

Bahrain

Pursuits Beyond the Border:




“We Will get you wherever you are”



Gulf Institute for Democracy and Human Rights

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Gulf Institute for Democracy and Human Rights

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STUDY METHODOLOGY

The Gulf Institute for Democracy and Human Rights (GIDHR) prepared the following study to document the Bahraini government's pursuit of its opponents, who are asylum seekers and who enjoy protection in several countries.

These pursuits unfold within the framework of targeting the opposition and restricting political activities and freedom of expression, which are closely linked to human rights activities, as well as highlighting and documenting violations committed in Bahrain.

We cannot ignore the contradictions between these pursuits and international laws, charters, and treaties, as well as their flagrant violation of the rights of the government's opponents. The following study focuses on clarifying and explaining these matters.



The study is based on two key pillars: the legal and the rights aspects.

Within the framework of the legal aspect, we examined laws and regulations in relevant countries and the inaccuracies and legal loopholes, which Bahrain uses to pursue opponents beyond its borders, including those who obtained asylum status in other countries.

We chose to study the period after the start of the peaceful protests and focus on the period between 2011 and 2020. We divided the documented cases into three categories: asylum seekers who were handed over to Bahrain, asylum seekers who survived and were not handed over, and dissidents who were stopped at airports in Arab countries. We selected some cases to serve as a model and to study their merits and background in each category. This is due to the existence of a long list of cases that are difficult to dissect in a single work.

The GIDHR team contacted some of the survivors and families of the detained victims to document their testimonies.





INTRODUCTION

Through this study, GIDHR aims to shed light on one of the methods the Bahraini government uses to target opponents abroad. We sought to document this danger that threatens individuals even after they obtain asylee status that secures them protection.

GIDHR believes this danger has been exacerbated following the appointment of Emirati Major General Ahmed Naser Al-Raisi as the head of INTERPOL. This position grants a unique degree of authority to dictatorial governments, such as the one in the UAE, with Al-Raisi at the helm. Al-Raisi is accused of overseeing the arrest and torture of detainees in Emirati prisons. His victory threatens the credibility of INTERPOL and its ability to adhere to its policies of impartiality and respect for human rights and to perform its mission effectively and objectively.



GIDHR condemns the practices of Bahrain and other repressive states, their targeting of activists and opponents, and the endangerment of their lives. GIDHR calls on the countries that these government critics turn to to fulfill their legal and international obligations and grant them the protection they seek.

It also calls on these countries to consider the cases of asylum seekers from a human standpoint before deporting them to their countries from where they are fleeing the risk of torture and persecution.





THE LAW ON PROTECTING SOCIETY AGAINST TERRORIST ACTS IN BAHRAIN

Bahraini law defines terrorism as “the use of force or threatening to use it or any other unlawful means constituting a crime legally punishable by law resorted to by a perpetrator for the execution of an individual or collective criminal plan with the aim of disrupting public order or threatening the Kingdom’s safety and security or damaging national unity or security of the international community.”

By using this broad definition, the Bahraini legislator was allowed to divert the legislation from its original goal, which is to ensure the normal exercise of individual rights and freedoms, and to give the security authorities the opportunity to use this law to achieve their goal in exercising political dictatorship and depriving citizens of their original and legitimate rights under the pretext of combating terrorism.

Additionally, the Criminal Investigations Directorate’s Cyber Crime Department exploited the broad and vague definitions by bring charges against human rights defenders and activists on social media. Accusations such as spreading false news, insulting a official body, or undermining Bahrain’s prestige are used as a pretext to suppress any form of opposition and to target activists and their families.



This targeting takes many forms, including arbitrary arrests, summonses, torture, restriction of freedoms, persecution, and even pursuing activists and opponents outside the country.





POLITICAL REFUGEES

1. The right to political asylum

The Universal Declaration of Human Rights states in Article 14 that “everyone has the right to seek and to enjoy in other countries asylum from persecution.”¹

In this context, the United Nations has sought to issue treaties and agreements to guarantee the rights of refugees and secure

protection for them, and the signatories to these agreements are obligated to implement their provisions.

The Convention Relating to the Status of Refugees (1951 Refugee Convention) sets out the rights of individuals who are granted asylum and the responsibilities of nations that grant asylum. According to this convention, a refugee is someone who “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the

¹ Universal Declaration of Human Rights | United Nations
<https://www.un.org/en/about-us/universal-declaration-of-human-rights>



protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear, is unwilling to return to it.”²

Political asylum is granted to persons persecuted by the authorities of their country for reasons related to exercising their right to freedom of opinion and expression or joining associations or political parties. It applies to:

- Political activists who fled their home countries because of persecution or for fear of torture because of their political views
- Human rights activists who document human rights violations and illegal practices that occur in the country
- Officers and soldiers who defected from their country's armies and fled for fear of reprisals from the authorities
- Persons belonging to political parties or religious sects that are subject to persecution
- Journalists and writers who write, whether in newspapers or on the Internet, and are persecuted for their writing

Article 28 of the Arab Charter on Human Rights states that every person has “the right to seek political asylum in other countries to escape persecution. This right shall not be enjoyed by persons

² Universal Declaration of Human Rights | United Nations
<https://www.un.org/en/about-us/universal-declaration-of-human-rights>

facing prosecution for an offense under ordinary criminal law," and prohibits the extradition of political refugees.³

2. The states' obligations towards political refugees

The Convention Relating to the Status of Refugees stipulates the rights granted to those who qualify for refugee status according to the Convention and the 1976 Protocol. These rights are considered obligations that the signatory states must fulfill.

