain's sympathetic and sensitive neighbours. UK must re-cement this important historic relationship. It is time for UK to translate 'words into actions' that recognise and support the peace-loving, law-abiding majority in Bahrain and restore faith and trust in UK and open wide the doors to a stronger brighter future for bilateral relations.

As David Cameron said, "Bahrain is not Syria". Nor is she UK or USA. It is BFEA belief that Bahrain must be allowed to develop her own model of democracy in her own way and in her own time without foreign interference or pressures. Support, encouragement and recognition of reforms and urging all parties to unreservedly obey the law, stop violence and enter into sincere dialogue with the Government are the actions UK should now take.

19 November 2012

## Written evidence from Human Rights Watch

### **A submission from Human Rights Watch to the UK Foreign Affairs Committee (FAC) as part of its inquiry into the “FCO’s foreign policy towards Saudi Arabia and Bahrain, in the broader context of relations between the UK and the Gulf States”.**

Human Rights Watch welcomes this FAC Inquiry. It is long overdue for the UK parliament to examine and debate UK relations towards these important countries. The main focus of our submission is FCO policy on human rights towards Saudi Arabia, Bahrain and other Gulf states. We identify some very serious rights abuses in each of these countries and make some recommendations for how the FCO can better help protect and promote human rights there.

#### Summary

- Human Rights Watch believes that the FCO and other parts of the UK government often downplay the serious and systematic human rights abuses taking place in these countries and they fail to make human rights concerns a sufficiently high priority in their bilateral relations, regularly subordinating them to trade or security concerns.
- Because the UK has taken a strong stance on human rights abuses elsewhere in the Middle East and North Africa, its failure to do so with these states is a worrying example of double standards, which undercuts the UK’s influence and credibility on human rights across the region and towards other parts of the world, a point also made by the FAC in its recent report on the Arab Spring.
- Although the FCO does include Saudi Arabia in its “country of concern” section in its annual report on human rights and democracy, the FCO appears very reluctant to press the Saudi authorities on human rights issues and it rarely makes public statements of concern about the rights situation within Saudi. In the course of 2012, the Saudi authorities stepped up arrests and trials of peaceful dissidents and responded to demonstrations by Shia citizens with lethal force. Authorities frequently prosecute peaceful dissidents before Specialized Criminal Courts, set up to try terrorism suspects.
- Saudi authorities continue to treat Saudi women as second class citizens, where the male guardianship system requires women to seek the written permission of a male relative – father, husband or brother – to take up employment, access some forms of medical care or move around the country. There are also widespread and systematic abuses against the country’s 9 million foreign domestic workers.
- It is indefensible that the FCO continues to exclude Bahrain from its “countries of concern” section in the annual report on human rights and democracy. Despite serious ongoing abuses in Bahrain and a failure on the part of the Bahraini authorities to hold rights abusers accountable, the FCO continues to talk up the

reformist credentials of the Bahraini government, when the evidence for this is lacking.

- The FCO has said little about the serious human rights abuses being committed by state authorities in the United Arab Emirates (UAE) and in Oman.
- Although rarely articulated publicly, the FCO's reluctance to be more critical or assertive about human rights abuses in these countries is assumed to be linked to concerns that pushing their leaders too hard might be destabilizing, as well as the UK's large economic interests in the region - as a source of oil and as a market for exports, especially military exports. However on the issue of stability, there is a strong case that it is the unwillingness of the existing Gulf states to liberalise politically and to permit peaceful opposition and dissent which creates the greatest risk of social instability and tension. The FCO should be pressing the case more assertively for reform, including respect for basic international human rights standards, especially the rights of women and ethnic and religious communities.
- **Recommendations** - The FCO should make human rights concerns a significantly higher priority than at present in its bilateral relations with all the countries of the Gulf. It should take a strong and consistent position on rights abuses in these countries in forums like the UN Human Rights Council. It should press all of these countries to allow regular and unfettered access to UN special rapporteurs and for these countries to accede to and comply with key international human rights agreements. The FCO should make a particular effort to highlight the situation facing human rights defenders in these countries. Trade and investment agreements with the countries of the region should be consistent with the UK's international human rights obligations, including a requirement on UK companies investing there to undertake appropriate due diligence, so as not to be complicit in rights abuses. UK military or police training for the security or police forces of the Gulf states should be approached with great caution. Where it occurs, it should comply fully with international human rights standards. UK assistance should not be provided to forces known to engage in rights abuses. The FCO should also ensure that the UK government does not permit the export of military equipment to Gulf states that might be used for repression or the abuse of human rights.

### About Human Rights Watch

1. Human Rights Watch is an independent, international human rights organisation. We document the denial and abuse of human rights in some 90 countries around the world. We use our research to draw attention to rights abuses and press governments to adopt policies to better respect, protect and fulfil these rights. We also press for those guilty of serious human rights abuses to be held accountable for their crimes.

2. We have worked on Saudi Arabia, Bahrain and the Gulf for more than two decades. We have published numerous in-depth reports on these countries documenting serious human rights violations including systematic torture and ill-treatment, due process violations, suppression of peaceful demonstrations, and prosecution of human rights defenders and activists.

## UK policy towards Saudi Arabia

3. Saudi Arabia has an extremely poor record on human rights, but the FCO's response to these abuses is generally weak and any FCO criticism is very rarely made publicly.

4. The Saudi authorities impose severe and unrelenting restrictions on freedom of expression, belief and assembly. In the course of 2012, Saudis have been arrested for peaceful criticism, human rights activism and for disobeying clerics by calling for the release or fair trial of detainees. Saudi authorities arrested and prosecuted human rights activists including Mohammed al-Bajadi, a founder of the Saudi Association for Civil and Political Rights. Charges including "being in touch with international organizations" have been made against other rights activists including Abdulla al-Hamid, Mohammed Fahd al-Qahtani, and Walid Abu al-Khair. Authorities frequently prosecute peaceful dissidents before Specialized Criminal Courts, set up to try terrorism suspects.

5. Under the discriminatory Saudi guardianship system, women are treated as second class citizens - forbidden from travelling, conducting official business or undergoing certain medical procedures without the permission of their male guardians. A recent example illustrates the cruelty and absurdity of this policy. In July 2012, after a car chase by the religious police left the driver dead and his wife and daughter in a critical condition, the hospital authorities in Baha postponed amputating the wife's hand because she had no male legal guardian to authorise the procedure.

6. In the course of 2012, the Saudi Ministry of Labor issued a number of decrees regulating women's work in clothing stores, amusement parks, food preparation, and as cashiers; but the decrees reinforced strict gender segregation in the workplace, mandating that female workers not interact with men. Although public pressure (including from Human Rights Watch) persuaded the Saudi authorities to field two women in the team for the London Olympics, women and girls remain effectively banned from sports within the kingdom. Strict clothing requirements for women continue to be publicly enforced and women remain banned from driving.

7. The Saudi system also permits major rights abuses against the 9 million foreign domestic workers present in the country, who constitute half the workforce. Many suffer multiple abuses and labour exploitation, sometimes amounting to slavery-like conditions. The *kafala* (sponsorship) system ties migrant workers' residency permits to sponsoring employers, whose written consent is required for workers to change employers or leave the country. Saudi employers regularly abuse this power to confiscate passports, withhold wages and force migrants to work against their will. Domestic workers, usually women, also frequently endure forced confinement, the denial of food and psychological, physical and sexual abuse.

8. Saudi Arabia does not tolerate public worship by adherents of religions other than Islam and systematically discriminates against its Muslim religious minorities, in particular Shia and Ismailis. Authorities in 2012 arrested and prosecuted Hamza Kashgari and Mohammed Salama for their peaceful expression of opinions on religious matters that differed from the views of Saudi religious authorities.

## UK policy towards Bahrain

9. Human Rights Watch has been particularly critical of UK policy towards Bahrain over the last year and more. Although the FCO does criticise human rights abuses in Bahrain, including in public statements, it tends to do so in general terms and in a context of talking up progress in Bahrain and commending Bahraini authorities for their purported commitment to reform. For example, in the box on Bahrain in the most recent FCO annual report on human rights and democracy, the FCO mentions approvingly the Bahrain Independent Commission of Inquiry (BICI) but there is no reference to its conclusions that torture by the Bahraini authorities was systematic or that abuses occurred within a “culture of impunity”.

10. The FCO report does not mention that the Bahraini authorities have failed to date to investigate or prosecute more than a small number of security officers for serious rights abuses such as torture and unlawful killings, almost all of them low-ranking and non-Bahraini. Nor is there any reference to the key BICI recommendation to review military court sentences and free those convicted purely for calling for substantial political change - a category that includes the 20 protest leaders sentenced to lengthy prison terms, some of them for life. On September 4, 2012, a civilian appeals court upheld the military court’s convictions and long sentences of the 20 protest leaders.

11. There is also reference to “an independent National Commission to oversee implementation of the BICI report” and to the National Human Rights Commission. The members of the first were handpicked by the King, so it is hardly independent, and the second has done almost nothing since it was established.

12. The Bahraini authorities continue to seriously limit freedom of assembly and peaceful protest. In the course of 2012, the authorities have routinely rejected permit requests to demonstrate from opposition groups, and riot police have often used excessive force to disperse protests. While abuse in detention appears to have declined, police routinely beat protestors, in some cases severely, at the time of arrest and during their transfer to police stations. Human Rights Watch has documented serious and systematic due process violations in trials of Bahraini opposition leaders and activists before Bahrain’s civilian as well as special military courts. Violations included denying the right to legal representation and failure to investigate credible allegations of torture and ill-treatment during interrogation.

13. On August 16, Nabeel Rajab, President of the Bahrain Center for Human Rights, was sentenced to three years imprisonment for calling and participating in peaceful demonstrations without permits between January and March 2012. Rajab was earlier sentenced to three months in prison for tweets that called for the Prime Minister to step down. On August 23, a court of appeal overturned the Twitter conviction but at this point he remains in prison on the “illegal assembly” charge, pending appeal. The courts’ verdicts provided no indication that Rajab had called for or participated in violence.

14. The Bahraini authorities have largely failed in respect of accountability. Although the BICI noted that abuses “could not have happened without the knowledge of higher echelons of the command structure” of the security forces, the few prosecutions of security officials

for serious rights abuses have included none from the senior ranks. In effect, most members of the Bahraini security forces who carried out abuses have so far suffered no detriment for doing so. The FCO has failed to press this issue with sufficient vigour with the Bahraini authorities.

#### UK policy towards UAE and Oman

15. The FCO and the UK government as a whole has said little, and even less publicly, about human rights abuses in other Gulf states like UAE and Oman. The FCO talks of “ambitious plans to expand our existing cooperation with the Gulf states across the Board: in culture, defence and security, trade and investment, and foreign policy cooperation”. They go on to say, “we aim to re-energise the relationship, focusing on culture, business and defence relations”. In his recent trip to the Gulf, Prime Minister David Cameron also placed very heavy emphasis on UK defence sales to the countries of the region. Human rights are conspicuously absent from this list of FCO and UK government priorities, although human rights concerns are growing in both UAE and Oman.

16. The human rights situation has deteriorated significantly in UAE over the last 12 months, with an intensified government effort to silence critics of the ruling elite. 63 dissidents with ties to a non-violent Islamist group have been detained without charge in 2012, and human rights defenders, lawyers and political activists have been subject to harassment, intimidation and deportation. The whereabouts of 61 of the detainees, who include human rights lawyers, law professors, judges and student leaders, remains unknown and there are concerns about ill-treatment. Human Rights Watch has publicised credible allegations of torture at state security facilities. The UAE also continues to resist reform of a wholly inadequate legal and regulatory framework governing the country’s migrant workers, who make up 80 per cent of the population and who are subject to ongoing abuses. In addition, the UAE has produced a new federal decree on cyber crime. Passed on November 13, the law criminalizes a wide range of non-violent political activities carried out on or via the internet, from criticism of its rulers to organising unlicensed demonstrations. To their credit, the European Parliament recently passed its first ever resolution on the UAE, expressing profound concerns about the country’s human rights record. It is important that the European Union as a whole should provide a strong and common position on rights abuses in UAE, and the FCO should back this.

17. There are serious human rights concerns in Oman, which the FCO seems most reluctant to address or to criticise. Omani authorities have made unprecedented use of criminal defamation laws to circumscribe freedom of expression, sentencing over 30 pro-reform activists to between a year and 18 months imprisonment and substantial fines on the charge of “defaming the Sultan”. The UK provides significant economic and military assistance to the Sultanate and maintains a sizeable military presence there, which may account for their reluctance to push harder on human rights concerns.

#### **Recommendations**

- The FCO should make human rights concerns a significantly higher priority than at present in its bilateral relations with all the countries of the Gulf and not subordinate these concerns to trade and security issues.



- It should take a strong and consistent position on rights abuses in these countries in dedicated forums like the UN Human Rights Council. It should press all of these countries to allow regular and unfettered access to UN special mechanisms (rapporteurs, for example) and international human rights organisations.
- It should press the Gulf states to accede to and comply with key international human rights agreements in particular the International Covenant on Civil and Political Rights, the Convention against Torture, and the Optional Protocol to the latter.
- The FCO should make a particular effort to highlight the persecution and harassment of human rights defenders in Gulf states.
- Trade and investment agreements with the countries of the region should be consistent with the UK's international human rights obligations, including a requirement on UK companies investing there to undertake appropriate due diligence, so as not to be complicit in rights abuses.
- UK military or police training for the security or police forces of the Gulf states should be approached with great caution. Where it occurs, it should comply fully with international human rights standards. UK assistance should not be provided to forces known to engage in rights abuses.
- The UK should support efforts to arrest and prosecute, including in the UK, officials from Gulf states against whom there is evidence of involvement in serious human rights abuses like torture.
- The FCO should also ensure that the UK government does not permit the export of military equipment to the Gulf that might be used for repression or the abuse of human rights.

*19 November 2012*

## Written Evidence from The Foreign and Commonwealth Office

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## Why the Gulf Matters

1. The Gulf has mattered to the UK for generations. Founded on mutual interests of trade, commerce and security, our relationships there are amongst our most enduring in the world. The Gulf is critical to our foreign policy objectives of security, prosperity and support for UK nationals overseas.
2. While we have many common interests, there are differences between us. The essence of any state to state relationship is respect for each other's cultures and an ability to deal with difference honestly and frankly. We do not aim to use our relationships with other states to demand that they mirror us. But we do engage in frank discussion, defending and promoting our own values at all times, and encouraging other governments towards policies we believe to have merit and relevance to them. When we disagree with our partners in the Gulf on human rights-related issues, we make our concerns clear to each other. As the Prime Minister said during his visit to the Gulf on 5-7 November *"there's nothing off-limits in any of these relationships, and we discuss human rights, we discuss all of these concerns"*.
3. It is in our fundamental national interest to see stable and open societies emerge across the Middle East over time. The Arab Spring has confirmed that long-term stability requires legitimacy derived from citizen participation and consent. However it is for each country in the region to develop a model that reflects its own unique historical and social context and gives every citizen a stake in the political and economic life of their countries. It is not for us to dictate change in any country in the region.
4. The UK has long-standing and close partnerships with all the Gulf states. Our cooperation is wide-ranging and reflects the strategic importance of the region, including commerce, defence, energy security and counter-terrorism interests:

Political influence in the wider region: The Gulf states are increasingly influential on the world stage, individually and collectively through the Gulf Cooperation Council (GCC). They have an important role in the wider Middle East, and through the GCC and Arab League have been at the forefront of the international response to events in Libya and Syria. Their support for sanctions on Iran is particularly vital. The GCC initiative delivered the transition process in Yemen. Gulf states provide political and economic support to Afghanistan, as well as basing support to the UK and other ISAF members. The UAE have taken the political lead towards tackling piracy in the region, as well as towards Somalia. Individual states also play an important mediation role. For example, Qatar sponsored the Darfur peace talks, culminating in the signing of the Doha Document for Peace in Darfur. As home of Islam's Two Holy Mosques, Saudi Arabia has enormous global religious influence;

A secure and affordable energy supply: around one third of global oil supply originates in the Gulf. Although the UK imports very little directly from the region, the Gulf is still of vital importance to the stability of global supply and the market price at which our energy is consumed. UK gas imports from the Gulf have increased dramatically over recent years with around 20% of domestic consumption coming from the region last year. The strategic importance of the Gulf's energy producers is only likely to grow as global demand increases over the coming decades. This will put further pressure on export routes, particularly the Strait of Hormuz, through which around 35% of seaborne traded oil passes;

Counter-terrorism: The Gulf states, and Saudi Arabia in particular, are key partners for the UK in the fight against terrorism, especially countering the threat from Al Qaeda in the Arabian Peninsula (AQAP). Qatar, Saudi Arabia and the UAE are all founding members of the Global Counter-Terrorism Forum (GCTF). The UK and UAE co-chair the GCTF's Countering Violent Extremism (CVE) working group, and are collaborating on the linked CVE Centre of Excellence, to be launched in Abu Dhabi in December;

Counter-proliferation: The Gulf states are also important partners for the UK's counter-proliferation efforts, including combating nuclear proliferation in Iran;

Prosperity: The Gulf economies are developing rapidly, creating significant opportunities for investment in both directions. With an overall GDP of over \$1.3 trillion, they constitute the UK's seventh largest export market, larger than India, Russia and Mexico combined. Our bilateral trade with the Gulf has increased by 39% over the last two years from £21.5bn to £29.8bn of which £17.5 billion was exports of goods and services. In addition, the Gulf states are home to approximately 27% of the world's sovereign wealth. Their investments in the UK totalled around £2.25bn in 2011. Past investments have traditionally focussed on real estate, but there is increasing interest in UK infrastructure, including for example the recent \$1.5bn deal for the Dubai-owned DP World to develop the London Gateway project;

Consular/Immigration: The Gulf is home to the UK's largest expatriate population in the Middle East and North Africa (MENA) region, with over 160,000 British nationals based there and many more visiting each year. 23,000 British Pilgrims took part in this year's Hajj alone. In 2011, over 250,000 Gulf nationals visited the UK.

5. We continue to expand our areas of cooperation. For example, we signed a Memorandum of Understanding with the UAE on development issues in March 2012. We encourage students from the GCC to study in the UK and are developing educational and cultural links with several Gulf states.

## **The Gulf Initiative**

6. In recognition of the strategic importance of our relations with the Gulf states, the Foreign Secretary launched the Gulf Initiative in summer 2010 to reinvigorate the UK's engagement and reverse neglect of the UK's relationships in the region in previous years. The objective was to re-establish the United Kingdom as a strategic partner and expand our cooperation with the Gulf states.
7. Since then there have been over 160 outward ministerial visits to the region and more than 100 inward visits from senior Gulf interlocutors. Highlights have included State Visits by HM The Queen in November 2010 to Oman and the UAE, and the inward State Visit by HH The Emir of Qatar in October 2010, as well as the forthcoming inward State Visit by HH The Amir of Kuwait in November 2012. The Prime Minister has visited the region on four occasions. The Foreign Secretary regularly meets his GCC counterparts, and they recently agreed to establish a more formal mechanism for taking forward UK-GCC partnership.
8. In addition, we have created working groups such as the UK-UAE Task Force, launched after the Prime Minister's visit in June 2010, the UK-Oman Joint Working Group, UK-Kuwait Joint Steering Group and a UK-Bahrain Joint Working Group. The Gulf states have welcomed this approach, noting and encouraging our increased diplomatic engagement across the region and often at the most senior levels.

## **The UK's foreign policy priorities in its relations with Saudi Arabia and how effectively the Government balances the UK's interests in defence, commerce, energy security, counter-terrorism, and human rights**

9. The UK and Saudi Arabia have a long history of friendship and co-operation. Saudi Arabia is an influential voice in the region and has played a key role in the Middle East Peace Process, Yemen and now Syria. It is the only Arab country to be represented amongst the G20. As the home of Islam's Two Holy Mosques it has enormous global religious influence.
10. Saudi Arabia has the world's second largest proven oil reserves, uniquely maintaining significant spare oil production capacity. It has faced its own very serious terrorist threat. We have strong cooperation on counter-terrorism which is essential to the interests of both countries. Furthermore, Saudi Arabia is a fast-developing economy, of the scale of Turkey or Brazil, with significant trade and investment links to the UK.
11. As with all other countries, we raise our concerns about human rights wherever they arise, at all levels in our relationship and in all relevant areas.

## **Defence**

12. The UK-Saudi defence relationship is rooted in shared interests in ensuring regional security and stability for our allies. The relationship underpins the bilateral relationship through a variety of activities involving the Saudi Ministry of Defence, the Saudi Arabian National Guard (SANG) and the Ministry of the Interior. For example, the UK maintains a small British Military Mission (BMM) of British Army personnel on seconded service that trains and advises the Special Security Brigade of the SANG.
13. Defence engagement has strengthened and deepened the UK-Saudi bilateral relationship and is the result of decades of partnership between UK Armed Forces and British defence companies with the Kingdom. In 2007, the Saudi Arabian Government announced an agreement to purchase 72 Typhoon aircraft. So far, the RSAF has taken delivery of 24 Typhoon aircraft. In addition to the Government-to-Government agreements, UK industry has supplied equipment direct to the Saudi Armed Forces, including communications, vehicles and homeland security equipment. These programmes represent a significant success story for UK industry, sustaining many thousands of jobs and billions of pounds of export orders

## **Defence Sales**

14. The UK Government reacted quickly to events of the Arab Spring in addressing risks related to defence sales by rapidly reviewing licences and revoking those no longer complying with the criteria in line with our obligations under the Consolidated EU and National Arms Export Licensing Criteria. The Government examined all extant export licenses for Saudi Arabia following the limited unrest in the country, and were satisfied that all licences granted for Saudi Arabia remained consistent with the Criteria. To date, there is no evidence that UK-supplied equipment has been used in breach of the Criteria in Saudi Arabia, or in Bahrain where Saudi forces were deployed to protect installations as part of the Peninsula Shield force.

## **Trade and Investment**

15. Saudi Arabia is the UK's largest market in the Middle East and 18<sup>th</sup> globally, with UK exports of goods and services valued at £6bn in 2011 (around 20% of UK trade in the region). We estimate that there are over 6,000 UK companies actively exporting to Saudi Arabia. In 2011, UK exports of goods were valued at £3.25bn, a 3% increase on 2010. Exports are rising overall, although UK exports of services saw a decrease from £3.1bn in 2010 to £2.76bn in 2011.
16. The UK is the second largest cumulative foreign investor in Saudi Arabia, after the US, with approximately 200 UK/Saudi joint ventures. UK companies are active in infrastructure, aviation and petrochemicals, including the diversification

## **Counter-Terrorism**

17. Saudi Arabia is our key operational partner on CT in the region and a strategic partner in our global efforts. As Custodian of the two holiest places in Islam, HM King Abdullah, along with the Saudi religious authorities, have an important role to play in countering the violent Salafi-Jihadism that Al Qaeda espouses. The Saudi authorities have been unequivocal in condemning AQ terrorism.
18. Our regional focus is on disrupting and degrading AQAP based in Yemen. Saudi Arabia is a key ally for the Yemeni Government in its struggle against AQAP, making Yemen a safer country for its citizens and reducing the threat to the UK and our allies. British-Saudi collaboration has resulted in the foiling of AQAP terrorist attacks, which would have caused substantial destruction and loss of life, including the provision of information to protect British interests. An example of this cooperation was the discovery at East Midlands airport of a 'printer bomb' onboard a US bound flight in October 2010. The initial alert came from the Saudi authorities, who have been quick to provide information to protect British interests on many other occasions.
19. Our counter-terrorism partnership in recent years has also allowed us to promote our values and help improve human rights in Saudi Arabia. For example, giving the Saudi authorities greater forensic expertise will give them greater capability for evidence-based prosecutions, which will be admissible in court. While we believe we have made some progress in advancing our values through counter-terrorism cooperation, NGOs, such as Amnesty International, have criticised Saudi counter-terrorism efforts as being the cause of human rights violations. They allege the Saudi authorities have employed the counter-terrorism law for the detention of political opponents, torture, solitary confinement, and excessive pre-charge and pre-trial detention. The British Embassy in Riyadh has registered our concerns about arbitrary detentions with the Ministry of Interior and the Ministry of Justice, and has been permitted to attend a counter-terrorism trial in the future. It is important that the Saudi authorities take the necessary action to instil confidence within Saudi society and internationally that the Saudi judicial process is a humane one. However we continue to believe that the UK's ability to influence reform and best practice will be most effective if we are cooperating on counter-terrorism.

## **Energy Security**

20. The UK has a strong, historical energy relationship with Saudi Arabia. A formal Ministerial UK-Saudi Energy Dialogue takes place annually and was last held in Riyadh in May 2012. In recent years British-Saudi joint efforts have led the way in establishing the International Energy Forum, the leading organisation for transparency in energy markets and consumer-producer dialogue, whose 89 member countries now represent around 90% of global oil and gas production and consumption.
  
21. Saudi Arabia has a vital role in securing the reliable and affordable energy supply that is needed to underpin global economic recovery. It is the world's largest oil exporter and is the only country where capacity to extract and export oil exceeds to a meaningful degree the level at which it chooses to do so. This spare capacity gives it the unique ability to provide additional market supply to mitigate disruption elsewhere. This was graphically illustrated in 2011 when Saudi Arabia was able to pump an additional million barrels per day to compensate for the reduction in global supply caused by the conflict in Libya, thereby helping to ensure that the market remained relatively stable during a period of reduced supply and heightened tension in a key oil producing region.

## **Education**

22. Saudi Arabia faces two major challenges in education and training: increasing the number of places at all levels of education in response to the high birth rate, and the creation of an indigenous work force equipped with the necessary skills to meet the requirements of the modern global economy. This situation presents an opportunity for partnership and the promotion of British values. There are around 22,000 Saudi students in the UK, nearly one third of whom are women and many of whom are funded by the King Abdullah scholarship programme. Not only do they receive an excellent education here, but they also develop a better understanding of the UK and our values.

## **Healthcare**

23. The Saudi Arabian Ministry of Health has allocated \$100bn additional spending to a five-year healthcare development programme, with the intention of drawing on international best practice to help provide top class, universal healthcare to its population. The UK is well-positioned to support the Ministry, drawing on NHS and private sector expertise. In April 2011 the Department of Health and the Ministry of Health signed a Memorandum of Understanding (MoU) to enhance cooperation. Since then, UKTI and the Department of Health have organised a series of commercial, clinical and official exchanges to identify areas for cooperation and strengthen bilateral links. These include a scheme to train Saudi postgraduate medical trainees in the UK and establishing clinical partnerships between UK and Saudi institutions.



## **Human Rights**

24. Saudi Arabia has a poor human rights record, and as such, is designated an FCO Country of Concern. The human rights position in Saudi Arabia reflects widely-held conservative social values. Many of our human rights concerns regard punishments prescribed by Islamic Sharia law. There are indications that the Saudi Government is slowly encouraging Saudi society to open up. The Interfaith Initiative is a good example of this, but many Saudis are not supportive. We must, therefore, work with those in Saudi society who are advocating reform, in order to build support for full application of human rights standards. The broad range of interests that the UK and Saudi Arabia share and the importance of our partnership to the wider MENA region enable us to engage across the full range of issues. We raise our concerns with Saudi Arabia, bilaterally and through multilateral institutions, such as the EU and UN. Some of our main concerns are:

Women's Rights: Women's rights in Saudi Arabia are principally affected by the Guardianship system, under which women's freedom to participate in society is greatly restricted. The views of Saudi women on their rights are mixed, particularly on the pace of reform. Nevertheless, reform is underway. King Abdullah announced last year that more women would be appointed to the Shura Council (Parliament) in 2013, and there will be female participation in the 2015 municipal elections, as candidates and as voters, for the first time. At the London 2012 Olympics female Saudi athletes competed for the first time. Women's employment opportunities are increasing and Saudi women can now travel freely within the Gulf Cooperation Council area without the need to be accompanied by a male guardian. However, gender segregation is still commonplace and many rights, such as the right to drive, have yet to be realised. Women's rights will continue to be an area of focus in our human rights work in Saudi Arabia.

The Death Penalty: The UK Government opposes the death penalty in all circumstances. There was a sharp increase in the number of executions in Saudi Arabia to 77 in 2011 from 27 in 2010. Over the past five years, there has been a reduction in overall numbers of executions. Saudi Arabia is one of only four countries in the world to carry out public executions by beheading. We welcome the lead King Abdullah has shown on this issue, encouraging families to show clemency by waiving their private right under Sharia Law to have their relative's killer executed.

Torture: Torture is unacceptable in all circumstances. The United Kingdom attaches great importance to preventing torture and tackling impunity for those who torture. We have heard allegations of torture from NGOs and from some individuals held in detention in Saudi Arabia, but these are difficult to verify. Some of these allegations involve the extracting of "confessions" using torture, which are then used as evidence at trial. The Saudi Justice Minister has publically stated that any accusations relating to torture would be fully investigated.

Transparent and accountable systems of care for those in detention are central to addressing these allegations. The UK Government is establishing a method of engagement with the Saudi Ministry of Justice to support its justice sector reform programme. To date, the Saudi Government has invested at least £1.2bn on new court houses, technology, and judicial training, with specialist courts envisaged in family, commercial and labour law. The Saudi Appeal Court and new Supreme Court have also increased access to justice.

25. The full range of concerns and our actions are set out in the FCO Annual Human Rights Report 2011 and quarterly updates for 2012. We discuss human rights frankly and in detail with the Saudi authorities at all levels, and in all areas of cooperation. Ministers raised a range of human rights concerns with the Saudi Minister of Justice in April 2012 when he visited the UK, as did Alistair Burt, FCO Minister for the Middle East, when he visited Riyadh in May 2012.

### **Saudi Arabia as a foreign policy partner for the UK, particularly with regard to Iran and Syria and as members of international and regional organisations**

26. Saudi Arabia and the UK work together on many of the challenges facing the Middle East, particularly Syria, Iran and Yemen. The UK shares Saudi Arabia's concern about the violence in Syria and welcomes Saudi Arabia's continuing support for a united response by the UN Security Council. We have a regular dialogue about Iran and share many concerns about the Iranian nuclear programme and Iranian interference in the region. The UK and Saudi Arabia are co-chairs of the Friends of Yemen initiative, conceived to co-ordinate international support for Yemeni efforts to stabilise and regenerate the country. We also co-chair the Transition Fund under the Deauville Partnership.

27. Saudi Arabia provides substantial amounts of financial support to a number of regional causes. The International Monetary Fund records Saudi Arabia as having pledged \$17.9bn since the Arab Spring began to countries most affected by unrest. In addition to this, Saudi Arabia provides money for the Occupied Territories through international organisations, such as \$5m to the UN Relief and Workers Agency in June 2012.

### **The implications of the Arab Spring for UK foreign policy in its relations with Saudi Arabia**

28. Aspirations for a greater stake in society were limited in Saudi Arabia in the early days of the Arab Spring. Small-scale protests occurred in a number of locations across the country in early 2011, though primarily centred on some Shia communities in Eastern Province. In March 2011, the Government responded by introducing a country-wide economic package worth \$137bn to boost public spending on infrastructure, housing, unemployment and public sector salaries.

