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Bahrain: Calls to Enforce Article 134 of Penal Code Prompts Fears of Crackdown on Freedom of Expression

ARTICLE 19 is alarmed by a recent statement by the Bahraini Interior minister, Shaikh Rashid Bin Abdalla Al-Khalifa, reported in the local press, calling for the enforcement of Article 134 of the Bahraini Penal Code against any citizen who attends meetings, conferences or seminars abroad or meets with representatives of foreign countries, organizations or bodies to discuss the internal affairs of Bahrain, without government authorization.

“The minister’s statement is an attempt to silence human rights defenders and severely impedes freedom of expression in Bahrain. ARTICLE 19 is deeply concerned about articles in the Bahraini Penal Code which deprive Bahrainis of the right to freedom of expression” said Dr. Agnès Callamard, Executive Director of ARTICLE 19.

Article 134 of the Bahraini Penal Code of 1976, states that *“any citizen, regardless of profession, who attends without government authorization, a conference, meeting or seminar abroad discussing the political, social or economic situation in Bahrain, likely to weaken economic confidence in Bahrain, its prestige and diplomatic relations, is punishable by imprisonment of no less than three months and subject to a fine of no less than one hundred dinars, or both.”*

The same punishment applies to any citizen who *“deliberately broadcasts false news, statements or rumours on the internal situation in Bahrain which could weaken economic confidence in Bahrain, its prestige and diplomatic relations.”*

This renewed call for the implementation of Article 134 comes amid increased state intimidation of human rights defenders in Bahrain, described in some local newspapers as “traitors to Bahrain”. This accusation follows the participation on 15 October 2008 of leading Bahraini human rights activists, in an event in Washington DC on the “Impact of Political Reform on Religious freedom in Bahrain”, as well as increased activity from Bahraini activists raising concerns about human rights in the country.

This climate of increased pressure on human rights defenders in Bahrain is evident in the most recent case of Mohammed Abdul Nabi Al-Maskati, founder of the Bahrain Youth Society for Human Rights (BYSHR). The BYSHR “encourages and supports young people to learn about human rights and pushes them to participate actively in the protection of human rights cases, and the struggle to promote human rights among young people in accordance with international standards.”

Al-Maskati is due in court on 15 January, 2009 on charges of “activating [an] unregistered association before issuing the declaration of registration”, under the Bahraini Penal Code of 1976 and the Association Law of 1989. This charge carries a sentence of a maximum of six months in jail and/or a fine of five hundred dinars.

This is not an isolated case however. According to reports by various human rights groups submitted to the UN Office of the High Commissioner for Human Rights in April 2008, “threats, ill treatment, torture, and all forms of intimidation and harassment have been directed towards Bahraini human rights defenders,” in recent years.

ARTICLE 19 urges the Bahraini authorities to reverse this alarming trend of harassment against human rights activists and to repeal provisions of its Penal Code, specifically Article 134, which flagrantly violate Bahrain’s international human rights commitments on freedom of expression in Bahrain and abroad. ARTICLE 19 calls upon the Bahraini government to uphold the human rights to freedom of expression and association as guaranteed by the International Covenant on Civil and Political Rights, to which Bahrain acceded in 2006.

NOTES TO EDITORS:

- For more information: please contact Hoda Rouhana, Programme Officer for Middle East and North Africa, hoda@article19.org, +44 20 7278 9292
- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.