In the same context, Article 2 of the aforementioned Convention states that every refugee must "conform to its [country of asylum] laws and regulations, as well as to measures taken for the maintenance of public order."

The Contracting States, under this Convention, shall:⁴

- undertake to protect the refugees on its territory
- exempt refugees from reciprocity: That means that the granting of a right to a refugee should not be subject to the granting of similar treatment by the refugee's country of nationality, because refugees do not enjoy the protection of their home state.
- be able to take provisional measures against a refugee if

³ The Arab Charter on Human Rights - the latest version
<http://hrlibrary.umn.edu/arab/a003-2.html>

⁴ Same source as before

needed in the interest of essential national security

- respect a refugee's personal status and the rights that come with it, particularly rights related to marriage
- provide free access to courts for refugees, including legal assistance and exemption from *cautio judicatum solvi*.
- issue identity papers to any refugee who does not possess a valid travel document.
- issue to refugees lawfully staying in their territory travel documents for the purpose of travel outside their territory
- in conformity with its laws and regulations, permit refugees to transfer assets which they have brought into its territory to another country where they have been admitted for the purposes of resettlement
- facilitate the assimilation and naturalization of refugees
- undertake to co-operate with the Office of the United Nations High Commissioner for Refugees, or any other agency of the United Nations which may succeed it, in the exercise of its functions, and shall in particular facilitate its duty of supervising the application of the provisions of this Convention or to make reports to the competent organs of the United Nations by providing them in the appropriate form with information and statistical data requested

- communicate to the Secretary-General of the United Nations the laws and regulations which they may adopt to ensure the application of this Convention
- settle disputes they may have with other contracting states at the International Court of Justice if not otherwise possible

The contracting states shall not:

- discriminate against refugees
- take exceptional measures against a refugee solely on account of his or her nationality
- impose upon refugees taxes and fiscal charges that are different from those that are or may be levied on their nationals
- impose penalties on refugees who entered illegally in search of asylum if they present themselves without delay to the authorities
- expel refugees or forcibly return or "refoul" refugees to the country they have fled from

It is widely accepted that the prohibition of forcible return is part of customary international law. This means that even states



that are not party to the 1951 Refugee Convention must respect the principle of non-refoulement. If this principle is threatened, UNHCR can respond by intervening with relevant authorities and, if it deems necessary, will inform the public.

Refugees shall be treated at least like nationals in relation to:

- freedom to practice their religion and freedom as regards the religious education of their children
- the respect and protection of artistic rights and industrial property
- rationing
- elementary education
- public relief and assistance
- labor legislation and social security

Refugees shall be treated at least like other non-nationals in relation to:

- movable and immovable property

- the right of association in unions or other associations
- wage-earning employment
- self-employment
- practice of the liberal professions
- housing
- education higher than elementary
- the right to free movement and free choice of residence within the country

3. The role of INTERPOL in protecting asylum seekers

INTERPOL issued a new refugee policy in 2015 stating that a Red Notice should not be issued against a refugee when requested by the country from which the refugee initially fled.

Four main principles established by the Constitution govern INTERPOL's action in the execution of its mandate: National sovereignty; Respect for Human Rights; Neutrality; and Constant and active cooperation. ⁵

⁵ Legal documents: The Constitution
<https://www.interpol.int/ar/3/4/1>

Article 3 of INTERPOL's Constitution states that "it is strictly forbidden for the Organization to undertake any intervention or activities of a political, military, religious or racial character." One of the main objectives of this article is "to protect persons from persecution."

However, these laws did not prevent repressive countries from misusing INTERPOL notices to demand the arrest of opponents or being pursued on political charges, and these countries were able to arrest persons granted refugee status – in contravention of INTERPOL's internal laws and regulations. The case of Bahraini refugee, Hakeem Al-Araibi, will be mentioned later.

Fears are growing that dictatorial countries, especially in the Gulf, are exploiting the leadership of Major General Ahmed Naser Al-Raisi⁶ of INTERPOL, who won the elections that were held in late November 2021 during the annual meeting of the international organization in Istanbul.

Al-Raisi's victory in the elections poses a danger to refugees from the Gulf, especially the Emiratis, and to INTERPOL's Constitution, which is based on neutrality, because it is considered an implicit international approval of violations committed within the Emirati justice system.