29. Following the arrest and wounding of Shia Sheikh, Nimr Al Nimr, on 8 July in the Qatif region a wave of protests and violent clashes began between demonstrators and security forces resulting in five fatalities (four civilian, one police officer) and injuries on both sides. Since last October, fourteen demonstrators and three security personnel have been killed in the Eastern Province. The number of deaths and injuries so far has raised questions as to whether or not the use of force was deployed in accordance with international standards. We have a number of human rights concerns relating to these demonstrations, including restrictions on freedom of expression and freedom of peaceful assembly, and the right to a fair trial that meets international standards of justice - it is still taking too long to bring those arrested to trial. We raise these concerns with the Saudi authorities.
30. Despite the turbulence in the region and unrest within Saudi Arabia, the UK's relationship with Saudi Arabia remains strong, as demonstrated by the Prime Minister's recent visit to Saudi Arabia. We continue to work closely with the Saudis on regional issues, particularly Syria and Yemen.

**How the UK can encourage democratic and liberalising reforms in Saudi Arabia, including its power to effect improvements**

31. We have been clear that in Saudi Arabia, as elsewhere in the region, it is not for Britain to dictate the pace or nature of any reform. However, we support the Saudi Government's gradual steps towards long-term reform, which gives citizens, particularly young people and women, a greater stake and interest in the political and economic life of their country. We encourage these reforms through regular official and ministerial contacts particularly ministerial visits; developing stronger links in a wide range of sectors, for example, strengthening parliamentary relations through the forthcoming visit to the UK of the Chairman of the Shura Council at the invitation of the Speakers of both Houses; encouraging cooperation in the justice sector, which allows for discussion on human rights issues; and outreach to Saudi society, for example the PM's recent visit to Saudi Arabia during which he met female law students at the Dar Al Hekma college in Jeddah to hear their views on the aspirations of Saudi women.

**The UK's foreign policy priorities in its relations with Bahrain and how effectively the Government balances the UK's interests in defence, commerce, energy security, counter-terrorism, and human rights**

32. A group of 33 islands with a total area and population size the same as Merseyside, Bahrain is a Constitutional Monarchy headed by King Hamad bin Isa Al Khalifa. The Al Khalifa royal family has ruled Bahrain since 1783. The population is approximately 1.2million, half of which is made up of expatriates (a

majority of whom originate from sub-continent Asia) who make up at least 70% of the workforce. There are no confirmed figures on the sectarian make-up of the Bahraini population and estimates vary, but the general consensus puts the Shia/Sunni split at about two-thirds majority Shia.

33. The UK and Bahrain share deep historical ties dating back over 200 years. In 1820 Bahrain became a British protectorate, gaining independence in 1971. The UK's long-term engagement in defence, trade and investment, and counter-terrorism has enabled us to support human rights and reform in Bahrain.

### **Trade and Investment**

34. Bahrain has the smallest but most open economy in the Gulf. Around 95 British companies have branches there. UK exports of goods to Bahrain have increased by 35% to £163m so far this year, and in 2011 the UK exported £293m of services. After a flat 2011, UK imports from Bahrain have increased this year to £195m, largely in petroleum-related products. Future opportunities for British businesses are expected to result from Bahrain's re-development plans, which include using the \$10bn GCC development fund.

### **Defence**

35. Bahrain is critical to the protection of Gulf shipping lanes (through which 17 million barrels of oil are shipped per day) and global energy supplies. It is home to the UK Maritime Component Command (UKMCC), for which Bahrain provides onshore basing, giving the Royal Navy the ability to operate not only in the Gulf but well beyond to the Red Sea, Gulf of Aden and North West Indian Ocean. Bahrain also provides vital basing for four UK mine-hunters in Al-Mina port, stationed in the Gulf to keep the Strait of Hormuz clear and contributes approximately 100 personnel in support of US forces in ISAF in Afghanistan.
36. The UK routinely hosts Bahraini-funded students at Sandhurst, Cranwell and Dartmouth and provides in-country UK Officer Training Programmes to the same high standards received by UK armed forces, which helps ensure professionally-trained armed forces and raises awareness of human rights. The Government firmly believes that continued engagement provides the opportunity to support reform within the Bahraini military and beyond.

### **Defence sales**

37. The Government considers export licence applications for all defence equipment carefully against the Consolidated EU and National Arms Export Licensing Criteria. Shortly after the start of the Arab Spring, the Government reviewed all existing export licences for military and dual-use equipment for all countries in the Middle East, and in the case of Bahrain recommended revoking 23 individual export licences and removing the country from 18 open licences. The licences revoked covered equipment which could be used for riot control destined for end

users including the Police, Ministry of Interior, the Bahrain National Guard and the Bahrain Defence Force (BDF). Licences which were not revoked included goods such as aircraft components for the BDF.

### **Bahrain as a foreign policy partner for the UK, particularly with regard to Iran and Syria and as members of international and regional organisations**

38. We regularly discuss Iran with Bahrain, both at ministerial and official level. Bahrain shares our concerns about Iran's nuclear programme and Iranian interference across the region, and has been a partner in implementing sanctions against the Iranian regime.

39. Bahrain co-sponsored the 3 August UN General Assembly resolution on Syria, which voted overwhelmingly to demand that the Syrian regime ended violence and for all parties to implement the UN and Arab League's political transition plan.

### **The implications of the Arab Spring for UK foreign policy in its relations with Bahrain**

40. From 14 February 2011 until martial law and a State of Emergency were imposed by HM King Hamad in mid-March 2011, demonstrations demanding socio-economic and political reform took place in Bahrain. More than 35 people were killed, thousands arrested and many lost their jobs. Following a request from the Bahraini Government, Gulf Co-operation Council troops and police entered Bahrain on 14 March under operation 'Peninsula Shield' to safeguard installations and infrastructure points. In response to international condemnation and pressure, the State of Emergency was lifted in June. A 'National Dialogue' was launched in July 2011 to bring together various segments of Bahraini society to discuss areas of reform in political, social, economic and human rights issues. FCO Minister for the Middle East Alistair Burt said on 29 July 2011 *'We welcome this month's National Dialogue which has been a first step as the Bahraini people seek to overcome Bahrain's challenges. Its long-term success, however, will depend on how the government and parliament takes forward its recommendations. Effective implementation of those recommendations that were agreed, with the active participation of Bahrain's communities, will be vital in ensuring reconciliation, stability and prosperity. So too will be further genuine reform which addresses the broader issues which have been raised by the Bahraini people. Ensuring an ongoing and inclusive process will be crucial and we continue to urge all parties to remain engaged.'*

41. King Hamad commissioned an independent investigation to look in to human rights abuses that took place during the events of February and March, known as the Bahrain Independent Commission Inquiry (BICI). This was the first time that

any government in the region had set up an international investigation into allegations of state abuse. The BICI reported its findings on 23 November 2011. The Commission found the authorities to be severely at fault. In particular, it said the use of torture and excessive force was “systemic and systematic”. King Hamad promised to implement reforms based on the Commission’s recommendations and hold to account those responsible for committing human rights abuses. The BICI found no evidence that GCC Peninsula Shield forces had been involved in human rights abuses.

42. A National Commission was established to advise the Government of Bahrain on implementation of the BICI recommendations; when that closed in March 2012 a ‘BICI Follow Up Unit’ was set up under the patronage of the Justice Minister to oversee implementation of reforms. Many reforms based on the outcomes of the National Dialogue and BICI have been introduced over the last 12 months, most notably:

- constitutional amendments that give the Council of Representatives increased authority and strengthened their supervisory role over the work of the Cabinet;
- a Special Investigations Unit has been established to determine the accountability of those who committed unlawful or negligent acts resulting in the deaths, torture or mistreatment of civilians;
- an independent Ombudsman in the Ministry of the Interior has been established to receive complaints and grievances and to oversee and conduct investigations;
- new Police Code of Conduct introduced based on international best practice;
- audio-visual recording equipment has been installed in prison and detention centres;
- all charges relating to freedom of expression have been dropped;
- convictions and sentences that were handed out by a Special Military Tribunal have been/will be reviewed in civilian courts; and
- a Victims Compensation Fund has paid out \$2.6m to victims and their families (at time of submission).

43. While much has been achieved, we have made clear to the Bahraini authorities that much remains to be done including to implement the BICI recommendations in full. For example:

- more steps should be taken to relax censorship and allow the opposition greater access to media outlets in country;

- investigations by the Special Investigations Unit have only resulted in the conviction of three police officers so far, the highest at Lieutenant Colonel level, and accountability remains a contentious issue;
- the rebuilding of Shia mosques destroyed during the unrest is still very much work in progress;
- despite the announcement of the recruitment of 1000 community police officers from mixed backgrounds, there remains a lack of integration and mixed sect recruitment across the security forces in Bahrain.

44. In May 2012, Bahrain underwent its second Universal Periodic Review in the UN Human Rights Council. It accepted 145 recommendations in full, and 13 partially, and voluntarily undertook to produce an interim report to update the Council on progress made before the next review in four years' time.

45. We still have concerns about human rights violations not covered by the BICI and will continue to press the Government to fulfil its commitment of full implementation of reforms based on the Commission's recommendations. This is one of the reasons why Bahrain is considered under the FCO's newly-created quarterly review system on human rights indicating the level we feel appropriate given our concerns and in view of the current trend.

**How the UK can encourage democratic and liberalising reforms in Bahrain, including its power to effect improvements**

46. As a friend and ally, the UK has and will continue to support Bahrain's steps towards reform. From the outset of protests, we made clear our concerns to the Government about the heavy-handed treatment of protestors. We supported the establishment of the BICI, and welcomed the King's agreement to implement all its recommendations in full. We have pressed all sides to engage and met frequently with major opposition groups such as Al Wefaq, while urging the Government to uphold its commitments and obligations.

47. The unrest saw the increased politicisation of the Sunni community, existing political societies re-energised and the emergence of splinter groups across the political spectrum. With more political actors on the scene, engaging in an inclusive and constructive dialogue is proving more difficult than ever before. There are also certain extremist groups, such as the 14 February Youth Coalition, who are continuing with a strategy of violence and disruption, and some within Government who are opposed to further reform; this severely undermines attempts for reconciliation. The increase in violent protests, particularly since April of this year, is further exacerbating the divisions in society and making progress on political dialogue more difficult. On 13 June two bomb-making factories were discovered by the Bahraini authorities. According to them, the nature of the

explosives found indicated they were ready for use in co-ordinated and simultaneous attacks that would have resulted in mass casualties and damage. On 5 November five improvised explosive devices were planted, which resulted in the death of two civilians and seriously injured another.

48. Further to the human rights reforms agreed under the BICI and UPR discussions, we have made clear that there needs to be dialogue on reform between the Government and all political societies in Bahrain, including representatives from all community groups. The solution must be agreed by Bahrainis and for all Bahrainis, and we encourage and press all parties to begin a dialogue process without preconditions. The UK continues to offer to share our experience in negotiations with the Government and parties of Bahrain.
49. Throughout 2012 we have hosted a number of high-level delegations including HM The King, HRH The Crown Prince, and the Ministers for Justice, Human Rights and the Interior. Continuous high-level engagement allows us to have frank and honest conversations. We frequently lobby the Bahraini Government on issues that concern us, particularly human rights. Bahrain has taken the first steps on a long-term process of reform and the Government assures us it has made efforts to address mistakes made and to try guarantee they are never repeated. But much more remains to be done. We strongly urge the Bahraini Government to continue on this path of reform to achieve the long-term stability which is in the interest of all the Bahraini people.
50. The difficult relationship between Bahrain and Iran is underpinned by suspicion and Bahraini claims of Iranian interference in their domestic affairs through links with the Bahraini Shia community. Since the Arab Spring began, the Government of Bahrain has claimed that Iran is providing support to dissident groups and promoting violence. It has been difficult to substantiate these claims and we note that the BICI report on the events of spring 2011 found no evidence to support them. However, we are concerned that Iran and other foreign actors have moved from exploiting the political and propaganda opportunities offered by continuing unrest in Bahrain to offering more direct support to some radical Bahraini Shia opposition elements which are pursuing increasingly violent tactics.

**The long-term trends and scenarios in the region for which the FCO should prepare, and the extent to which it is doing so**

51. Through MENA Research Analysts (MENARG) and FCO Policy Unit, the FCO regularly engages in horizon-scanning and trend analyses to inform the UK's political and economic work in the region. As outlined in the FCO's 2011 report to the Foreign Affairs Committee, 'British Foreign Policy and the Arab Spring: The Transition to Democracy' such policy work led to the creation of the UK's Arab Human Development initiative before the Arab Spring. This has subsequently



been renamed the Arab Partnership and supports projects that promote a more open societies and economies in the Middle East.

52. The Gulf states are not homogenous: the precise combination of challenges for each state, the urgency with which action is needed, and the strategies adopted to deal with them vary considerably. Countries in the Gulf, as elsewhere in the world, will need to find ways to adapt to the changing demands of their people. As the Prime Minister said during his recent Gulf visit *“We should recognise that all countries are different, that they have different pathways, different histories, different cultures, and we should recognise in many of our strong Gulf partners... you have the growth of what I call the building blocks of open societies and democracies.”*
53. Since the beginning of 2011, all the Gulf states have increased their spending on measures such as food and fuel subsidies, public sector wages and investments in housing and infrastructure. For many Gulf states, this will be unsustainable in the longer-term. Gulf states will face the common challenge of maintaining financial discipline in the face of rising public sector spending. Further challenges will include the need to continue diversifying their economies and reducing dependence on hydrocarbon revenues and vulnerability to energy price fluctuations. In addition, the Gulf states need to create productive employment opportunities, in particular in the private sector, for increasing numbers of young nationals entering the jobs market each year. Crucially, they need to invest in high quality education to provide young people with the skills they need to take advantage of these opportunities, thereby also reducing their dependence on expatriate labour.
54. Gulf states will also need to manage issues of identity and tackling sectarianism. The unrest in Bahrain has taken on an increasingly sectarian nature, driven by the political and economic grievances of the Shia majority. Continuing low-level unrest in parts of Saudi Arabia’s Eastern Province also has a strong sectarian dimension, and sectarian tensions have been exacerbated in Kuwait.
55. The Government believes that it is firmly in the UK’s interest for the Gulf states to address these challenges successfully and that we have a role, as a long-standing friend and ally, in helping them do so.

**The extent to which the FCO has the resources, personnel and capacities required for effective policy in the region**

56. To achieve the FCO’s policy goals, we need the right workforce with the right skills in the right places. The 2012 Strategic Workforce Plan has ensured we are deploying the right staff where they are needed, including locally-engaged staff who are so essential to our work in the Gulf and across the network. Reflecting

the increase in our work in the Gulf, we have increased our staffing in the region, with the creation of four new UK-based slots across the Gulf. We have also increased our local staffing where required.

57. Through the Diplomatic Excellence programme we are strengthening core policy-making skills, expanding economic and commercial diplomacy expertise across the FCO and increasing our language proficiency, particularly in Arabic. In 2011/12, we have designated a further six UK-based roles in the Gulf network as Arabic speaker slots to ensure that we have the right language skills in place.

*19 November 2012*

## Written evidence from The Redress Trust (REDRESS)

### SUMMARY OF SUBMISSIONS

- The reported prevalence of torture in Bahrain and Saudi Arabia has been a long-standing concern. These concerns have become particularly acute in the context of uprisings across the Arab region, with mounting evidence of resort to systematic torture in response to demands for democratic reform.
- REDRESS is concerned that the overall picture given by FCO statements on human rights issues in Bahrain is one of gradual progress; however reforms, including on the prohibition of torture appear to have been piecemeal and superficial, and there are strong indications that the human rights situation is in fact again deteriorating.
- The FCO's interactions have sent mixed messages. Human rights concerns should inform FCO policy towards Bahrain, particularly in matters of cooperation, and should also be adequately reflected in diplomatic statements.
- There appears to be a willingness to accept Saudi Arabia's blanket denial of torture at face value even though the UK is aware of, and has repeatedly received credible evidence of systemic torture in Saudi Arabia, including of several UK nationals.
- Consistent reports over many years demonstrate the legacy and systemic nature of torture in Saudi Arabia, and the FCO's assertion that there have been incremental improvements is disconcerting.
- The UK's foreign policy should reflect a principled and coherent policy on human rights and torture specifically. While Saudi Arabia has been considered by the FCO as a country of concern, Bahrain has not. Objective criteria for such determinations should be devised and made public.
- The UK's foreign policy must avoid in any way condoning or being seen to condone torture by not speaking out clearly to condemn violations of the prohibition of torture and take other appropriate measures in response to allegations of torture.

### INTRODUCTION

1. The Redress Trust (REDRESS) is an international human rights organisation whose mandate is to seek justice for torture survivors. REDRESS' work has included making written submissions to UK's parliamentary committees, including recently to the Foreign Affairs Committee (the Committee) for its 2012 *Annual Inquiry into the FCO's Human Rights Work in 2011*<sup>1</sup> on matters concerning torture.

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<sup>1</sup> House of Commons Foreign Affairs Committee - Third Report: The FCO's human rights work in 2011, 11 September 2012, available at <http://www.publications.parliament.uk/pa/cm201213/cmselect/cmfaff/116/116.pdf>.

2. REDRESS has an ongoing interest in seeing, in the states under review, the effective strengthening of the absolute prohibition against torture, the prevention of torture, its proper investigation when it occurs, accountability for perpetrators, and reparation for victims.

3. The UK's foreign policy towards Bahrain and Saudi Arabia should be principled and coherent and should include effective support for torture survivors. It should reflect UK values of respect for human rights and the rule of law, and should not be compromised because of counter-terrorism, economic and/or other concerns.

4. In Bahrain, torture had become a symbol of repression and humiliation whose exposure has acted as a rallying cry for protestors. While its use to suppress the 2011 protests has been well documented by the report of the Bahrain Independent Inquiry Commission (BICI), available evidence suggests that torture and ill-treatment are still used in response to ongoing protest. In Saudi Arabia, torture has long been of serious concern and amongst its victims have been UK nationals who to this day have not received reparation for their intense suffering.

## **SUBMISSION**

### **A. AREAS OF CONCERN IN RELATION TO BAHRAIN**

4. REDRESS is concerned that the overall picture given by FCO statements on human rights issues in Bahrain is one of gradual progress,<sup>2</sup> when to date reforms, including on the prohibition of torture and ill-treatment, appear to have been piecemeal and superficial, and there are strong indications that the human rights situation is in fact again deteriorating. Furthermore, any moderate criticism raised by the FCO in some of its statements, has not been reflected in the UK's ongoing cooperation on trade and security issues.

5. The Bahrain government has shown that it will respond to serious criticism on its human rights record, particularly from its allies, as demonstrated by the decision to set up the BICI. However, it has equally referred to UK statements and policies, which convey mixed messages, when seeking to justify continuing human rights violations. For example, on 11 November 2012, shortly after the Bahrain government imposed a complete ban on protests (which was strongly criticised by the Minister Burt<sup>3</sup>) and revoked nationality from 31 citizens who have been critical of the government, the official news agency reported "*British Ambassador in Bahrain condemns acts of violence in Bahrain; asserts cooperation with Bahrain in combating terrorism*".<sup>4</sup> The news agency's report referred to the Ambassador's condemnation of violence "*recently seen in ... Bahrain*", ongoing UK cooperation in domestic security matters, and soon to be announced trade agreements between the UK and Bahrain.

6. We set out below some key concerns on the current human rights situation in Bahrain, which should inform FCO policy towards Bahrain, particularly in matters of cooperation, and should also be adequately reflected in diplomatic statements.

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<sup>2</sup> See for example 'Foreign Secretary discusses progress on political dialogue with Crown Prince of Bahrain', 12 October 2012, available at: <http://ukinbahrain.fco.gov.uk/en/news/?view=News&id=821501882>; FCO, 'Quarterly Updates: Bahrain', 30 September 2012 and 30 June 2012 available at: <http://fcohrdreport.readandcomment.com/the-arab-spring/case-study-bahrain/quarterly-updates-bahrain/>.

<sup>3</sup> FCO, 'Foreign Office Minister concerned at ban on protests in Bahrain', 30 October 2012, available at: <http://www.fco.gov.uk/en/news/latest-news/?view=News&id=828585982>.

<sup>4</sup> Bahrain News Agency, 'British Ambassador in Bahrain condemns acts of violence in Bahrain; asserts cooperation with Bahrain in combating terrorism', 11 November 2012, available at: <http://www.bna.bh/portal/en/news/532630>.

(i) *Bahrain's failure to hold officials of all levels to account for gross human rights violations, including systematic torture and ill-treatment*

7. In December 2011, the BICI delivered its report, finding that state agencies had been responsible for numerous and serious human rights violations during the period February to June 2011.<sup>5</sup> In particular, the Commission found that “*many detainees were subjected to torture and other forms of physical and psychological abuse while in custody*”, and that the use of torture and other mistreatment was a “*systematic practice*”.<sup>6</sup>

8. The Bahraini government accepted the recommendation of the Commission to hold those responsible for these violations to account,<sup>7</sup> and has made amendments to provisions of its criminal laws and introduced measures including the setting up of a special investigations unit within the public prosecution to “*investigate unlawful or negligent acts that resulted in deaths, torture and mistreatment of civilians*”.<sup>8</sup> However REDRESS has concerns that the reforms have not been matched by the required structural changes in the institutions already deeply implicated in the human rights violations concerned, including the public prosecution and judiciary, leading to serious questions about their independence and impartiality.<sup>9</sup>

9. Given the scale of the violations recorded in the report of the Commission,<sup>10</sup> these concerns are strengthened by the selection of charges and results of prosecutions to date, which have not yet led to any convictions for torture and have led to only one conviction in relation to the death of a protestor and one for causing permanent disability.

10. By August 2012, investigations had reportedly resulted in charges being brought against 22 state officials (although it was not reported on what charges);<sup>11</sup> in September 2012 the public prosecution brought charges against a further seven police officers in relation to allegations of torture and ill-treatment of a number of medical doctors detained in 2011 (although only two are being tried for torture).<sup>12</sup>

11. According to the information available to REDRESS,<sup>13</sup> trials to date have resulted in the following:

- In September 2012 a first lieutenant of the Ministry of the Interior was convicted and sentenced to seven years imprisonment for the “accidental death” of a an unarmed

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<sup>5</sup> For a summary see Report of the Bahrain Independent Commission of Inquiry, 23 November 2011, Chapter XII, General Observations and Recommendations, available at: <http://www.bici.org.bh/BICIreportEN.pdf>.

<sup>6</sup> Report of the Bahrain Independent Commission of Inquiry, 23 November 2011, *ibid*, para. 1694.

<sup>7</sup> See, for example, the speech of King Hamad on acceptance of the BICI report, 23 November 2011 (“*Officials who have not been up to their task must be held accountable, and be replaced*”), available at: <http://www.bna.bh/portal/en/news/481652>.

<sup>8</sup> Wording of Recommendation 1716 of the BICI Report, above. See the report of the National Commission on Implementation, progress on recommendation 1716, available at: <http://www.biciactions.bh/wps/portal/BICI>.

<sup>9</sup> See, eg. FIDH, ‘Bahrain: Silencing Dissent’, September 2012, pp. 26-7, available at:

<http://www.fidh.org/IMG/pdf/rapbahrain595a.pdf>; Human Rights Watch, ‘Bahrain: Vital Reform Commitments Unmet’, available at: <http://www.hrw.org/news/2012/03/28/bahrain-vital-reform-commitments-unmet>.

<sup>10</sup> For a summary see the BICI Report, above, Chapter XII.

<sup>11</sup> Human Rights Watch, ‘Bahrain: Act on UN Human Rights Commitments’, 19 September 2012, available at: <http://www.hrw.org/news/2012/09/19/bahrain-act-un-human-rights-commitments>.

<sup>12</sup> Al Jazeera, ‘Bahrain charges police officers with torture’, 18 September 2012, available at:

<http://www.aljazeera.com/news/middleeast/2012/09/201291812655610450.html>. The two defendants facing the “most serious” charges were referred to the High Criminal Court over the “use of torture and threats against six medic detainees, for the purpose of forcing a confession”; while five officers were charged with offences before the Lower Criminal Court.

<sup>13</sup> REDRESS sought confirmation from the Attorney-General’s Office of the most up to date figures by letter dated 1 November 2012, but has not received a response as of 19 November 2012.

protestor who was shot at least three times while running away from police.<sup>14</sup> However, two other accused officers standing trial for murder of two other individuals (both unarmed protestors, one who was shot in the head at close range, and one shot at least three times in the thigh at close range<sup>15</sup>) were acquitted (the Public Prosecution has filed an appeal).

- One corporal was convicted in June 2012 of “*unintentionally causing permanent disability to a victim*”, and sentenced to five years imprisonment.<sup>16</sup> It has been reported that on 9 November 2012 that sentence was reduced to three years imprisonment, and suspended.<sup>17</sup>
- A police officer tried on charges of using force to extract a confession (from a France 24 journalist), was acquitted in October 2012 (the Public Prosecution has filed an appeal).<sup>18</sup> The journalist alleges that other named officials were directly involved in her torture,<sup>19</sup> but these individuals have not been prosecuted.
- Two officers were sentenced in June 2012 to three months imprisonment for mistreatment.<sup>20</sup>

12. The very small number of convictions on minor offences are in marked contrast to the numerous speedy trials and convictions of protestors, opposition leaders, trade union officials and human rights activists (see further section (iii) below) which have resulted in lengthy sentences of up to life imprisonment.

#### (ii) *Evidence of ongoing torture and ill-treatment*

13. There is significant evidence that torture and ill-treatment by security sector personnel continues in Bahrain, despite the commitments to reform, and that this is not limited to the excessive use of force in controlling protests.

14. A number of high profile cases since the release of the BICI report indicate the ongoing use of torture and ill-treatment and excessive use of force resulting in death. These include severe beating of protestors by police caught on camera on 16 December 2011;<sup>21</sup> the deaths in custody of Yousif Ahmed Muwali, Muntadher Saeed Fakhar, and Mohamed Ebrahim Yaqoob in January 2012;<sup>22</sup> the

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<sup>14</sup> Concerning the death of Hani Abdel Aziz in 2011. Middle East Online, ‘Bahrain policeman sentenced to 7 years for killing protester’, 27 September 2012, available at: <http://www.middle-east-online.com/english/?id=54606>. See also: ‘Bahrain: Impunity for protesters’ killers: acquittal of 2 policemen and a light sentence for the third’, <http://abna.ir/data.asp?lang=3&id=353196>; report of the BICI Inquiry, above, paras. 945-949. A response to the letter dated 1 November 2012 was received on 12 December 2012.

<sup>15</sup> Concerning the deaths of Ahmed Farhan Ali Farhan and Ali Ahmed Abdulla Moumen. See the report of the BICI Inquiry, above, at paras. 921-9. A response to the letter dated 1 November 2012 was received on 12 December 2012.

<sup>16</sup> Human Rights Watch, ‘Bahrain: Act on UN Human Rights Commitments’, 19 September 2012, available at: <http://www.hrw.org/news/2012/09/19/bahrain-act-un-human-rights-commitments>; BBC, ‘Three Bahrain policemen face murder trial’, 27 June 2012, available at: <http://www.bbc.co.uk/news/world-middle-east-18606537>.

<sup>17</sup> Marc Owen Jones, ‘Friday 9th in Bahrain: The Crackdown Escalates’, 9 November 2012, available at: <http://marcowenjoness.wordpress.com/2012/11/09/today-in-bahrain-the-crackdown-escalates/>.

<sup>18</sup> BNA, ‘Public Prosecution Appeals Court Rulings of 2 Cases in which Public Security Officers Were Involved’, 29 October 2011, available at: <http://www.bna.bh/portal/en/news/531061>.

<sup>19</sup> Committee to Protect Journalists, ‘Bahrain acquits officer on charges of torturing a journalist’, 24 October 2012, available at: <http://cpj.org/2012/10/bahrain-acquits-officer-on-charges-of-torturing-a.php>.

<sup>20</sup> Al Jazeera, ‘Bahrain charges 15 police officers with abuse’, 3 July 2012, available at: <http://www.aljazeera.com/news/middleeast/2012/07/201273131258783118.html>.

<sup>21</sup> See, Human Rights Watch, ‘Bahrain: Police Brutality, Despite Reform Pledges’, 29 April 2012, available at: <http://www.hrw.org/news/2012/04/29/bahrain-police-brutality-despite-reform-pledges>.

<sup>22</sup> See FIDH, ‘Bahrain: Silencing Dissent’, September 2012, p. 16, available at: <http://www.fidh.org/IMG/pdf/rapbahrain595a.pdf>.

death of 22-year old citizen journalist, Ahmed Ismail, in March 2012;<sup>23</sup> the death of protestor, Salah Abbas Habib, in April 2012;<sup>24</sup> and the deaths of two protestors, Hossam Al Haddad and Hussein al-Ni'ma, in August and September 2012.<sup>25</sup> However, there has been no transparent investigation or accountability for these incidents. Most recently in the case of 16 year old Hossam Al Hadda, who was killed by birdshot wounds, charges against a police officer alleged to have been responsible were dropped on the grounds that the officer was acting in self-defence.<sup>26</sup>

15. Perhaps because of the increased outside scrutiny following the BICI report, it appears that torture and ill-treatment has largely been displaced from detention centres to deliberate targeting of protestors and bystanders during and after protests. On a five day visit to Bahrain in April-May 2012, REDRESS took statements from a number of individuals who described having been tortured or ill-treated in the following ways:

- deliberate targeting at the head and upper body with tear gas canisters;
- deliberate targeting at the face and eyes by bird shot pellets;
- being chased from protests and beaten in a field by riot police;
- being beaten after having been arrested while restrained and in a police car;
- being taken to a police training camp after being arrested at a protest and being tortured over the course of a night, including by successive beatings and being threatened with death.

16. Many of those interviewed still displayed visible injuries consistent with their testimony at the time these statements were taken.<sup>27</sup>

17. Although some protests have undoubtedly been violent, including the use of Molotov cocktails, there is no justification for deliberate disproportionate use of force in protests, and police beatings outside of them. In fact it appears likely that such actions by the security services have spurred on further violence and escalation.<sup>28</sup>

18. In its more recent statements, the FCO has referred to "instances of excessive force" during protests by the police<sup>29</sup> but has not referred to the allegations of ongoing use of torture and ill-treatment within and outside that context. The FCO must take these allegations seriously, and press for access to independent medical expertise (that is, not institutionally tied to the public prosecution of security apparatus) in documenting such allegations.

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<sup>23</sup> Ibid, pp. 12-13.

<sup>24</sup> Guardian, 'Bahrain protester found dead on eve of grand prix', 21 April 2012, available at: <http://www.guardian.co.uk/world/2012/apr/21/bahrain-protester-dead-grand-prix>.

<sup>25</sup> FCO, 'Quarterly Updates: Bahrain', 30 September 2012, above.

<sup>26</sup> AFP, 'Bahrain court denies bid for activist's release', 8 October 2012, available at: <http://www.google.com/hostednews/afp/article/ALeqM5jZzhmn3lBUzvtkVTGarhQzb9EXVQ?docid=CNG.92c98774a8ff6a9d3c066e52b0b88c98.a71>.

<sup>27</sup> REDRESS conducted these interviews in tandem with doctors from the IRCT experienced in documenting allegations of torture and ill-treatment under the Istanbul Protocol.

<sup>28</sup> On this, see Human Rights Watch, 'Bahrain: Police Brutality, Despite Reform Pledges', 29 April 2012, available at: <http://www.hrw.org/news/2012/04/29/bahrain-police-brutality-despite-reform-pledges>.

<sup>29</sup> See, eg. FCO, 'Quarterly Updates: Bahrain', 30 September 2012, above: ("*The police generally continue to handle provocation professionally but instances of excessive force and the indiscriminate use of teargas continue*").

