

“ANY WEAPON CAN BE A LETHAL WEAPON”

Maryam al-Khawaja

- *The leading human rights activist describes the deadly use of less-lethal weapons • to control protests in Bahrain - and her fight to stop it*

The popular uprising against the Bahraini regime began in 2011. Bahrain's rulers acted swiftly, requesting assistance from Saudi Arabia and the United Arab Emirates given the extent of the protests. A brutal crackdown on protesters ensued which has seen over one hundred people killed, and thousands detained – reports of enforced disappearances are extensive and many detainees have been systematically tortured. Many more have been injured.

Underpinning this repression is Bahrain's use of so-called “non-lethal” weapons, such as tear gas and pellets. This has allowed much of the atrocities occurring in the Gulf state to be downplayed internationally – both by Bahrain and its allies. However, local human rights activists continue to risk their freedom and security by insisting that the regime has done little to change its old ways.

Maryam al-Khawaja, who helped push for the original protests and is now co-director of the Gulf Centre for Human Rights, is one such activist. When she was sentenced in absentia, she was in effect sentenced to exile, but tirelessly continues to draw the world's attention to the ongoing human rights abuses that are taking place in Bahrain. Before, during and immediately after the protests, she worked to document the injuries that protestors had sustained after coming under attack from security forces using “non-lethal weapons”. These findings confirmed – as if there was any doubt - that this name is an oxymoron, especially when in the hands of certain repressive regimes.

In an exclusive interview with Sur Journal, Maryam describes the real impact of these weapons on a civilian population. She discusses the crucial role that civil society must play documenting their use to facilitate holding the companies that supply these weapons

to account. In particular, she recalls the successful #stoptheshipment campaign that generated massive international pressure and resulted in South Korea cancelling a huge shipment of tear gas canisters that were destined for the streets of Bahrain.

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Conectas Human Rights • Which weapons are used and in which ways by the Bahrain security forces against the civilian population?

Maryam al-Khawaja • One of the things we have seen in Bahrain is the use of less lethal weapons as lethal weapons. If you look at the lists that were compiled by the Bahrain Center for Human Rights you will find that tear gas has been one of the main causes of death in Bahrain over the past 4-5 years, since the uprising started. However, we believe the number to be actually larger than what is documented. The reason for this is that the forensic doctors are all employed by the government of Bahrain so they record whatever they are told by the government to record as the cause of death. The list of people who have died from tear gas injuries is limited to the cases which we have been able to document: cases of people subjected to tear gas and who straight afterwards were suffocated as a result of it, or people who were shot directly in the head with the tear gas canister causing their deaths.

The Bahraini government is smart because they know that if they use live ammunition, this would draw international criticism, especially when it causes extrajudicial killings. And when someone like me goes and meets with, for example, the German government and tells them that the Bahrainis are using tear gas as a lethal weapon or that they are using tear gas excessively then the response is usually "Well, what is the problem with that? We use tear gas here too." Tear gas has become such a normal crowd control weapon that it does not seem like a big deal. But what most people do not understand is that in Bahrain tear gas is being used in an unprecedented way - we worked with Physicians for Human Rights on a report that details this. Also, if you look at the videos coming from Bahrain – many are available on YouTube - there are tens if not hundreds of videos that show how riot police in Bahrain go inside a residential area and shoot tear gas, or they will walk up to a home and shoot tear gas inside the window. And, considering such unrestricted and often lethal use, almost every rule or regulation that surrounds the use of tear gas as a less lethal weapon is actually being broken.

Conectas • How do you see the insistence by some on the name "non-lethal weapons"? From your experience should they be regulated (production, export, sale, use) differently than other types of arms?

M. K. • Any weapon whether it is called "non-lethal" or "less-lethal", can be a lethal weapon, so why is it that the regulation is different?

But the issue is not the weapon and the regulation that surrounds it. It is about the country you are selling it to. A company knows that when it sells tear gas to the Bahraini government - whether it is identified as a less lethal weapon or not - it is more than likely going to be used as a lethal weapon. Also we do not even know what kind of medical issues are going to emerge in 20-30 years time because of the way that tear gas has been used in Bahrain. What will the effect be on thousands of people that have been subjected to tear gas almost on a nightly basis for several years? So the regulation should focus on who the weapon is being sold to and how it is being used, especially if there is a history of a government using it as a lethal weapon.

Conectas • What are the origins of the majority of weapons that are found in Bahrain?

M. K. • In the beginning, the tear gas was mostly being bought from NonLethal Technologies Inc. in the USA. Since 2012, we have started seeing a massive influx of tear gas coming from a Brazilian tear gas company, Condor - we have actually seen canisters that prove that they have been sold as recently as 2014.

The Bahraini government has also been using pellet shot guns, which are usually used for hunting birds - the second cause of death after tear gas. They are also considered a less-lethal weapon, but at short range they become very lethal. We have seen a number of children and adults who have been killed by the use of pellets. The company that we know is selling to the Bahrain government is based in Cyprus, VICTORY Cartridges.