⁶ Major General Ahmed Naser Al-Raisi is a senior official in the UAE Ministry of Interior who is responsible for managing the notorious security forces and prisons with a poor record of systematic torture, ill-treatment, and arrests of human rights defenders. Al-Raisi is accused by two British citizens, academic Matthew Hedges and football fan Ali Issa Ahmed, of having oversaw their detention and physical assault on them while they were in his country. According to the Britain's The Guardian newspaper, Al-Raisi faces several lawsuits in the United Kingdom, Sweden, Norway, and France.



4. Asylum in the Bahraini Constitution

Article 21 of the Bahraini constitution states that “the extradition of political refugees is prohibited.”⁷

Bahrain has agreed to take in refugees who fled Afghanistan seeking protection after the Taliban took power earlier this year. Bahrain has allowed to receive the Afghans who were evacuated from the capital, Kabul, on American planes, at the Isa Air Base.⁸

There were some reports claiming that the Bahraini authorities granted Bahraini citizenship to some Afghan refugees who sought protection from the Taliban.

The irony is that Bahrain, which provides protection for Afghan refugees, requests the return of its opponents who fled its brutality and sought protection from other authorities.

⁷ The Constitution of the Kingdom of Bahrain
<CFD3CAE6D120E3E3E1DFC920C7E1C8CDD1EDE42E706466> (mopa.gov.bh)

⁸ Bahrain agrees to receive US evacuation flights after Qatar’s Al-Udeid Air Base fills up – The New Khalij
<https://thenewkhalij.co/article/240445/%D8%A7%D9%84%D8%A8%D8%AD%D8%B1%D9%8A%D9%86-%D8%AA%D9%88%D8%A7%D9%81%D9%82-%D8%B9%D9%84%D9%89-%D8%A7%D8%B3%D8%AA%D9%82%D8%A8%D8%A7%D9%84-%D8%B1%D8%AD%D9%84%D8%A7%D8%AA-%D8%A7%D9%84%D8%A5%D8%AC%D9%84%D8%A7%D8%A1-%D8%A7%D9%84%D8%A3%D9%85%D8%B1%D9%8A%D9%83%D9%8A%D8%A9-%D8%A8%D8%B9%D8%AF-%D8%A7%D9%85%D8%AA%D9%84%D8%A7%D8%A1-%D9%85%D9%86%D8%B4%D8%A3%D8%A9-%D8%A7%D9%84%D8%AF%D9%88%D8%AD%D8%A9>



POLITICAL REFUGEES

Cases handed over to Bahrain:

1- Ali Haroun



Thai authorities arrested Ali Haroun on December 13, 2014 in the capital Bangkok while he was trying to board a Turkish Airlines flight bound for Iraq. The Thai authorities handed Haroun over to the Bahraini authorities at dawn on December 19, 2014, in response to their request through INTERPOL.

Eyewitnesses at Bangkok International Airport on board flight GF 151, which took Haroun to Bahrain, stated that he resisted boarding the plane several times and rolled down the stairs,



and that the three officers who were sent to arrest him, Russell Joseph, Khamis Ali Abdul-Rasoul, and Muhammad Munir Abdulmuttalib, beat him and punched and kicked him on the face, head, and every part of his body before he was illegally drugged without medical supervision, to force him to board the plane and forcibly deport him to Bahrain. They also forced him to take a dose of illegal narcotic pills during the flight.

The officers committed these moral and legal violations before the eyes of the Thai police, who did not intervene or lift a finger but were content with monitoring and documentation. ⁹

Haroun left Bahrain after being prosecuted by the Bahraini authorities on charges related to his participation in peaceful protests calling for democracy and exercising his right to expression. He was handed harsh sentences that amounted to life imprisonment and an additional three years.

Haroun was subjected to enforced disappearance for several days. He was seen in the hospital shackled, unconscious, and covered in blood, before he was allowed to contact his family on December 24, 2014. His sister, Fatima, reported that her brother revealed painful details of his arrest and torture for nine consecutive days. Four of which took place in Thailand by Thai officers before the Bahraini officers arrived and participated in his torture. The torture worsened in Bahrain when Ali's eardrums ruptured and his left eye swelled as a result of the attacks he was subjected to. ¹⁰

9 <http://www.bahrainmirror.com/news/21090.html>

10 <http://bahrainmirror.collegefan.org/news/21175.html>

2- Ali Al-Shuwaikh



Ali Al-Shuwaikh fled Bahrain in 2017 fearing reprisals from the Bahraini authorities because of his brother's activism (Fayyad Al-Shuwaikh) and after learning that he was accused of harboring fugitives. He arrived in the Netherlands, where he requested asylum in October 2017.

The Dutch Organization for Migration rejected his asylum application and expedited his forcible deportation to Bahrain in October 2018. The Dutch authorities did not wait for the outcome of the appeal submitted by Al-Shuwaikh's lawyer and did not consider any alternative to provide him with protection instead of handing him over to the guillotine from which he hardly escaped. They did not allow him to travel to a third country, despite Bahrain's record of arresting dissidents upon their arrival at the Manama airport.