(iii) *Restrictions on and retaliation against civil society and imprisonment for exercise of right to free speech*

19. The response to the protests of 2011 was a shutting down of political opposition and the already tightly controlled civil society, with the arrest of prominent opposition figures, human rights activists, lawyers, and trade union officials – many of whom remain in prison following trials over which serious concerns have been raised, including by the UK government.<sup>30</sup>

20. Again, despite commitments to reform following the adoption of the BICI report, severe restrictions on freedom of speech and freedom of association have continued. Some of the previously existing civil society organisations have either had leading members detained and prosecuted,<sup>31</sup> or their operation otherwise interfered with.<sup>32</sup> This is made possible by restrictive laws, such as Law no. 21 of 1989 on Associations, which makes the prior explicit approval of the Ministry of Human Rights a requirement for any association activity.<sup>33</sup>

21. Retaliation against those criticising the government hardened in the second half of 2012, and the failure of international actors, and most importantly its allies, to speak out clearly against such actions has contributed to a worsening human rights situation in the country. This has included:

- the arrest of prominent members of civil society including Nabeel Rajab, Zainab Al Khawaja, Mohamed Al Maskati and Said Yousuf al-Mahafdha;
- campaigns of intimidation and harassment of those participating internationally in UN human rights processes, including threats of legal action by state authorities against those participating in the UN Universal Periodic Review process in May;<sup>34</sup>
- the banning of all protests on 30 October 2012;<sup>35</sup>
- the revocation of citizenship of 31 Bahraini nationals, among them prominent political dissidents, on 7 November 2012.<sup>36</sup>

22. Restrictions have also been placed on international human rights organisations wishing to visit Bahrain to carry out monitoring activities. This has included limiting the number of international organisations allowed to visit the country, restricting visas to five business days only, and limiting the types of human rights activities that non-governmental organisations are authorised to carry out.

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<sup>30</sup> See, eg FCO, 'Quarterly Updates: Bahrain', 30 September 2012, above.

<sup>31</sup> Such as the prosecution of former leaders of the Bahrain Teachers Association, Mahdi 'Issa Mahdi Abu Dheeb and Jalila al-Salman: Amnesty International, 'Bahrain Teachers now prisoners of conscience', 15 October 2012, <http://www.amnesty.org/en/appeals-for-action/JalilaAndMahdi>.

<sup>32</sup> For example, the election of the Board of Directors of the Bahraini Bar Association in November 2011 was annulled by the Ministry of Human Rights in December 2011.

<sup>33</sup> See FIDH, 'Bahrain: Silencing Dissent', above, p. 17.

<sup>34</sup> See REDRESS's letter to the Minister of State for Human Rights, 27 May 2012, available at: <http://www.redress.org/downloads/country-reports/1105%20Letter%20to%20Bahrain%20Minister%20of%20Human%20Rights.pdf>.

<sup>35</sup> New York Times, 'Citing Violence, Bahrain Bans All Protests in New Crackdown', 30 October 2012, available at: <http://www.nytimes.com/2012/10/31/world/middleeast/bahrain-bans-all-protests-in-new-crackdown.html>.

<sup>36</sup> New York Times, 'In Crackdown, Bahrain Revokes the Citizenship of 31 People', 7 November 2012, available at: <http://www.nytimes.com/2012/11/08/world/middleeast/bahrain-revokes-citizenship-of-31-people-in-bid-to-quell-dissidents.html>.



(iv) *Deflection of criticism by reliance on international expertise without appropriate follow-up*

23. As a broader point, REDRESS is concerned that the Government of Bahrain has on a number of occasions deflected mounting criticism on its human rights record by bringing in international expertise to assist in implementing reform in the justice and security sectors. However, there has not been sufficient scrutiny built in to the process to allow the experts involved to follow up on the practical effect and implementation of their proposals or recommendations at regular intervals. Effective follow-up on implementation is an issue that should be addressed and specifically included in any future international cooperation on reforms to the security and justice sectors, and scrutiny of alleged human rights violations.

### C. AREAS OF CONCERN IN RELATION TO SAUDI ARABIA

24. Saudi Arabia is listed as a country of concern in the FCO's current annual human rights and democracy report,<sup>37</sup> but the extent to which torture and other ill-treatment has been a serious long-standing problem has not received adequate attention. The FCO reports that 'Confessions' are forced out of detainees by beatings, electric shocks and other forms of torture and ill-treatment,<sup>38</sup> adding that "reports of torture are difficult to verify."<sup>39</sup> The FCO also recalls that: "EU Ambassadors raised allegations of torture in their meeting with the justice minister in December. His response was that torture does not occur in Saudi Arabia and that any accusations relating to torture would be fully investigated."<sup>40</sup>

25. This extract suggests a willingness to accept Saudi Arabia's blanket denial at face value even though the UK is aware of, and has repeatedly received credible evidence of systemic torture in Saudi Arabia, including of several UK nationals. Ron Jones, Les Walker and Sandy Mitchell have been seeking justice from Saudi Arabia for the torture they suffered, and REDRESS has intervened in their case pending before the European Court of Human Rights.<sup>41</sup> Another UK victim, Bill Sampson, who was part of the same case, sadly died earlier this year without achieving his long fight for justice. REDRESS' founder, Keith Carmichael, who was tortured in Saudi Arabia in the early 1980s, has never been compensated. Saudi Arabia has failed to acknowledge what it has done to men such as these, or to offer reparation, or to hold the perpetrators accountable. Furthermore, although there is no adequate and effective remedy in Saudi Arabia the UK has not considered espousing a claim on the basis of diplomatic protection in Mr Carmichael's case.

26. The FCO, when referring to the difficulty of verifying reports of torture fails to comment on *why* torture is difficult to verify – because of the repressive and political and legal framework, lack of a free media and independent judiciary, restrictions on civil society, and in sum a complete absence of democracy. There is overwhelming evidence of the widespread and systematic violation of human

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<sup>37</sup> United Kingdom Foreign and Commonwealth Office, *Human Rights and Democracy: The 2011 Human Rights and Democracy Report*, April 2012, available at <http://fcohrdreport.readandcomment.com/wp-content/uploads/2011/02/Cm-8339.pdf>. Torture is referred to at pages 307-308.

<sup>38</sup> Ibid, page 308. The FCO refers to concerns recently raised by Amnesty International contained in its report *Saudi Arabia: Repression In The Name Of Security*, 2011, available at [http://amnesty.org.uk/uploads/documents/doc\\_22174.pdf](http://amnesty.org.uk/uploads/documents/doc_22174.pdf). The Amnesty International report states at page 4: "Torture and other ill-treatment facilitated by incommunicado detention remain rife because interrogators know they can commit their crimes without fear of punishment. The abuse is also encouraged by the ready acceptance by courts of "confessions" forced out of detainees using beatings and other forms of torture and other ill-treatment."

<sup>39</sup> United Kingdom Foreign and Commonwealth Office, *Human Rights and Democracy: The 2011 Human Rights and Democracy Report*, April 2012, page 307.

<sup>40</sup> Ibid, page 308.

<sup>41</sup> The intervention can be found at <http://www.redress.org/Jones%20v%20UK%20Mitchell%20and%20Others%20v%20UK24%20February%202010.pdf>.

rights in Saudi Arabia in which the practice of torture, both of Saudi and foreign nationals, flourishes.<sup>42</sup>

27. Saudi Arabia is a state party to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) which places an obligation on states to take effective legislative, administrative, judicial or other measures to prevent torture as defined in article 1, including by making it a criminal offence. However, there is no sign that Saudi Arabia has taken seriously the particular recommendations set out by the UN Committee against Torture (CAT) in its report on Saudi Arabia in 2002.<sup>43</sup>

28. Consistent reports over many years demonstrate the legacy and systemic nature of torture in Saudi Arabia. In 1997 REDRESS and the Parliamentary Human Rights Group published a comprehensive report<sup>44</sup> documenting “torture [as] one of the most cruel forms of the exercise of state power in Saudi Arabia.....[which] takes place in a context of arbitrary arrest, detention without trial, incommunicado detention and restricted access by prisoners to their families and lawyers.”<sup>45</sup> How little has changed in the interim is reflected by Saudi Arabia’s failure to implement CAT’s 2002 recommendations as referred to above and by the torture of more UK nationals, as well as more recently by the repression unleashed as a response to protests demanding reforms.

29. According to Amnesty International: “Since March 2011 the Saudi Arabian authorities have launched a new wave of repression in the name of security.”<sup>46</sup> Other organisations too have recorded how the Government invokes national security to justify repression of minorities and dissidents<sup>47</sup> and how its armed forces have used live fire and other repressive tactics to suppress the protests.<sup>48</sup> It is in this climate that the risk of torture is increasing, and despite the difficulty of obtaining information enough is known for it to be said that “security suspects are generally held incommunicado...often for months [...]. Many are tortured or otherwise ill-treated.”<sup>49</sup> In the context described, it is disconcerting for the FCO to say that “[o]verall, the Saudi Arabian government’s

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<sup>42</sup> In addition to the FCO’s own reports, see for example the U.S. Department of State, *Country Reports of Human Rights Practices for 2011*, and Saudi Arabia available at <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.

The report includes: “The most important human rights problems reported included citizens’ lack of the right and legal means to change their government; pervasive restrictions on universal rights such as freedom of expression, including on the Internet, and freedom of assembly, association, movement, and religion; and a lack of equal rights for women and children, as well as for workers. Other human rights problems reported included torture and other abuses, poor prison and detention centre conditions, holding political prisoners and detainees, denial of due process and arbitrary arrest and detention, and arbitrary interference with privacy, home, and correspondence...Lack of governmental transparency and access made it difficult to assess the magnitude of many reported human rights problems...There were reports that some members of the security forces and other senior officials, including those linked to the royal family, committed abuses with impunity.”

<sup>43</sup> *Conclusions and recommendations of the Committee against Torture: Saudi Arabia. 12/06/2002. CAT/C/CR/28/5. (Concluding Observations/Comments)*, available at

[http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/CAT.C.CR.28.5.En?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/CAT.C.CR.28.5.En?Opendocument).

<sup>44</sup> REDRESS and the Parliamentary Human Rights Group, *Torture in Saudi Arabia: No protection, No Redress*, November 1997.

<sup>45</sup> *Ibid*, page 5.

<sup>46</sup> Amnesty International, *Saudi Arabia: Repression In The Name Of Security*, 2011, page 3, available at [http://amnesty.org.uk/uploads/documents/doc\\_22174.pdf](http://amnesty.org.uk/uploads/documents/doc_22174.pdf).

<sup>47</sup> United States Commission on International Religious Freedom, *USCIRF Annual Report 2012 - Countries of Particular Concern: Saudi Arabia*, 20 March 2012, available at: <http://www.unhcr.org/refworld/docid/4f71a673a.html>

<sup>48</sup> Jamestown Foundation, *Repression Begets Rebellion in Saudi Arabia's Eastern Province*, 10 September 2012, available at: <http://www.unhcr.org/refworld/docid/505059ac2.html>.

<sup>49</sup> Amnesty International, *Amnesty International Annual Report 2012 - Saudi Arabia*, 24 May 2012, available at: <http://www.unhcr.org/refworld/docid/4fbc39142d.html>. See too Human Rights Watch, *World Report 2012: Saudi Arabia*: “Detainees, including children, commonly face systematic violations of due process and fair trial rights, including arbitrary arrest and torture and ill-treatment in detention. Saudi judges routinely sentence defendants to thousands of lashes”; available at <http://www.hrw.org/world-report-2012/world-report-2012-saudi-arabia>.

approach to human rights, led by the king, has been to continue making incremental improvements, while recognising the tensions between reform and tradition in this inherently conservative country.”<sup>50</sup>

30. It is important for the FCO to take a more robust and consistent approach when drawing attention to torture abroad, *including* when it concerns its allies. This would not only be more principled but actually in the UK’s interests of developing credible policy in the region that is based on respect for human rights and the rule of law. The legacy of systemic torture in states in the region points to a failure of silent diplomacy to produce any enhanced protection or visible improvement. There is no reason to think Saudi Arabia is different in these regards.

## RECOMMENDATIONS

In respect of both Bahrain and Saudi Arabia the United Kingdom has an important part to play in responding to ongoing concerns with a view to strengthening respect for human rights. To this end the UK should:

- In ensuring a principled and coherent policy on human rights and torture specifically, devise objective criteria for identifying “countries of concern”, and should make such criteria public;
- Publicly condemn torture and other human rights violations;
- Not accept blanket denials of violations, as were made by Saudi Arabia with regard to allegations of torture; instead, it should systematically follow-up specific reports to seek responses to allegations of torture in line with international standards binding on the state concerned;
- Work bi-laterally and with other States and international and regional bodies to furnish material support and expertise in human rights to civil society to help such organisations expose and combat torture;
- Ensure that the implementation of its counter-terrorism strategies does not result in it being complicit, or seen to be complicit in torture and related violations;
- Properly investigate and, where there is sufficient evidence, prosecute torture suspects who come within the UK’s jurisdiction in order to meet its international obligations in accordance with the UK’s anti-torture strategy
- Actively protect UK nationals and others who can claim UK protection from torture abroad, within a coherent, well-publicised and effectively implemented policy of consular assistance and diplomatic protection.

19 November 2012

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<sup>50</sup> United Kingdom Foreign and Commonwealth Office, *Human Rights and Democracy: The 2011 Human Rights and Democracy Report*, April 2012, page 303, available at <http://fcohrdreport.readandcomment.com/wp-content/uploads/2011/02/Cm-8339.pdf>.

**SAB 45**

**Written evidence from C.R.G. Murray, Newcastle Law School,  
Newcastle University**

**Legal Aspects of UK-Saudi Arabia  
Counter-Terrorism Co-operation**

## Executive Summary

- **Saudi Arabia remains one of the UK's most important intelligence partners, sharing intelligence regarding al-Qaeda-related threats to the UK and regarding threats to UK interests and nationals within Saudi Arabia.**
- **Despite this mutual arrangement, Saudi Arabia was willing to explicitly threaten to withdraw counter-terrorism co-operation with the UK in 2006 in a (successful) attempt to persuade the SFO to halt its investigation into the al-Yamamah arms deal.**
- **Wider aspects of UK counter-terrorism policy, together with the SFO Director's ability to take into account unspecified public interests in conducting investigations, indicated to the Saudi Government that this investigation would be susceptible to political pressure.**
- **Following the collapse of the al-Yamamah investigation under Saudi threats, other partner countries employed political pressure regarding security co-operation to influence UK policy makers and courts.**

## Author Information

Colin Murray is a senior lecturer in law at Newcastle University, having been a lecturer from 2007 to 2012. His research examines the intersection between national security and public law. His articles on international aspects of UK counter-terrorism policy include 'In the Shadow of Lord Haw Haw: Guantánamo Bay, Diplomatic Protection and Allegiance' [2011] *Public Law* 115-138 and 'The Ripple Effect: Guantánamo Bay in the United Kingdom's Courts' (2011) 23 *Pace International Law Review* 15-40. This submission is based upon a working paper available on [SSRN](#).

## The UK, Saudi Arabia and Al-Qaeda Terrorism

- [1] In the prelude to the al-Qaeda attacks of 11 September 2001 (between 1997 and 2001), UK engagement with Saudi Arabia on security matters was relatively limited. When, in December 1999, parliamentarians raised Saudi complaints regarding the activities of UK-based dissidents, the then-Home Secretary Jack Straw dismissed these concerns as the actions a regime unaccustomed to the operation of a liberal democracy.<sup>1</sup> But, as the UK's commitment to an 'ethical foreign policy'<sup>2</sup> came under strain due to the exigencies of countering al-Qaeda-related terrorism, the UK's co-operation with Saudi Arabia intensified.
- [2] The 11 September attacks demonstrated the capabilities of the central al-Qaeda organisation. That 15 of the 19 9/11 hijackers were of Saudi nationality emphasised the importance of co-operation with Saudi Arabia in tackling this threat to the UK and its allies.<sup>3</sup> Moreover, groups aligned to al-Qaeda posed a considerable threat to the large number of UK nationals working within the Saudi Arabian oil industry and related services. Between 2002 and 2005, in particular, a series of gun and bomb attacks targeted this UK expatriate community.<sup>4</sup>
- [3] For all the significance of Saudi Arabia to UK efforts to counter al-Qaeda, the Saudi Government's attitude towards al-Qaeda and its affiliates was at best ambiguous in the decade before, and even in the years after, the 9/11 attacks.<sup>5</sup>

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<sup>1</sup> J. Straw, MP, HC Deb., vol.341, col.164 (14 Dec. 1999).

<sup>2</sup> R. Cook, MP, 'The Government's Ethical Foreign Policy' *The Guardian* (12 May 1997).

<sup>3</sup> See Foreign Affairs Committee, *Foreign Policy Aspects of the War against Terrorism* (2006) HC 573, [67].

<sup>4</sup> See HM Government, *The United Kingdom's Strategy for Countering International Terrorism* (2009) Cm 7547, 23.

<sup>5</sup> See Foreign Affairs Committee, *Foreign Policy Aspects of the War against Terrorism* (2006) HC 573, [78].

The Saudi Government (controlled by the Saudi Royal Family, with ultimate authority resting with King Abdallah bin Abdulaziz al-Saud) actively promoted (domestically and internationally) a Wahhabi conception of Islam which al-Qaeda's leadership sought to harness in its effort to recruit adherents.<sup>6</sup> Saudi Arabia was also slow to tackle the flow of money from wealthy Saudi nationals backing al-Qaeda-related terrorism.<sup>7</sup> As recently as 2009, security scholar Paul Maddrell described the attitude of Saudi agencies as one of the most pressing problems for international counter-terrorism co-operation post-9/11 'because, as partners in the battle against terrorism, they are as crucial as they are unreliable'.<sup>8</sup>

[4] The Saudi Government's long-standing reluctance to tackle al-Qaeda support within its jurisdiction in part constituted an effort to disassociate Saudi Arabia from al-Qaeda (an effort which culminated in the arrest, detention and alleged torture of foreign-national workers, including UK citizens, who were accused of carrying out the attacks on the expatriate community as part of a protection racket).<sup>9</sup> But it also stemmed from the Saudi Government's concern over the popularity of al-Qaeda within Saudi Arabia in the wake of the 9/11 attacks, and a reluctance to create martyrs to the al-Qaeda cause which might exacerbate the domestic threat.<sup>10</sup> The Saudi Government was particularly sensitive to the potential of corruption allegations levelled against it by Osama bin Laden to provoke popular unrest.<sup>11</sup>

[5] Al-Qaeda could not, however, continue to operate unchecked within Saudi Arabia, especially when the terrorist threat 'came home'.<sup>12</sup> The campaign against foreign oil-industry workers culminated in the murder of 22 people (19

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<sup>6</sup> See A. Gendron: 'Confronting Terrorism in Saudi Arabia' (2010) 23 *International Journal of Intelligence and CounterIntelligence* 487, 498-499.

<sup>7</sup> See Foreign Affairs Committee, *Global Security: The Middle East* (2007) HC 363, [178].

<sup>8</sup> P. Maddrell, 'Failing Intelligence: U.S. Intelligence in the Age of Transnational Threats' (2009) 22 *International Journal of Intelligence and CounterIntelligence* 195, 208.

<sup>9</sup> *Jones v Ministry of Interior for the Kingdom of Saudi Arabia* [2006] UKHL 26; [2007] 1 AC 270, [2]-[4].

<sup>10</sup> Foreign Affairs Committee, *Foreign Policy Aspects of the War against Terrorism* (2006) HC 573, Ev12 (P. Wilkinson)

<sup>11</sup> See A. Atwan, *The Secret History of Al-Qa'ida* (London: Abacus, 2006) 145-147.

<sup>12</sup> National Commission on Terrorist Attacks Upon the United States, *The 9/11 Commission Report* (New York: W.W. Norton, 2004) 373.

of them foreign nationals, including one UK citizen) at the al-Khobar compound in May 2004.<sup>13</sup> By the summer of 2005, many of al-Qaeda's veteran operatives (often blooded in the Afghan Wars) had been killed or captured by the Saudi Government, while still others had travelled to fight in Iraq.<sup>14</sup> In its 2009 CONTEST Strategy document, the UK Government confidently declared that al-Qaeda and its affiliates in Saudi Arabia 'have lost popular support and have ceased to be effective'.<sup>15</sup>

[6] By 2009, however, new generation of militants, including some veterans returning from Iraq, would ultimately unify the Saudi and Yemeni al-Qaeda affiliates under the name of al-Qaeda in the Arabian Peninsula (AQAP). AQAP was responsible for the attempted downing of an airliner over Detroit in 2009, the air-cargo bomb plot of 2010 and repeated attacks aimed at UK Embassy staff.<sup>16</sup> Whilst this group is largely based in areas of Yemen outside the control of the Yemeni Government, Saudi Arabia's military and its external intelligence service (the General Intelligence Presidency) have played an important role in international efforts to counter AQAP activities.<sup>17</sup>

### The International Counter-Terrorism Framework

[7] UN member states first collective response to the 9/11 attacks was Security Council Resolution 1373.<sup>18</sup> The Resolution requires states to take any 'necessary steps to prevent the commission of terrorist acts, including by provision of early warnings to other States and by exchange of information',<sup>19</sup> and that such co-operation should involve 'the exchange of operational information' regarding the activities and capabilities of suspected terrorists.<sup>20</sup>

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<sup>13</sup> See Foreign Affairs Committee, *Foreign Policy Aspects of the War against Terrorism* (2006) HC 573, [68].

<sup>14</sup> See A. Atwan, *The Secret History of Al-Qa'ida* (London: Abacus, 2006) 173-174.

<sup>15</sup> See HM Government, *The United Kingdom's Strategy for Countering International Terrorism* (2009) Cm 7547, 47.

<sup>16</sup> See A. Harris, 'The Uncertainties of Change' (2011) 156 *RUSI Journal* 72, 72-73.

<sup>17</sup> See A. Cordesman, *Saudi Arabia: National Security in a Troubled Region* (Oxford: ABC-CLIO, 2009) 127.

<sup>18</sup> Security Council Resolution 1373, S/RES/1373 (28 Sep. 2001).

<sup>19</sup> *ibid.*, para.2(b).

<sup>20</sup> *ibid.*, para.3(a).



- [8] The UK's occasionally unpredictable bi-lateral relations with countries like Saudi Arabia, with its security networks and access to human intelligence on al-Qaeda activities,<sup>21</sup> drove its support for Resolution 1373. By tying all UN members into an international counter-terrorism regime, the Resolution provided a powerful new driver for co-operation. Bi-lateral UK-Saudi Arabia security co-operation now takes place via a framework constructed in light of Resolution 1373; the *Memorandum of Understanding on the Fight against Terrorism, the Sale of Narcotics and Organized Crime* agreed between the two states. Nonetheless, as Saudi reports to the UN Counter-Terrorism Committee make clear, Saudi Arabia envisages that co-operation takes place under the terms of this agreement, which is not a public document.<sup>22</sup>
- [9] In a further effort to dispel the image that Saudi Arabia was not fully committed to international efforts to counter al-Qaeda, King Abdallah has personally promoted the idea of an international counter-terrorism centre based in Saudi Arabia. Despite the scepticism of many commentators (including the Foreign Affairs Select Committee<sup>23</sup>), the UN Centre for Counter-Terrorism opened in Jeddah in 2011, winning plaudits from the UN Secretary General as 'a key tool at our disposal to achieve better coordination and effective action'.<sup>24</sup> The first three years of the institution's operations are supported by \$10 million of Saudi Government funding.<sup>25</sup>

#### The al-Yamamah Bribery Investigation and UK-Saudi Arabia Security Co-operation

- [10] Under the al-Yamamah arms deals, worth an estimated £40 billion over nearly 30 years, the Saudi and UK Governments agreed to equip and upgrade the Saudi Air Force using equipment (Tornado, and subsequently Typhoon,

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<sup>21</sup> See A. Svendsen, *Understanding the Globalization of Intelligence* (Basingstoke: Macmillan, 2012) 80.

<sup>22</sup> UN Counter-Terrorism Committee, *Third Report of Saudi Arabia S/2003/583* (2 Jun. 2003) 12. Available at: <http://daccess-ods.un.org/TMP/534821.227192879.html>.

<sup>23</sup> Foreign Affairs Committee, *Foreign Policy Aspects of the War against Terrorism* (2006) HC 573, [86].

<sup>24</sup> UN Department of Public Information, 'United Nations Counter-Terrorism Centre is Key Tool to Better Tackle, Suppress Terrorism Threat, Secretary-General Tells Advisory Board' (12 June 2012). Available at: <http://www.un.org/News/Press/docs/2012/sgsm14328.doc.htm>.

<sup>25</sup> United States Department of State, *Country Reports on Terrorism 2011 - Saudi Arabia* (31 Jul. 2012). Available at: <http://www.unhcr.org/refworld/docid/501fbca228.html>

aircraft) manufactured by BAE Systems. The terms of the deal were covered by a strict confidentiality clause.<sup>26</sup> The period 2004-2006 was vital to the third phase of the deal (covering the purchase of 72 Typhoon aircraft).<sup>27</sup>

[11] Whilst this negotiation was ongoing, the Serious Fraud Office (SFO) was undertaking, pursuant to the UK's international obligations,<sup>28</sup> an investigation into whether earlier phases of the deal had been secured as a result of bribery of Saudi officials and Royal Family members. In late 2006, when the SFO gained permission to investigate Swiss bank accounts related to the deal, the Saudi Government threatened to cease security and foreign policy co-operation and cancel its procurement of Typhoon aircraft.<sup>29</sup> This threat was repeated at the highest levels of inter-governmental negotiation (including at meetings between Prince Bandar bin Sultan, himself implicated in the investigations, and the Prime Minister's Chief of Staff).<sup>30</sup> Given the threat to UK security, reported to the SFO by the UK Ambassador to Saudi Arabia, the SFO Director terminated the investigation in December 2006.<sup>31</sup>

[12] This decision was challenged by Corner House Research, an anti-corruption NGO. The courts, however, ultimately rejected this challenge. The Director's duty to take account of the public interest in SFO activities required him to react to diplomatic advice that the Saudi threat posed a grave risk to 'British lives on British streets', and indeed to UK nationals within Saudi Arabia.<sup>32</sup>

### Explaining Saudi Arabia's Threat

[13] US diplomatic cables published by Wikileaks in December 2010 affirmed the view of the Saudi and US Governments that their 'security cooperation must

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<sup>26</sup> *R (Corner House Research) v Serious Fraud Office* [2008] UKHL 60; [2009] 1 AC 756, [13] (Lord Bingham).

<sup>27</sup> *ibid.*, [3].

<sup>28</sup> OECD, Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (1997) 37 ILM 1.

<sup>29</sup> *R (Corner House Research) v Serious Fraud Office* [2008] UKHL 60; [2009] 1 AC 756, [11] (Lord Bingham).

<sup>30</sup> *ibid.*, [24].

<sup>31</sup> *ibid.*, [22].

<sup>32</sup> *ibid.*, [34].

remain independent of political buffeting'. US Ambassador James Smith reported that the Saudi Interior Ministry considered that 'the US and Saudi Arabia are in "simultaneous mode" regarding the sharing of raw data and threat information'.<sup>33</sup> Saudi Arabia's counter-terrorism efforts, including the establishment of the UN Centre in Jeddah, should therefore be regarded as meaningful. Moreover, key figures in Saudi counter-terrorism operations, most notably the current Interior Minister, Prince Mohammed bin Nayef, have been targeted directly by al-Qaeda attacks.<sup>34</sup>

[14] Saudi-UK co-operation (as with Saudi-US co-operation) may ordinarily be independent of "political buffeting". Nonetheless, Saudi co-operation is based on a series of "red lines" protecting key interests (likely expressed in a "national interest" exception clause in Saudi-UK Counter-Terrorism Memorandum of Understanding). The SFO's al-Yamamah investigation, in threatening to expose corrupt payments to senior members of the Saudi Royal Family (in spite of the confidentiality clause in the al-Yamamah agreement<sup>35</sup>), risked providing ammunition to the Saudi Government's domestic opponents (and especially to al-Qaeda-affiliated groups). At this juncture, the Saudi Government would not have risked a potential international outcry against threats to counter-terrorism co-operation if it perceived that no gain would result. The apparent flexibility of UK counter-terrorism law, however, invited such pressure.

[15] In March 2001, little over a year after the UK had so bluntly dismissed Saudi concerns over dissident activity,<sup>36</sup> the UK took steps to ban the People's Mojahadeen Organisation of Iran (the PMOI, also known as the Mujaheddin-e-Khalq).<sup>37</sup> Whilst the PMOI would not renounce violence until June 2001,<sup>38</sup> and it would require several years for the UK Government to assess the veracity of

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<sup>33</sup> See J. Smith, 'Meeting with Prince Mohammed bin Naif, Assistant Minister of the Interior' (19 Jan. 2010). Available at: <http://www.guardian.co.uk/world/us-embassy-cables-documents/244077>.

<sup>34</sup> See A. Gendron: 'Confronting Terrorism in Saudi Arabia' (2010) 23 *International Journal of Intelligence and CounterIntelligence* 487, 495.

<sup>35</sup> *R (Corner House Research) v Serious Fraud Office* [2008] UKHL 60; [2009] 1 AC 756, [4] (Lord Bingham).

<sup>36</sup> See above, para.1.

<sup>37</sup> Terrorism Act (Proscribed Organisations) (Amendment) Order 2001, S.I. 2001/1261.

<sup>38</sup> See *Secretary of State for the Home Department v Lord Alton of Liverpool* [2008] EWCA Civ 443; [2008] 1 WLR 2341, [9].

this claim, the difference in approach was likely not lost upon Saudi policy makers. Similarly, in 2007, the UK government was willing to prosecute Libyan dissidents,<sup>39</sup> and, as has recently emerged, to directly assist Colonel Gaddafi's security apparatus.<sup>40</sup> Arguably, the UK Government's counter-terrorism policy and list of proscribed organisations was being manipulated to achieve diplomatic goals (the efforts to kick-start relations with Iran and Libya). Such cases may well have created a general impression that the UK's legal system was malleable under diplomatic pressure.

### The Fallout from Saudi Arabia's Successful Threat

[16] '[U]gly and obviously unwelcome'<sup>41</sup> though the Saudi Government's threat to terminate counter-terrorism co-operation may have been, from the Saudi perspective it was not unwarranted. Instead, it constituted an effort to avert the risk of public disorder and terrorism within Saudi Arabia should the SFO expose endemic corruption amongst the Saudi Royal Family. Seeing how the UK seemingly adapted its counter-terrorism policy to facilitate relations with Iran and Colonel Gaddafi's Libya, Saudi officials were willing to test the claims by UK diplomats that the SFO operated independently of any political pressure.<sup>42</sup> The abandonment of the investigation and the outcome of the *Corner House* case vindicated this prediction.<sup>43</sup>

[17] T.E. Lawrence claimed that, in his dealings with the Arabs, he would often find that they would hold mutually contradictory beliefs; 'imperturbably unconscious of the flight, they oscillated from asymptote to asymptote'.<sup>44</sup> Whatever the veracity of that observation during the Arab Revolt of 1916-1918, the current Saudi Government could level a similar charge against UK policy makers. Often, during the last decade, the public face of the UK's counter-terrorism

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<sup>39</sup> See *R v F* [2007] EWCA Crim 243; [2007] 3 WLR 164.

<sup>40</sup> See R. Spencer, 'Libya: MI6 worked with Gaddafi government on rendition operation' *The Telegraph* (5 Sep. 2011).

<sup>41</sup> *R (Corner House Research) v Serious Fraud Office* [2008] UKHL 60; [2009] 1 AC 756, [41] (Lord Bingham).

<sup>42</sup> *ibid.*, [40].

<sup>43</sup> See J. Spencer, 'Fiat justitia, ruatque concordia cum Arabe?' (2010) 69 *Cambridge Law Journal* 456, 457.

