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HuMENA pour les Droits de l'Homme et l'Engagement Civique
هيوميننا لحقوق الإنسان والمشاركة المدنية

Statelessness in Bahrain: Its Effect on Identity and Belonging



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1. Political and Social Context Analysis

The UN Convention on Statelessness 1954 defines statelessness as «a person who is not considered a national by any state under the operation of its law.» In other words, stateless individuals mean that they don't have the nationality of any country, as many individuals were born stateless, but some later became stateless.¹ As per UNHCR, there are more than 10 million stateless people in the world, and this number is increasing, not decreasing, which reflects failure to contribute to their international obligations. The Right to Nationality is a constitutional right protected in International Law, Human Rights Law, and many regional and International Treaties.² The Right to Nationality is guaranteed in Article 15 of the 1948 Universal Declaration of Human Rights, which states that everyone has the Right to Nationality. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.» Many UN conventions protect the rights to nationality; for instance, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination Against Women, the Convention on the Nationality of Married Women, the Convention on the Rights of Persons with Disabilities, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The topic of statelessness may be examined from an anthropological standpoint, where the term identity refers to the idea of self-hood, such as the Ericksonian approach. Culture and personality anthropology theory can be used to better understand a person without nationality in relation to their society or culture. The issue of statelessness presents a profound human rights challenge, undermining the very foundations of individual identity and belonging. Stateless individuals face significant barriers to accessing fundamental rights, leading to severe social, economic, and political marginalization.³ Article 17 of the Constitution of Bahrain stipulates that Bahraini citizenship is determined by law, and it may not be revoked from anyone who enjoys it except in the case of high treason and other circumstances defined by law. According to Article 10 of the Bahrain Citizenship Law and its revisions, nationality can be lost if a person serves in the military of a foreign country, if a person assists or serves in the military

1 Convention Relating to the Status of Stateless Persons | UNHCR. (n.d.). UNHCR. <https://www.unhcr.org/media/convention-relating-status-stateless-persons>

2 The World's Stateless: a new report on why size does and doesn't matter | European Network on Statelessness. (2014, December 15). European Network on Statelessness. <https://www.statelessness.eu/updates/blog/worlds-stateless-new-report-why-size-does-and-doesnt-matte>

3 Jonsson, H. (2017). Stexit?: Southeast Asian pluralism, statelessness and exclusive identities. *Anthropology Today*, 33(6), 36-.

of an enemy country, or if a person endangers state security.⁴ However, Statelessness in Bahrain is primarily driven by various forms of discrimination, including gender, race, and ethnicity. According to a report by Salam for Democracy and Human Rights, there are around 500 stateless persons of Persian descent in Bahrain, known as the (Ajam group). Since 2012, the Bahraini government has revoked the Nationality of hundreds of individuals through executive orders, royal decrees, and Court decisions, rendering many of them stateless. This practice has been widely criticized and condemned as arbitrary and oppressive, used primarily to suppress dissent and consolidate power. Currently, 434 individuals remain stateless due to Nationality revocation⁵

1.1 The Report Purpose

This report will delve thoroughly into the social aspects of statelessness in Bahrain, namely how revocation of nationality and born statelessness affect identity and belonging. The report demonstrates how the revocation of nationalities affects HRDs and activists' ability to pursue their activism. The available material online reflects the impact of depriving individuals of nationality on individuals' fundamental rights in Bahrain. Also, it illustrates the political motivation of the government to suppress pro-democracy and human rights movements in the country.

1.2 The Report Legal Framework Methodology

The report uses a qualitative approach, drawing on a recent publication on the loss of identity in stateless societies. This report referred to and relied on desk reviews of previous publications on statelessness in Bahrain, articles focusing on the right to nationality from the Bahrain Constitution, and several international conventions, such as international law, international customary law, and international guidelines on the right to citizenship. This report is conducted through Semi-Structured Online

4 CONSTITUTION OF THE KINGDOM OF BAHRAIN. (n.d.). In Article 17 a. 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. B. It Is Prohibited to Banish a Citizen From Bahrain or Prevent Him From Returning to It.