We were told that Rheinmetall Denel Munitions, the German/South African company from which we have found canisters of tear gas in Bahrain, is not actually selling weapons directly to Bahrain, but rather to the United Arab Emirates (UAE). We suspect that even though there is an end user agreement between South Africa and the UAE, the UAE is giving the tear gas to the Bahrainis. We have not been able to get evidence on that yet, but this is something for South Africa to investigate and if they find that the UAE has actually breached the agreement and has been giving the tear gas to Bahrain then they need to cancel any agreement that they have.

What is even more troubling is Brazil selling tear gas to Bahrain directly when there are very well documented cases and very well documented reports and an international recognition of how tear gas has been used in Bahrain.

Conectas • How do you evaluate the role of local civil society organisations/movements documenting the use of weapons (live and less-lethal) and raising awareness on human rights violations on the ground?

M. K. • In the beginning there was a genuine belief by people in Bahrain that documentation [by civil society] would lead to something. We did not need to go around convincing people to document, they did that on their own, and that is why we see hundreds of videos

– including of the extra judicial killings - because people were automatically pulling out their cameras and trying to document as much as they could. The problem was that people were not aware of how to do the documentation so you would see, in the videos, boxes full of tear gas canisters but you would not be able to read the label to see when and where it was manufactured. So one of the things we had to work on was making people aware of how to take pictures of canisters so that we can actually identify them. When it comes to accountability, when it comes to looking for legal methodology, then the expiration date, when it was manufactured and the name of the company are critical and if this information does not exist then we can not do anything.

Unfortunately, in 2015 that genuine belief in the idea of documentation to some extent no longer exists. Many people do not feel like the documentation that they have done over the past four years has brought any real kind of accountability. Until we are able to truly hold companies and governments accountable for selling these weapons that are being used to kill people, we are going to find less and less people believing in the importance of documentation. This is not just frustrating but it is a very hard hit to our work, because without the documentation, of course, we cannot really move forward.

Conectas • So you would call on civilian populations to continue documenting, to continue taking photographs, taking videos of these weapons?

M. K. • Yes, for sure. That is one of the things that we are trying to do, but it is becoming more and more difficult. Before you could videotape at the protests. Now the protests are much smaller, they are attacked much faster, and there is no space to actually stand there and take a picture of the canister. And if you are carrying a camera, you are immediately a target. We, of course, cannot put people at risk, so we always tell them "If you can, please take a picture of this. If it puts you at risk, please do not do it."

Conectas • Let's talk about #stoptheshipment campaign – a great example of a civil society campaign that our readers might be able to replicate in other locations and for other causes.

M. K. • Bahrain Watch received leaked documents from a good Samaritan that showed that the South Korean government was about to sell three million tear gas canisters to the Bahraini government – equivalent to about 4 tear gas canisters per Bahraini citizen. The leaked document was a tender so it was still in the process of being negotiated between the South Korean government and the Bahraini government.

Bahrain Watch created an entire online campaign surrounding the sale. First, they partnered with local South Korean NGOs, including Amnesty South Korea. Then they set up an online form, part of their website, where people could go to send a fax or an email directly to the Foreign Ministry in South Korea, condemning the sale of tear gas to the Bahraini government. The campaign #stoptheshipment made it so easy for people to participate, that it completely jammed the email systems and the fax

machines of the Foreign Ministry in South Korea. The campaign went on for a few months before South Korea backed down.

One of the most important components of the campaign was reaching out to local South Korean NGOs which generated real awareness in the country. This local support enabled massive outreach to be generated online and on social media.

More challenging was getting support from international NGOs and getting media attention on the issue. Much of the attention and support actually came after the campaign was successful in cancelling the shipment.

Conectas • Finally, what are the assets and liabilities on focusing campaigns on a corporate actor rather than only on a government?

M. K. • There are both pros and cons. You have the issue of how do you target a corporation? Civil society in our region has so much experience in targeting and criticising governments but we do not have as much experience targeting companies. We find that arms companies are less susceptible to international pressure than governments and other non-arms producing companies. This makes putting pressure on them to change their policies a lot more difficult.

We are going to be looking more and more into how we can target these different companies and when they are connected to the government also target the government. Because usually, like we saw in South Korea, targeting the government helps ensure that the campaign is a success. If the South Korean government had not been involved in the selling of weapons from the South Korean company, I think it would have been a lot more difficult to get the company itself to stop that sale.

International civil society needs to get together and develop a stronger strategy of how we are going to move forward when it comes to targeting arms companies and governments who are selling arms that are being used for war crimes and human rights violations.

*Interview conducted in October 2015 by Oliver Hudson
and Thiago Amparo (Conectas Human Rights).*



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Original in English.



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