



Call for Action for the Release of Mr. Khalil Al Marzooq

Memorandum for PGA Members with respect to the unlawful arrest of Mr. Khalil Al Marzooq in Bahrain

Internal document for Members of Parliament: Version of 25 September 2013

Facts:

1. On 17 September 2013, Mr. Khalil Al Marzooq was arrested in Bahrain on the basis of charges of incitement to violence and terrorism. He has been held under detention since, first in a prison facility for ordinary offenders, and recently –following the intervention of his family and supporters-- in the Dry Dock Detention Centre (Manama). Before eventual further proceedings, he could be held up to 30 days, although this period may be extended, depending on the decision of the Prosecution.
2. Mr. Al Marzooq is one of the nearly 600 political prisoners held currently in Bahrain for exercising their freedom of expression: Amnesty International called him a “prisoner of conscience” and demanded its immediate, unconditional release.¹
3. The arrest of Mr. Al Marzooq raises important concerns as to his physical and mental well-being in a detention center that only a month ago was to the theatre of brutal repression due to the riots initiated by inmates.² The Bahraini government recently refused to provide access to the country to the UN Special Rapporteur on Torture, Mr. Juan Mendez.³
4. Furthermore, the detention of Mr. Al Marzooq questions the commitment of the Government to the national dialogue, and suggests that there is a political strategy to marginalize peaceful members of the opposition so to justify an eventual violent response against radical activists. Mr. Khalil Al Marzooq serves as Political Assistant to Al Wefaq’s Secretary-General (the main of five opposition parties in Bahrain) and has served in the past as its Spokesperson. Mr. Al Marzooq also heads the Al Wefaq delegation sitting at the Bahrain National Dialogue, a table of negotiations convened by the King of Bahrain following the civic uprising for increased democracy and non-discrimination in early 2011.
5. Mr Khalil Al Marzooq served as democratically elected member of the House of Representatives (2006-2010), and he was re-elected in 2010 for another 4-year team due to end in 2014. Since 2010, Mr. Al Marzooq was elected Deputy Speaker of the Parliament. However in March 2011 he, along with the other 18 opposition parliamentarians of the 40-seats lower house of Parliament resigned in protest to the use of violence by authorities against peaceful activists holding demonstrations in the Pearl Roundabout and throughout the country.
6. Between 2006 and until his resignation in March 2011, Mr. Al Marzooq served as member of PGA leading initiatives of political dialogue with the government and the opposition to enhance the respect of the rule of law in Bahrain and promoting as well the ratification by Bahrain and other countries in the Arab region of the Rome Statute of the International Criminal Court. Given his leadership and constructive contribution to Parliamentarians for Global Action (PGA), Mr. Al Marzooq was recognized by the membership and was elected, until his resignation, as a member of the Executive Committee of PGA.

¹ Cf. www.jadaliyya.com/pages/index/4990/abdulhadi-al-khawaja-and-bahrains-political-prison-and-www.amnesty.org/en/news/bahrain-khalil-al-marzouq-arrested-2013-09-18.

² 40 injured in Prison Riot breakdown, August 2013, www.huffingtonpost.com/2013/08/16/bahrain-prison-riot_n_3769326.html.

³ Systematic use of torture and abuse against detainees has been documented by the Bahrain Independent Commission of Inquiry (BICI), See Report, p. 298, at <http://files.bici.org.bh/BICIreportEN.pdf>

