

# URGENT ACTION

## THREAT OF FORCIBLE EXILE AND STATELESSNESS

**A number of Bahraini citizens, who had their nationality revoked in 2012, are now at risk of being forced to leave Bahrain. One of them was expelled on 23 April, most have been rendered stateless.**

The Bahraini government forced **Shaikh Hussain al-Najati** to leave Bahrain on 23 April. According to the Ministry of Interior in a statement issued that day, "it was decided to deport Najati in accordance with the laws and regulations of Bahrain". Shaikh Hussain al-Najati was among a group of 31 Bahraini citizens whose nationality was revoked in November 2012 after an arbitrary decision by the Bahraini Ministry of Interior.

Shaikh Hussain al-Najati was given 48 hours to leave the country on 15 April and warned by the security apparatus that his family might be harmed if he failed to do so. He did not leave, and was again questioned by security officers on 19 and 20 April. He was forced to sign papers acknowledging that he was ready to leave the country and was given a new deadline to leave. The Ministry of Interior said in a statement that the government had decided to force him out of Bahrain because he "was not transparent and did not communicate with the Bahraini officials as to his situation in the country".

Twelve of the group are in Bahrain, while Shaikh Hussain al-Najati and one other have been forced to leave the country in the last few months. The rest live abroad. Only a few of those living abroad have another nationality; and most of those living in Bahrain do not. The Ministry's arbitrary removal of nationality of those who hold only Bahraini nationality, including Shaikh Hussain al-Najati, has effectively rendered them stateless.

When an Amnesty International delegation visited Bahrain in 2013 some in the group complained that since the decision was announced they had been followed and monitored. Following the harassment and expulsion of Shaikh Hussain al-Najati, Amnesty International fears the authorities may similarly expel others.

### **Please write immediately in English or Arabic:**

- Urging Bahrain's authorities to stop the harassment and intimidation of those from the group of 31 who had their nationality revoked in 2012 and who are still in Bahrain and to refrain from further expulsion of Bahraini nationals;
- Urging them to rescind the decision to revoke the nationality of all 31;
- Urging them to allow Shaikh Hussain al-Najati and all others in the group living abroad to return to Bahrain.

### **PLEASE SEND APPEALS BEFORE 6 JUNE 2014 TO:**

#### King

Shaikh Hamad bin 'Issa Al Khalifa  
Office of His Majesty the King  
P.O. Box 555  
Rifa'a Palace, al-Manama, Bahrain  
Fax: +973 1766 4587 (keep trying)  
**Salutation: Your Majesty**

#### Minister of Interior

Shaikh Rashid bin 'Abdullah Al Khalifa  
Ministry of Interior  
P.O. Box 13, al-Manama, Bahrain  
Fax: +973 1723 2661  
Twitter: @moi\_Bahrain  
**Salutation: Your Excellency**

#### **And copies to:**

Minister of Justice and Islamic Affairs  
Shaikh Khalid bin Ali bin Abdullah Al Khalifa  
Ministry of Justice and Islamic Affairs  
P. O. Box 450, al-Manama, Bahrain  
Fax: +973 1753 1284  
Email: minister@justice.gov.bh  
Twitter: @Khaled\_Bin\_Ali

### **Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

The Ministry of Interior announced on 7 November 2012 that it had ordered the revocation of the nationality of 31 Bahraini citizens. Of those, 14 live in Bahrain and the rest live abroad. According to the announcement, the decision had been taken under Article 10 (Paragraph C) of the Bahrain Citizenship Law. However, the decision was not published in the official gazette. The 31 people never received an official notification about this decision, learned about it from the media on the day it was announced, and have had no opportunity to challenge the decision in court.

The 31 include activists living abroad; a lawyer; a number of people active in politics within Bahrain; people active in Shi'a Husseiniyas, a gathering place for Shia' religious ceremonies; a number of Shi'a clerics; and others with no political or religious affiliations. Some in the group are of Persian origin, although they were born in Bahrain. Others are activists, vocal in denouncing the government. Most of those living in Bahrain do not have another nationality, and only some of those living abroad have another nationality.

Under the Bahrain Citizenship Law and its amendments, Article 10 stipulates that nationality can be revoked (Paragraph A) if a person engages in the military service of a foreign country; (Paragraph B) if he helps or engages in the service of an enemy country; or (Paragraph C) if he causes harm to state security. There is no further definition or detail of what could amount to "harm to state security". This Paragraph – used to revoke the nationality of the 31 – is therefore framed too broadly, allowing for its use to punish the legitimate and peaceful exercise of the rights to freedom of expression, association and assembly. Following the Ministry's announcement, no further explanation has been given and the decision has not been published in the official gazette.

The decision to revoke the nationality of the 31 individuals was arbitrary, and the Ministry's announcement effectively means that those members of the group who only held Bahraini nationality are now stateless.

Article 15 of the Universal Declaration of Human Rights (UDHR) states that everyone has the right to a nationality (Paragraph 1). Paragraph 2 further specifies that no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality. The requirement of due process and non-arbitrariness is also enshrined in the Bahraini Constitution, of which Article 17 (a) states that the "Bahraini nationality shall be determined by law. A person inherently enjoying his Bahraini nationality cannot be stripped of his nationality except in case of treason and such other cases as prescribed by law".

With respect to those of the 31 who are living outside Bahrain, Article 12(4) of the ICCPR states, "No one shall be arbitrarily deprived of the right to enter his own country".

Revocation of nationality resulting in statelessness would not be compatible with the right to nationality articulated in Article 15(1) of the UDHR. Article 7(6) of the 1961 Convention on the reduction of statelessness also prohibits, with very few specific exceptions, any loss of nationality which results in statelessness. Subsequently, the obligation to avoid statelessness has been recognised as a norm of customary international law. Discriminatory revocation of nationality is specifically prohibited by Article 5 D (iii) of the International Convention on the Elimination of all Forms of Racial Discrimination, to which Bahrain is a state party. Similarly, UN Human Rights Council Resolution 20/5 from July 2012 calls upon all States "to refrain from taking discriminatory measures and from enacting or maintaining legislation that would arbitrarily deprive persons of their nationality on grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, especially if such measures and legislation render a person stateless".

Name: Shaikh Hussain al-Najati, 30 others

Gender m/f: both

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