5 Bahrain | Stateless Hub. (n.d.-b).

<https://www.statelesshub.org/country/bahrain#:~:text=Statelessness%20in%20Bahrain%20is%20most%20often%20caused%20and,via%20executive%20ohttps://www.statelesshub.org/country/bahrain#:~:text=Statelessness%20in%20Bahrain%20is%20most%20often%20caused%20and,via%20executive%20order%2C%20royal%20decrees%20or%20court%20decisions.rder%2C%20royal%20.decrees%20or%20court%20decisions>

Interviews with direct victims and stateless persons in Bahrain and exile. The report time frame extends over the period from 2012 until 2024. This report is also based on official documents and reports from the United Nations High Commissioner for Human Rights, the UNHCR Refugee Agency, the Institute on Statelessness and Inclusion (ISI), the European Network on Statelessness, and Bahraini Human Rights Groups such as Salam for Democracy and Human Rights and Bahrain Center For Human Rights.

1.3 Literature Review

Many scholars have raised the dilemma of statelessness in the last 80 years since the displacement of the Palestinians in 1948 and the Jewish persecution in Nazi Germany. It has also been mentioned in much literature about statelessness in the Bahamas, Myanmar, Bangladesh, Western Sahara, and many other countries. Belton, K. A. has raised the topic of the paradox of belonging by mentioning statelessness in the Caribbean and demonstrating the impact of the deprivation of nationality on an individual's rights and belonging to society.⁶ German American philosopher Hannah Arendt (1906–1975) identified the Right to Nationality as the right to have rights.⁷ The literature on statelessness and identity or belonging in Bahrain was only raised by Bahraini scholar Dr. Ali Aldairi, who wrote a book in Arabic called "Without Identity. "The book reviews a conversation between Al-Dairy and his 13-year-old daughter, Amaseel, in answer to her concerns regarding the significance and reasons for losing his nationality. Aldairi described how losing his nationality felt like being ripped away from his homeland, leaving him with an existential, bleak emptiness. Aldairay explained that he belonged to Bahrain by mentioning his grandmother, and he felt that her blood was circulating in his blood. Aldairi concluded that he is from Bahrain and cannot be removed or replaced.⁸

6 Belton, K. A. (2017). *Statelessness in the Caribbean: The paradox of belonging in a postnational world*. University of Pennsylvania Press.

7 Cotter, B. (2005). Hannah Arendt and "the Right to have Rights". In *Hannah Arendt and International Relations: Readings across the Lines* (pp. 95-112-). New York: Palgrave Macmillan US.

8 *Stateless: Stripping of Nationality Explained to Amaseel*. (2017). DR Ali Aldairi. [stateless-english-final.pdf/05/https://www.anabahraini.org/wp-content/uploads/2020](https://www.anabahraini.org/wp-content/uploads/2020/stateless-english-final.pdf/05/https://www.anabahraini.org/wp-content/uploads/2020)

2. Case Studies of Stateless Individuals in Bahrain

Identity is defined as “ a person’s sense of self, formed by their distinct qualities, associations, and social duties.” Furthermore, identity has continuity since one perceives oneself as the same person throughout time despite significant changes in one’s surroundings. The legal meaning of identification is that a person or object is exactly as it claims to be.⁹ The definition of Belonging is “A feeling of being happy or comfortable as part of a particular group and having a good relationship with the other members of the group because they welcome you and accept you. A sense of belonging is one of humanity’s most basic needs”.¹⁰ This chapter demonstrates the findings of case studies and interviews with individuals who were born stateless in Bahrain due to ethnic discrimination since all the individuals were of Persian descent. This chapter will exhibit the findings of interviews with individuals whose citizenship has been revoked by the King, the Government, or the Court for political reasons. The interviews investigate how the revocation of nationality undermines their activism and limits their pro-democracy and opponent activity. The interview focuses on the social and cultural dimensions of their stateless position, including how it impacts their identity and belonging, as well as their interactions with their communities in Bahrain and exile.

2.1 Dr Abdula Hadi Khalaf (An Individual whose Bahraini Nationality was revoked by the Ministry of Interior.)

Abdulhadi Khalaf, a former member of Bahrain’s Parliament and currently a senior lecturer in the sociology department at Lund University in Sweden, was deprived of his citizenship on November 6. He is one of 31 Bahraini citizens stripped of citizenship on the same day. Dr. Khalaf was not told of the proceedings (instead, he learned about them through the news media), and so had no opportunity to react to the allegations against him. Dr. Khalaf has been an outspoken opponent of Bahrain’s leadership for many years. He presently lives and maintains citizenship in Sweden. In a semi-structured online interview through email with Dr. Abdulhadi Khalaf, Khalaf asked if the revocation of his nationality had affected his identity. Khalaf underlined that this had neither detrimental nor impact on his awareness of the significance of the roots that bind him to Bahrain, particularly the families he is related to and the individuals he knows. Khalaf concluded that the passport (nationality) is significant but does not give you identity, nor does it define the depth and limitations of your sense of belonging. Instead, it is an official document that permits you to exercise fundamental rights, including the right to travel.¹¹

⁹ Bilgrami, A. (2006). Notes toward the Definition of Identity. *Daedalus*, 135(4), 514-.