<sup>44</sup> T. Lawrence, *Seven Pillars of Wisdom* (first published 1922, London: Random House, 2010) 36.

policy has placed considerable emphasis upon states' shared obligations under Resolution 1373.<sup>45</sup> When this façade was challenged, the UK Government took the politically expedient course of satisfying Saudi Arabia's demands. The UK's reluctance to invoke Resolution 1373 before the UN Counter-Terrorism mechanisms in response to the 2005-2006 Saudi threats to co-operation is telling,<sup>46</sup> exposing the Blair Government's belief that such a course of action would not restore co-operation.

[18] With Saudi Arabia burnishing its counter-terrorism credentials by funding the UN Counter-Terrorism Centre, the chance of successful complaints about any future Saudi recalcitrance under the Resolution 1373 mechanisms seems to have diminished further, even as reports surface of further SFO investigations into corruption and Saudi public procurement.<sup>47</sup> Moreover, halting the SFO's al-Yamamah investigation on the basis of the Saudi threat to co-operation has had serious and on-going consequences for UK counter-terrorism policy.

[19] Since the UK's failure to resist the threats against the al-Yamamah investigation, several of the UK's partners have attempted to leverage security co-operation against advancing their policy goals. In response to the High Court's proposed release of shared intelligence documents in the *Binyam Mohammed* case<sup>48</sup> the US vowed to "re-evaluate" (UK courts and policy makers have largely avoided the term "threaten"<sup>49</sup>) UK-USA security co-operation.<sup>50</sup> Similar pressure has been applied in cases involving countries including Uganda and Kenya.<sup>51</sup> These cases suggest that, as the High Court forewarned in its judgment in *Corner House* (which was subsequently reversed

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<sup>45</sup> See HM Government, *The United Kingdom's Strategy for Countering International Terrorism* (2009) Cm 7547, 77.

<sup>46</sup> *R (Corner House Research) v Serious Fraud Office* [2008] UKHL 60, [40] (Lord Bingham).

<sup>47</sup> G. Ruddick, 'EADS executives warned five years ago about questionable payments' *The Telegraph* (12 Aug. 2012).

<sup>48</sup> *R (Mohamed) v Secretary of State for Foreign and Commonwealth Affairs* [2010] EWCA Civ 65; [2011] QB 218.

<sup>49</sup> Contrast *Mohamed* [2009] EWHC 152 (Admin); [2009] 1 WLR 2653, [107], with *Mohamed* [2010] EWCA Civ 65, [146] (Lord Neuberger MR).

<sup>50</sup> *ibid.*, [235] (Sir Antony May P).

<sup>51</sup> *R (Omar) v Secretary of State for Foreign and Commonwealth Affairs* [2012] EWHC (Admin) 1737.

by the House of Lords), once independent officials like the SFO Director adjust their actions in light of threats, the rule of law will be undermined.<sup>52</sup>

*19 November 2012*

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<sup>52</sup> See *R (Corner House Research) v Director of the Serious Fraud Office* [2008] EWHC (Admin) 714, [170]-[171] (Moses LJ).

Written evidence from Islamic Human Rights Commission (IHRC)

## Bahrain

IHRC was set up in 1997. Further information about its work can be found on its website <http://www.ihrc.org.uk>. Its research and publications on Bahrain include background studies, briefings and trial and country observer reports, including:

Concerns regarding the BICI, November 2011

<http://www.ihrc.org.uk/publications/briefings/9943-bahrain-concerns-reagrding-the-bahrain-independent-commission-of-inquiry-bici>

Broken Promises: Human Rights, Constitutionalism and Socio-Economic Exclusion in Bahrain, 2010

<http://www.ihrc.org.uk/publications/reports/9458-broken-promises-human-rights-constitutionalism-and-socio-economic-exclusion-in-bahrain>

Report of the Trial Monitor in the Ma'ameer and Adary Park Cases, Bahrain, 2010

<http://www.ihrc.org.uk/publications/reports/9456-report-of-the-trial-monitor-in-the-maameer-and-adary-park-cases-bahrain-2010>

**Report of the Trial Monitor in the Karzakan and Ma'ameer cases, Bahrain, 2009**

<http://www.ihrc.org.uk/publications/reports/9137-report-of-the-trial-monitor-in-the-karzakan-and-maameer-cases-bahrain-2009>

1. Almost a year to the day that the “Bahrain Independent Commission of Inquiry” released its report and recommendations to end three decades of human rights abuses in the island monarchy, recent events suggest that the government is not only failing to implement reforms but has intensified its crackdown against the opposition.
2. Launched to much acclaim the report contained 26 recommendations designed to set Bahrain on the path of political reform and reconciliation. Although critics accused the BICI of shying away from recommending the root and branch overhaul of the political system, the report was widely welcomed as a step in the right direction. The optimism appears to have been misplaced. One year on few of the Commission’s recommendations have been fully implemented. Crucially, the international community - including Britain - is showing little appetite to drive forward the reform agenda.

3. A new report by the Project on Middle East Democracy released last week evaluating the government's progress in implementing the BICI recommendations makes grim reading. Only three recommendations have been fully implemented with "no meaningful progress" on the most important six - accountability for officials responsible for torture and severe human rights violations, the release of political prisoners, prevention of sectarian incitement, and the relaxation of censorship and controls on free expression.
4. The BICI recommendations followed three decades of government repression of opposition and was prompted by renewed political violence that erupted in February 2011 resulting in the deaths of at least 35 people and complaints of torture, police violence and the unlawful detention and dismissal from work of hundreds more. The Commission's main recommendations were for the release of all political prisoners and the relaxation of controls on freedom of expression to allow the opposition a greater say in the government dominated national media.
5. Both of these recommendations have fallen on deaf ears. In fact over recent weeks the government has stepped up its campaign of political repression of opposition leaders. Earlier this month it revoked the citizenship of 31 exiled clerics, dissidents and activists including Ali Mushaima and Saeed el-Shehabi on the grounds that they represented a threat to national security. Bahrain's Interior Minister Sheikh Rashid al-Khalifa's justification that repeated abuse of the right to freedom of expression could no longer be tolerated indicated the limited extent to which the government is prepared to open up channels of dissent.
6. There are yet other signs that the gap between democratic rhetoric and authoritarian practice is widening. For the first time since last year's state of emergency, the National Guard is back on the streets protecting "strategic locations" or more correctly demonstration routes and sites which hold symbolic significance for opposition parties. In October the government imposed a ban on all protests citing "public safety" and also threatened the main opposition party al-Wefaq with legal action for staging a march for which it had been declined official permission. And instead of releasing political detainees the al-Khalifas have leaned on the politicised judiciary to confirm convictions secured at the height of last year's troubles against 20 opposition activists.
7. The moves have evoked strong condemnation from international human rights groups. Hassiba Hadj Sahraoui, Deputy Director of Amnesty International's Middle East and North Africa programme called the verdicts "another blow to justice" adding that "the Bahraini authorities are not on the path of reform, but seem rather driven by vindictiveness." In August after a court had sentenced the prominent human rights activist Nabeel Rajab to three years in prison for organising "illegal gatherings" the UN's Special Rapporteur on human rights Margaret Sekaggya said: "The sentencing of Nabeel Rajab represents yet another blatant attempt by the government of Bahrain to silence those legitimately working to promote basic human rights.
8. The picture emerging from Bahrain is of a regime that is using the BICI as a cover to continue repression of political dissent and calls for genuine reform. To consolidate the credibility it gained by commissioning the BICI the government has also appointed high-powered western advisors, among them senior Britons. The appointments are strategic; they maintain the illusion of western assistance in a reform project that is at best superficial and at worst a charade. Trading on its position as Bahrain's historic patron – Bahrain was a British protectorate until 1971 – Britain has provided the island emirate with a succession of



security advisors such as the notorious Ian Henderson, removed from his post after allegations that he had tortured political detainees during the uprisings of the 1990s. The latest arrival is former Metropolitan Commissioner John Yates as advisor on police reform. But the al-Khalifas appear to want Yates less for implementing reform of the police as recommended by the BICI than for his contact book and ability to access British officials. Last June he accompanied the interior minister Rashid al-Khalifa to diplomatic engagements in London including a meeting with then junior Foreign Office Minister Lord Howell.

9. Indeed the British government has missed few opportunities to rub shoulders with Bahraini royals at a time when critics say it should be using its influence to pressure the family into making necessary reforms. In July the head of Bahrain's Olympic Committee Nasser bin Hamad al-Khalifa was allowed to visit London despite multiple allegations that he had personally beaten and jailed Bahraini anti-government protestors. The Islamic Human Rights Commission had written to the FCO requesting that Nasser al-Khalifa be denied entry but received a disturbing reply that seemed to blame Bahraini protestors and brush aside the allegations of human rights abuses.
10. A few weeks later David Cameron met with King Hamad bin al-Khalifa in London for the third time in his tenure as prime minister. Perhaps one of the items on their agenda was the defence treaty the two countries would sign in October, committing Britain to protecting the emirate from external aggression. In any event the PM did not say anything about how the Arab Spring was playing out in Bahrain and how Britain could assist those in the country campaigning for human rights and democratisation.
11. Britain's refusal to apply pressure on its close ally was also in evidence at the United Nations. Last June it joined the US in refusing to sign a statement – signed by 27 other countries including Germany and France – asking the UN Office of the High Commissioner for Human Rights to establish an office in Bahrain and agree a comprehensive cooperation plan with its rulers. Maryam al-Khawaja, the acting President of the Bahrain Center for Human Rights and Deputy Director of the Gulf Center for Human Rights branded the decision “a disgrace” and said that “silence from such an important trade partner spells out permission, casting a shadow on the UK's commitment to free expression and human rights.”
12. Bahrain's military reliance on Britain places Britain in an ideal position to exert pressure on its ally but it seems to be more intent on securing lucrative contracts at the expense of human rights. British companies currently export everything from sniper rifles to silencers and software for spying on opposition activists. Writing recently in the New Left Project, Kristian Coates Ulrichsen from the London School of Economics derided Britain for becoming “a symbol of the double-standards of Western policy toward the Arab uprisings, where the withdrawal of support for dictatorial regimes in Libya and Syria stands in contrast to the enabling of autocratic rulers in the Persian Gulf.” The parliamentary Foreign Affairs Committee acknowledged in its recent report – FCO's Human Rights Work in 2011 – that ministers should be bolder in acknowledging contradictions between the UK's interests overseas and its human rights values. It is time that recommendation started being put into practice.
13. As the Arab Spring spreads, the approach is short-sighted and risks placing Britain on the wrong side of history. No autocracy can resist popular pressure indefinitely and when the al-Khalifas eventually leave, as their counterparts have done in Tunisia, Libya, Egypt, and

Yemen, the memory of who supported them will likely impact on economic relations for a long time to come.

- 14. The IHRC recommends that the government takes its stated responsibilities toward human rights more seriously and use its historic ties with Bahrain to pressure the government into implementing the BICI recommendations and comply with international human rights obligations. In particular the British government should not hesitate to publicly raise its concerns about Bahrain as and when the opportunity presents itself. Britain is an important trading partner for Bahrain and should use its position to exert leverage on the government to implement the reforms to which it has committed itself.**

## Saudi Arabia:

IHRC was set up in 1997. Further information about its work can be found on its website <http://www.ihrc.org.uk>. Its research and publications on Saudi Arabia include background studies, briefings and country reports, including:

Saudi Arabia's Political Prisoners, Towards a Third Decade of Silence, 2011

<http://www.ihrc.org.uk/publications/briefings/9867-saudi-arabias-political-prisoners-towards-a-third-decade-of-silence>

1. The Arab Spring has largely bypassed Saudi Arabia. Fearing the winds of change raging around the region the regime has battened down the hatches and continues to resist growing demands for political and social reform.
2. The ruling al-Saud family continues to exercise absolute rule in the kingdom with little criticism from the international community. To the contrary it remains insulated from international pressure by virtue of its position as the west's biggest oil supplier. Ensuring Saudi citizens and residents enjoy basic human rights is clearly of less concern to the international community than the uninterrupted flow of oil from Riyadh.
3. Saudi Arabia's initial response to the Arab Spring speaks volumes about its perception of the uprisings as a threat to its own long-held power. Instead of embracing the new Zeitgeist, it rushed to intensify internal repression of dissent to pre-empt any internal mass movement from arising. Freedom of expression and association bore the brunt of the government attack.
4. In February 2011, the government arrested five clerics and opposition activists who had announced the formation of the country's first ever political party. The new "Umma" party had called on its website for the holding of elections, more transparency in government decisions and an independent judiciary. The arrests recalled the detention in 2007 of a group of activists who had demanded a constitutional monarchy. Most of them are still detained.
5. In April 2011 King Abdullah amended the 2000 Press and Publications Law to make illegal any speech that "contradicts rulings of the Islamic Sharia [law] or regulations in force," or "call[s] for disturbing the country's security, or its public order, or ... caus[es] sectarianism or

... damage[s] public affairs in the country." The new restrictions also included a prohibition on damaging the reputation of the chief mufti, members of the Council of Senior Religious Scholars, or any other government official or government institution. The law also covers electronic publications and significantly curtails the ability of bloggers to write about political events.

6. More recently, the government put on trial Mohammad Fahad al-Qahtani, an economics professor and one of the co founders of the Saudi Civil and Political Rights Association, on charges relating to his human rights activities. The charges included "breaking allegiance to the ruler", accusing the judiciary of allowing confessions extracted under torture, describing Saudi Arabia as a police state and turning international organisations against the kingdom. According to the Arab human rights group Alkarama, Al-Qahtani was also convicted of sending "false information presented as facts" to the United Nations Working Group on Arbitrary Detention. Al-Qahtani's fellow co-founder Mohammed al-Bejadi had already received a four-year jail term in April 2012 after being convicted of similar charges.
7. The issue of political prisoners is a pressing one. The Islamic Human Rights Commission (IHRC) believes that some 30,000 people are currently in detention as a result of their political views or activities. Many are imprisoned without trial or access to lawyers and torture is routine. According to the IHRC the issue of political prisoners is an "epidemic which has not spared any sector of Saudi society". Even those simply calling for the government to end arbitrary detention and ensure fair trials have not been spared. In July 2011, Islamic law expert Dr Yusuf el-Ahmad was arrested for posting calls on Youtube for an end arbitrary detention and supporting the families of those wrongfully detained.
8. Many of those detained without charge and/or tortured are members of the country's minority Shia sect of Islam. Comprising about 10-15% of the total population they are concentrated in the east of the kingdom and have long complained of economic neglect and religious discrimination. With the dawn of the Arab Spring they were emboldened to renew calls for greater freedom, human rights and better living conditions. Peaceful protests, which broke out in the February 2011 in the Eastern Provinces demanding the release of nine Shia men detained without trial for over 13 years on suspicion of involvement in a 1996 armed attack on a US military facility in Khobar, were brutally put down. Scores of demonstrators were arrested. Since the beginning of 2011, over a dozen Shia have been killed by police. Majority Shia towns such as Awamiya which are seen as hotbeds of opposition remain saturated with Saudi police. Checkpoints dot the streets and armoured vehicles are a constant reminder of the state's willingness to use force to put down any show of dissent. According to the Adala centre for Human Rights based in Qatif police have shot 71 protesters since 2011 and arrested over 700 people including children.
9. The Saudi regime has also cracked down on public displays of the Shia branch of Islam by arresting people displaying Shia banners or slogans. Last September Saudi authorities razed a mosque associated with an outspoken cleric, Nimr al-Nimr, with a long history of criticising state excesses and discrimination against the Shia. Nimr was shot and arrested in July and charged with "instigating unrest" even though he has publicly called for resistance to the regime to be expressed in words rather than through violence.
10. Women's rights also continue to cause concern. Under Saudi Arabia's male guardianship system in many cases many women cannot even access medical treatment without the permission of a brother, father or husband. The ban on females driving motor vehicles

remains in force despite increasing defiance from women. In May 2011, Saudi authorities arrested Manal al-Sharif after she took to the wheel in a public display of resistance. Al-Sharif appeared in a video showing herself driving. She was subsequently charged with “tarnishing the kingdom’s reputation abroad” and “stirring up public opinion.” Police released al-Sharif from prison after she appealed to King Abdullah. Perhaps as a result of internal pressure from women, the King has pledged to allow women to vote in municipal elections from 2015 and also appoint them as full members of the Shura Council, an advisory body with limited powers including suggesting laws to the King.

11. Foreign workers, the majority of whom offer a ready pool of cheap labour to Saudi employers, form the backbone of the domestic economy. Numbering 8 million in total they represent over half of the workforce. Yet they remain drastically underpaid, exploited and abused. They reside and operate in Saudi Arabia under a sponsorship system which is routinely abused by their employers to subject them to what Human Rights Watch calls “slavery-like conditions”. Passports are routinely confiscated, wages delayed or withheld, and forced labour commonplace. Female domestic workers are at the forefront of this abuse suffering forced confinement, food deprivation, and severe sexual, psychological and physical abuse.
12. Despite the wide-ranging and numerous human rights concerns Britain has had little to say to the Saudi regime, which remains one of its most important regional allies. The silence sits uncomfortably with the British PM’s apparent embracing of the Arab Spring at the United Nations in September 2011. “As people in north Africa and the Middle East stand up and give voice to their hopes for more open and democratic societies, we have an opportunity – and I would say a responsibility – to help them,”? That responsibility would not seem to extend to Saudi Arabia, Britain’s biggest trading partner in the Arab world. In January of this year Cameron visited Saudi Arabia to “broaden and deepen” relations with the kingdom, despite its avowed opposition to the overthrow of regional dictators in Yemen, Egypt and Tunisia. Britain continues to be a major supplier of arms to Saudi Arabia and Cameron’s visit was intended to increase sales of the latest technology and weaponry. This despite questions by the Parliamentary Committee on Arms Control related to their end use; fears remain that some of the weapons might be used to crush dissent and civil unrest. The committee asked why, when there was unrest in the country in 2011, licences for a range of equipment had not been revoked. “Why does the UK believe that the assurances relating to end-use will not be breached?” the committee asked.
13. The fact that the Saudi Arabian government has taken umbrage at this review of bilateral relations itself suggests that it is not prepared to brook any criticism of its human rights record, even from its allies. Indeed last October the BBC quoted unnamed Saudi officials as saying that Saudi Arabia was “insulted” by the review and that they were “re-evaluating their country’s historic relations with Britain” and that “all options will be looked at”.
14. IHRC believes that Britain’s commercial ties with Saudi Arabia are important to the British economy and many jobs depend on the deal currently in place. But these ties should not prevent Britain from applying pressure on the Saudi government to improve human rights in the country. At the moment the balance is far too heavily weighted in favour of commerce.
15. **The IHRC recommends that the British government strives to strike a better balance between its trade relationship with Saudi Arabia and pressuring the government in Riyadh into human rights reforms. This should include publicly reminding Saudi politicians that**

**the continued abuses in the kingdom are not acceptable and wherever possible making commercial deals contingent on measurable human rights progress.**

*19 November 2012*

## Written evidence from Robin Lamb

### The Author

I was an Arabist in HM Diplomatic Service from 1971-2007 and served in a number of Arab countries including Saudi Arabia (Jedda, 1979-82; Riyadh, 1985-87) and Bahrain where I was HM Ambassador from 2003-06. I do not have a continuing professional association with either country (although I was involved in establishing a Bahrain British Business Council in 2007) but remain in occasional contact with friends in Bahrain. I am a member of the Bahrain Society. My evidence will focus on Bahrain and aims to set current events in the context of recent history.

### Summary of Evidence

#### Detail

- (I) The UK's foreign policy priorities in its relations with [Saudi Arabia and] Bahrain and how effectively the Government balances the UK's interests in defence, commerce, energy security, counter-terrorism and human rights
1. I was appointed HM Ambassador to Bahrain in 2003. At that time, King Hamad had succeeded his father in 1999, lifted the State Security Law, granted an amnesty to opponents of the government, secured wide support in a referendum on a National Charter, introduced a new Constitution (disappointing opponents who had hoped for restoration of the 1973 Constitution) and held an election, in 2002, to the lower House of a new bicameral parliament. Some dissidents returning from overseas had accepted Ministerial portfolios. Critics of the government focused on the need to redress past wrongs and transfer more authority to the new parliament but found little fault in the current state of human rights.
  2. Before taking up my post, I asked the Foreign Secretary, Jack Straw, what he wanted me to achieve in Bahrain. He instructed me to support Bahrain's continuation as 'a paradigm of Arab democracy'. The political reform programme, including the upholding of human rights, was clearly, therefore, my priority. But the positive reform story meant that there was little difficulty in reconciling our support for continued development in governance and human rights with our other interests in defence, commerce, energy security, counter-terrorism - and regional issues. Where balance might be required was in how far and how fast we should press the government to move on political, economic and human rights reform. Since the trajectory of Bahraini political development looked to be moving in the right direction and the pace of change so far had been impressive, I judged that the task was to encourage continued progress.

3. I therefore approached support for reform through public endorsement and private discussion, the promotion of parliamentary contacts, endorsement of police reform (from 'colonial policing' to community policing, with the advice of UK police advisers and training in UK), sponsored visits in both directions, courses for prospective parliamentary candidates (especially women), contacts with political societies and others. We drew on the support of an FCO programme budget called Engaging with the Islamic World (and the regional coordinator of the programme was based in my Embassy).
4. The key opposition movement, Al Wefaq (which commanded the broadest support among the Shia community), had boycotted the 2002 election. I judged that their self-imposed exclusion from the parliamentary process would hold back progress. The absence of the principal opposition movement devalued parliament and excluded the main demandeur for reform. Concessions to an extra-parliamentary opposition would have diminished the elected parliament. I therefore made this point consistently in occasional meetings with Al Wefaq representatives, suggesting that the prospects for reform, Al Wefaq's own status and the achievement of its political objectives would be enhanced by its participation in the parliamentary process.
5. I was also concerned that a parliament dominated by MPs representing the Sunni community faced by an extra-parliamentary opposition primarily representing the Shia community would institutionalize inter-communal differences. This concern was strengthened by my four months temporary duty as HM Consul General in Basra over the summer of 2006 (leaving my Deputy Head of Mission as Charge d'Affaires in Bahrain). During the few remaining weeks of my tour in Bahrain after my return from Basra, I urged Bahraini interlocutors on both sides not to let sectarian differences reach the violent pitch they had in Iraq.
6. I was glad, therefore, when Al Wefaq contested the 2006 elections, shortly after my departure at the end of my tour. They won the largest single bloc of seats (hard line members who rejected participation left Al Wefaq to form their own group, Al Haqq). But before long, it became apparent that the reform process had stalled and by the time of the 2010 election, confidence in the parliamentary process and the standing of Al Wefaq with its own constituency had reportedly atrophied. The government had apparently underestimated the importance of continuing reform, not least in order to sustain public support for the process and the parliamentary opposition. Had I remained longer in Bahrain, I would have impressed this upon the government and warned them of the likely radicalization of political opposition if the parliament provided an inadequate forum for building consensus and further reform. I would have urged continued progress on the latter. I believe that my successor did so but without success.

7. When protests began in Bahrain in early 2011, therefore, the government was left with a weakened parliamentary institution and a parliamentary opposition unwilling or (more likely) unable to control the street. If the reform process had progressed after 2006, it could have been otherwise. In tennis terms, this was an unforced error on the part of the government.
8. There are a number of reasons why it may have made this mistake. In introducing reform, King Hamad had to balance a number of competing domestic and regional forces against his apparent conviction, formed during the 1990s when he was heir apparent, that repression provided no long-term solution to Bahrain's systemic internal divisions. His solution was a managed transition to a constitutional monarchy. Some members of his own family were opposed to this and Bahrain's Sunni community are largely content with the status quo in Bahrain and support the Al Khalifa. Indeed, the current situation in Bahrain is not so much a confrontation between King and people as one between the government and the large Sunni minority on the one hand and a Shia majority on the other. King Hamad also had to be careful not to get too far out ahead of the rest of the Arab Gulf states, particularly Saudi Arabia (a point wrongly dismissed at the time by my Shia interlocutors).
9. Bahrain is directly dependent on Saudi Arabia for the largest part of its oil revenues (from the shared offshore Abu Safah oilfield), for crude feedstock for its export refinery and for over 90% of the foreign visitors who support its hotel and tourist industry. The relationship with Saudi Arabia is vital to Bahrain's financial services sector (which generates around 25% of GDP) and Saudi Arabia is a significant shareholder in some of Bahrain's key non-oil industries, such as Aluminium Bahrain (ALBA), Gulf Aluminium Rolling Mill Company (GARMCO), the Arab Ship Repair Yard (ASRY) and Gulf Petrochemicals Industries Company (GPIC). Saudi Arabia is also the key guarantor of Bahraini sovereignty. Although I doubt that the Saudi government micro-manages Bahraini policy, the Bahraini authorities will be finely attuned to Saudi concerns (not least contagion from Bahrain to Saudi Arabia's own Shia community in the Eastern Province – but perhaps also if Bahrain diverges too far from more traditional systems of government in other GCC states) and highly responsive to any expression of Saudi dissatisfaction.
10. The entry of a (principally Saudi) Peninsula Shield force across the Causeway on 14 March 2011 was interpreted as a signal variously to the Iranians and to the US of the end of Saudi tolerance of political unrest in Bahrain. But whatever else it may have been (and the force took no direct part in internal security operations), it marked the abrupt (and at least temporary) end of the Al Khalifa's attempts to retrieve the situation through negotiation. It seems likely that the advocates in the family of a tough security and political approach took control of policy.
11. Whatever the cause of the interruption of reform and then of a negotiated solution to the confrontation of early 2011, the result has been a



radicalization of Bahrain's politics and deep polarization of its society. Political dissent has been criminalized and opposition has been expressed through escalating and indiscriminate street violence posing a threat to the security and safety of all sections of the population (including members of the Shia community).

12. The establishment and report of the Bahrain Independent Committee of Inquiry (BICI) and the government's acceptance at the UN Human Rights Council in September 2012 of most recommendations of the Universal Periodic Review suggest that the government still includes members who see the need to balance hardline policy. It is to be hoped that their influence will be restored (and accompanied by fuller implementation of the BICI recommendations) but if it is, the challenges they will face will have been exacerbated by a long period of confrontation. It will be an uphill task to win back lost trust and rebuild a political process to which a divided opposition - and loyalists outraged by opposition violence - can subscribe. The authorities must start by distinguishing between political critics and the violent perpetrators of direct action if a political process and dialogue are to replace the current politics of confrontation. The opposition have reciprocal responsibilities and their recent Declaration of Principles of Non-violence is a welcome step.

(II) the extent to which the FCO's Gulf Initiative has met its objective of improving relations with the Gulf States more generally and establishing the UK as a "key strategic partner" in the region as a whole;

13. Until 1971, the UK was the key strategic partner. Today, the UK's ability to project power is much reduced. Only the US has the military, political, financial and diplomatic muscle to guarantee the security of the Gulf states. That said the UK can, when invited, demonstrate engagement through the temporary deployment of aircraft or a ship to supplement our diplomatic and assets.

14. Gulf countries are generally familiar with the UK and respect (if they do not always wish to embrace) the way we do things. At times, the fact that we are not the US superpower, with all the baggage and attitudes that brings, has worked to our advantage. But the FCO's careful best efforts can be blown off course in an instant by regional events or reaction to manifestations of the UK's transparent and democratic society. This happened in 1980, when I was a junior officer in the British Embassy in Jeddah and the bilateral relationship was temporarily derailed by the 'Death of a Princess' TV programme.

(III) Saudi Arabia and Bahrain as foreign policy partners for the UK, particularly with regard to Iran and Syria and as members of international and regional organisations;

15. Bahrain has been an helpful partner to the UK in the recent past by providing a staging post for air communications to Afghanistan and Iraq (although the Bahraini Prime Minister was privately highly critical of Coalition action against Iraq in 2003 and complained later that his contrary advice had not been considered). Bahraini Special Forces have served in Afghanistan.
  16. Bahrain sees Iran as a threat because of historic Iranian claims to the island (occasionally resurrected by Iranian speakers), its suspicion that Iran aims to dominate the Gulf and a conviction, genuine or manufactured to legitimize action against domestic Shia opposition, that Iran provides material support to the Bahraini opposition. Bahrain supports international action to confront Iran's development of nuclear weapons (it has also been concerned at the risks attendant on Iran's development of civil nuclear power because of its own vulnerability to a nuclear accident, sited as it is south of Iran along the axis of the prevailing wind).
  17. Bahrain is a loyal member (and beneficiary) of the Gulf Cooperation Council (GCC) and in wider fora will vote in accordance with positions agreed with GCC partners. It is highly unlikely to depart from this position at the Arab League – or at the UN, including when we lobby the Bahraini authorities to vote on an issue in a way that diverges from the GCC lead. But GCC and Arab League policy towards Syria is as critical of the Assad regime as that of the UK (if more inclined to intervention). Any UK policy in the Middle East is likely to fare better when it is consistent with the policy of its Arab partners (cf action in Libya); the converse is also true (cf criticism of Western policy towards the Arab/Israel dispute and allegations of double standards by proponents of a single narrative approach to international affairs)
- (IV) the implications of the Arab Spring for UK foreign policy in its relations with Saudi Arabia and Bahrain;
18. Western response to the “Arab Spring” caused concern in Saudi Arabia over a perceived deficit in Western loyalty to friendly regimes following the removal of Egyptian President Mubarak. Saudi Arabia will be sensitive to any indication that UK policy demonstrates a similar lack of commitment to our relationship with itself or Bahrain.
  19. Our commerce, counter-terrorism, defence, energy security and regional policy interests with both Saudi Arabia and Bahrain are significant. The Bahraini government's response to the escalation of the country's internal political divisions has complicated balancing these interests with upholding British values. But this is an issue which affects our policy with many countries around the world and in a nation highly dependent on international trade, the government has a responsibility to uphold our national values without damaging our material interests. These objectives need not be mutually exclusive if our diplomacy, as an external actor, works to build consensus through influence (which it must therefore retain, with both communities).

- (V) how the UK can encourage democratic and liberalising reforms in Saudi Arabia and Bahrain, including its power to effect improvements;
20. The UK does not have the power to effect improvements and must not behave as if it does; but it can try to use influence (born of the UK's international position, local history and domestic example) as long as it recognizes its limits. It can best deploy this influence with decision makers by maintaining and strengthening a positive relationship with both countries across a range of shared interests (the state of the bilateral relationship with Saudi Arabia will be a factor in the extent of UK influence in Bahrain) and by using positive reinforcement of the importance of progress in public<sup>1</sup> and rational argument and debate in private. It should work with others of a like mind, not least the US & EU but also in the region, particularly in the GCC, and within Bahrain.
21. With partners, it needs to convince decision makers on both sides and their constituencies that, as many in the Bahraini ruling family and civil society already appreciate, Bahrain's systemic internal divisions cannot be resolved through security and economic policy – or confrontational opposition - alone. There has to be a political process, involving genuine dialogue with (and by) opposition leaders able to influence disaffected members of the population. A dialogue cannot start before the authorities distinguish between street violence, for which resort to the police and courts is appropriate; and political dissent and opposition for which it is not.
- (VI) the long-term trends and scenarios in the region for which the FCO should prepare, and the extent to which it is doing so;
22. Some trends have become familiar, such as the political role of Islam, the youth of Gulf Arab populations, the implications of higher educational attainment and access to modern communications technology and the pressure on all but a few oil exporting states (Abu Dhabi and Qatar) of maintaining traditional fiscal policies and state services in the face of growing populations and increased domestic demand for energy. These factors have stimulated a requirement for job creation, economic diversification and more and better education. A generational shift has been bringing in younger leaders in several Arab countries (eg Egypt) and is in prospect in Saudi Arabia. Gulf governments, businesses and investors are increasingly looking eastwards for opportunity and supply, away from their traditional markets in Europe and the US. We will have to work even harder to compete successfully for their business and respect for our policies. It would be a pleasant surprise if Scottish independence did not undermine our prospects of success.