On October 20, 2018, Dutch authorities handed Ali Al-Shuwaikh to members of Bahrain's National Security Agency who were waiting for him at the airport. He was then transferred to the Criminal Investigations Directorate, severely tortured, and forced to sign



confessions at the Terror Crime Prosecution office before he could meet or communicate with a lawyer.

On November 4, 2018, Ali's lawyer requested the office of the Public Prosecution to provide him with any developments regarding the case, in accordance with the Code of Criminal Procedure. However, for more than two months, the Bahraini authorities refused to provide him with any information about Ali's interrogation, transfer, appearance before the Public Prosecution Office, or other developments in his case.

On November 27, 2018, Ali appeared again before the Terror Crime Prosecution without the presence of his lawyer, and his pretrial detention was extended. On December 27, 2018, he appeared before the Public Prosecution Office for a third time. This time, Ali's lawyer was allowed to attend, but he was not allowed to meet his client in private or see any documents. Ali's pretrial detention was extended for another month without any opportunity for him to challenge the order in court. ¹¹

Al-Shuwaikh was tried under the Protecting Society from Terrorist Acts Law, which was condemned by human rights organizations and the United Nations for violating international laws and the Bill of Human Rights. On February 28, 2019, the court issued a life sentence, revocation of citizenship, and a fine of 500 dinars, without the judiciary investigating his complaint of torture and coercion to sign forced confessions.

Al-Shuwaikh's citizenship was later reinstated by royal order on April 20, 2019. However, the appeals court confirmed his conviction on July 1 of the same year, with a total sentence of 30 years.

¹¹ <https://www.amnesty.org/en/documents/mde11/9555/2019/ar/>

Al-Shuwaikh did not enjoy a fair trial in the Netherlands. The Dutch authorities did not seek correct information about the human rights situation in Bahrain and rejected his asylum application and did not allow him to seek asylum and protection in another country. He did not receive a fair trial or humane treatment in his home country, Bahrain, where the authorities persecute opponents and take revenge on their families without any regard for international laws and charters and the rights of its citizens.

Detainees in the Sultanate of Oman

The Sultanate of Oman has handed over a group of Bahraini dissidents who were seeking to apply for asylum and protection under the security agreement between the countries of the Gulf Cooperation Council.¹²

1- Sayyed Faisal Al-Alawi



¹² The GCC Security Agreement is a set of legal articles dealing with issues of security cooperation between the GCC states. In November 2010, the interior ministers of the GCC countries agreed to modernize and develop it. This agreement became effective on December 27, 2013 under Article 46 after Bahrain acceded to it. But its vague legal provisions are worrying, as they allow member states to use this agreement to suppress freedom of expression and undermine the privacy rights of citizens and residents. It also gives the governments of the signatory countries another legal pretext to eliminate the opposition, as one of the articles stipulates confronting interference in the internal affairs of other GCC countries. This article may be used to criminalize criticism of Gulf countries or their rulers (as it happened in March 2011 when the Peninsula Shield force entered Bahrain). In addition, it subjected the exchange of private data and personal information of citizens and residents to the wishes of the Minister of Interior.



The Bahraini authorities did not prosecute Sayyed Faisal Al-Alawi for a charge related to him at first, but rather because of his brother, Sayyed Mahmoud, who was the official spokesman for the group of soldiers who went in their military uniform to the Pearl Roundabout after the bloody Thursday massacre and denounced the brutal practices of the Bahraini authorities against the peaceful protesters who were sleeping at dawn. So, he had to flee Bahrain, leaving his work, family, wife, and children after receiving threats to imprison him, dismiss him from work, and attack his family if he did not disclose his brother's whereabouts.

A month after the signing of the security agreement between the Gulf states, Sayyed Faisal Al-Alawi was receiving treatment in the Sultanate of Oman. His health was in critical condition, which prompted him to book a ticket to travel to Ireland to continue his treatment. One day before his travel date, the Omani authorities arrested him and handed him over to Bahrain.

Sayyed Faisal was subjected to enforced disappearance for 25 days. His family did not have any information about his whereabouts or conditions of detention. He was denied adequate medical care and access to his medicines. He was tortured during his interrogation and was forced to confess to the charges against him.

Sayyed Al-Alawi tried to seek treatment several times, but the prison authorities did not respond to him. he was asked to pay 180 dinars for private treatment, but they did not provide him with the necessary treatment despite his deteriorating health and paying the required amount.

2- Sadiq Al-Shaabani



The Omani authorities handed the artist Sadiq Al-Shaabani to the Bahraini authorities on January 27, 2014 by agents of the Omani intelligence. He was forcibly disappeared for 19 days before his family received a one-and-a-half- minute call from him.