¹⁰ Leach, N. (2003). Belonging. *AA Files*, (49), 7682-.

¹¹ Interview with DR Abdul Hadi Khalaf, The File is with the Author, the interview was conducted on July 15, 2024.

2.2 Jawad Fairooz (An Individual whose Bahraini Nationality was revoked by the Ministry of Interior.)

Jawad Fairooz is the chairman and one of the founders of SALAM for Democracy and Human Rights. The Ministry of Interior of Bahrain revoked Jawad Fairooz's Bahraini nationality on November 6, 2012.¹² Jawad Fairooz is currently a member of UNHCR Global Alliance to End Statelessness, an advisory board member of the Institute on Statelessness and Inclusion (ISI) and the European Network on Statelessness. Jawad Fairooz also served as a Bahraini Member of Parliament from 2006 to 2011. Jawad Fairooz currently holds British citizenship. In a semi-structured online interview with Jawad Fairooz, Fairooz explained that a person's identity is a portion of his identity, qualities, and memories. Fairooz asserted that identity is related to upbringing and personality development. Fairooz feels his identity is Bahraini and was not affected by the loss of his nationality. Fairooz expressed that his belonging is connected to Bahrain geographically, and his intellectual and ideological affiliations are multiple and more comprehensive than confined to a specific framework. Fairooz added that his Bahraini customs and traditions represent his identity, and the citizenship rights that were arbitrarily revoked did not affect or harm his identity. Fairooz said that the revocation of nationalities contradicts both International and Human Rights Law, and this practice should be prohibited. Fairooz concluded that the revocation of his nationality did not halt his efforts, but he is confident that the injustice in Bahrain must be addressed.¹³

2.3 Dr Ebrahim Alaradi (An Individual whose Bahraini Nationality was revoked by the King of Bahrain)

Dr. Ebrahim Al Aradi, a doctor who treated injured protestors at Salmaniya Hospital during Bahrain's revolt, was reporting to international media organizations from Salmaniya Hospital about the disproportionate use of force and unlawful death as a doctor and eyewitness. In April 2011, Alaradi's photo was released on Bahrain TV, and he was accused of publishing fake news.¹⁴ Alaradi was forced into exile in April 2011. The King of Bahrain revoked Alaradi's nationality on January 31, 2016, and he

¹² Bahraini opposition figures stripped of nationality in 'frightening' development. (2021, August 17). Amnesty International. <https://www.amnesty.org/en/latest/news/2012/11/bahraini-opposition-figures-stripped-nationality-frightening-development/>

¹³ Interview with Jawad Fairooz, The File is with the Author, the interview was conducted on July 15, 2024.

¹⁴ Arie, S. (2011). Doctors who treated protesters in Bahrain are given 15 year sentences. *BMJ. British Medical Journal*, 343(sep30 2), d6336. <https://doi.org/10.1136/bmj.d6336>

currently lives in the United Kingdom. In a semi-structured online interview with Medical Doctor Dr. Ebrahim Alaradi, currently Stateless and a Political Refugee in the United Kingdom, Alaradi emphasized that his identity and belonging to Bahrain were unaffected by his nationality being revoked. Alaradi stated that his family has had roots in Bahrain for hundreds of years and that the king's arbitrary political decision does not make him feel inferior but rather is the logical outcome of an authoritarian regime that does not respect human rights. Alaradi highlighted that the loss of his nationality is a politically driven prosecution, with the psychological consequence of feeling insecure and being without legal cover to protect himself and his stateless daughter, Maryam. Alaradi mentioned that his nationality was revoked after four weeks of arresting the head of the main opposition party in Bahrain, Shaikh Ali Salman. Alaradi believes that the revocation of his nationality is a consequence of his activism and suppression tool to terrorize the opposition. Alaradi concluded that his daughter does not identify as Bahraini, as she was born stateless in exile and raised in the United Kingdom.¹⁵