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<sup>1</sup> The Foreign Secretary's statement after his meeting with the Crown Prince of Bahrain on 11 October 2012 is a good example

23. All these trends are familiar to the FCO and will influence current strategy and policy. The FCO also needs to consider other scenarios which may – or may not – develop. If it has not yet done so, it should consider the implications for US regional policy of a redirection of US priorities away from MENA to the Far East, the development of US energy self-sufficiency by 2020<sup>2</sup> and increasing domestic energy consumption by Gulf producers, reducing the share of Gulf oil available for export and the revenues they will therefore earn for domestic expenditure and imports of goods and services (these factors should reinforce the importance of economic diversification noted above). If these prospects are borne out, they could impact on the amount of attention the US will give to the region and have implications for the extent of US engagement to balance its commitment to Israel's security.

(VII) the extent to which the FCO has the resources, personnel and capacities required for effective policy in the region.

24. I take part in periodic meetings at the FCO chaired by the Director Middle East & North Africa and attended by a number of former Ambassadors to the region. We discuss issues and policy but not personnel. I also know a number of current Heads of Mission and I respect their abilities as I do those of the Director, his Deputy, other senior officers dealing with Arab countries and the Research Analysts who support them. We are fortunate to have able people in the Service.

25. The FCO as a whole has been under resource pressure for many years and I am not currently in a position to know how far that has eroded its ability to deliver the goods. In general terms, a judgement as to whether the FCO has the resources it needs should take account of its global responsibilities (vital to a country dependent on international trade, maintaining Permanent Membership of the UNSC and delivering on Government determination to play a significant role in international events), range of functions (political, commercial, consular, management etc) and effectiveness. As one of the smaller Departments of State (the major expense for which is its personnel), it has less room for manoeuvre before it reaches a level of expenditure at which effectiveness can no longer be assured. A percentage reduction in budget will therefore have a larger impact on its capability than the same reduction to a larger budget.

26. Many considerations will affect resource decisions and allocations. I will mention two concerns. Firstly, there will be a temptation to cut junior posts (and “push down the level of responsibility”) to prioritise expenditure. This could turn out to be a false economy because it will impact on the future effectiveness of senior officers if they have not had the opportunity to build experience. This implies that it should be recognized that some jobs will have a training element in their purpose.

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<sup>2</sup> <file:///Users/robinlamb/Documents/MENA/iea13nov12.webarchive>

27. The second issue is the long-running argument about the importance of Arabic-speaking officers in Middle East posts. It is true that Ministers and senior officials in many Arab countries now speak English and that bilateral business can often be conducted in English. However, this ability is not universal and is less likely to be found outside the capital and in Ministries or other walks of life which do not have regular international dealings. Even where Arab officials are fluent in English, they will often prefer to have documents in Arabic (if only for speed of assimilation). Moreover, learning a language also helps cultivate an understanding of how other peoples think. As an Arabist, I have always found Arab interlocutors warm when they know I speak Arabic. It shows an interest in them and their culture which an exclusively English speaking officer will find harder to match. In a profession where influence and other soft power tools are the only ones at a diplomat's disposal, this matters.

*18 November 2012*

## Written evidence from Douglas Hansen-Luke and Rosamund de Sybel

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## **1. Abstract**

This report outlines the personal views of the authors based on their knowledge, relationships and combined experience of 10 years living and working in Bahrain.

Its primary purpose is to provide as objectively as possible an outline of Bahrain, its political situation, recommendations to resolve the current crisis and the likely outcome if the Bahraini Government pursues no new policy initiatives. Comments and suggestions are also made on the British Government's policy towards Bahrain.

Throughout the document the authors' maintain a positive view on all the inhabitants of Bahrain and, other than their obvious presence as British expatriates, have no strong affiliation with any particular group of Bahraini society. Any comments on Saudi Arabia are made as observers from without and from the standpoint of how the authors feel that country is perceived in Bahrain.

## **2. About the Authors**

### **2.1 Douglas Hansen-Luke**

Douglas Hansen-Luke lived and worked in Bahrain from 2007 to 2012. He was employed there as the regional CEO of an international asset manager. He represented the firm's business and managed its relationships with public institutions and sovereign funds. In 2011 in response to the disturbances in Bahrain he managed the relocation of his firm's office to Dubai. During his time in Bahrain, Douglas wrote and provided investment commentary to amongst others the BBC, CNBC, the *Financial Times* and the *The Gulf* magazine. He is now the Managing Partner of HLD Partners, a consultancy focused on responsible investing and an approved Parliamentary candidate for the Conservatives.

### **2.2 Rosamund de Sybel**

Rosamund de Sybel lived in Bahrain from April 2007 to May 1st 2012. She worked first as a reporter and then editor of *The Gulf* magazine. This publication covered current affairs, economics and business across the Gulf and MENA region. In her last year in Bahrain, Rosamund worked as a Research Associate for the International Institute of Strategic Studies (IISS).

### 3. Key Points

#### There are positives

1. Day-to-day life continues almost as normal in Bahrain. In spite of continuing low-level violence:
  - a. The Kingdom has a mixed and historically well-integrated society, the largest group of whom are foreigners who stay by choice
  - b. Bahraini nationals, of whatever social group, pay no taxes have access to free health care, education and housing
  - c. Violence is present from both sides but is by no means universal
  - d. Moderate Government members and opposition leaders are closer to each other than is often realised
2. British Government policy, as opposed to media and public opinion, has generally reflected these facts

#### But

3. Current policy will not end discrimination nor lead to reconciliation
  - a. There are significant inequalities between Sunni and Shia
  - b. Police and protester brutality has occurred and continues to occur
  - c. Moderate leaders have lost the initiative in managing this crisis
  - d. Polarization and radicalization between communities is accelerating. Many Shia regard the security forces as tools of repression. Large numbers of Sunni view Shia protesters as violent, sectarian and pro-Iranian

#### The authors recommend that

The British Government either explicitly state a policy of non-interference and non-involvement or actively play the role of a critical friend and offer a comprehensive dispute-resolution plan. For both the Bahraini and British Governments a successful resolution requires a higher level of engagement, moral courage and determination and an acceptance that even with this commitment, success will not be easily achieved



## 4. A Society Divided

### 4.1 Demographics

The defenders of the Bahraini regime, including many expatriates, believe that the Kingdom is not only one of the most pleasant places to live in the Gulf, but also in the world. The largest population group in the country are foreigners who have moved there voluntarily. There is no income tax. Fuel and food are subsidised for all. Bahrain has the sixth cheapest petrol prices in the world at 13p per litre.

For nationals there is free provision of education and health, free or subsidised housing and unemployment benefit. The Government pays for half of the training costs of Bahrainis and provides generous incentives for those starting new businesses. Bahrain has the best-educated local workforce in the Gulf. Per capita gross domestic product is relatively high, at \$23,000. Women have equal rights, are educated, can drive, vote and wear what they like.

Bahrain allows freedom of religion and is open and welcoming to foreigners of all genders, race and cultures. In HSBC's annual expatriate survey of 2010, Bahrain was ranked one of the world's top destinations to live and work. Economic growth, although slowed, is still positive, and Bahrain has built has one of the most diversified economies in the region. This year the World Heritage Foundation ranked Bahrain as the world's 12<sup>th</sup> freest economy – two steps ahead of Britain.

Despite these positive indicators, the country's recent history has been punctuated by political disturbances, culminating in the anti-government protests and the civil unrest of the past 21 months.

The country's Shia majority, (believed to make up more than 60% of the Bahraini population and around 40% of all residents) have long complained of political and economic marginalisation by the Sunni ruling Al-Khalifa family. Bahraini Shia have been shut out of jobs in the security forces and in many government offices. There is a high level of youth unemployment among the Shia community. A concentration of capital has found its way into the hands of government supporters.

### 4.2 Not a civil war

More than 55 people have been killed since unrest began in February 2011, though opposition groups claim the number is far higher. This figure includes protesters, onlookers, and security forces, in addition to a handful of protesters who died in police custody.

In a country as peaceful as Bahrain had been in the run-up to 2011, this figure is both

shocking and tragic. Within the context of the region however, the abuses that have been perpetrated are of a comparatively small scale and the overall casualty figure is low. Since March last year, although the level of general protest has remained high, the mortality rate has dropped.

To put the situation within a British context, in Northern Ireland, which has a population size similar to Bahrain's, nearly 500 died in 1972 the first year of the troubles. This comparison is made not to minimize the suffering that has occurred in Bahrain but to disprove that there is either a general civil war or unfettered brutality on the part of the security forces. People go about their daily business, the majority of expatriates have remained in the country and life, on the whole, continues as normal.

It is this normalcy, which is probably most difficult for residents and onlookers to understand. Though violence has increased and there are skirmishes between protesters and police on an almost daily basis, they are limited to pockets of the country. For the vast majority of people living in Bahrain they have little impact on day-to-day life. On a TV screen broadcast in the UK it may appear that the whole country is in flames, but the reality is that it is only small areas of the country are affected at any one time.

In those areas the police and protesters play a sometimes fatal game of cat and mouse. Security forces have faced stones, Molotov cocktails, fire extinguishers firing metal bolts as well as improvised explosive devices. The security forces' use of birdshot and what is seen as an excessive use of tear gas, to control unrest has been condemned by rights groups who remain silent on the use of force by protesters.

One of the authors has witnessed three of these riots at close hand. On each occasion he can warrant that the police responded to the crowds and Molotov Cocktail throwing protesters with more leniency than he would have expected. Bahrain's Police have spent 21 months facing protests, riots and low-level violence. When deployed in full riot-gear to densely-packed, Shia villages they stand in 30-40 degree Celsius heat for hours on end whilst pelted with abuse and stones. When they charge, the crowds melt away and re-form one or two blocks away.

In such an environment the surprising fact is that there are not more breaches of discipline. An example of one such breach was experienced by the author but is described separately to protect his Bahraini companion and family from possible negative consequences.

The fact that Bahrain's paramilitary National Guard was recently deployed into new areas of the country could be seen as a sign that authorities are now introducing a tougher strategy to handle unrest.

### 4.3 Politics

The political and economic inequalities, which sparked the initial wave of demonstrations that began on February 14, 2011, have yet to be addressed. Conciliatory talk from the Government has not been backed by action, and neither has it dampened calls for reform.

Though Bahrain's largest opposition group, Al Wefaq, and five other opposition societies have condemned the use of violence, they have warned that they cannot control youth groups. Many Bahrainis increasingly identify with the demands of the leaderless 'February 14' group, which calls for the overthrow of the monarchy and advocates violence against security forces as 'self defence.'

Though it still enjoys a broad support base, the calls from Al Wefaq, for a constitutional monarchy, an elected parliament and government, an end to gerrymandering and a transparent judiciary, to many Bahrainis now ring hollow.

The political situation in Bahrain has reached a stalemate. Progress in reaching a meaningful resolution to the crisis in the near term appears unlikely. Hard-line elements within the regime have been in the ascendancy since the failure of a dialogue last year between Bahrain's Crown Prince and Al Wefaq. These security-focused members of the government continue to prioritise repression of the situation over reform.

With reformists within the Royal family unable to consolidate their position, talks with opposition groups have stalled. Bahrain's leaders insist that they are ready to talk and to come to an agreement but established opposition groups claim that the Government has yet to embark on a serious initiative to enter into dialogue or reach a negotiated settlement.

The recent stripping of citizenship of 31 Shia activists, has served to further undermine prospects for conciliation.

### 4.4 Reforms

Though the government has implemented a number of the reforms recommended by an "Independent Commission of Inquiry" (BICI) ordered by King Hamad in 2011, the commission's recommendations were not carried out in full.

This report, published in November 2011, found that the security services were guilty of torture and excessive use of force. It also criticised the opposition's response to early offers of dialogue. Accepting the report's findings, the authorities worked to implement a number of recommendations, including the referral of all cases of security personnel who committed major abuses to the Public Prosecutor, the abolition of the military

court system, new procedures to record interrogations of detainees, the creation of a commission to address reinstating fired workers and a compensation fund for the victims of torture, among others.

However, verdicts handed down by military courts that sentenced a number of activists to life imprisonment have not been overturned despite the commission's recommendations. In addition, no senior official has been prosecuted for abuses, though low-ranking officers have been charged.

The BICI report was unprecedented in the Arab world, and opened a significant window of opportunity to reach a resolution, drawing a line under the abuses and mistakes carried out by both sides. One year on, this window has closed.

## 5. Bringing the Parties Together: A Plan for the Future

It is the contrast between words and actions, which most truly represents the tragedy that is Bahrain today.

Part of the problem is a perceived lack of urgency on the part of the government. The authorities have been spared the economic pressures that an on-going political crisis would normally exert. Almost 80 per cent of Bahrain's government income comes from oil, the majority of which is produced by the Abu Saifa field, which is gifted to Bahrain by Saudi Arabia.

Complicating Bahrain's internal politics and further polarizing the population along sectarian lines has been the fact that Bahrain has been caught in the struggle between two regional powers, Saudi Arabia, the largest Sunni country in the region, and Iran, a Shiite theocracy. Saudi policy has clearly shown that majority-rule in Bahrain would be unacceptable at present. At the same time, Bahraini officials insist that Iran and its proxies are working to destabilize Bahrain.

Some efforts to address socio-economic grievances have been made. In particular, the Government has committed to accelerating the provision of public housing, one of the biggest grievances among poorer sections of Bahraini society.

Saudi Arabia and other Gulf Cooperation Council states have also approved a 'Marshall Aid' plan for Bahrain, that would deliver \$1bn a year to the country for the next 10 years. This and the \$7bn that the Bahraini government and companies plan to raise for the expansion of the aluminium and refining business mean that growth and employment will resume.

The Government has also stated it is committed to reform, and has stated its willingness to negotiate reforms for political representation.

Al Wefaq's demands build on what already exists in Bahrain. There is an elected parliament (albeit one which is circumscribed), relatively free speech and broadly-speaking, clear rule of law. Back in February 2011, the Crown Prince also accepted that constituency boundaries and what appeared to be obvious Sunni-favouring gerrymandering would be reviewed.

However, a key difference in principle between the moderates on both sides is whether or not Parliament should be able to select the Prime Minister and hence the Government. The Prime Minister, the King's Uncle, has been in power for almost 40 years. There are many amongst the Sunni, and even Shia population, who view him as an on-going source of stability. If Parliament were to become majority Shia, which it

would do, given equal constituencies, and if it also had the power to select a Prime Minister or Government then it is likely that a member of the Al Khalifa family would not be tolerated.

This then is the key choice facing the people and rulers of Bahrain. Other points of difference are essentially about speed and consistency of implementation. Who selects the Government, however, remains a substantive difference. Is day-to-day Government to be taken from the Al-Khalifa family and is there a viable group ready and able to assume that role?

## 6. What role for Britain? More than an honest friend?

To date British Government policy has been highly effective in maintaining a positive relationship with both the Bahraini establishment and with the main opposition group, Al Wafeq. Alistair Burt and other British government ministers have successfully positioned the UK in the role of an old and honest friend. We have shown support to the Khalifa's on their reform programme but we have also stated clearly, especially privately, that we cannot support their regime if it resorts to violence or torture.

Britain has multiple interests in Bahrain but the authors perceive four issues that need to be addressed consistently and simultaneously:

1. Maintaining Bahrain as a strategic centre for British action in the Gulf and as a staging post for Central Asia
2. Favourably positioning British companies to bid for forthcoming investment and export contracts
3. Protecting the life and property of the substantial British community in Bahrain and the Gulf
4. Maintaining Britain's long-term and over-arching commitment to human rights, the rule of law and the right to self-determination

Britain's first two interests could easily be addressed by privately and publicly supporting the Al Khalifa government without qualification or pressure for reform. Such an approach, however, cannot be squared with the third and fourth objectives. Public support for the Al Khalifa's would at some point make British expatriates targets of the protesters. And, in the long-run, Britain's interests, stature and soft-power rely on a genuine moral commitment to our democratic values both at home and abroad.

Can Britain make meet all of these four objectives and promote a positive outcome in Bahrain?

The authors believe that a win-win outcome for the Bahraini Government, the moderate opposition and Britain would be for announced reforms to be implemented in full with a sense of urgency, for political constituencies to be reformed and for Parliament to have a veto on the choice of Prime Minister.

This last point would be the most difficult agree. The reality, however, is that the opposition could not yet put together a credible government strong enough to deal with extreme Sunni and Shia groups, or the pressure that would be exerted by Saudi Arabia.

Bahrain currently has "No taxation" allied with "no representation." An open and immediate change of Government would risk the Saudi oil subsidy and require the new

people's representatives to either tax or redistribute wealth to fund growth and free housing.

If Britain were to successfully push for and offer to facilitate a dialogue that aimed for a five-year transition to fully and fairly elected Government then Bahrain would benefit, our influence in the region would rise and, provided there was stability in Bahrain, then Saudi Arabia would also be content.

Such a programme would require significant capacity building in Bahrain, constitutional reform, civic and political education and a commitment to protect Bahrain from extremists from either Iran or Saudi Arabia attempting to influence the outcome. Success would be by no means guaranteed and such an approach would require a political courage from all sides. The default alternative, however, is far less likely to allow a resumption of normal life and has grave risks for both Bahrain, surrounding countries and British interests in the Gulf.



## 7. Keep Calm and Carry On

Buoyed by military support from the GCC and Saudi Arabia in particular, it is unlikely the Al Khalifa regime would be removed without their consent. Protesters and the opposition understand this. Unfortunately if discrimination, unequal representation and a two-tier process of economic success continue then the Government will ensure that large parts of the Shia population become permanently embittered and disengaged.

Recently public protests have been banned. More and more of the opposition will consider themselves forced underground. Moderates will continue to lose ground and extremists benefit. Looking forward to a life of disenfranchisement, large numbers of male Shia youth will embrace the authority and position that they receive by joining radicalised groups.

On the other-side there is a strong risk that ultra-national Sunni's will disengage with the political process and become increasingly more violent. Some are already calling for the end of the Al Khalifa regime and direct rule from Saudi Arabia.

A Gulf-equivalent of Northern Ireland is in no-one's interests but as things stand then unrest in Bahrain will intensify and, in turn, promote instability in other areas with large Shia-populations - Kuwait, eastern Saudi Arabia and even Oman.

## 8. Conclusion

There are many truths in Bahrain. It is the view of the authors that the situation in Bahrain at present is not as bad as the one portrayed by most mainstream media. It is also their view that there is not such a great separation between moderates on both sides. Unfortunately if things continue as they currently stand then the eventual outcome will truly reflect the worst that is said of Bahrain now. Strong and courageous action from the Bahraini Government and opposition, supported by Britain, may not entirely succeed but it has a far greater chance of good than of the Bahraini Government doing nothing and Britain abandoning an old friend.

*20 November 2012*

## Written evidence from the President of the Mabadea Society for Human Rights, Mr Abdulla Faisal Al Doseri

### UK-BAHRAIN RELATIONS AND THE WAY FORWARD

#### Brief Introduction

This statement is submitted by the President of the Mabade'a Society for Human Rights (NGO), Mr Abdulla Faisal Al Doseri, a human rights activist for over 18 years as well as a Member of Bahrain National Institution for Human Rights (BNIHR) and the Head of International Affairs and NGOs, appointed through Royal Decree by His Majesty The King of Bahrain in 2000. Mr Al Doseri has participated in the Universal Periodic Review and has submitted many proposals.

#### Summary

1. The action by Bahrain reflects its experience from the Arab Spring protests that divided the country and its people into government supporters and opponents. What initially started as peaceful protests deviated to confrontation when the police attempted to install law and order, then led to attacks and further escalated to threats to the safety and security of citizens' and public as well as private property. These unwarranted acts of violence and assaults on police servicemen in the line of duty and clashes have resulted in a high number of victims that included protestors, policemen, citizens and expatriate workers and foreigners living in Bahrain.
2. The Mabade'a Society for Human Rights has expressed deep concern over the violence accompanying the recent unrest in Bahrain's society that has caused deep sectarian rifts and has called for the need for people to exercise self-restraint and pursue a peaceful path when demanding legitimate rights.
3. The Government's response was an invitation by His Highness The Crown Prince of Bahrain for an open dialogue, had it been accepted when the protest movement began, could have led to significant constitutional, political and economic reforms.
4. Mabade'a Society of Human Rights has backed the Bahrain Independent Commission of Inquiry (BICI) chaired by Professor M Cherif Bassiouni that was established to inquire into the crisis and has called upon the Government of Bahrain to fully implement the recommendations and their causes, in total transparency, as stipulated in the (BICI) Report, whether against policemen or all those involved in the acts of violence and killings and put them on trial for justice to be done and human rights to be protected.
5. The Mabade'a Society for Human Rights expresses its regret over the slow progress made regarding the protection and consolidation of women's human rights in the kingdom. The government has not issued the Ja'afari section of the Personal Status Law, like the Sunni one, passed in 2009. This creates a clear discrimination and inequality in applying human rights, stipulated by the Convention on the Elimination of all forms of Discrimination against Women (CEDAW).

6. The society believes that clerics and political associations have played a key role in preventing the issuance of the Ja'afari Personal Status Law. The Government of Bahrain must exert more effort and intensify consultations with all sides to draft a Personal Status Law, issue it as soon as possible and inform the Human Rights Council about its progress.
7. During the protests and rallies in Bahrain, children and minors have been harmed in an unprecedented way that subjected them to violence and sexual abuses that constitutes violations of their rights. Mabade'a Society for Human Rights calls upon the Government of Bahrain to investigate these matters and pursue legal justice against all alleged offenders in a swift manner to spread a message that impunity will not be tolerated. This society also calls for the enactment of a law that would impose severe penalties against child abuse.
8. The new innovative media, such as the internet, and the social media, have played a detrimental role in spreading the culture of violence, hatred, rancor, incitement and assault on others, violating their rights and infringing upon their privacy. Thus, it is incumbent on the state to interfere immediately and work towards issuing comprehensive and modern legislation regulating the use of these media to reduce their negative impact on other people. This freedom shall be a priority when issuing a new modern law guaranteeing the exercise of the freedom of opinion and expression in conformity with the Universal Declaration of Human Rights and the international principles and norms. This law shall stipulate necessary legal protection for journalists in accordance with the deontological Code of the Press.
9. Mabade'a Society for Human Rights welcomes the initiative of the Government to establish a special fund to compensate all the victims of the unrest and calls for all the compensations to be paid to their beneficiaries for this issue to be settled.

## **Factual Information**

The Mabade'a Society for Human Rights commends the efforts made by the Government of Bahrain in various areas to promote human rights and equality for the citizens of Bahrain some of which are:

1. The establishment of the Special Investigations Unit reporting to the Attorney General to investigate police misconduct in order to achieve accountability and will work with the recently appointed independent police Ombudsman.
2. Organizing human rights training programs for security forces to create awareness as well as implementing a new code of conduct. Establishing an independent Internal Affairs Office, Ombudsman Office and Office of the Inspector General.
3. Surveillance methods of police departments and interrogation rooms to ensure rights are protected. The Government is building two new forensic laboratories and hiring appropriate personnel experienced in technical matters.
4. Training courses for judges and members of the public prosecution in the area of human rights to ensure such rights are guaranteed.

5. A Civil Settlement Office which has already paid USD.2.6 million to the families of the deceased victims mentioned in the BICI Report and allocation of a further USD.3 million for the next phase of compensation.
6. Since the March Tripartite agreement, the Ministry of Labor worked closely with the representatives of the workers and the ILO to ensure that all dismissed workers are reinstated. Bahrain promotes the organized work of labor unions and while there are number of active unions, the Bahrain Labor Union Free Federation was established as an umbrella and option for unions of major companies
7. Rebuilding, renovation, construction and allocation of sites for places of worship
8. Programs developed to achieve a national reconciliation in political, social and economic spheres with the help of NGOs.
9. Developing new legislations with help sought from the International Covenant on Civil and Political Rights (ICCPR) that criminalizes all acts that call for national hatred, racism or religious intolerance.

## **Recommendations**

1. The United Kingdom has been a close supporter of the Kingdom of Bahrain and going forward these relations are crucial to achieve a situation that leads to a better quality of life for the citizens of Bahrain, ensures safety and security of all residents and promotes peace, human rights, economic progress in Bahrain as well as in the region.
2. The path of reform is a mutual and ongoing process that has to be achieved in a progressive manner and requires the mobilization of all official and national efforts.
3. The Minister of Justice and Islamic Affairs has been meeting all political societies to activate a political dialogue, supporting the government's move for open dialogue, yet, no general consent from all parties on a unanimous agenda or a national dialogue has reached. Mabade'a Society for Human Rights feels it is time for the launch of an open national public dialogue without pre-conditions, with the support of the Government of Bahrain. This process must involve all stakeholders such as civil societies, political NGOs, prominent members of the public and so on.
4. Rationalize activities of all sectors of the media be it television, press or social media, at national and regional levels, from broadcasting content that misleads the public or incites hatred in society and focus on promoting reconciliation.
5. All parties and stakeholders must formally announce a stance against any form of violence especially one that disrupts the lives of citizens and causes damage to public and property

*19 September 2012*

## Written evidence from the Royal United Services Institute (RUSI)

### Summary

- Bahrain is an ally, and not merely of convenience; Britain should not reduce Bahrain to a caricature by becoming so focused on its shortcomings that it ignores its virtues.
- Britain has no coercive power in Bahrain, but its brand gives it a power of suasion it should not underestimate. This gives the UK an important role to play.
- A stable and functioning Bahrain exposes the hollowness of Iranian claims to regional leadership; an unstable Bahrain empowers Iran and destabilises its neighbours.
- Bahrain suffers from a 'split personality': competing factions are pulling the state in conflicting directions. Consequently, merely applying pressure is likely to do little.
- Abandoning Bahrain would permit hardliners to steer it closer to Saudi Arabia and further from any prospect of reform – to the region's ultimate detriment and Britain's.
- If Bahrain fails to reform, other Gulf monarchies are unlikely to overcome their own inertia. If it succeeds, it will offer its neighbours evidence that the task is not impossible, and so contribute to greater regional stability.

### Authors

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### Annex

Matthew Willis, 'Britain in Bahrain in 2011', *RUSI Journal*, Vol. 157 No. 5 (October 2012).

### Introduction

1. The relationship with Bahrain is among the most intimate the UK entertains with any Gulf country; it may also be its least well understood, largely because of a perennial failure to grasp the wider strategic implications of the turmoil engulfing the island. This turmoil, a product of longstanding internal dysfunctional pressures, is now doing double damage: it is exposing Bahrain to the effects of the region-wide sectarian malaise long fomented by Iran but lately exacerbated by the war in Syria, and it is further undermining the stability of a region already being rocked by the forces unleashed during the 'Arab Spring'.
2. The UK has an important role to play in the country. The US is unpopular, and Saudi Arabia is often regarded as part of the problem rather than the solution. Britain, on the other hand, is respected by most Bahrainis and instinctively knows more about the country and region than it often realises; it should not underestimate the value of the cards it holds. It cannot resolve Bahrain's crisis, but it only needs to continue offering support. King Hamad has the will to find a way out of his country's current impasse that does not involve renewed repression, and that alone puts Bahrain ahead of almost all its

neighbours. If Bahrain gets back on track – by which we mean that the reforms announced last year are finally carried out, however slowly – it will set the other monarchies an example to follow; if it founders, expect to see a domino political effect on other Gulf states.

### **The bilateral relationship is more than mere convenience**

3. The British-Bahraini relationship goes beyond mere interests, something the ubiquity of the English language in Bahrain encourages. A disproportionate number of the Bahraini elite pass through the British higher education system, where they are acculturated to British attitudes, values and ways of thinking. The same holds in the field of defence instruction and training, which has created a cadre of Bahraini military leaders attuned to British methods and standards. Indeed, many members of the Bahraini royal family, including King Hamad and the eldest son of the crown prince, have attended Sandhurst. King Hamad is also the patron of the Sandhurst Foundation, a charity that supports trainees. The closeness of the royal families provides the countries' governments with an added channel for diplomatic communication. The Bahrain Society, established in 1971 to help maintain the ties of friendship established between Britons and Bahrainis, is another important link. What all this means is that although there is much about Bahrain that is foreign, the cultural divide one might expect to encounter between political classes is not that wide. There is a tendency among British analysts to assume that these historic links skew or hinder the UK's relations with Bahrain. We believe that the reality is the opposite: that such links are not confined to just elites or the royal family, and that they are an asset which can be harnessed.
4. The diplomatic and political dimensions of the bilateral relationship act as its anchor. During the protectorate era, from the mid-nineteenth century until 1971, Britain's role as arbitrator of the treaties with the Gulf sheikhdoms occasionally involved it in Bahrain's domestic affairs. Since 1971, however, it has consistently treated Bahrain as an independent country to be supported and guided, and its engagement has been at the request of the government or the king. Bahrain has justified Britain's support by adopting genuinely progressive policies in a range of areas (economics, civil freedoms, gender equality...) and demonstrating the ambition to go further. The resulting bond of trust is not something to be lightly dismissed. Not only is it, from an elementary foreign policy perspective, the root of the UK's influence in Bahrain, it is also what sets Britain apart from the other Western countries attempting to bring the government and the opposition together.

### **The UK brand: an asset to be used carefully**

5. The UK must therefore not abuse its power. British backing can legitimise Bahraini actions; conversely, its withdrawal can delegitimise (at least internationally) in a way which few other foreign nations can accomplish. That is the reason the government resisted calls to speak out against Bahrain's F1 race in April. The Grand Prix is the product of efforts by Crown Prince Salman to bring a high-profile sports event to the kingdom, and the prince is one of Bahrain's leading reformers. An expression of British disapproval would have undermined his power and status right when he – and the UK –

needed it to counter the influence of hard-liners within the Bahraini government. In the case of the Grand Prix, the UK did well, even if there was no visible pay-off.

6. Whether or not it did so well in condemning the violence in the early weeks of the uprising is harder to say. The strong language used by the Prime Minister and Foreign Secretary was not inappropriate, particularly given the events of August 2010, which had already caused the Foreign Office to express itself forcefully (though privately) on Bahrain's need to respect human rights. But it may also have done more harm than good. Domestically, it failed to appease those who said the government was too indulgent; in Bahrain, meanwhile, it provoked dismay, confusion and a sense of abandonment. It is impossible to make someone see the validity of reasoned arguments at the same time as he is being hung out to dry, so to speak, yet that is exactly what the UK seemed to be doing. Although the episode did it no long-term damage, the UK must appreciate that the stock Bahrain puts in its opinion magnifies the weight of its statements. There is no use crushing Bahrain's trust when both sides need to work together.