In February 2014, his family reported that Al-Shaabani had been detained in the Sultanate of Oman for 19 days and that he was with Bahraini INTERPOL personnel. He was taken to the investigation center upon his arrival in Bahrain on February 15, 2014.¹³

Al-Shaabani was severely tortured since his arrival at the Criminal Investigations Building. His torture lasted for 16 consecutive hours on the first day of his arrival. Al-Shaabani claimed that Lieutenant Fawaz Al-Samim and others treated him with humiliating and degrading treatment and subjected him to various types of physical and psychological torture, including beating, kicking, electric shock, sexual harassment, and threatening to attack his wife and family members. The torture resulted in physical and psychological pain that accompanied Al-Shaabani for a long time.

¹³ <http://bahrainmirror.collegefan.org/news/13632.html>



Al-Shaabani stated that the interrogators tried to bargain with him in order to implicate innocent people to reduce his torture. Al-Shaabani was deprived of adequate health care while in prison, which led to the deterioration of his health.

On April 28, 2014, the High Criminal Court sentenced Sadiq al-Shaabani to five years in prison in connection with what was known as the "Bahrain Tamarod" case. He was released on February 14, 2018 after serving his sentence.

3- Hassan Radhi Al-Baqali



Hassan Al-Baqali is one of the citizens who have been pursued by the Bahraini authorities for many years. Al-Baqali was arrested more than once, the last of which was before the outbreak of peaceful protests calling for democracy. He was released in the early days of the protests, but his name soon returned to the authorities' wanted list after the bloody attack on the protesters at the Pearl Roundabout.

Hassan al-Baqali's house was targeted in dozens of illegal raids tainted with many violations before he was able to leave the country to seek protection and asylum. But the Omani

authorities detained him in February 2016 while he was in the country applying for a visa to Germany.

The Al-Baqali family contacted the Omani embassy in Bahrain and appealed to stop the extradition of their son due to the danger that is awaiting him and threatening his life. However, the Omani authorities did not respond to the demands of the family and activists and handed him over to the Bahraini authorities.

Al-Baqali faced various types of severe and systematic torture, including sleeping on the floor without a bed or pillow for more than two years and beatings on different parts of his body, which led to his transfer to hospital due to the deterioration of his health.

In addition to psychological torture, he was threatened that fabricated political issues will be pinned on his family and wife.

Detainee Hassan Al-Baqali is serving prison terms of more than 100 years over politically-motivated charges and malicious cases, after trials following unfair trials. He had his citizenship revoked before being reinstated by a royal decree issued in April 2019.

Cases that were not handed over to Bahrain

1- Abdulilah Al-Mahoozi



Abdulilah Al-Mahoozi is an opponent of the Bahraini authorities. His political and media activities in criticizing the authorities and their repressive policies and highlighting the violations and unfair practices being committed in the country are effective.

Bahrain's Ministry of Interior implicated him in the manslaughter case involving the death of 13 Asian nationals in a fire in January 2013. It asked INTERPOL to arrest him. However, in March 2014, the First High Criminal Court issued a ruling acquitting Al-Mahoozi of manslaughter charges. But the Interior Ministry did not bother lifting his arrest warrant because of his political and media activity criticizing the Bahraini authorities.

When Abdulilah Al-Mahoozi and his family arrived at Frankfurt Airport in July 2014, the German police arrested him after he and his family applied for political asylum. He was isolated from his family and held in prison outside the airport. He later stated that the German police treated him like a criminal.



Efforts to stop Al-Mahoozi's extradition to Bahrain and allow him to seek political asylum in Germany succeeded after the German authorities concluded that the case against Al-Mahoozi was fabricated and the Bahraini authorities requested INTERPOL to arrest him because of his activism. Al-Mahoozi was released despite the insistence of Bahrain's Ministry of Interior not to lift the request for his arrest with INTERPOL which remains in place at the time this report was written.

2. Hakeem Al-Araibi



Hakeem Al-Araibi, a Bahraini football player, was sentenced in absentia by the High Criminal Court to 10 years in prison in connection with an attack on Al-Khamis police station, even though he was playing in a match that was broadcast live on Bahrain TV.

Al-Araibi was able to reach Australia and request political asylum. There, he took advantage of his presence away from the hands of the Bahraini authorities to shed light on the violations committed by Bahrain against athletes, especially the allegations of Sheikh Salman bin Ibrahim Al Khalifa's involvement in the arrest and torture of opposition athletes and failure to protect them, in his capacity as the president of the Bahrain Football Association.



Al-Araibi traveled with his wife to Thailand in November 2018. The Thai police, who were waiting for Al-Araibi at the airport, arrested them on the basis of INTERPOL's Red Notice issued against him at the request of Bahrain.

Al-Araibi's case gained international media attention thanks to the campaign led by GIDHR as well as Bahraini, Australian, and international human rights organizations, the Australian sports body, and the efforts of former Australian national football team captain Craig Foster. The former soccer player was able to persuade the Asian Football Confederation and FIFA to intervene.

Both the Bahraini and Thai authorities tried to expedite the process of Al-Araibi's extradition to Bahrain. However, their efforts were unsuccessful after the Australian authorities intervened and demanded that Al-Araibi be returned to their territory on the basis of their pledge to protect him under his political asylum status.

