

URGENT ACTION

SENTENCES UPHELD FOR 13 OPPOSITION ACTIVISTS

The High Criminal Court of Appeal in Bahrain upheld the sentences against the 13 opposition activists on 4 September 2012. Their sentences range between five years to life imprisonment. All 13 men are prisoners of conscience.

The High Criminal Court of Appeal in Manama, the capital of Bahrain, issued its verdict on 4 September against the 13 opposition activists in a session that lasted a few minutes and upheld their sentences – ranging from five years to life imprisonment - on charges including “setting up terror groups to topple the royal regime and change the constitution”. None of the 13 men were present in court.

Mohammad Habib al-Miqdad and **Abdullah al-Mahroos** were acquitted of the charge of “correspondence with a terrorist organization abroad working for a foreign country to conduct heinous acts against the Kingdom of Bahrain”. The brother of ‘**Abdulhadi al-Khawaja**, **Salah ‘Abdullah Hubail al-Khawaja**, was acquitted of “attempting to overthrow and change the country’s Constitution and Royal rule by force”. However, despite acquitting the men of these counts, the court upheld their overall sentences.

The sentences of the 13 men were originally upheld before a military court of appeal in September 2011. Several of the defendants have spoken out in previous court hearings to describe their alleged torture and other ill-treatment in detention, which included acts of torture to coerce “confessions” and sexual assault. Amnesty International is unaware of any independent investigation of these allegations, or of anyone having been brought to justice for alleged abuses.

An Amnesty International-mandated trial observer and representatives of the US and Danish embassies were present at the court hearing.

Please write immediately in English or Arabic or your own language:

- Urge the Bahraini authorities to release all 13 opposition activists immediately and unconditionally, since they are prisoners of conscience, held solely for peacefully exercising their rights to freedom of expression and assembly;
- Urge them to quash the 13 men’s convictions and sentences;
- Urge them to order an immediate and independent investigation into their allegations of torture, publish the methods and findings and bring anyone responsible for abuses to justice.

PLEASE SEND APPEALS BEFORE 16 OCTOBER 2012 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
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
Salutation: Your Excellency

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. This is the tenth update of UA 139/11. Further information:
www.amnesty.org/en/library/info/MDE11/048/2012/en

**AMNESTY
INTERNATIONAL**



URGENT ACTION

SENTENCES UPHELD FOR 13 OPPOSITION ACTIVISTS

ADDITIONAL INFORMATION

Fourteen opposition activists were arrested between 17 March and 9 April 2011. Most were arrested in the middle of the night by groups of security officers who raided their houses and took them to an unknown location, where they were held incommunicado for weeks. Many of the 14 have alleged they were tortured during their first few days of detention when they were being interrogated by officers from the National Security Agency (NSA). None of the 14 was allowed to see their lawyers during NSA interrogations just after they were arrested. Some saw their lawyers during questioning by the military prosecutor ahead of the trial, while others were only allowed to see them during the first court hearing in May 2011, which was the first time any of the activists had seen their families since their arrest.

On 22 June, Bahrain's National Safety Court, a military court, announced its verdict and sentenced them to between two years and life in prison on charges including "setting up terror groups to topple the royal regime and change the constitution". Seven of the 14 activists were sentenced to life imprisonment: Hassan Mshaima', 'Abdelwahab Hussain, 'Abdulhadi Al-Khawaja, Dr 'Abdel-Jalil al-Singace, Mohammad Habib al-Miqdad, Abdel-Jalil al-Miqdad and Sa'eed Mirza al-Nuri. Four people, Mohammad Hassan Jawwad, Mohammad 'Ali Ridha Isma'il, Abdullah al-Mahroos and 'Abdul-Hadi 'Abdullah Hassan al-Mukhodher, were sentenced to 15 years in prison. Two people, Ebrahim Sharif and Salah 'Abdullah Hubail al-Khawaja, brother of 'Abdulhadi al-Khawaja, were given five-year prison terms while Al-Hur Yousef al-Somaikh received a prison sentence of two years.

An Amnesty International observer was present at one of the appeal sessions, on 6 September 2011. The observer concluded that no evidence was presented in court proving that the 14 had committed a crime and used or advocated violence. On 28 September 2011, in a session that lasted only a few minutes, the National Safety Court of Appeal, a military appeal court, upheld all the convictions and sentences imposed on the 14.

On 30 April 2012, the Court of Cassation in Manama ordered the 14 opposition activists to appear before a civilian court for an appeal trial. On the same day the Court of Cassation reduced the two-year sentence of one of them, Al-Hur Yousef al-Somaikh, to six months and he was released on 30 April because he had already served his sentence. However, the other 13 remained behind bars in al-Jaw prison. Their appeal before a civilian court of appeal started on 22 May 2012.

On 14 July the Appeal court ordered the press not to report any information relating to the case of the 13 opposition activists and stated that its future hearings into the case would take place behind closed doors. The final verdict into the case was due to be announced on 14 August 2012 but the session was further postponed until 4 September. Dr Ghanim Alnajjar, an internationally recognised human rights expert, who observed the court proceedings on behalf of Amnesty International, said: "The decision to postpone the final verdict is unjustified, and is tantamount to a denial of justice." Amnesty International sent Ahmad Nashmi al-Dhaferi, a Kuwaiti lawyer, to observe the court hearing on 4 September 2012. For more information on this case and others see the report '*Flawed Reforms: Bahrain fails to achieve Justice for protesters*' (Index: MDE 11/014/2012): <http://www.amnesty.org/en/library/info/MDE11/014/2012/en>

Bahrain's human rights record will be under scrutiny during the next Universal Periodic Review (UPR) before the Human Rights Council in mid September, when it will have to confirm which recommendations made by its peers it accepts. During the previous UPR session in June, 176 recommendations were presented to Bahrain.

Name: Hassan Mshaima', 'Abdelwahab Hussain, 'Abdulhadi Al-Khawaja, Dr 'Abdel-Jalil al-Singace, Mohammad Habib al-Miqdad, Abdel-Jalil al-Miqdad, Sa'eed Mirza al-Nuri, Mohammad Hassan Jawwad, Mohammad 'Ali Ridha Isma'il, Abdullah al-Mahroos, 'Abdul-Hadi 'Abdullah Hassan al-Mukhodher, Ebrahim Sharif, Salah 'Abdullah Hubail al-Khawaja
Gender m/f: All male

Further information on UA: 139/11 Index: MDE 11/053/2012 Issue Date: 4 September 2012