#### **UK interests in Bahrain: real but widely misconstrued**

7. The British government has been criticised for treating Bahrain as an important client whose business is too valuable to lose. Leaving aside the fact the British government actually came down harder on Bahrain than most people acknowledge – there was a sense the UK needed to get the public messaging on Bahrain 'right' after fluffing its lines in Tunisia and Egypt – the notion that Britain depends on Bahrain commercially is simply incorrect. The UK derives massive financial benefit from its relations with several of the Gulf States, notably the United Arab Emirates, Saudi Arabia and Qatar, but the same is not true of its relations with Bahrain. As an illustration, the agreement BAE Systems signed in May 2012 to supply Saudi Arabia with Hawk trainer jets, worth £1.9 billion unto itself, was almost quadruple the value of *all* the UK's exports to Bahrain the previous year. Bahrain's commercial value to the UK is low.
8. On a related note, the British government's defence sector exports and continued provision of training to Bahraini security forces have been portrayed as endorsements of Bahrain's more questionable actions. Most of the exports, however, be they patrol boats, aircraft components, artillery or even sniper rifles, relate not to Bahrain's internal security but to its external defence. The training courses for Bahraini defence personnel may, for their part, have some applicability to the civil unrest. But there is little doubt that training received from the UK is more likely to promote a measured and discriminating approach to crowd control – something in line with British policing standards – than training received from Saudi Arabia or any number of other providers. Suppressing dissent is not something most countries have problems with; it is doing so in an acceptable manner that poses the challenge, and that is where the UK's efforts in Bahrain can help.
9. In contrast to the commercial relationship, the defence relationship is crucial to the UK's pursuit of its national strategic aims. Bahrain welcomes British naval vessels into its waters and port facilities, allows the RAF to use its airfields, and routinely waives the

sorts of protocols Britain would have to follow before entering the national territory of certain of its neighbours. Bahrain also supplies the UK with intelligence, in particular though not exclusively in connexion with counter-terrorism. In a sense, the kingdom is a substitute for an aircraft carrier permanently stationed in the Gulf. Without its co-operation, the UK's strategic flexibility would be curtailed. The assistance Bahrain gives the UK does, therefore, give it a degree of leverage, but one must not jump to the conclusion that British access concerns dominate policy-making. The relationship is much more robust than that.

### **Implications of Bahrain's regional strategic significance**

10. Bahrain's strategic importance goes far beyond the national interests of the UK, or indeed of the US. Bahrain affects, and is affected by, the stability of the region. When Bahrain is stable, it is evidence that a slowly liberalising, democratising monarchical model can work in the Gulf. To its neighbours, it offers reassurance that there is an alternative to the traditional *rentier* state model, that in the face of growing internal pressure to accommodate demands for freedoms, jobs and political enfranchisement, there is a viable 'middle way'. Never has evidence of that possibility been more valuable than now, as the Arab Spring reverberates throughout the region and the Gulf States struggle to respond. The Bahraini model is from perfect, of course, and its flaws do not need iterating here. But when it is working, Bahrain is among the Gulf's most functional, modern and stable countries.
11. By belying the schism on which Iran's pretensions are based, Bahrain's considerable success also countervails Iran's attempts to cast itself as the leader of an oppressed people. A strong and functioning Bahrain offers a firmer – and, in the eyes of the Shia world, more credible – rejection of the Iranian agenda than anything London or Washington can come up with. It thus has the potential to export stability regionally. Unfortunately, and this is the case at present, an unstable Bahrain does the opposite, validating Iran's claims and putting neighbouring countries on edge. The most obvious example is Saudi Arabia, where the persistent unrest in the Eastern Province waxes and wanes in parallel with the situation in Bahrain.
12. Bahrain is also 'importing' instability from Iran. Though the Bassiouni Report did not turn up evidence of direct Iranian meddling, there can be no questioning the Islamic Republic's efforts to destabilise Bahrain using state-sponsored media propaganda. That propaganda, internet-, radio- and TV-borne, amplifies Bahrain's civil strife by vilifying the government and the security forces, exaggerating casualty figures, fabricating outrages against Shias and generally inciting sectarian hatred. By siding with the Bahraini opposition, Iran's media in fact discredit societies like Al-Wifaq by exposing them to attacks from Bahraini pro-government media outlets which accuse them of 'sedition' and Iranian sympathies. The Iranian media's wider practices have been deemed obnoxious enough to warrant the suspension of TV and radio broadcasting permits in France, the US and the UK. Iran is by no means the cause of the strife in Bahrain, but by sowing confusion and exacerbating the distrust that already exists, it is making an already-trying situation more intractable.



13. The conflict in Syria, which is drawing leading countries of the Gulf and Middle East into a sectarian proxy war, is a further strain. The conflict's confessional dimension is becoming harder to ignore. For those in Bahrain who feel a part of a persecuted transnational Shia community – the kind Iran speaks of, Gulf governments' support for the rebels is liable to fuel the sense of domestic victimisation.

#### **Britain's advantages vis-à-vis the United States and Saudi Arabia**

14. Britain, on its own, is not going to resolve the Syrian civil war or the crisis in Bahrain, but it is probably better-positioned than the US to play a part in Bahrain. Comparative newcomers to the Gulf, the Americans are seen both as lacking Britain's regional knowledge and as being untrustworthy. The notion that Washington is out to redraw the boundaries of the Arab world for its own gain has strong currency at the highest levels. Controversy surrounding the current US ambassador, Thomas Krajeski, has undermined the Bahrainis' trust further, and Krajeski is now deemed unable to do his job – i.e. speak to members of the opposition – without being accused of 'interference'. Flag-burnings and protests outside the US embassy show that the antipathy towards Washington is deepening.
15. British disengagement from Bahrain would loosen the ties that have kept it from drifting further into Saudi Arabia's sphere. The Bahraini-Saudi merger – an undertaking mooted for the May 2012 GCC summit but happily shelved – is the most recent illustration of a trend fuelled by Bahrain's economic reliance on its neighbour. Although most Bahrainis aspire to a society more closely resembling Britain's than Saudi Arabia's and leading Bahraini officials share those aspirations, there are also elements in the country's upper echelons that would happily steer it in Saudi's direction. The future Britain represents is one whose appeal these elements cannot hope to match, but were Britain to remove itself, they would not have to. That said, Britain's power must not be exaggerated; it lacks the leverage to challenge Saudi Arabia directly, as does the US.

#### **A way forward for UK policy**

16. The UK must not abandon Bahrain – a wayward ally, but an ally nonetheless. It is the lone country in the Gulf that has openly admitted its shortcomings, announced its intention to address them, and adopted a roadmap – the Bassiouni Report – for doing so. In a Gulf context, that report is a truly exceptional document. Granted, it is only a small map and the end of the road is quickly reached: its recommendations relate to the acute problems exposed by the unrest in 2011 and not to the chronic ones that generated it; nevertheless, as an agenda for change whose recommendations provide verifiable markers of progress, it is unique in the region. (Incidentally, Bahrain is in this regard well ahead of Egypt and Libya, where it is unclear what the government believes, where it is going or who will take it there.)
17. What is more, the government has accepted the Report's recommendations and vowed to implement them. This statement of intent gives the UK the leverage it needs to sustain its pressure on Bahrain without overstepping the bounds either of reasonable foreign policy or of friendship. In areas in which the Bahraini government has made

progress, its efforts should be recognised and applauded. That in no way precludes the UK from demanding proof that the formal reforms translate into genuine change. Nor does it prevent it from making an issue of Bahrain's failure to tackle other parts of the plan.

18. The United Nations Human Rights Council's 176 recommendations for reform, contained in its review of Bahrain's human rights record since 2008, could serve as a second and complementary roadmap. Bahrain accepted 158 of the Council's recommendations in September. Its progress in implementing them should be monitored alongside its progress on the Bassiouni Report.

### **Iran: a nuisance that can only be mitigated**

19. As long as the Bahraini government views Iran as an immediate threat, it will be loath to abandon its security-oriented approach to the crisis. Unhelpful measures, such as the recent banning of demonstrations, will continue to be deemed necessary to restoring a climate conducive to negotiations. Those in the government resistant to political compromise and favouring the current socio-economic order will take advantage of the need for security to entrench their sectarian discourse, exaggerate the threat posed by dissenters and continue casting even moderate Shias as Iranian fifth-columnists. Opposition hardliners will take their cue from the establishment and up the ante (the early-November bombings in Manama being just the latest in a spate of terrorist attacks) inviting further retaliation from the government.
20. Since Iran is not going to go away, however, British efforts should be devoted to persuading the Bahraini government to take the initiative. There is no credible Iranian threat to Bahraini territory, nor does Iran have a sizeable constituency in Bahrain. Its bark is far worse than its bite. There is, however, a real risk that the longer the impasse lasts, the more receptive Bahraini Shia will become to assistance that Iran may proffer – not because of Iran's attractive power but out of sheer anger and desperation. A change of strategy is Bahrain's best defence against Iran.

### **Policy recommendations**

21. The first step Britain should advocate is a toning down of the government's sectarian rhetoric. The next should be to call Al-Wifaq's bluff by putting enough on the table that it cannot refuse to make a counter-offer. The government needs a negotiating partner, but sitting back and waiting is simply not enough. Al-Wifaq's leaders recognise they erred last summer in walking away from the Crown Prince and will not wish to repeat the mistake. In return, the government could demand of Al-Wifaq that it clarify its loyalties and objectives. The longer the government waits, the more complex the domestic political arena will become; already, Sunni groups are beginning to organise themselves and demand to be taken into account.
22. Bahrain refuses to involve external mediators in any negotiation process. It also affirms, however, that it is determined to be open and transparent about proceedings. The UK might therefore propose not that outside moderators be invited in, but that a panel of

outside observers be assembled to witness the negotiations, precisely as a way of guaranteeing the good faith of the participants. The government and opposition might each be entitled to select three of their choice, and the six would monitor proceedings on camera, away from the talks themselves.

23. As observed earlier, Britain's clout lies in its ability to legitimise and delegitimise. The government may wish to consider whether it can husband this resource more effectively. It might, for instance, make senior ministers less accessible than usual when Bahraini officials known to be obstructive request a meeting. It might also limit its own ministers' visits to those officials it views as making a positive contribution to resolving the crisis. Discreet support offered by the British royal family to King Hamad, and the opportunity for further private dialogue, might not be amiss either. A co-ordination of British strategy with the US, Germany and other friends of Bahrain could assist the progressives in easing certain hardliners out of the way.
24. Finally, Saudi Arabia must be induced to co-operate. That may not be as difficult as it seems. Continued unrest in Bahrain does it no good, and there is a point at which the advantages of immediate stability outweigh the longer-term disadvantages. Saudi Arabia will naturally have reservations about the extent of any concessions the Bahraini government may be tempted to make to the opposition, but that stage is still far off. For the time being, the Saudi government is likely to favour measures that contribute to its own peace of mind.

## **Conclusion**

25. British policy must be made in a post-Arab Spring context: without reform, the region is almost certain to experience intensifying unrest in the coming years. The Gulf monarchies realise that the status quo has changed, but have yet to overcome their own inertia. Paradoxically, despite its shortcomings, Bahrain is furthest ahead. It is already mired in a process likely to repeat itself in Saudi and Kuwait (and which may have begun in Oman), but its relatively liberal society and progressive government are more resilient than its neighbours' and its government acknowledges the need for change. Now is not the time for the UK to let go, but rather to redouble its efforts to help Bahrain pull through. The process will be slow, but provided it is also steady, it will be less destabilising than one that goes too quickly. If Bahrain succeeds in extricating itself from the morass, it will be stabler and a model to the region. If it does not, it will without doubt be among the first to be overtaken by the next regional crisis.

*21 November 2012*

## Written evidence from Dr Kristian Coates Ulrichsen

*Dr Kristian Coates Ulrichsen*

*Co-Director, Kuwait Programme on Development, Governance and Globalisation in the Gulf States, London School of Economics and Political Science*

The following constitutes my evidence submitted to the Parliamentary Foreign Affairs Committee on the UK's Relationship with Saudi Arabia and Bahrain. I would be happy to give oral evidence to the Committee, should that be necessary or appropriate.

### Summary

- British relations with Bahrain have a longstanding historical dimension that complicates current ties between the two countries.
- British engagement with Bahrain takes place across a range of formal and informal levels, with the latter creating difficulties for the former.
- The extent of Saudi Arabia's political, economic, and security leverage over Bahrain means that British engagement with, or policy toward, the two countries is intertwined.

### Background

Kristian Coates Ulrichsen is the Co-Director of the Kuwait Research Programme on Development, Governance and Globalisation in the Gulf States, based at the London School of Economics. He also is an Associate Fellow with the Middle East and North Africa Programme at Chatham House. His research focuses on political and security developments in the Gulf States, and, specifically, on the challenges of transition toward post-oil forms of governance. In 2011, he published a book, entitled *Insecure Gulf: The End of Certainty and the Transition to the Post-Oil Era* (Columbia University Press, 2011), which described the vulnerability of regional security structures to domestic fault-lines and tensions within ruling elites unwilling to contemplate any meaningful sharing of political power or control.

Since the onset of the Arab Spring, he has written extensively on the meaning and significance of the Bahraini uprising, its regional and international implications both for other Gulf States, notably Saudi Arabia, and for Western security and commercial interests, and the implications for British foreign policy in light of the report and recommendations of the Bahrain Independent Commission of Inquiry. These began with a co-authored article in October 2010, on the occasion of the parliamentary election in Bahrain and four months before the start of the uprising, entitled *Bahrain on the Edge*, that drew attention to the escalating security crackdown on human rights and opposition activists and predicted challenging times ahead for an increasingly-embattled government. His articles have appeared in *Open Democracy* and in *Foreign Policy*, as well as a book chapter, entitled *Bahrain's Uprising: Domestic Implications and Regional and International Perspectives*, in a forthcoming volume edited by Fawaz A. Gerges, *The New Middle East: Protest and Revolution in the Arab World* (Cambridge University Press, 2013).

The following is a list of his written work on Bahrain since the February 14 uprising in 2011:

*Bahrain on the Edge* (with Christopher Davidson), *Open Democracy*, 19 October 2010

*Bahrain: Evolution or Revolution*, Open Democracy, 1 March 2011

*What Next for Bahrain?* Foreign Policy, 6 June 2011

*Dark Clouds over Bahrain*, Foreign Policy, 6 September 2011

*Bahrain's Uncertain Future* (Foreign Policy, 23 November 2011)

*Business as Usual in Bloody Bahrain* (with Ala'a Shehabi), The Guardian, 11 January 2012

*Post-BICI Bahrain: Between Reform and Stagnation* (with Elham Fakhro), Open Democracy, 19 January 2012

*The Hollow Shell of Security Reform in Bahrain*, Foreign Policy, 12 April 2012

*Britain and Bahrain: Mutual Interests and the Politics of Protection*, New Left Project, 1 August 2012

### Historical Background

1. For nearly two centuries, Britain has been the guarantor of Bahrain's ruling Al-Khalifa dynasty, and for much of the past century its security backbone. Time and again, British support has enabled the Al-Khalifa regime to withstand local agitation for greater political freedoms and human rights. Britain's protectorate relations with Bahrain may have formally ended on 15 August 1971, but they live on through informal channels and personal relationships in the royal, military, and commercial spheres.
2. A treaty in 1820 between Britain and local notables in the small coastal Gulf sheikhdoms first elevated the Al-Khalifa family to the title of 'Rulers of Bahrain.' The Al-Khalifa originally formed part of the larger tribal migration from central Arabia (the Najd) to the coast in the early eighteenth century, where they founded modern Kuwait alongside the present-day ruling Al-Sabah family. In 1766, a dispute between the Al-Sabah and the Al-Khalifa led the latter to leave Kuwait and move down the coast, first to what is today Qatar and, subsequently, to the island archipelago of Bahrain, conquering it in 1783 from the Persian dynasty then in power.
3. Since 1820, the links between the dynasty and the British have flourished and proliferated, with a protectorate declared in 1861. This lasted until 1971, during which period power over Bahraini foreign policy was transferred to the British, who also intervened regularly in Bahrain's domestic affairs. This included deposing three rulers deemed unsuitable, in 1868, 1869, and 1923.
4. Connections between Bahrain and the United Kingdom also have rested on a succession of powerful British 'advisors' to the Al-Khalifa family. Charles Belgrave was appointed personal adviser to the ruler in 1926 and remained 'Chief Administrator', and effectively the most powerful man in the emirate, until 1957. He was only forced out after popular anti-British (and pan-Arab nationalist) fervour following the Suez crisis united Sunnis and Shiites in a cross-sectarian social movement for political and economic reform.
5. Belgrave's advisory services were resurrected less than a decade later when Ian Henderson arrived as head of state security in 1966. Prior to his arrival in Bahrain, Henderson had served as a Colonial Police Officer in Kenya, and had been accused of

using torture in putting down the Mau Mau rebellion in the 1950s. He later faced similar allegations of torturing opposition activists and political detainees during the Bahraini uprising in the 1990s. International pressure led to his removal in 1998 but he continues to reside in Bahrain and reportedly faces an arrest warrant should he return to the United Kingdom.

### The Bahraini Uprising

6. It is in this historical context that continuing British support for the Al-Khalifa regime must be seen. Unlike the United States, British actions frequently are viewed against this long record of political and security support for the ruling family/government. This exposes Britain to governmental anger when that support is perceived as dwindling (as for example when engaging with the major political opposition *Al-Wefaq* society). It also generates an underlying sense of mistrust of British intentions in the eyes of many opposition figures.
7. Mass demonstrations in support of political reform erupted on 14 February 2011 and, at their height, saw up to one-third of the population on the streets demanding their rights. This was the highest *per capita* involvement in any of the protests during the Arab Spring, and the scale of the mobilisation shook the ruling family and the other Gulf monarchs to the core.
8. Significantly, the initial protests involved individuals and groups from across the political (and sectarian) spectrum. This was evident in the tent city that sprang up at Pearl Roundabout, in the involvement of predominantly-young Bahrainis from all social backgrounds in organising the protests, and in the slogan ‘no Sunni, no Shiite, just Bahraini’ that became the rallying-chant.
9. Faced with the rapid escalation of a broad and unifying social movement, the regime resorted to lethal force to disperse and subsequently contain the demonstrations, and also worked to fragment the protest movement by ramping up sectarian rhetoric, deliberately targeting Shiite religious symbols, selectively applying the rule of law and repressive measures to different communities, and splitting the movement in a classic tactic of ‘divide and rule.’
10. A three-month period of national emergency was declared on 15 March 2011. It was lifted on 1 June 2011 and a National Dialogue was convened on 2 July, running until 30 July.
11. It began under a cloud following the 22 June decision of the National Safety Court to sentence 13 prominent opposition figures to varying terms of imprisonment. They included the head and the founder of the Islamist Haq Movement (Abdeljalil Singace and Hassan Mushaima, who both received life sentences), the president of the liberal Wa'ad Society (Ibrahim Sharif, sentenced to five years), as well as prominent Shiite clerics and human rights activists. The majority of those sentenced were committed to non-violent protest and many had participated in the political opening that followed the ending of the previous bout of internal unrest in 1999. Their imprisonment, following a military trial, illustrated the gloved-fist nature of the regime's approach, jailing some of its opponents while simultaneously reaching out to others.
12. The National Dialogue suffered a credibility gap from the beginning. Despite winning up to 45 percent of the vote in the October 2010 parliamentary election, the Shiite opposition group Al-Wefaq was only granted five out of 300 delegates (1.67 percent). This was consistent with the overall composition of the dialogue, in which delegates

representing all Bahraini opposition societies only constituted 11.67 percent of the total. The remaining participants overwhelmingly favored keeping the regime in its current shape. Core opposition demands for redrawing electoral boundaries for greater proportional representation and creating an elected government were simply not on the agenda. Nor was any discussion permitted of the nature or extent of the ruling family's power.

13. Al-Wefaq withdrew from the National Dialogue halfway through, on 18 July 2011, with critics calling into question its own judgment to participate. The dialogue continued, and concluded with a series of recommendations, including one that the Prime Minister (rather than the King) would appoint the government. As the long-serving Prime Minister Sheikh Khalifa bin Salman Al-Khalifa (in office since 1971) represents one of the key obstacles to reform, this recommendation hardly constituted a political concession. Nor did the dialogue come to an agreement over the electoral boundaries, another major opposition grievance. Far from drawing a line under the unrest, the flawed process reinforced existing divisions and demonstrated very clearly that critical issues of political contention are simply not up for debate.
14. The National Dialogue partially overlapped with the Bahrain Independent Commission of Inquiry (BICI). King Hamad established the BICI on 29 June 2011 to "enquire into the incidents" in February and March and their consequences. Its chair was Egyptian Professor Cherif Bassiouni, who earlier led the U.N. Security Council commission that investigated war crimes in the former Yugoslavia in the 1990s. The BICI also included a UN Human Rights Committee member (Sir Nigel Rodley) and a former International Criminal Court judge (Philippe Kirsch) among their number.
15. The BICI report was published on 23 November 2011 with a blistering attack by its Chairman on the conduct of the Bahraini government and security services. In a televised speech in front of King Hamad bin Isa Al-Khalifa, Cherif Bassiouni stated that the Bahraini authorities had used torture and excessive force during its crackdown on pro-democracy protesters earlier this year. He pinpointed a culture of non-accountability among the security services operating during the state of emergency imposed between March and June, and accused unnamed officials of disobeying laws designed to safeguard human rights. Further, he stated that the BICI believed that many of the protests did not fall outside the participatory rights of citizens, and that it had not found evidence of any link to Iranian involvement.
16. In response, the King pledged to create a task force to implement the BICI recommendations, which included a national reconciliation strategy and a further commission to investigate the more than 45 deaths during the uprising since February 2011. Admitting shortcomings by government ministries, he suggested the report offered a new starting-point for Bahrain in its long process of recovery, and called for national unity. The King also pledged that civilians would no longer be tried in military courts and promised to replace officials found to be responsible for human rights abuses.
17. However, a report published in November 2012 by the Project on Middle East Democracy (POMED), entitled 'One Year Later: Assessing Bahrain's Implementation of the BICI Report,' concluded that "the Government of Bahrain has fully implemented three of the BICI Report's 26 recommendations. Two other recommendations were impossible for us to properly evaluate due to a lack of available information, and 15 recommendations have only been partially implemented. Finally, the government has made no meaningful progress toward six of the recommendations, which are precisely the most important steps that need to be taken – accountability for officials responsible for torture and severe human rights

- violations, the release of political prisoners, prevention of sectarian incitement, and the relaxation of censorship and controls on free expression.” (p.1)
18. It is within this context that the 30 October 2012 ban of all public demonstrations and rallies must be viewed. Tensions in Bahrain have continued to escalate in the absence of meaningful or credible reform initiatives either from the government or the opposition. Continuous announcements of impending reforms have failed to translate into significant action to redress the abuses of power and responsibility identified in the BICI report. Crown Prince Salman – previously the spearhead of Bahrain’s reforming elite – remains sidelined by internal struggles for influence within the ruling family. A flight to the extremes has occurred among both loyalist and opposition groups as advocates of compromise and consensus become outflanked by radical elements and advocates of violence over engagement.
  19. The challenge for the government is partially also one of overcoming memories of the previous cycle of repression (during the 1994-99 uprising) followed by partial promises of reform (2001-10). The longer the old elite remains untouched by high-level calls to account for the abuses of power over the past twenty-one months, the harder it will be to convince sceptics of the government’s good faith this time around. Thus far, little in the 2011 National Dialogue, the BICI Report and its aftermath, and the continuing repression of opposition activity, suggests any room for optimism that a negotiated settlement may be found.

#### British Engagement – Formal and Informal

20. British policy toward Bahrain highlights the difficult and conflicting issues at stake; moreover, the historic and continuing close ties between Bahrain and the United Kingdom mean that engagement is filtered through informal channels as well as formal mechanisms of state-to-state coordination. The result has been a muddled and inconsistent policy that severely undermines British declaratory support for human rights as expressed by the Foreign Secretary in his keynote 15 September 2010 speech on ‘Britain’s Values in a Networked World.’
21. Yet, amid the ongoing unrest in Bahrain and intensifying criticism of the regime by international NGOs and the United Nations, British interests in the country have multiplied over the past year.
22. In December 2011, the appointment of former Metropolitan Police commissioner John Yates as adviser on police reform rekindled unhappy memories of Belgrave and Henderson. Although his contract was originally meant to last only until April 2012, he remains in place, and he accompanied the Minister of Interior on a visit to the Foreign and Commonwealth Office in June. Yates has also emerged as a stout defender of the regime in the UK media through interviews and articles in which he dismisses the unrest as ‘vandalism’ devoid of political significance (Daily Telegraph, 12 February 2012).
23. Bahrain’s troubled year has also presented opportunities to expand British commercial and trading interests. A recent parliamentary report on arms export control revealed that 97 export licenses currently exist for sales to Bahrain, ranging from small arms and sniper rifles to silencers and gun sighting equipment (Committees on Arms Export Controls, First Joint Report, July 2012).
24. In addition, a British company (Olton) has provided the intelligence-gathering software to monitor social media and spy on activists, while multiple British-based



consultants and PR companies have been appointed to present a polished image of the regime to the world.

25. While not illegal in any way, it should be noted that aspects of such ‘informal’ or private involvement with the Bahraini government complicates the ‘official’ British narrative in Bahrain, especially when set against prior instances of similar British support in the past.
26. It is difficult not to conclude that the British government’s policy has continued to prioritise a ‘business as usual’ approach to secure lucrative contracts, especially in the security sector, while keeping judiciously quiet about the continuing human rights abuses.
27. At a time of economic austerity and relentless cost-cutting at home, such a mercantilist approach may make commercial and even strategic sense; moreover, as tensions with Iran escalate, so does the strategic value of Bahrain to the British and American posture in the Gulf.
28. This provides succour to hard-liners within the regime who oppose far-reaching reforms, even if some of them, most notably the Minister of Defence, have suggested (bizarrely) that the uprising was ‘by all means a conspiracy involving Iran with the support of the United States.’ In the same interview with Egyptian newspaper *Al Ahrām* on 6 July 2011, Khalifa bin Ahmed Al-Khalifa added that ‘More important than talking about the differences between the U.S. and Iran’ are ‘their shared interests in various matters that take aim at the Arab welfare.’

#### Britain, Bahrain, and Saudi Arabia

29. In the absence of a game-changing shift in US and British security posture in the Gulf, further engagement with Bahrain will continue, as it will with the other Gulf States, to be defined by strategic and commercial interest. Yet, Saudi Arabia’s political, economic, and security influence over Bahrain also means that policy engagement toward Bahrain must be viewed against the backdrop of British interests in Saudi Arabia (however defined).
30. Bahrain has long had an agreement with Saudi Arabia to share the revenues from the offshore Abu Safa oilfield, without which Bahraini oil production would be negligible. The resulting revenues provide 70% of Bahrain’s total oil and gas earnings, but as the field is operated by Saudi Aramco, Bahrain is vulnerable to Saudi pressure that has, in the past, resulted in temporary reductions in revenue transfer as a means of expressing Saudi displeasure at particular Bahraini policies – a case in point being Saudi anger at Bahrain’s 2006 Free Trade Agreement with the US. This gives Saudi Arabia considerable political (and economic) influence over Bahrain, while the Saudi and Emirati military incursion into Bahrain in March 2011 provides a high degree of influence over security policy, too.
31. The Saudi incursion into Bahrain stems from acknowledgement that it has the most to lose from prolonged or major instability in its eastern neighbour. From an ideological perspective, the ruling Al-Saud family in Riyadh has demonstrated twice – first during the 1990s uprising and

- then again in 2011 – that it is prepared to use force if necessary to support a fellow ruling dynasty in the Gulf.
32. The ideological damage to ruling families throughout the Gulf, were one of their number to be forced into major concessions to popular opinion, still less ousted from power, is magnified in Saudi Arabia's case. This arises from the fact that Bahrain lies offshore the coast of its oil-rich Eastern Province with its large Shiite minority. Like their Bahraini counterparts, Shiites in Saudi Arabia have long complained of systematic discrimination and marginalisation at the hands of state authorities. Deep frustration at the politics of uneven development caused a week of major unrest in 1979 centred on the oasis town of Qatif.
  33. Worryingly for Saudi officials, Qatif has again been at the epicentre of persistent anti-government protests over the past two years, replete with declarations of support from Saudi Shiites for their Bahraini brethren. As in Bahrain, the unrest has been met with force, leading to more than ten deaths and the arrest of a leading Saudi Shiite cleric, Nimr al-Nimr.
  34. Companies and governments wishing to maintain close relationships with neighbouring Saudi Arabia are unlikely to want to jeopardise these far more valuable ties by making a stand over Bahrain, given the degree of Saudi political and economic influence over the country. Indeed, the visceral Saudi reaction to the announcement of the Foreign Affairs Committee inquiry reinforces the point that policy toward Bahrain now is interlinked to Saudi engagement.
  35. Companies perceived to be British already have been targeted for retaliation by Gulf governments angered at alleged British support for opposition and human rights activists – notably the decision by Abu Dhabi to drop BP from the shortlist for the renewal of the oilfield concession it has part-held since 1939, supposedly in response to BBC Arabic providing 'negative' coverage of the security crackdown in the UAE in 2012.
  36. There is no hiding place in the modern networked world. Social networking and online media tools such as YouTube and Twitter represent powerful new methods of holding government, corporations, and individuals to account. These platforms already have been utilised both by Bahraini government loyalists and opposition figures to highlight perceived inconsistencies in British policy. Yet, Britain's complex historical relationship with Bahrain places officials in a 'lose-lose' situation. On the one hand, the long record of British support for the ruling Al-Khalifa family exposes policy-makers to Bahraini government anger when British policy is seen to be critical and less than fully supportive; on the other hand, the opposition juxtaposes continuing British engagement with the government against declaratory statements of British support for Arab Spring movements elsewhere in the region, notably in Libya and Syria, as well as the eventual acquiescence to peaceful regime change in Tunisia and Egypt.
  37. Thus, despite the potential for leverage accorded to US and British policy-makers by virtue of their security partnership and historic ties, little evidence exists that officials actually are willing to exercise it. Instead, Bahrain has become a symbol of the double-standards of Western policy toward the Arab uprisings, where the withdrawal of support for dictatorial regimes in Libya and Syria stands in contrast to the enabling of autocratic rulers in the Gulf.
  38. A report published by *Amnesty International* to coincide with the one-year anniversary of the BICI report ('Bahrain: Reform Shelved, Repression Unleashed',

November 2012) made the important point that ‘The legacy of the BICI Report is fading fast, increasingly overshadowed by ongoing impunity for torture, the jailing of activists, and the ban on all protests. In the face of what increasingly appears to be a defunct reform process, those who have championed Bahrain’s record on reform must be increasingly forced to challenge the charade’ (p.36).

39. This poses a profound set of questions for the Parliamentary inquiry as well as for British policy-makers regarding continuing engagement with a government that does not appear to have a credible plan of reform and one in which hard-liners consistently have gained influence at the expense of moderate figures in the twenty-one months since February 2011.

### **Recommendations**

- British policy to Bahrain and to Saudi Arabia must not lose sight of human rights considerations even as strategic and commercial interests loom large.
- Policy-makers should be more forceful about tying future engagement to meaningful progress on upholding universal values in general, and to insisting upon mechanisms of accountability and reparation for victims of abuse since February 2011 in particular.
- The discrepancy between the Bahraini government’s claims of substantial progress on reforms and the reports of international agencies need to be examined as a matter of urgency.