Hakeem Al-Araibi spent more than 70 days in prison in Thailand, before human rights, sports, and diplomatic efforts succeeded and Thailand withdrew his extradition case to Bahrain and allowed him to return to Australia.

Arrest of Bahraini dissidents in Arab countries

Bahrain benefits from the extradition agreement concluded between the governments of some Arab countries – Federal Decree No. 29 of 1972 – to request the extradition of critics

who left the country and sought refuge in other Arab countries, either in search of security or in pursuit of access to another country.¹⁴

Article 2 of the aforementioned agreement states, "extradition is obligatory if a person whose extradition is sought is being pursued, accused, or convicted of one of the offenses set forth..."

Article 4 stipulates that "extradition is not applicable in political crimes" and left to the requested state the authority to assess whether the crime is political or not.

The agreement stipulated the exclusion of some crimes from the concept of political crime, even if they were of a political nature, and made extradition mandatory in all cases, such as crimes of assault on kings and presidents and terrorist crimes.¹⁵

Since Bahrain benefits from the broad definitions contained in local legislations, especially the Protecting Society from Terrorist Acts Law – as mentioned above, it exploits the fabricated charges against opponents to demand that Arab countries extradite them upon arrival or prevent them from entering their territory, despite some of them holding foreign nationalities.

14 The text of the extradition agreement between the countries of the Arab League
<https://www.mohamah.net/law/%d9%86%d8%b5-%d8%a7%d8%aa%d9%81%d8%a7%d9%82%d9%8a%d8%a9-%d8%aa%d8%b3%d9%84%d9%8a%d9%85-%d8%a7%d9%84%d9%85%d8%ac%d8%b1%d9%85%d9%8a%d9%86-%d8%a8%d9%8a%d9%86-%d8%af%d9%88%d9%84-%d8%a7%d9%84%d8%ac%d8%a7/>

15 Impediments and obligations to extradite criminals or wanted persons under the agreement between some Arab countries
<https://hhslawyers.com/ar/blog/%d8%aa%d8%b3%d9%84%d9%8a%d9%85-%d8%a7%d9%84%d9%85%d8%b7%d9%84%d9%88%d8%a8%d9%8a%d9%86-%d8%a8%d9%8a%d9%86-%d8%a7%d9%84%d8%af%d9%88%d9%84-%d8%a7%d9%84%d8%b9%d8%b1%d8%a8%d9%8a%d8%a9/>



According to the information obtained by GIDHR, the Bahraini authorities have circulated the names of the opponents wanted by them to the Arab countries to prevent them from entering their territories.

Egypt prevented human rights, diplomatic, and academic opposition figures from entering its territory, including Dr. Ali Al-Diri.

In 2012, the Syrian authorities arrested Bahraini activist Musa Abdul Ali at Damascus airport.

In Iraq, many Bahrainis were arrested in previous years at the request of the Bahraini government.

In Lebanon, the authorities arrested some Bahraini activists and dissidents upon their arrival at Beirut airport.





THE GCC JOINT SECURITY AGREEMENT

Chapter V of the GCC Joint Security Agreement stipulates “the extradition of persons in their territories, who have been charged or convicted by the competent authorities in any of them.”¹⁶

Therefore, the Gulf states hand over the wanted persons to any of the GCC countries, even if that person is wanted on a political background and will be at risk of torture, arbitrary arrest, or an unfair trial.

Qatar handed over four Bahraini opponents to the Bahraini authorities in 2011. One of them was Mohammed Sahwan, who died in a Bahraini prison due to the systematic torture that the authorities use to punish political detainees. In 2017, it also handed over Saudi dissident Mohammed Al-Otaibi to his country’s authorities when he was trying to leave Qatar to seek political asylum.

¹⁶ The text of the GCC Joint Security Agreement

<https://gulfpolicies.org/attachments/old/article/1658/%D9%86%D8%B5%20%D8%A7%D9%84%D8%A7%D8%AA%D9%81%D8%A7%D9%82%D9%8A%D8%A9%20%D8%A7%D9%84%D8%A7%D9%85%D9%86%D9%8A%D8%A9%20%D8%A8%D9%8A%D9%86%20%D8%AF%D9%88%D9%84%20%D9%85%D8%AC%D9%84%D8%B3%20%D8%A7%D9%84%D8%AA%D8%B9%D8%A7%D9%88%D9%86%20%D9%84%D8%AF%D9%88%D9%84%20%D8%A7%D9%84%D8%AE%D9%84-%D9%8A%D8%AC%20%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A%D8%A9.pdf>



But Qatar passed the Political Asylum Law in 2019,¹⁷ which grants opponents of their governments the right to seek political asylum in Qatar and prohibits extradition to their home countries, according to Article 58 of the Qatari constitution.¹⁸

The UAE, Saudi Arabia, and Kuwait also prevent Bahraini dissidents from entering their territories at the request of the Bahraini authorities.