2.4 Ebrahim Almadhoon (An Individual whose Bahraini nationality was revoked by the King)

Political activist and editor Ebrahim Al Madhoon is a member of the Al Wefaq Society, which was dissolved by order of the Ministry of Justice in Bahrain in 2016.¹⁶ Almadhoon was subjected to a government media campaign, and his son Khalil was arrested and tortured in Bahrain. Another 70 individuals revoked 17 Almadhoon nati on January 31, 2015.¹⁷ In a semi-structured online Interview with Political Activist and Editor Ebrahim Almadhoon, Almadhoon highlighted that Identity is a combination of feelings, memories, and a sense of belonging to one's homeland and culture. AlMadhoon stated that it is not anything that the King gives but something more profound than a legal document. Al Madhoon added that his identity is a human identity committed to defending individual rights, and for him, nationality is safety and fundamental rights, not a certain land. Al Madhoon, who is based in Lebanon, explained that he belongs to Bahrain, as he spent more than 50 years there until his nationality was revoked and he was forced into exile. Al Madhoon determined that the king intended to destroy their identities as a punitive and political prosecution for their role in the pro-democracy movement. Al Madhoon concluded that losing

¹⁵ Interview with DR Ebrahim. Alaradi, The File is with the Author, the interview was conducted on July 14, 2024.

¹⁶ Bahrain dissolves Al-Wefaq, the largest political opposition bloc in the country - IFEX. (2016, July 20). IFEX. <https://ifex.org/bahrain-dissolves-al-wefaq-the-largest-political-opposition-bloc-in-the-country/>

¹⁷ Bahrain revokes the nationality of 72 people. (2015, January 31). BBC News. <https://www.bbc.co.uk/news/world-middle-east-31075216>

stability is concerning since he is stateless and has no other nationalities, which means he is at risk of being deported at any time as if he does not exist in this world.¹⁸

2.5 A Stateless Woman of Persian origin who prefers to be Anonymous

M.R. was born in Bahrain in 1988, yet she has no nationality because her father is also stateless. Her grandfather emigrated from Iran to Bahrain in 1930 to work in Manama as a merchant. Bahrain's capital was a magnet for many international investors from Europe and neighboring nations. Bahrain was founded in 1971, and he was not deported but somewhat deprived of the right to nationality despite spending more than 40 years in the country, being integrated into Bahraini society, and learning the Arabic language. Until now, none of his descendants have been granted the right to Bahraini nationality. In a semi-structured online interview with her, M.R., who was born stateless in Bahrain, explained that she didn't know that she was not Bahraini when she was a child, as she spoke the same language, ate the same food and tradition, and shared the same culture, religion, and accent. M.R. states that she lacks a sense of belonging or identity in a community or country and that she does not belong anywhere because being born stateless has harmed her dignity until now, as she lacks fundamental rights. She believes she is unrecognized and feels like she does not exist. M.R. clarified that she was attempting to obtain nationality from the Bahraini government, but she was not acknowledged and felt that she was begging them for her fundamental rights. M.R. identifies nationality as safety, dignity, respect, and feeling seen.¹⁹

¹⁸ Interview with DR Ebrahim. Alaradi, The File is with the Author, the interview was conducted on July 14, 2024.

¹⁹ Bahrain dissolves Al-Wefaq, the largest political opposition bloc in the country - IFEX. (2016, July 20). IFEX. <https://ifex.org/bahrain-dissolves-al-wefaq-the-largest-political-opposition-bloc-in-the-country/>

2.6 A Stateless Man of Persian origin who prefers to be Anonymous

J.S. was born in Bahrain in 1980 to a father and grandfather who were both stateless. His grandparents arrived from Iran and moved to Bahrain in 1946 to work in the pearl fishing industry. Bahrain is well-known for its pearl-rich sea, which attracts traders and divers to the country. After the country's creation, the Persian-rooted community was stranded in Bahrain, leaving a massive number of people stateless. J.S. has no anti-government activities or activism, works for a construction company, is married, and has five stateless children as well. In a semi-structured online interview with him, J.S., born stateless in Bahrain and now 40, identified himself as someone without an identity on this planet. However, he felt that he belonged to Bahrain and the Bahraini community. J.S. illustrated that he thinks he is semi-Bahraini and not a "full Bahraini with rights. ". J.S. demonstrated that he has five children, and all of them are stateless as well, but they don't know that they are stateless, and he doesn't want to inform them about this painful reality, as he expressed. J.S. added that he doesn't want his children to feel inferior and does not want them to be bullied and ridiculed by their classmates at school. Despite all the pain that he went through in his life, J.S. is proud to be part of Bahrain's community and land, and he considers Bahrain's culture and tradition to represent him and reflect his being. J.S. concluded that he is inconsistent in following with all Government Bodies to obtain nationality and put an end to this suffering and denial of his rights. ²⁰

²⁰ Interview with J.S, The File is with the Author, the interview was conducted on July 6, 2024.