*21 December 2012*

## Written evidence from Caroline Montagu

### Summary

- This submission deals with developments in women's rights since **1998** when I first started working with Saudi women.
  - Today women's rights, presence, employment and activities are centre stage for Saudi Arabia. But in 1998 it was hard to get a group of women together in any of the three major centres (Jeddah, Riyadh, EP); women did not meet others from across the country as travelling for women was harder; no organizations, networks or internet for women and their concerns existed, except an annual women's charity conference.
  - Today the situation is entirely different; there are nine million women and girls; nearly 60% of Saudi graduates are women; their employment is needed in the economy, their voice is heard and they are seen.
  - I could put in a number of firsts, like a female higher education minister, women on the Jeddah Chamber of Commerce board, a woman chairman of the Jeddah Economic Forum, first newspaper deputy editor in chief and so on.
  - Women have always been powerful in the Kingdom in the private arena; now they are taking their place in the public sphere.
  - Many aspects of women's rights, however, still merit a fundamental upgrade: the *mahram* (guardian) system, the *wakil* (power of attorney), family law in many vital areas, divorce, child marriage, to name a few. Women are not treated equally with men, as under Islam they should be.
  - Traditional accretions in Saudi society have obscured Islam's message of equality of the sexes and damaged women's position in society.
1. **Women's rights and reform** move forward slowly but inexorably. Saudi Arabia works on consensus, though reform of women's rights probably does not have a majority national mandate. It can never be stressed enough that Saudi Arabia is a conservative Muslim country; Islam dictates people's lives, beliefs and activities. It is a rigorous Hanbali interpretation of Islam, not changed much since the eighteenth century of Muhammad ibn Abd al-Wahhab.
  2. **Reform for women is top down**, not a grass roots movement. It started with the government. King Abdullah has been backing reform for women since he was crown prince and his daughter Princess Adilah has been ably promoting women's rights, especially on domestic violence, cancer charities and the rights of women in business. King Abdullah's speech of September 2011 opened the Majlis al-Shura and the municipal elections to women. Earlier speeches of the King's stated women should be at the centre of the economy and he would not "approve the marginalization of women".
  3. **At least 60%, if not 70%, of Saudi Arabia is conservative** and does not want change. The power of, and adherence to, Islam cannot be overestimated. For every educated liberal woman there are at least two similarly educated conservative women. According

to Prince Turki al-Faisal in a Washington speech in early November 2012 the fight is not between the educated and the non-educated in Saudi Arabia; it is between the liberals and the conservatives.

4. **Saudi Arabia has representation**, not democracy; in theory and traditionally, anyone with a problem can go to the *majlis* (council) of the governor of their region or to his palace; people can go to their tribal leaders. There are many regional organizations: *majalis* (councils), regional chapters of trade associations, regional charities, self-help cooperatives exist in the towns and cities. However, the shia 2million, mainly in the Eastern Province, are underrepresented and discriminated against.
5. **Civil society** in Saudi Arabia emerges through such organizations and provides an arena between government and people. The domestic charitable sector, which is large, spread across the country and diverse, provides one of the best arenas of civil society. The not-for-profit organizations, like Effat University or Dar al-Hekmah University or the Chambers of Commerce, are tools of civil society that need supporting and recognizing.
6. **Driving** is the ikonic issue; women do not drive in the towns but they drive in the countryside; they have to – teachers, nurses have to get to their work places and their clients; it is accepted and they are not stopped. There are far more important problems for women than driving. Family law (see below) is one. However, since men are wearing *ghotras* which stop them seeing sideways and women are wearing *hejab* or *niqab*, the danger of men and women driving is not so much possible seduction as increases in accidents - were traffic in Jeddah and Riyadh not almost permanently gridlocked.
7. **ID cards** are now issued for girls from the age of 16 and are mandatory for entrance to further education. The national ID card gives access to a bank account, which gives women financial independence. Since April 2010 women can travel in the GCC with a Saudi Arabian ID card and without a *mahram*, though with his approval. The Kingdom has many, many businesswomen who are constantly travelling, as business has been one of the preferred professions for women.
8. **Shura and municipal elections**: King Abdullah's speech of September 2011 put women at the centre of the country's development, giving women the right to run and vote in the municipal elections and appointing 35 women to the *majlis al-Shura*. Women in the *shura* will lead to full participation of women in society; they will have a responsibility to identify and reject laws and regulations that are incompatible with today's world, and will use it for women's needs and issues: pensions, equal pay, maternity leave, on-site nurseries, reasonable working hours and also for the Saudi women who are oppressed and underprivileged. It will allow women to explore and improve the status of women in society but they must be involved in all twelve committees: human rights, education, culture and information, health and social affairs, urban services and public utilities, foreign affairs, security, the economy, industry and finance, not the soft ones. Further, women will not need the consent of a *mahram* to run or vote in the municipal elections.

9. **Judiciary:** Reform in the judicial system is very well overdue. From 2012 women lawyers can practice in the courts if they have 3 years' experience. Male and female lawyers have the same rights and obligations and will face the same penalties for malpractice. However, the question is whether the judges, who hold total authority, will permit it. Some judges have shown antagonism to women in their courts, but the government is likely to come down on such behaviour. There are many family law legal issues for women that need resolving, including abuse of all sorts, domestic violence, instant divorce, child marriage and inheritance.
10. **The *Shari'ah*** certainly needs for codification, especially in family law. Precedent does not exist in *shari'ah* law thus leading to different judgments for the same offence and giving *shari'ah* judges far too much latitude. For instance in June 2012, when women were driving, Manal al-Sharif in the EP was given a prison sentence while in the Western Region a women driving was sentenced to lashes. Both these judgements were commuted by the King. The 2010 story of the "Qatif girl" is another example of the inequity, if not blind prejudice, of *shari'ah* judges.
11. **Labour:** Women are working in a far wider range of jobs and professions than 10 years ago and have access to wider tertiary education. Women are working in underwear shops, after much trouble, and at some supermarket tills in the open, and in banks and ministries. The battleground is between *khulwa* (two people of different sexes in closed space together) forbidden by Islam, and *ikhtilat* (interaction between members of the opposite sex). *Ikhtilat* has recently been accepted by some Saudi shaikhs, not before time, but the conservatism of the country will hold back *ikhtilat* in the rural and tribal areas. Employment is a major issue and though women are more widely employed than 15 years ago the country is still not benefitting from its educated and dynamic women.
12. **Education:** Girls are educated through to tertiary education or beyond and as in other countries often have better results than boys. Some 60% of university graduates are women, mostly from Saudi universities but under the King Abdullah scholarship scheme also from foreign colleges. The new mixed KAUST, King Abdullah University for Science and Technology, has men and women mixing together and is intended as a centre of excellence. No carping by conservative *shaikhs* stands in the way: a *shaikh* who criticised this *ikhtilat* was sacked instantly by the King. The new women only Riyadh-based Princess Noura university is going to be turning out eight thousand women graduates a year. The Jeddah-based Effat University now offers a degree in computer engineering - with other universities following suit.
13. **Lobbying:** the Khadija bint Khuwailid Centre (KBKC), the woman's section of the Jeddah Chamber of Commerce and Industry (JCCI), is a powerful lobby for women in business and for better regulations governing women in the workplace. Led by Dr Basma Omeir, the most effective lobbyist in the Kingdom, and with Princess Adilah as patron, the KBKC has enormously improved the visibility of women and their ability to work in business. The KBKC is the entity working with the Labour Minister to provide better conditions and regulations. The KBKC has pulled in a number of powerful Jeddah business women, among whom is Dr Lama Suleyman, recent chairman of the Jeddah Economic Forum and a member of the JCCI.

**14.** A call for a **ministry of women's affairs** came out of the December 2011 women's affairs forum. This ministry would lobby for women's rights and safeguard women's progress without any cultural, economic or political interference. That women are calling for this is a step forward.

**15. Impediments of women's rights and development:** Despite the many achievements of the past decade impediments continue to bar women's access to full and equal citizenship in Saudi Arabia and to what the west would see as basic human rights.

***mahram*** (guardian), where women can only operate with the consent of their guardian, such as travelling or staying in a hotel, and have no legal independence of the *mahram*.

***wakil*** (business agent). Until 2011 a woman needed a male *wakil* to go to government offices for all business dealings and to sign all business papers. The *wakil* is no longer needed in any Ministry of Commerce dealings but, the Kingdom being poor at implementing regulations, officials are probably still calling for the *wakil*. One EP businesswoman friend of mine kept as her *wakil* a semi-illiterate old man who made the coffee for her lawyers and signed the papers when told.

**lack of implementation:** the systems infrastructure is still poor; implementation is hard to achieve and leads often to a paralysis in the system. Enforcing a judgment in the legal system has always been very difficult but enforcing new regulations that empower women is as hard. Reasons for this range from the top-down nature of Arab business - one man at the top makes the decisions - to the use of "other Arabs" in middle management who fear the risk to their job and security if they take a decision; another is inertia and yet another is fear of women's empowerment.

**countrywide reluctance** to support women in leadership positions; not enough women or men trained for leadership roles in Saudi Arabia; this leads to slow implementation of decisions.

**16. General comments:** Saudi Arabia is not a nation; it is a political entity. The Saudi regions were pulled together by King Ibn Saud in 1920s, either by force or cajoling, but little sense of nationhood exists. Cultural, ethnic, religious and geographical divisions abound: Najdis and Hejazis, *hadara* and *bedu*, the shias of Eastern Province, the ismailis of south west. Tribal loyalties and tribes override regions and frontiers, such as the *shammar*, the *ghamdi* or the *utaibi*.

It is a huge country with poor terrain, poverty in the rural areas and the downtown sums; it is hard to get to all the villages and to give basic services, primary health care, housing, education, social benefits. Here the youth movement is providing an example of active volunteering and recognising the obligation in Islam to look the disadvantaged

## **Recommendations:**

The importance of Islam to Saudi Arabia cannot be over stressed. Saudi Arabia is a deeply religious and Muslim country; Islam guides people's lives, thoughts, hopes and behaviour. Saudi Arabia does not want to be a secular state and women do not want to be secular. Women are Muslims and they behave as such. The difficulty for men and women is to be modern and a good Muslim, and to adjust their Islam to the present time.

People from the west need to understand the circuitous nature of Saudi change; the country often seems to behave in a through the looking glass fashion; small measures that look insignificant create major changes, like ID cards. Major issues, like domestic violence or cousin marriage, first appear in a newspaper, then nothing is said except public chat, and then months later a regulation is passed and, lo and behold, every town has to have a woman's refuge.

The west could have more respect for how far Saudi Arabia has come in the last 30 years with more encouragement for what they are doing, more attempt to understand the Saudi way of doing things, more tolerance for things not going according to western principles.

Implementation of shari'ah needs to change in Saudi Arabia and no excuse exists for imprisonment of people without trial. Western activists regard Saudi Arabia with great suspicion on human rights, but look in India what the higher castes do to the dalits.

## **CV**

CAROLINE MONTAGU, MA (Cantab), MA (London), has been working on the Middle East for over 30 years, principally on Saudi Arabia. She now writes on social and civil reform and women's issues in the Kingdom, though previously writing on business and the economy. She has also written on the GCC states, Palestine and Afghanistan.

Posts include: Trustee, Saudi British Society, member of the Saudi British Business Council and the ABCC Chairman's Consultative Committee on the Middle East, honorary member of the Middle East Association, senior adviser Women in Business International, and Research Associate, SOAS' London Middle East Institute.

*21 November 2012*



## Written evidence from Robert Lacey

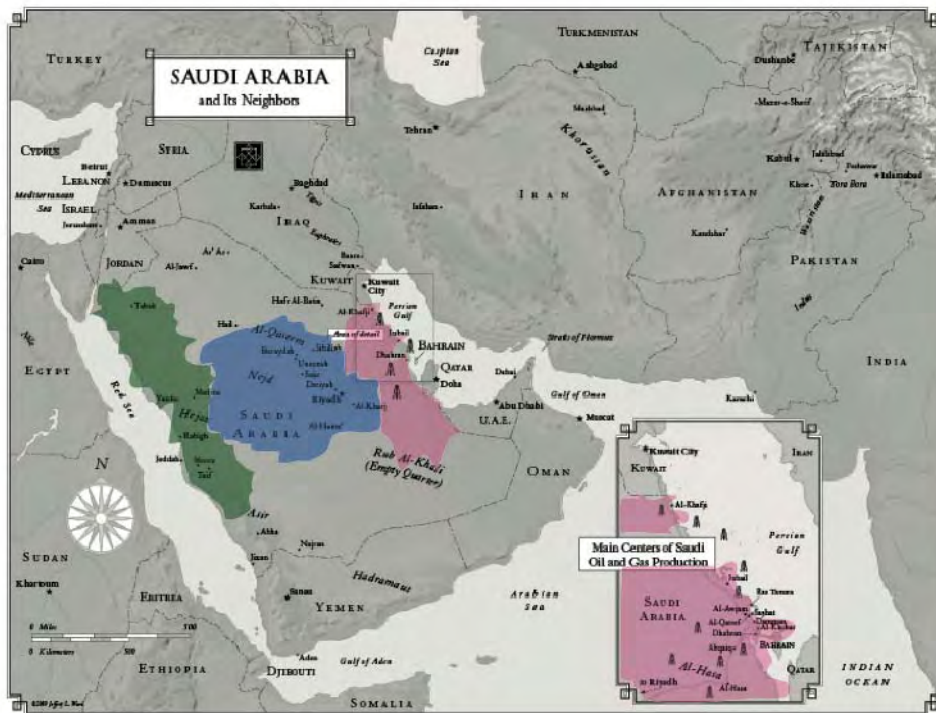
Named after its ruling dynasty, Saudi Arabia is a family creation, a family fiefdom and a family business. The Kingdom's past, present and future prospects all revolve around the dynamics of its ruling family.

Robert Lacey, author of *The Kingdom*, 1981, and *Inside the Kingdom*, 2010, is a leading authority on the history and people of Saudi Arabia - and on the House of Saud in particular. Robert went to live in the Kingdom with his own family for two years in 1979, and has lived and travelled there continuously since 2005. In 2011 he received the Al-Rawabi Award for his contribution to Saudi-British understanding.

Great Britain and the House of Saud have enjoyed a fruitful and mutually co-operative relationship for just over hundred years. Britain played a crucial role in the creation of the Kingdom in the early decades of the 20<sup>th</sup> century, in return for which the Saudis upheld and advanced British interests in the Middle East, particularly in the years of, and immediately after, the First World War. The discovery and development of Saudi Arabia's vast oil reserves since the 1930s has given a global dimension to the relationship between our two kingdoms, and this submission to the Foreign Affairs Committee examines the key aspects of that – with particular emphasis on the Saudi point of view on such issues as energy policy, Islam and westernization, the royal succession, human rights, political opposition, the Shia Muslim opposition, and the Saudi role in Bahrain.

19<sup>th</sup> November 2012

## Saudi Arabia: Ancient Kingdom, Modern Issues - Robert Lacey



*Saudi Arabia showing the oil producing areas in the Eastern Province (pink), the holy cities of Mecca and Medina in the western province of the Hejaz (green), and the central area of Nejd (blue), the traditional power base of the house of Saud. From Inside the Kingdom by Robert Lacey 2010.*

1.  
 Say Saudi Arabia, and most people in the west think ‘oil’ – the Kingdom’s oil resources are among the largest in the world, with 40 or 50 years production in reserve by any measure. For much of this year, 2012, Saudi Arabia has been out-pumping Russia, producing in the region of ten million barrels of oil per day – 1.5 million or so for domestic consumption, 7.5 million bpd for export at a price of around \$100 per barrel. Of this \$100, it is thought that \$75 or so are needed to meet domestic budgetary requirements, leaving a 25% surplus which enables the country to operate at a very low level of debt - its financial surpluses being largely invested in, and contributing to the stability of, the US dollar (Saudi Arabia comes third behind China and Japan as a holder of US treasury bonds). Saudi Arabia is the only major oil producer with currently dominant pumping flexibility, meaning that they are able to push energy prices up by restricting production – as, famously, in the oil embargo years of the 1970s - or, particularly in the years since the crash of 2008, to pump at high capacity in order to keep prices level and bolster world economic activity at a difficult time. Some Saudis like to take credit for their ‘kindness’ to the international economy in this respect, but they are, of course, acting in their own interests when they pump to keep the world afloat. In this sense, with its objective of keeping oil production constant and prices stable, the Kingdom serves as a major energy ally and long-term economic partner of Great Britain.

2.  
 As the map above shows, Saudi oil and gas reserves are situated in the east of the country on the Gulf coast facing Iran. But it is in the west, along the Red Sea coast facing Egypt and Sudan, that lie the two Holy cities of Mecca and Medina, and it is these that make Saudi Arabia of supreme spiritual importance for the one billion-plus Muslims in the world. The fifth of the

five central pillars of Islam instructs that every Muslim should seek to make their *hajj*, or pilgrimage, to Mecca before they die, and *hajj* numbers currently run at some three million during the annual pilgrimage season, with several million more worshippers making their *umrah*, or lesser pilgrimage, in the other months of the year. Islam is currently the most dynamically expanding faith in Great Britain, so here is another area of close mutual interest.

3.

It was the historic achievement of the House of Saud to conquer and assimilate these two regions of crucial concern to the modern world into a single country, the Kingdom of Saudi Arabia in 1932. Oil was discovered half a dozen years after this, and it might be worth mentioning that if we, the British, who then dominated that part of the Middle East, had known what lay beneath the sands of eastern Arabia we would probably not have let the House of Saud conquer them. But they did, and the 'Saudi' in Saudi Arabia refers to the family who own the country. One of only two states in the world named after its ruling dynasty (the other is the Principality of Liechtenstein), Saudi Arabia is a family creation, a family fiefdom and a family business, which has, in many ways, become even more Al-Saud dominated in recent years. The Kingdom's unique blending of worldly wealth and religious resources, the clash between the materialism that the east coast generates and the spiritual traditions of the holy cities in the west - a classic conflict between God and Mammon, ancient and modern - all these issues place major question marks over the character, stability and prospects of an important ally for Britain. When I am asked about the future outlook for this fascinating cauldron of challenges, I can do no better than to point at the pink and green areas on the map and to say that the chances of their fruitful co-existence in the future lies in the hands of the House of Saud in their traditional power base, coloured blue in the middle.

4.

The House of Saud has been my particular area of expertise since 1978 when, following the publication of *Majesty*, my silver jubilee biography of Queen Elizabeth II, I headed for the Middle East and the study of a larger royal family, said to be some 5,000 strong in those days and surely double that size today. I lived in Jeddah beside the Red Sea with my family for nearly two years to write *The Kingdom: Arabia and the House of Saud*, published in 1981. *The Kingdom* told the story of the successive Saudi states created since the forging of the historic alliance between the House of Saud, then obscure sultans based in Dariyah, a small village north of Riyadh, and the fundamentalist preacher Mohammed Ibn Abdul-Wahhab in 1743 (in the reign of George II and a quarter of a century before the creation of the United States of America). *The Kingdom* was banned by the Saudi government on the basis of the Ministry of Information's ninety-seven objections to what I wrote about about religion, Saudi culture and controversial episodes in 20<sup>th</sup> century Saudi history. I thought this was the end of my relationship with the Kingdom, but in 2005, following 9/11 and the bloody outbreak of war on the ground between Al-Qaeda and the Saudi government, I went back to Jeddah to write about Osama Bin Laden, the Saudi role in generating the age of terror, and the Kingdom's subsequent attempts to redeem the mistakes that resulted in 15 of the 19 hijackers being Saudis. Among these reforms was an end to book banning, but this has not prevented *Inside the Kingdom: Kings, Clerics, Modernists, Terrorists and the Struggle for Saudi Arabia* being denied distribution since its publication in 2009.



*1911: The Saudi Army on the march in eastern Arabia – Photographed by Captain William Shakespear, British Agent in Kuwait. Royal Geographical Society*

5.

Taken 101 years ago, this photograph precisely marks the moment when the Saudi-British relationship began. For a decade the India Office had been ignoring requests from Abdul Aziz ('Ibn Saud', the father of the modern Saudi kings) for Britain to establish friendly relations with Riyadh. But the increase in tensions that would lead to the Great War caused Delhi and London to re-examine the safety of the links between Britain and India via the Suez Canal and the likelihood that Ottoman Turkey would side with Germany in any conflict. Captain William Shakespear, British Agent in Kuwait (and a keen amateur photographer), was dispatched to enlist the help of the Saudis in eastern and central Arabia, as T. E. Lawrence was later sent to the Hashemites in the west. Thanks to the eloquent pen of Lawrence (with the subsequent help of Peter O'Toole), the Hashemites' 'Arab Revolt' has entered popular history. Less well known is the fruitful collaboration between the Saudis and a succession of British agents which led to the elimination of Turkish influence from the peninsula, both directly and

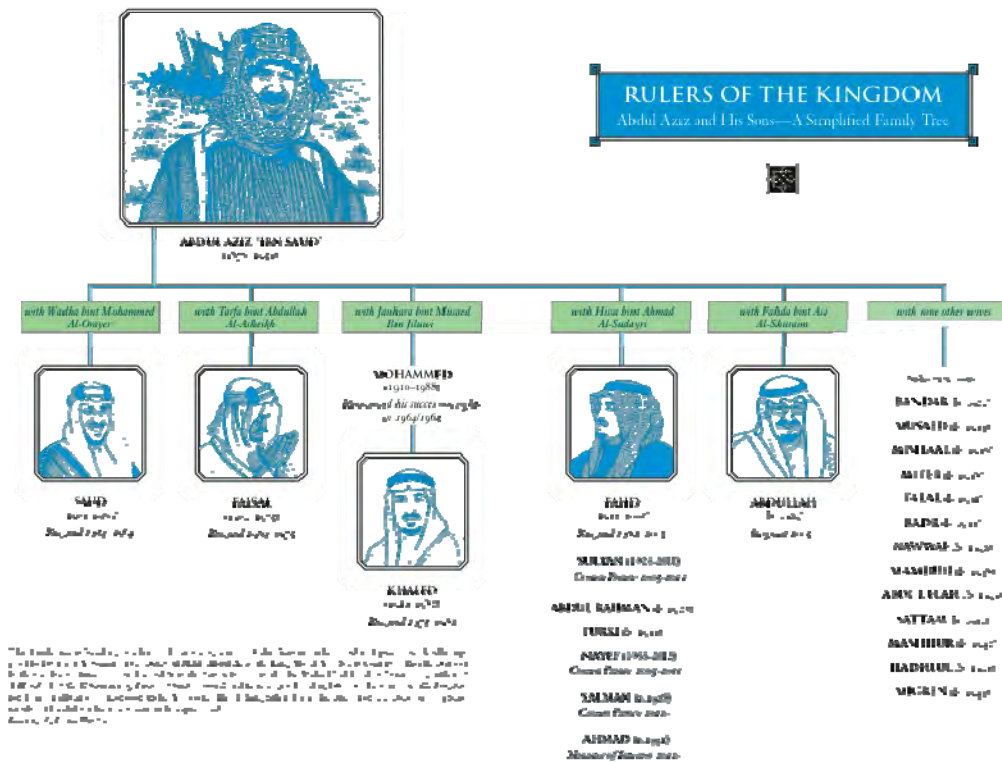
via Turkey's client dynasty, the House of Rasheed, thus safeguarding the southern frontiers of what became the British mandate territories of Palestine and Transjordan. The Saudis were constructive and co-operative allies - even as British arms and money helped advance their own dynastic ambitions. When Britain signed the Treaty of Jeddah in 1926, recognizing Abdul Aziz's conquest of the holy places, there was very much a sense in which Britain had served as godmother to the combined Kingdom of Hejaz and Sultanate of Nejd, that would become known six years later as the Kingdom of Saudi Arabia.

6.

The House of Saud has a generally retrograde image in Western media. Seen from the inside of a deeply conservative society, however, they often seem the very opposite - pioneering such innovations as women's education, the telephone, radio and television, the internet and social media in the face of fierce and sometimes violent fundamentalist opposition. In 1965 the government had to send troops to protect the rights of girls whose parents wanted them to attend school. Ten years later King Faisal was assassinated by a nephew following a family dispute over the propriety of introducing television to Riyadh. In 1979 there were those who feared the House of Saud would go the way of the Shah of Iran, and if the family *had* indeed been cast aside, then - or at any time since - by its most bitter domestic opponents, then Britain would be confronted in the Gulf by two fundamentalist theocracies run by rival groups of clerics (Shia in Iran, Sunni in Arabia). When elections were held in 2004/5 for local councils as a first step towards the establishing of more democratic processes and institutions, the victors in most localities were predominantly 'the bearded ones' - Islamists and Muslim Brotherhood. In the age of social media, Saudi campaigners for Western-style democracy and human rights have built up Twitter and Facebook followings of several hundred thousand each as they critique the autocratic Saudi monarchy. But they are dwarfed by the massive Twitter followings (of one million+) enjoyed by traditionalist sheikhs who do NOT see western democracy as the way ahead, issuing fatwas in the enduring spirit of those issued by Mohammed bin Wahhab two hundred years ago. Domestically, the House of Saud fights an unremitting battle, not least in the field of education, against the conservative clerics whose historic support brought them power, but who have declined to move forward in Western terms.

7.

The phrase 'Western terms' is a sticking point in this debate, since many Saudis do not consider that Westernization moves their country forward - quite the opposite. They do not consider it 'progress' for their young women to become unmarried mothers or for their old people to be sent to old people's homes (institutions which do not exist in Saudi Arabia). When I lived in the Kingdom in 1978 it was commonplace to see Saudi women in skimpy bathing suits at the beach. Today those same women, many of them friends of mine, consider it progress that they personally, their daughters and their society as a whole have become more modest. The Saudi reverence for age is another example of a value system at odds with the west, where thrusting youthfulness is often ranked above maturity. It is a commonplace of foreign media comment to deride the advanced age of Saudi rulers, but the Kingdom's carefully calibrated succession system is actually a collaborative enterprise reflecting the traditional values of Saudi society, while containing two elements that western systems of primogeniture do not possess - selection by ability and judgment by results.



8. This family tree shows how, since the death of the Kingdom’s founder, the succession has moved horizontally through his sons, partly on the basis of seniority, but also on the basis of competence and the ability to command consensus inside the family, and beyond. Thus King Khaled (1912-1982) was given precedence over his erratic older brother, Mohammed, while, in very recent weeks, Prince Ahmad (born 1941), the US-educated Interior Minister, once considered a shoe-in as a future crown prince and king, has been removed after failing to live up to family expectations – thus opening the way to a jump in succession to the next generation. The names of the royal mothers in the green boxes show how Abdul Aziz took wives from all over Arabia as he conquered different tribal areas, fathering children who thus reflect the tribal make-up of the entire peninsular. In terms of blood, the family can fairly claim to contain representatives of every corner of the country.

9. Consensus is the key to understanding Saudi Arabia, and as the Committee examines the Kingdom, I would suggest they concentrate on where consensus does and does not exist. The House of Saud are essentially dealmakers - 'We prefer to kill enmity, not enemies,' as a young prince once said to me. The family’s historic power was founded on the deal they did with Mohammed ibn Abdul Wahhab and with the successive fundamentalist clergy who, today, preach in some 50,000 mosques. They did deals with the tribes they conquered - sometimes with arms supplied through the deals they did with Great Britain. They did deals with the sophisticated merchant families on the two coasts, east and west. King Fahd did an historic deal with the Shia opposition in the 1990s to bring them back from exile - and the family seek today to do deals with their domestic critics and opposition figures whom the Committee should seek to meet. Some are in prison, but fewer than the world imagines - and for reasons which, I think, you should invite the new Interior Minister, Prince Mohammed bin Nayef, to explain and discuss.

10.

The Committee should seek to meet and talk to domestic opposition figures - I can provide you with some names and contact details - and when you do, I think you will be struck by their passion, but also, in my opinion, by their refusal to accept the religious and tribal realities of their own society, and by their lack of practical suggestions for altering the fundamental power structure to which they object. They will talk angrily, for example, of 30,000 political prisoners or even more. I have never managed to get them to provide data to justify this huge number, which gets picked up and quoted indiscriminately by visiting journalists - including correspondents of the BBC. When you meet human rights campaigners, I suggest you ask if they can provide the names and verified identities of, say, 500 Saudi political prisoners - not including the names of those detained for terrorist offences and membership of Al-Qaeda in the Arabian Peninsular.

11.

When you go to see the Shia leaders in the east, by contrast, they will provide you with exact names and numbers of Shia in detention - totaling no more than 500, and probably less. Involving profound religious differences and open prejudice, particularly on the Sunni side, the Shia-Sunni problem is comparable to the Protestant-Catholic divide in Northern Ireland in its ancient, long-running bitterness and intractability. I have travelled frequently to the east to celebrate Shia festivals and meet their leaders. I would suggest that the Committee does the same and I am happy to supply names and contact details.

12.

The closeness of Bahrain to the Arabian peninsular makes it a Saudi Isle of Wight - with Bahrain physically connected to the mainland by a six-lane causeway-bridge. The Saudi-led invasion of GCC troops across this bridge in 2011 provoked worldwide condemnation - which was understandable, but hypocritical, in my view. The majority of the inhabitants of Bahrain are Shia Muslims whose loyalties - social, religious and political - look beyond Bahrain to Iran and Iraq, Iran's massive new, US- and UK- liberated Shia ally. There is not a single western country, including Britain, which would welcome a pro-Iranian Shia government dominating Bahrain and its crucial US naval base. So, inasmuch as Saudi Arabia is helping to suppress the undoubted political rights of the undoubted Shia majority of Bahrainis, it is doing our dirty work.

13.

The Kingdom's exploitation of immigrant workers is a frequent subject of criticism. I would suggest that the Committee consider the case of a country whose economy has become perilously dependent on cheap foreign labour and whose idle and feckless population are happy to let foreigners (some of them illegal immigrants) do all the hard jobs, while they, the nationals, collect the wide range of welfare benefits they extract from the government. Then, when they have finished examining who does the real work in the coffee bars, construction sites and hospitals of Great Britain, they can consider how significantly Saudi Arabia differs from that.

14.

Similarly, it seems extraordinary in 2012/13 that Saudi women cannot drive, but is it not bizarre that women cannot become bishops in the Church of England? In each case the deeply held religious convictions of sincere conservatives stand in the way of an establishment that seeks to modernize. Saudi women will certainly drive one day - and it could happen before

the Church of England gets women bishops. 'Progress' is not as simple as we would all wish. Englishmen got the right to vote in 1295 (to elect the so-called Model Parliament), and it took more than six centuries before English women could vote as well. Saudi men first voted in 2006 (in the local municipality elections) and it took less than six years for the same right to be granted to Saudi women. So which of our two allied and friendly kingdoms is the more 'progressive'? And which has the right to investigate and preach to the other?

15.

Recent reports that advances in oil extraction technology might make the United States an even larger oil producer than the Kingdom over-simplify a complex picture, but the prospect of increased US oil and gas production is welcome news to those who direct Saudi energy policy. It is often said that the days of hydrocarbon energy are drawing to a close, but those days are certain to be extended if the US and Canada join Russia as the world's largest oil producers. There will be less economic incentive for these massive oil and gas producers to search for alternative sources of energy - while Saudi Arabia can make use of the same new 'fracking' techniques to increase its own production and dramatically extend the life of its reserves.

16.

I would recommend that the Committee pay particular attention to the series of social and political reforms introduced by King Abdullah, ranging from the principle of equal rights for women to the encouragement of religious toleration. The last time I myself saw the King he was shaking hands with rabbis. But that was in Madrid, at the Conference of Religious Toleration he had initiated. He could never do that on Saudi soil - nor do fundamentalists applaud his attempts to normalise relations with Israel.

16.

The King has also sought to reform the legal system in Saudi Arabia - with an interesting nod to Britain. One of the many problems of the Saudi law courts is that it is virtually impossible for non-Saudis to get a fair trial. So the King has proposed that commercial disputes involving foreign companies should be referred to a specially constituted commercial court in London - and not just for British plaintiffs. 'If the plans are realised,' according to the Financial Times of 30th October, 'the court could hear some of the most high-value and sensitive legal claims in the world.'

18.