Bahraini dissidents and activists are banned from visiting any Gulf country and are arrested when trying to enter Gulf airports.

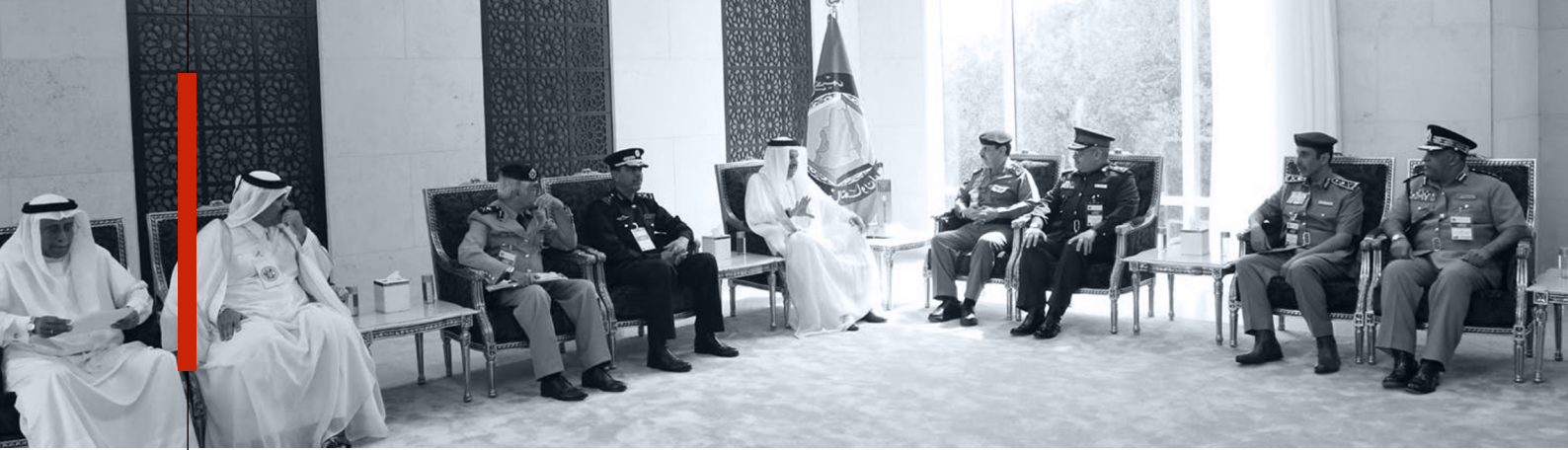
17 Full details of the «Political Asylum Law» in Qatar

<https://www.alaraby.co.uk/%D8%A7%D9%84%D8%AA%D9%81%D8%A7%D8%B5%D9%8A%D9%84-%D8%A7%D9%84%D9%83%D8%A7%D9%85%D9%84%D8%A9-%D9%84%D9%80%22%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D9%84%D8%AC%D9%88%D8%A1-%D8%A7%D9%84%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A%22-%D9%81%D9%8A-%D9%82%D8%B7%D8%B1>

18 Text of the new Qatari constitution

<https://www.aljazeera.net/news/arabic/2003/4/16/%d9%86%d8%b5-%d8%a7%d9%84%d8%af%d8%b3%d8%aa%d9%88%d8%b1-%d8%a7%d9%84%d9%82%d8%b7%d8%b1%d9%8a-%d8%a7%d9%84%d8%ac%d8%af%d9%8a%d8%af>





GCCPOL

GCCPOL has linked the security system of the GCC states, as one of their most important activities is the exchange of security information between the GCC states with regard to wanted persons and criminals, after building an organizational structure and an integrated database. Five delegates were sent from each Gulf country to carry out their duties to the fullest extent at the Gulf Police Headquarters in Abu Dhabi. ¹⁹

GCCPOL is constantly updating a blacklist concerned with preventing wanted persons from passing between GCC states and establishing direct contact with similar international organizations such as the European and Asian INTERPOL.

¹⁹ This is the work of the GCCPOL based in Abu Dhabi
<https://www.alarabiya.net/arab-and-world/gulf/2017/04/03/%D9%87%D8%B0%D9%87-%D9%87%D9%8A-%D8%A3%D9%87%D9%85-%D8%A3%D8%B9%D9%85%D8%A7%D9%84-%D8%A7%D9%84%D8%B4%D8%B1%D8%B7%D8%A9-%D8%A7%D9%84%D8%AE%D9%84%D9%8A%D8%AC%D9%8A%D8%A9-%D9%88%D9%85%D9%82%D8%B1%D9%87%D8%A7-%D8%A3%D8%A8%D9%88%D8%B8%D8%A8%D9%8A->





PURSUING DISSIDENTS OUTSIDE BAHRAIN CONTRADICT INTERNATIONAL LAW

Some opponents of the Bahraini government requested protection and asylum in other countries to escape their country's authorities. However, the Bahraini authorities have spared no effort to bring back the opponents for retaliation and subject them to torture and unfair trials. In this report, we have detailed some of the pursuits they are subjected to outside the borders of their countries.