3. Recommendations

Recommendations to the Government of Bahrain

- Repeal Article 10 of the current Nationality Law, which authorizes the Minister of Interior to remove the nationalities of citizens.
- Stop the policy of arbitrary citizenship revocation used to penalize critics and dissidents who use their right to freedom of expression and assembly.
- Restore citizenship for individuals and promote the Right to Nationality in all Government practices and policies.
- Adhere to the 1954 UN Convention on the Status of Stateless People and the UN 1961 Convention on the Reduction of Statelessness.
- Ensure compliance with International Human Rights Law by restoring citizenship to persons who have had it unjustly withdrawn due to unfair judicial rulings or directives since 2012.
- Compensation for all individuals whose Nationalities were revoked includes cash compensation and rehabilitation.
- Conducting judicial reforms and educating judges to defend the right to citizenship while not infringing on it for political reasons.

4. Conclusion

After analyzing the names of most individuals who had their citizenship revoked, the researcher determined that they had a common similarity in that they have activism in media, human rights, political activities, and government criticism. Thus, the Bahraini government's motivations are intimidation, persecution, and repression. This report aimed to provide a social and anthropological aspect of the consequences of revoking nationalities or those born stateless in Bahrain. The report emphasized that being born stateless has strongly affected how they identify their identity, existence, and belonging in their community. The absence of Nationality has resulted in their status being unrecognized and has affected their dignity. The stateless individuals interviewed in this report define nationality as safety, security, dignity, respect, and being recognized by a state. The individuals whose nationality was revoked by the King of Bahrain or the Court feel they belong to Bahrain, and they did not defend their identity as they believe that their roots in Bahrain are more than 600 years old and arbitrary and political decisions cannot influence their identity. This report concluded that customs and traditions represent identity, and the citizenship rights that were arbitrarily revoked did not affect or harm that identity. This report concluded that the revocation of nationalities doesn't have any influence on identity because it is connected to the roots that bind these individuals to Bahrain. The report concluded that the practice of revocation of nationality and deprivation of some individuals of their nationality has a political and religious discriminatory motivation. To sum up, this report found that being born stateless significantly impacts their identity and belonging. Still, persons whose nationalities were revoked for political reasons have a modest negative effect on defining their identity or belonging.

5. Annex

7 November 2012: The Bahraini Ministry of Interior published the first list of citizens deprived of their nationalities, which includes 31 political dissidents in Bahrain and exile.

28 July 2012: Bahrain's National Assembly holds a special session to revoke the citizenship of persons convicted of terrorism in an attempt to target opposition members.

7 July 2014: Bahrain's King Hamad bin Isa Al Khalifa announces a proclamation. Amending the Citizenship Law to enhance citizenship revocation powers.

6 August 2014: Bahrain's Criminal Court revoked the citizenship of nine Bahraini who were suspected of contacting foreign governments in their first decision.

28 October 2014: A Bahraini Court ordered the deportation of 10 persons deprived of their Bahraini nationality from a list of 31.

31 January 2015: A ruling decree was made by the King of Bahrain to revoke the Bahraini nationality of 72 Bahraini citizens.

20 June 2016: Bahrain has announced the revocation of the nationality of Shiite cleric Ayatollah Sheikh Isa Qassim, who was deported afterward.

24 July 2016: The Interior Minister published an executive directive requiring people deprived of their nationality to change their status as foreigners.

9 July 2017: The Shura Council in Bahrain authorized a decree suspending pension benefits for Bahrainis whose citizenships have been revoked, which is then presented to the King for approval.

15 May 2018: The Bahrain Court stripped 115 people's citizenship and sentenced 53 of them to life in prison for terrorism-related offenses.

16 April 2019: A Court in Bahrain sentenced 139 individuals to prison and revoked the citizenship of all but one after convicting them of terrorist charges.