7. The charges against Mr. Al Marzooq are evidently political. The leading international human rights organizations, Amnesty International and Human Rights Watch, provided detailed rebuttals to the allegations made public by the Prosecutor General of Bahrain regarding the grounds for Mr. Al Marzooq's arrest. While Mr. Al Marzooq is accused of having encouraged violence and terrorism in a public speech on September 6, 2013, having reviewed video-footage of the public speech of Mr. Al Marzooq, AI and HRW only found evidence of his statements to an audience of approximately 6000 persons recalling “that political goals and principles shall be pursued with the methods of non-violence and dialogue”.⁴
8. Unfortunately while there has been wide civic mobilization to protest the arrest, the governments of the United States⁵ and the United Kingdom (on behalf of the EU delegations in Manama)⁶ have adopted a regrettable position that calls only for “due process” for the proceedings against Mr. Al Marzooq, and instead has criticized Al Wefaq for suspending their participation in the National Dialogue. The latter decision has been taken by all the opposition parties as a direct consequence of the arrest of their main negotiator, Mr. Al Marzooq.
9. While due process is impossible to achieve in a state-controlled judicial system in Bahrain, Al Wefaq’s position (which was shared also by the other 4 opposition parties) was understandable: to put on hold their participation in a Dialogue (that has in any case not advancing their cause of political reform and end to discrimination) when its chief negotiator is in prison. Such position should not be condemned.
10. PGA stands in solidarity with Mr. Khalil Al Marzooq, due to his personal standing, and also because we remain convinced that his stance holds a promise for the better future and stronger rule of law in Bahrain. Mr. Al Marzooq has been a staunch defender of real civic participation in decision-making, non-discrimination, equal opportunity and security for all in Bahrain, enhancing space of participation for civil society and for the promotion of free media in his country. At the international level, Mr. Al Marzooq has been a spokesperson for PGA in the Middle East region to end impunity and take measures to prevent the victimization of civilian populations, including through the ratification and domestic implementation of the Rome Statute of the International Criminal Court.
11. PGA believes that the situation in Bahrain continues to offer the international community a space to promote democracy and human rights. A proper management of the conflict, strongly supporting in particular increased opportunities for non-violence activists, can effectively prevent the escalation of violence and possibly mark the beginning of a new era of democracy and human rights in the Gulf region.

Action

We call on Members of PGA to:

1. Sign the petition circulated by resigned MP from Bahrain and former PGA Member, Mr. Ali Amsawad (*N.B.: the petition is not a PGA document and can be signed by any Member of Parliament, replying directly to amaswad@gmail.com*).
2. Write to your MFA and/or Embassies in Manama, UN in New York and Geneva to inquire of your government’s position towards the government of Bahrain with respect to the politically motivated arrest of Mr. Khalil Al Marzooq. In the case of EU Member States or the US, question their weak condemnation and if continued action for the release of Mr. Al Marzooq is being undertaken.
3. Enhance the visibility of your stance against the arrest of Mr. Al Marzooq and of the situation in Bahrain in your local and in international media, through the use, inter alia, of the draft statement available at <http://www.pgaction.org/news/press-releases/bahrain-releasekhalilalmarzooq.html>

⁴ See Amnesty International statement at www.amnesty.org/en/news/bahrain-khalil-al-marzouq-arrested-2013-09-18 and Human Rights Watch findings and commentary at www.hrw.org/news/2013/09/20/dispatches-us-thinks-arresting-peaceful-opposition-ok-bahrain-least.

⁵ US State Department, 19 September 2013 <http://www.state.gov/r/pa/prs/ps/2013/09/214450.htm>

⁶ UK Statement on behalf of the EU, 19 September 2013, http://www.twitlonger.com/show/n_1ro0bnk

Please note that PGA has taken other measures such as alerting international entities to protect the physical integrity of Mr. Al Marzooq and to motivate actors to demonstrate that this detention is not in the best interest and prestige of the Bahraini government.

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Press statements condemning the arrest

PGA Press release on Mr. Al Marzooq, 25 September 2013 available at: <http://www.pgaction.org/news/press-releases/bahrain-releaseakhalilalmarzooq.html>

Bahrain Center for Human Rights, 23 September 2013, <http://www.bahrainrights.org/en/node/6404>

Human Rights Watch findings and commentary, 20 September 2013 www.hrw.org/news/2013/09/20/dispatches-us-thinks-arresting-peaceful-opposition-ok-bahrain-least.

Amnesty International, 18 September 2013 www.amnesty.org/en/news/bahrain-khalil-al-marzouq-arrested-2013-09-18

No Peace Without Justice/Transnational Radical Political Party, 17 September 2013, <http://www.npwj.org/ICC/Bahrain-NPWJ-and-NRPTT-condemns-arrest-prominent-opposition-leader-Khalil-Al-Marzooq-and-calls-h>

Selected media reports of the arrest

Washington Post, Editorial Board, Sept. 20, 2013, http://www.washingtonpost.com/opinions/bahrain-arrests-opposition-leader-us-shrugs/2013/09/19/e58b21a6-2099-11e3-b73c-aab60bf735d0_story.html

BBC Gulf Analyst Bill Law, Sept. 17, 2013 <http://www.bbc.co.uk/news/world-middle-east-24125059>.