These pursuits contradict Article 3 of the Universal Declaration of Human Rights, which states that "everyone has the right to life, liberty, and security of person," Article 5, which states that "no one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment," and Article 9, which states that "no one shall be subjected to arbitrary arrest, detention, or exile."

These pursuits contradict Article 3 of the Universal Declaration of Human Rights, which states that "everyone has the right to life, liberty and security of person,"²⁰ Article 5, which states that "no one may be subjected to torture or to cruel, inhuman or

²⁰ Universal Declaration of Human Rights | United nations
<https://www.un.org/en/about-us/universal-declaration-of-human-rights>



degrading treatment or punishment,"²¹ and Article The ninth, which states that no person may be "arrested, detained or exiled arbitrarily."²²

They also contradict the first paragraph of Article 9 of the International Covenant on Civil and Political Rights, which states that "everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law"²³ and Article 19, which guarantees freedom of expression and holding opinions without interference. ²⁴

These pursuits exposed the wanted persons, whom the Bahraini authorities were able to bring back, to face torture, arbitrary detention, and unfair trials, which contravene all international covenants.

21 Same source as previous

22 Same source as previous

23 OHCHR | International Covenant on Civil and Political Rights
<https://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

24 Same source as previous





RECOMMENDATIONS

GIDHR recommends to:

- International Criminal Police Organization (INTERPOL):
 - o Take all measures to ensure that dictatorial countries do not abuse their regulations to pursue refugees
 - o Take serious and urgent steps to enforce its human rights policies and adhere to impartiality
 - o Conduct an independent internal investigation into allegations that its current head, Major General Al-Raisi, was involved in torture and take the necessary measures commensurate with the investigation
 - o Take serious measures to ensure that the United Arab Emirates does not interfere or influence INTERPOL's decisions after Al-Raisi takes over the presidency of the organization



- The international community and countries receiving refugees:

- o Take all measures that secure protection for asylum seekers who seek protection from the authorities of their dictatorial countries

- o Conduct the necessary investigations before responding to the demands of repressive states to extradite refugees to ensure that these requests do not have political backgrounds

- o Put pressure on Bahrain and other countries and dictatorships to improve the human rights situation in them and put an end to the persecution of citizens

- European Union:

- o Hold the Netherlands accountable since it is a member state that extradited an asylum-seeker and returned him to his country of origin, where he was tortured and still in detention

- o Demand countries that extradited asylum seekers to pressure Bahrain to release them

- Bahraini government:

- o Stop pursuing opponents outside the country and their families



o Immediately and unconditionally release all political detainees and prisoners of conscience in the kingdom's prisons

o Implement serious and urgent judicial reforms to ensure a fair trial for all defendants





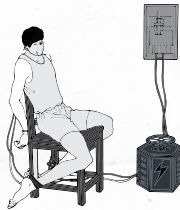
Major General Ahmed Naser Al-Raisi



Senior official in the
UAE Ministry of Interior



Responsible for
managing the
notorious security
forces and prisons



Accused of overseeing
the detention and
torture of Emirati
political prisoners



Accused of
overseeing the
detention and
physical assault of 2
British citizens



He faces several
lawsuits in the
United Kingdom,
Sweden, Norway,
and France

His Victory in INTERPOL elections



Threatens the credibility of
the organisation



Threatens perform its
mission effectively
and objectively



Poses a danger to
refugees from the Gulf,
especially the Emiratis



Threatens its ability to
adhere to its policies of
impartiality and respect
for human rights



Considered an
implicit international
approval of violations
committed within the
Emirati justice system



Asylum in Bahrain



Article 21 of the Bahraini constitution states that the extradition of political refugees is prohibited



Bahrain has agreed to take in refugees who fled Afghanistan seeking protection after the Taliban took power

BUT it

has circulated the names of the wanted opponents to the Gulf countries to hand over them if they attempted to any of GCC



Persecutes its opponents



has circulated the names of the opponents wanted by them to the Arab countries to prevent them from entering their territories





Egypt prevented human rights, diplomatic, and academic opposition figures from entering its territory



In 2012, the Syrian authorities arrested Bahraini activist Musa Abdul Ali at Damascus airport



Lebanese authorities arrested some Bahraini activists and dissidents upon their arrival at Beirut airport



In Iraq, many Bahrainis were arrested in previous years





Pursuing dissidents outside Bahrain contradict international law



Universal Declaration of Human Rights



Article 3: everyone has the right to life, liberty, and security of person



Article 5: no one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment



Article 9: no person may be arrested, detained, or exiled arbitrarily



International Covenant on Civil and Political Rights



Article 9: everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law



Article 19 guarantees freedom of expression and holding opinions without interference

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GIDHR

GULF INSTITUTE
for Democracy and Human Rights

GIDHR recommends to



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