I close with two vivid personal memories. The first is of a trip to the Lake District in the 1990's when my car was halted outside Wharton, near Preston, by a factory siren sounding at 5 pm. Out of the factory gates streamed more than 2,000 British workers carrying their sandwich boxes - all employees of British Aerospace, then building the Eurofighter for the Royal Saudi Air Force. Here was a thriving British town earning its livelihood from the closeness of the links between our two kingdoms - with hundreds more working in the related component and supply companies in the area. My second memory is of sitting with a bearded fundamentalist cleric in the Prince Mohammed bin Nayef de-radicalisation centre north of Riyadh, half prison, half holiday camp, established to analyze the roots of violent extremism and to re-educate the misguided young men who have followed the terrorist path. This learned and deeply religious Saudi was seeking to marshal and present the Koranic arguments against a recent internet fatwa that was offering fresh justification for Islamic violence - and had just been generated by a group of extremist Islamists based in Britain.



## Written Evidence from The British Council

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## **1 THE BRITISH COUNCIL IN SAUDI ARABIA AND BAHRAIN**

**1.1** The British Council creates international opportunities for the people of the UK and other countries and builds trust between them worldwide. We are on the ground in six continents and over 100 countries bringing international opportunity to life, every day. Each year we work with millions of people, connecting them with the UK, sharing our cultures and the UK's most attractive assets: English, the Arts, Education and our ways of living and organising society. We have over 75 years experience of doing this.

**1.2** The British Council has a strong presence in both Bahrain and Saudi Arabia. We have been active in both countries since the 1950s. Today we have offices and teaching centres in Riyadh, Jeddah, Al-Khobar and Manama. We have well established networks in both countries and are recognised as a trusted partner by both Governments and by civil society.

**1.3** We work primarily in English and education though increasingly also through social programmes and the arts. Our cultural relations work, especially the exchange of knowledge and ideas and the opening up of access to education and English, plays an essential role in the UK's bilateral relationships with both countries.

## **2 TRUST RESEARCH**

**2.1** Recent research undertaken by the British Council and IpsosMori demonstrated a strong link between the building of trust in the people of the UK and an increased willingness of people around the world to do business with the UK. In all ten countries we surveyed, those people who trusted the UK more were also much more likely to want to do business with the UK. Saudi Arabia was one of the countries included in the study and this trend was repeated with a +19% point increase.

**2.2** The research also found that people who had engaged in cultural relations activity with the UK - whether it was by learning English, study and education programmes or connecting through the Arts - trusted people from the UK much more than those who had not. The power of English, education and culture held true in all ten countries researched, with a rise of +14% points in Saudi Arabia which turned a net negative level of trust of -12% to a positive score of +2%, i.e. from 38 in 100 people trusting the UK the figure rose to 52 in 100.

## **3 OUR WORK**

### ***EDUCATION & ENGLISH***

**3.1** The English language and investment in higher education and vocational skills are viewed as crucial to economic success and social stability in both Saudi Arabia and Bahrain. We are well placed to provide assistance to the Governments and peoples of the two countries to support economic

diversification through English, skills training and support for the expansion of higher education.

**3.2** The education sector in Saudi Arabia is undergoing a dramatic expansion – the state is investing 26% of non-military GDP on education and training. The number of state sector universities has trebled in less than a decade and the Government is pursuing ambitious plans to build 250 vocational and technical colleges and thousands of schools as well as aiming to recruit and train thousands of new teachers and lecturers. This massive investment is a decisive response to the demographic challenge faced by a country where 60% of the population is under 30 and 25% are of school age. The Government recognises that the demands of a growing, increasingly diverse economy require new skills and that Saudi Arabian nationals' participation in the private sector needs to grow from the current 10%.

**3.3** The Government understands that the country will depend increasingly on the knowledge economy to provide sustainable growth, with investment in English, ICT and work skills recognised as essential to future prosperity. It is providing scholarships for 70,000 young people in the period to 2015. School leavers are required to reach minimum standards of English prior to attending university with many undertaking a year's English language training between their secondary and tertiary education. Saudi Arabia is now the 7<sup>th</sup> largest source of non-EU overseas students with 20,000 Saudis attending UK institutions of which 10,500 are at university - providing a critical income stream to our universities and language schools worth c £700m per annum. In January 2010 Saudi Arabia was also the largest source of overseas students in English language schools in the UK.

**3.4** The scale of Saudi Arabia's education revolution has provided a host of opportunities for the British Council to engage with both the Government and people of the country. The UK's expertise in education and English language teaching is highly valued and the British Council is a respected partner and provider of services with high visibility and brand recognition. We have supported UK academics and agencies to train 2,500 Saudi university staff in quality assurance, strategic planning and management. We have brought 400 diploma holders – a quarter of who are women – to study in the UK at fifteen universities. They will complete a first degree, and take the professional skills and experiences of UK life they gain back to Saudi Arabia where they will work as trainers in the new colleges and institutes the Government is building. Across our teaching centres we are providing English classes for 15,000 students – 90% of whom are Saudi nationals and 40% female. Year on year growth in demand for examinations is running at 20% - we are currently delivering c80,000 examinations to 25,000 candidates. We are also working with the Ministry of Education, universities and private schools and institutes to improve teacher training provision across the whole of Saudi Arabia and we have recently succeeded in engaging Government schools in our global Connecting Classrooms project which has so far forged links between 55 Saudi schools with 45 UK schools. Five schools in Saudi Arabia have received our International Schools Award for the quality of their international links and

work. The scale of our work in English is unrivalled by US and other European cultural relations analogues in Saudi.

**3.5** Bahrain is facing a similar demographic challenge to Saudi Arabia with 65% of the population under the age of 25. Vocational training and education are key priorities for the Government with proficiency in English seen as crucial to employability. Our Teaching Centre in Manama has 2000 students per team, 1600 of who are young learners aged 7-18. That's almost 1% of the entire school age population studying with the British Council. Classes are mixed sex and drawn from all parts of the country. We administer exams to nearly 12,000 candidates per annum and, in collaboration with the US Embassy, sponsor an ELT teachers network that runs training workshops and an annual conference for its 850 members. The network embraces the entire ELT community in the country and includes every shade of political and religious affiliation. Our 'Kids Read' community events take place in shopping malls across Bahrain reaching across community divisions to bring together parents and children to read and learn. 2200 parents and children attended these events last year. We also support the further education sector in Bahrain, working on occupational standards and vocational education, for example by supporting links between Dudley and Sunderland Colleges and the Bahrain Training Institute. With regard to Higher Education, we work at the policy dialogue level. We have made a strong contribution to the work of the Quality Assurance Authority in Bahrain and are encouraging research links with UK universities. Most recently, we have run a series of workshops for senior university staff from both the private and public sectors. These were very well attended by representatives from every major institution. Our Connecting Classrooms project is also working to develop school links and offer career development opportunities to local teachers.

**3.6** We are extending our reach in English and education in both Saudi Arabia and Bahrain: increasing face-to-face delivery of language teaching and exams work at our teaching centres; working with partners to offer classes and events outside of Manama, Riyadh and our other established centres; increasing teacher training and support; and strengthening and diversifying our digital offer. We are developing a programme of face-to-face and online English teacher training for state and private organisations to support improvements in English teaching standards across the region. On digital platforms we have 100,000 plus learners of English visiting our main bilingual websites Learn English and Learn English Kids, and over 35,000 teachers using free resources and forums on the Teaching English website.

**3.7** We are also brokering a growing range of university and college partnerships both to open access to UK institutions and to provide support to Saudi and Bahraini HE and FE institutions through innovative collaborations. Events like November's EDUKEX in Muharraq are providing a showcase for UK higher education institutions to raise awareness of the quality of UK education and the extensive choice of courses and institutions on offer at every level. We are also working to build connections with industry and

education to support entrepreneurialism and the skills agenda, to provide young people with the opportunities they need to succeed in the workplace.

## **SOCIETY**

**3.8** Across Saudi Arabia and Bahrain we are working to support the aspirations of young people and women to develop workplace skills, to express themselves and to gain the international experiences that will enable them to help shape the future.

**3.9** The massive investment in education in Saudi Arabia is contributing to social change. Although far less dramatic than the convulsions of the Arab Spring the more subtle, incremental changes taking place in Saudi Arabia are tangible nonetheless. The participation of female Saudi Arabian competitors in the 2012 Olympics is symbolic of the changes taking place. Women are increasingly able to access both education and work in the country. 40% of our students in Saudi Arabia are women. We are providing English language classes to women in our teaching centres and also offer skills training. We have set up links between two women's technical colleges in Riyadh with Scottish FE institutions to provide a broader curriculum to meet the ambitions of young Saudi women.

**3.10** Access to the employment market nevertheless remains elusive for many Saudi women. We offer the Springboard personal development programme to women across the Middle East, including Saudi Arabia. Designed by UK specialists, this award winning programme was designed because research has shown that on personal development programmes, women succeed better in a supportive all female environment. Springboard enables women to achieve greater recognition and influence and to fulfil their potential in both their work and personal lives.

**3.11** The British Council inaugurated the programme in Arabic to help Arab women to realise their potential and achieve better positions in both their personal and professional lives. The programme is tailored to the individual needs and aspirations of participants. It suits any working and non working woman who wants to achieve more in her life, whether it is a new job, a promotion, the opening of her own business, marriage or starting a family. The programme equips women with the confidence and skills to realise their personal goals. To date, Springboard has empowered 8,000 Saudi women to improve their lives.

**3.12** Women in Bahrain experience far fewer barriers to participation in the work place. Women and girls are able to access education and other opportunities and are well represented in our teaching centre and other programmes. However, Bahraini society is increasingly divided along sectarian lines. Our position in Bahrain as an honest broker allows us to provide a safe, neutral place for people from differing political and religious traditions to meet, learn and debate together. Even when tensions were at the highest our classrooms remained full and calm and our Kids Read events open and inclusive to all sides.

## **SELF-EXPRESSION**

**3.14** Across both Saudi Arabia and Bahrain social media is mushrooming. Young people in particular are finding new ways to share ideas and express themselves using both new and more traditional media. The arts are becoming an increasingly important outlet both nationally and internationally as a new generation of male and female artists emerge.

**3.15** We are supporting the burgeoning creative sector. By sharing the best of the UK's arts and culture we stimulate ideas and debate. This year more than 16,000 people visited our *Out of Britain* touring exhibition of contemporary British art in Riyadh, Jeddah and Al-Khobar. *Out of Britain* is opening up a new visual world to audiences in the Middle East, stimulating creativity and fresh thinking. As part of the wraparound programme of outreach activities we have worked with a thousand young artists in Saudi Arabia. We have also been developing links between UK and local institutions, including an Architectural Exchange in Jeddah focusing on the city's historic balad district and an education programme with the British Museum as part of the Hajj Exhibition.

**3.16** Our Young Creative Entrepreneur Awards link the most talented young business people with top creative industries leaders in the UK. Leena El-Khereiji is co-owner/designer of Charmaleena Fine Jewellery, a Saudi brand of conceptual and contemporary wearable art. Through her success at the Young Creative Entrepreneur Awards she was able to show at this year's London Fashion Week. She is one of the new generation of bright, entrepreneurial Saudi women that are joining the workplace.

**3.17** In Bahrain our work in the arts focuses on education and encouraging entrepreneurship. We have pioneered art therapy for the disabled through a project entitled Art-Abled and are now developing a project to extend provision to special needs students. Working with local youth partners, we are developing plans for large scale events on the model of Kids Read including street art in order to harness the many creative energies released by recent events in the country.

**3.18** We are also undertaking an extensive research project on the role of the arts and culture in social change across the Middle East and North Africa that will explore in detail the role of self-expression and the creative sector.

## **4 THE ARAB SPRING**

**4.1** The Arab Spring is not a singular event - what from a distance might be seen as a tidal wave of change sweeping across the Middle East and North Africa is a far more complex and nuanced phenomenon. The countries of the region are incredibly diverse and, similar to the very different experiences of the countries in Eastern Europe and Central Asia following the collapse of the Soviet Union, each is experiencing the Arab Spring differently.

**4.2** There are, however, commonalities between Tunisia and Libya and Saudi Arabia and Bahrain. Notably all four have large populations of young people who share with their counterparts across the world a desire to “get on” in life and to have their voices heard. Yet there are also significant differences. The pace and form in which change is manifesting in both Saudi Arabia and Bahrain is different. Government-led, managed change is by its nature evolutionary rather than revolutionary which can have both positive and negative implications. Governments are motivated by the desire to maintain stability and prevent civil unrest. Yet change is happening in both countries - the massive increase in spending on education in Saudi Arabia will have a deep and long-lasting social impact. More troublingly, the widely reported sectarian divisions in Bahraini society could have very serious implications for the country’s stability if they are not addressed with due sensitivity.

**4.3** The British Council has long standing relationships with the Governments of both countries. Equally we are a people-to-people organisation and work with civil society, young people and individuals, to empower them to express themselves, to realise their goals and to take part in the world. We are an enabling organisation. Through sharing skills and knowledge and our way of life we champion the benefits of an equal, open, tolerant society. We seek to bring people together across sectarian divides and serve as a safe, neutral space for learning, dialogue and free speech. Our distinct brand and identity and our operational independence from the UK Government are important tools in presenting the British Council as a neutral broker.

## **5 CONCLUSION**

**5.1** The British Council’s work is critical to building trust in the UK and its people in both Saudi Arabia and Bahrain. Our brand is widely recognised and trusted; our separation from state actors is an advantage when trust in the UK Government can fluctuate in response to international events. We are respected as a neutral broker, a leading expert in English and education, and a trusted service provider. The opportunities we provide Saudis and Bahrainis are increasing their understanding of the people of the UK as well as improving their life chances by providing practical employment skills and building self-confidence.

**5.2** Our long term commitment to the wider Middle East and North Africa region has allowed us to play a significant role in “Arab Spring countries” like Libya and Tunisia. Our work in Saudi Arabia and Bahrain is no less important. The managed change in Saudi Arabia, as exemplified by the country’s educational revolution, is going to have a transformative effect on the lives of millions of young Saudis. We are playing our part in delivering that change through our programmes in English and education. In Bahrain we are providing a critical haven - a safe, neutral space for people from different religious and political traditions to come together through learning. In both countries, just as in countries like Egypt, we are building trust in the people of the UK.

*23 November 2012*

## Written evidence from Amnesty International

### Amnesty International

1. Amnesty International is a global movement of more than 3 million supporters, members and activists in over 150 countries and territories who campaign to end grave abuses of human rights. Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards. Our mission is to undertake research and action focused on preventing and ending grave abuses of these rights. We are independent of any government, political ideology, economic interest or religion.

### Summary

2. This submission addresses some of the key questions asked by the committee concerning the UK's foreign policy priorities in its relations with Saudi Arabia as a "strategic ally" in the region and its influence on current and future trends and makes recommendations for the UK government to follow in its relations with the country. In doing so, it focuses on Saudi Arabian government violations of human rights and international humanitarian law linked to the UK arms trade with Saudi Arabia, human rights violations in the name of security and counter-terrorism, crackdowns on activists, the death penalty, cruel and inhumane corporal punishment, violence and discrimination against women and migrant workers, and repression against members of the Shi'a community.

3. Amnesty International recommends that the UK government, in addition to investigating the use by Saudi Arabia of UK fighter-bombers in violation of international humanitarian law, urges the Saudi Arabian government to safeguard the basic rights of its citizens and migrant workers in relation to all of the below mentioned specific issues.

4. It should be noted that Amnesty International has been asking for many years for access to Saudi Arabia to research human rights concerns but has never been granted such access by the authorities. This submission is based on information divulged to Amnesty International by people in Saudi Arabia and Saudi Arabians or foreign nationals, including former prisoners, who have left the country. It is also based on government statements, where they exist, local and international media reports and other research carried out despite the obstacles.

### Introduction

5. The human rights situation in Saudi Arabia is dire, but the country has largely escaped any pressure from its allies to improve it. Since the mid 2000s, the Saudi



Arabian government has repeatedly announced that change will ensue, yet they have so far failed to commence a results-based reform process that meets the demands and aspirations of the country's citizens. Moreover, the human rights situation in Saudi Arabia has been further exacerbated by repressive counter-terrorism measures. Patterns of human rights violations include the detention of peaceful critics of the state, extensive use of the death penalty, corporal punishments such as amputations and flogging, a justice system which continues to be secret and summary in nature, widespread torture and other ill-treatment, severe discrimination faced by women in law and in practice, discrimination faced by religious and other minority groups, violations of the rights of migrants, and violations of the rights to freedom of expression, association and assembly.

6. Saudi Arabia has been able to shield itself from direct pressure because of its influential global and regional status and primarily because of its strong position in the oil market and its status as an important player in the Middle East region, Gulf Co-operation Council (GCC) and the Islamic world at large, due partly to the location of the two holiest shrines in Mecca and Medina.

7. Regionally, Saudi Arabia continues to play a significant role in peace initiatives, in regional forums such as the Gulf Co-operation Council and the League of Arab States, and in the future political prospects of such countries as Bahrain, Yemen, and Lebanon. Globally, Saudi Arabia is an important actor in stabilizing the oil market, at the same time that it exercises much power on and through the Organization of Islamic Countries (OIC) and other multilateral forums, together with its role in the G20, in encouraging interfaith dialogue and providing emergency aid. All these factors, in addition to Saudi Arabia's large purchase of arms from Western countries, make it an important ally to countries such as the UK.

8. Only pressure from strong allies and actors as well as internal pressure may make Saudi Arabia address its dismal human rights record and heed the calls for reform. However, it is feared that the UK and other Western allies of Saudi Arabia have for decades attached disproportionate weight to their strategic and economic interests and have chosen to disregard the gross human rights violations that the Saudi Arabian Government carry out with impunity.

## **Human Rights Violations and Foreign Policy Recommendations**

### **1. UK Arms Trade with Saudi Arabia and Violations of International Humanitarian Law**

9. Saudi Arabia has been the recipient of record-breaking arms deals involving the UK, yet these have been highly secretive and there has been little or no follow-up over how the weaponry was used.

10. There is concern that Saudi Arabia has been responsible for most of the alleged indiscriminate and disproportionate attacks on civilians in the war between the

Yemeni government and rebels known as “Huthis” in the region of Sa’da, north Yemen, between August 2009 and March 2010.

11. These attacks typically took the form of aerial bombardment of civilian areas using UK-supplied Tornado fighter-bombers. Additionally, the nature of the UK’s ongoing in-country military personnel support in Saudi Arabia and during the below mentioned instances remains vague and in need of clarification.

12. In November and December 2009, the town of al-Nadir in Razih, north Yemen, became a casualty of intensive Saudi Arabian air strikes. Hundreds of photographs and witness testimonies acquired in February and March 2010 describe large parts of the town as completely destroyed. Among the damaged or destroyed civilian buildings are market places, mosques, petrol stations, small businesses, a primary school, a power plant, a health centre, and dozens of houses and residential buildings.

13. On 23 or 24 December 2009, a first bomb hit the house of Muhammad Jaber, who was involved in the mediation efforts to stop the conflict. When people rushed to help those trapped in the house, a second strike directly targeted the building killing 38 people, 13 of whom were children.

14. During another of these bombing campaigns in the early hours of 30 December 2012, Saudi Arabian planes allegedly bombed and destroyed two residential buildings killing 33 to 45 members of the Abu Taleb family

15. International humanitarian law requires that all parties to an armed conflict treat civilians and non-combatants humanely, minimize unnecessary civilian casualties and destruction of civilian property, and take effective measures to minimize incidental civilian casualties.

16. Selling arms to countries like Saudi Arabia should only be considered if there are absolutely watertight guarantees over them not being used to commit human rights violations.

17. Amnesty International has called on the UK government to investigate whether military aircraft, other weapons and their ongoing in-country military support to the Saudi Arabian armed forces have been used in violation of international humanitarian law but the organization is not aware of any such investigation.

18. Furthermore sales of arms to Saudi Arabia appears to continue without adequate disclosure as to the nature of the sales, possible or intended use of weapons or indeed what guarantees are in place to ensure non repeat of past violations.

## **1.1. Recommendations**

**19. The UK government should investigate without delay whether military aircraft and other weapons together with their ongoing in-country military support to the Saudi Arabian armed forces have been used in violation of international humanitarian law, as well as whether UK support personnel have been involved in such violations, knowingly or not.**

**20. The UK government should take strict measures to ensure that UK military supplies and assistance are conditional upon the establishment of rigorous operational safeguards, including training and accountability systems, designed to prevent the commission of serious violations of international humanitarian law by the Saudi Arabian armed forces.**

## **2. Human Rights Violations in the Name of Security and Counter-Terrorism**

21. Saudi Arabia has seemingly convinced the outside world that its counter-terrorism measures are a success. In fact in the past decade, thousands of people have been detained on security grounds, many of whom remain behind bars. Most have been held initially in prolonged incommunicado detention without charge or trial for years and without any means of challenging their detention. Torture and other ill-treatment remain rife and are used extensively to extract forced "confessions", which are all too readily accepted by the courts. In recent years hundreds charged with security-related offences and brought to trial have faced grossly unfair and in many instances secret proceedings before the Specialized Criminal Court, which was established in October 2008.

22. In their desperation, families of detainees have since 2011 resorted to staging protests calling for the fair trial or release of their male relatives held in detention without charge or trial – some had been held for up to 10 years. The Saudi Arabian government responded by beating and arresting family members, many of whom are women and children. Most of these family members were released after signing pledges not to protest again. In March 2011 the government reissued the long-standing ban on protests.

23. A draft anti-terror law, a leaked copy of which Amnesty International published in July 2011, effectively criminalizes peaceful dissent as a "terrorist crime" and permits extended, potentially indefinite, incommunicado detention without charge or trial. If the law is passed without being amended, "terrorist crimes" would include "endangering... national unity" and "harming the reputation of the state or its position". Questioning the integrity of the King would carry a minimum prison sentence of 10 years. The proposed anti-terror draft law would entrench and make legal the very worst practices Amnesty International has documented.

24. Saudi Arabia has also used counter-terrorism as a pretext to crack down on activists, critics of the state and those calling for reform, and charged activists with

terrorism-related offences. For more information on this and other issues mentioned in this submission please see the **attached report *Saudi Arabia: Repression in the Name of Security***, issued in December 2011.

### **2.1. Recommendations**

**25. The UK government should urge Saudi Arabia to provide information on the progress of legal proceedings against the hundreds of detainees who, according to the government, are currently being tried on terrorism-related offences, including their names and the details of the charges against them.**

**26. The UK government should urge Saudi Arabia to either release the hundreds of people apparently detained without charge in the context of counter-terrorism or charge and promptly try them in legal proceedings meeting international fair trial standards.**

**27. The UK government should call on the Saudi Arabian government to respect the peaceful exercise of its citizens' rights to freedom of expression and association.**

### **3. Crackdown on activists**

28. The Saudi Arabian state and its justice system operate largely in secret, and the media is severely censored and otherwise constrained. Independent human rights organizations and other NGOs are not permitted to operate freely, protests are banned, and civil society remains weak because of government repression.

29. Activists in Saudi Arabia have been increasingly vocal about the human rights situation in the country. The Saudi Arabian government has met activism with repression.

30. Regular victims of the sweeping repression are an unknown number of human rights defenders, peaceful advocates of political reform, and many others who have committed no internationally recognized offence. At least some of them are prisoners of conscience. Methods of repression used include, arrests, incommunicado detention, torture or other ill-treatment, prolonged detention without charge or trial, and in some cases charging activists with vague security-related crimes such as "disobeying the ruler".

#### **3.1. Recommendation**

**31. The UK government should urge Saudi Arabia to halt its repression of activists and allow peaceful dissent. Anyone detained in connection with his or her peaceful activism must be released unconditionally and immediately.**

#### **4. Death Penalty**

32. Since the beginning of 2012, Saudi Arabia has executed at least 70 persons, including 25 foreign nationals. Twenty-three out of the at least 70 were convicted on drugs-related offences. In 2011 Saudi Arabia executed at least 82 people, of whom 28 were foreign nationals and five were women. This was three times the figure for 2010, when at least 27 people were executed, of whom six were foreign nationals. Hundreds are currently believed to be under the death sentence.

33. Saudi Arabia applies the death penalty for a wide range of offences, including some with no lethal consequences and some not recognized internationally as crimes, such as apostasy, sorcery and blasphemy. Two people were executed for "sorcery" in 2011: in September, a male Sudanese national was beheaded following an unfair trial and in December a Saudi Arabian women was beheaded for "witchcraft and sorcery". Saudi Arabia also sentences to death and executes juvenile offenders, those convicted for crimes committed when they were less than 18 years of age despite being a state party to the Convention on the Rights of the Child.

34. Those executed in Saudi Arabia have invariably been subjected to grossly unfair trials in which they have not had adequate – or any – legal representation. Generally they have been convicted on the basis of confessions, which are often extracted under torture or duress, and have been denied a right of appeal consistent with the requirements of international fair trial standards. Often, poor foreign migrant workers are convicted and sentenced to death following trials in which the proceedings are not translated into a language that they understand.

##### **4.1. Cases**

35. Rizana Nafeek, a Sri Lankan domestic worker, was sentenced to death in June 2007 for the alleged murder of her employer's baby. She was 17 years old at the time of the alleged crime and had no access to lawyers either during interrogation or at her trial and it is believed that she confessed to the murder during police questioning, only to later retract her confession. The Supreme Court upheld the death sentence in October 2010.

36. Suliamon Olyfemi, a Nigerian national, was sentenced to death in 2004 following an unfair trial, in which he had no access to a translator (he did not understand Arabic, the language in which court proceedings are conducted) or a lawyer. He was detained during a mass arrest of African nationals in September 2002 after a policeman died in an alleged dispute with migrant workers. He has always maintained his innocence.

37. Siti Zainab Binti Duhri Rupa, an Indonesian domestic worker, was sentenced to death after she reportedly confessed to the murder of her employer in 1999 while mentally ill and did not have any legal representation.

## 4.2. Recommendations

38. The UK government should call on the Saudi Arabian government to immediately impose a moratorium on executions with a view to abolishing the death penalty, as called for by UN General Assembly resolutions 62/149, 63/168 and 65/206.

39. The UK government should urge the Saudi Arabian government to stop imposing the death penalty on anyone under the age of 18 at the time of their alleged offence, in accordance with Saudi Arabia's obligations under the UN Convention on the Rights of the Child.

40. The UK government should urge the Saudi Arabian government to remove from their law any death penalty provisions which are in breach of international human rights law, such as for crimes which do not meet the threshold of "most serious crimes".

41. The UK government should urge the Saudi Arabian government to publicize on an annual basis comprehensive statistics on the death penalty and facts around the administration of justice in death penalty cases.

42. The UK government should urge the Saudi Arabian government to halt planned executions and commute without delay all death sentences to terms of imprisonment.

## 5. Cruel and Inhumane Corporal Punishment

43. Corporal punishment is used extensively in Saudi Arabia despite it being a state party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

44. Flogging for instance is mandatory in Saudi Arabia for a number of offences and can also be used at the discretion of judges as an alternative or in addition to other punishments. Sentences can range from dozens to tens of thousands of lashes, and are usually carried out in instalments, at intervals ranging from two weeks to one month. The highest number of lashes imposed in a single case recorded by Amnesty International was 40,000 lashes. They were imposed in 2009 in a case of a defendant convicted on murder charges.

45. Punishment by amputation is also enforced in Saudi Arabia for certain offences. They are mainly limited to cases of "theft", for which the sentence is amputation of the right hand, and "highway robbery", which is punished by "cross amputation" (amputation of the right hand and left foot). Only a few days ago, on 21 November 2012, a Nigerian man had his right hand amputated for theft.

## **5.1. Recommendations**

**46. The UK government should urge Saudi Arabia to abolish all corporal punishments which amount to torture and other cruel, inhuman or degrading treatment or punishment, such as flogging and amputations, in accordance with Saudi Arabia's obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.**

**47. The UK government should also call for planned amputations and floggings to be halted and sentences to corporal punishment to be commuted.**

## **6. Violence and Discrimination Against Women**

48. Women in Saudi Arabia remain subjected to severe discrimination in both law and practice. They must obtain the permission of a male guardian before they can travel, take paid work, enrol in higher education, or marry. In addition, Saudi Arabian women married to foreign nationals cannot pass on their nationality to their children, unlike the case for Saudi Arabian men in a similar situation.

49. Discrimination has fuelled violence against women, with foreign domestic workers particularly at risk of abuses such as beatings, rape and even murder, in addition to non-payment of their salaries. The rates of domestic violence in Saudi Arabia are high, with little judicial recourse for victims, and often accompanied by impunity for perpetrators. There has been concern that discriminatory rules relating to marriage have caused women to be trapped in violent and abusive relationships from which they have no legal recourse.

50. Women's rights activists in Saudi Arabia petitioned the King to allow women to drive vehicles. The ban on women driving has been challenged by a campaign called "Women2Drive", which made online appeals to women who hold international driving licences to start driving on Saudi Arabian roads from 17 June 2011 onwards. Scores of women have taken to the roads and some have been arrested. Most have been released without charge shortly afterwards after pledging not to drive again, but several are reported to be facing charges as a result. At least one was sentenced, but the sentence has recently been commuted.

### **6.1. Recommendation**

**51. The UK government should raise with the Saudi Arabian government the ban on driving with a view to it being overturned. Saudi Arabia must also ensure that women are protected from violence and that discrimination against them is lifted.**

## **7. Migrant Workers**

52. Migrant workers make up approximately one third of the population of Saudi Arabia. They are subjected to abuses by the state and private employers including detention without trial, physical and psychological ill-treatment and non-payment of salaries.

53. Migrant domestic workers in the Saudi Arabia are commonly subjected to such abuses as restrictions on their freedom of movement, discrimination, and harassment. They are often not given access to legal advice or adequate language interpretation, and are often unable to obtain protection or redress under existing labour laws.

54. Employers commonly retain the passports of their domestic workers, which may result in detained domestic workers being held at deportation centres for weeks or months, while their paperwork is being completed. Some domestic workers are not allowed to leave the house where they work without permission from their employers. They are often required to work excessive hours for inadequate pay.

### **7.1. Recommendation**

**55. The UK government should urge Saudi Arabia to reform its labour laws with a view to ensuring that migrant workers have adequate protection against abuses by employers and the state.**

## **8. Repression against members of Shi'a Community**

56. Sunni Islam is the main denomination of Saudi Arabia and discrimination against members of the Shi'a community has exacerbated a tense situation in the Eastern Province. Members of the Shi'a community have been targeted for practising their faith and have been subjected to harassment, intimidation and detention without charge or trial. Since February 2011 members of the Shi'a community have taken to the street to protest against these violations and Amnesty International has seen a new wave of repression as authorities have cracked down on protesters. Hundreds of people have been arrested for demonstrating, as protests are banned in Saudi Arabia. Many have been released often after pledging not to protest again, but over a hundred men and about 19 children remain detained in connection with recent protests.

### **8.1 Recommendation**

**57. The UK government must urge Saudi Arabia to put an end to discrimination, intimidation, harassment and detention without charge or trial of members of the Shi'a community and allow peaceful protests.**



## Conclusion

The situation of human rights in Saudi Arabia, is, as we have stated above, dire. The Saudi Arabian state treats its citizens and those it plays host to, in a way that is nothing less than shocking. For many years, the UK government has chosen to prioritize strategic and economic interests in its relations with the country above the interests of human rights. Nonetheless, this UK government has repeatedly stressed how it “puts human rights at the heart of what it does”. Amnesty International has called many times on the UK government to make this assertion real. We ask the UK government to acknowledge that there are abuses, such as those carried out by the Saudi Arabian government, that cannot, any longer, be overlooked.

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