

EXTERNAL

AI Index: MDE 11/23/96

12 July 1996

Further information (1) on UA 142/96 (MDE 11/16/96, 11 June 1996) - Fear of Torture / Legal Concerns

BAHRAIN'Ali Ahmad Kadham al-Muttaqawi
Jassim Hassan Mansour al-Khayat
Hussein Ahmed al-Mudhifa
Hussein Yousif Ibrahim
'Ali Ahmad Kazem 'Abd 'Ali
'Abbas 'Ali Ahmad Habil
and at least 28 others

Amnesty International has learned that 'Abbas 'Ali Ahmad Habil has been tried by the State Security Court and sentenced in two separate cases to a total of 13 years in jail.

According to Amnesty International's information, the trials of 'Abbas 'Ali Ahmad Habil began in March 1996, three months before his "confession" was broadcast on national television together with those of the above-mentioned five men. On 9 June 1996, he was sentenced to a five-year prison term for belonging to an illegal group and to a one-year prison term for possessing illegal literature. His second trial, on 26 June 1996, resulted in a seven-year prison term for involvement in the bombing of the Meridian Hotel and a Maritime Company in January and February 1996.

Amnesty International remains concerned that trials by the State Security Court fail to meet international standards for fair trial. The State Security Court does not allow for appeals, and proceeds to a decision at a faster pace than other courts. While lawyers are allowed a chance to defend their client, they are not given sufficient time to do so. The State Security Court generally dismisses testimonies by defence witnesses, relying solely on statements the defendant made during the investigation. The prosecution generally does not present witnesses: this is apparently in order to speed up the process.

At least 34 people are reported to have "confessed" to their involvement in an alleged Iranian-backed plot to overthrow the Bahraini government. The "confessions" were reportedly made before an investigating judge in May 1996 and extracts were broadcast on Bahraini television on 5 June 1996.

Amnesty International is concerned that the "confessions" may have been extracted under pressure, as a result of torture or ill-treatment. The men are being held in incommunicado detention, and Amnesty International has documented cases in which many such detainees have been tortured in order to extract "confessions" from them. Amnesty International fears that the detainees will remain at risk of torture or ill-treatment as long as they are held without access to lawyers or relatives.

Amnesty International also fears that the "confessions", aired to the public before a trial, will prejudice the outcome of a trial by influencing a presumption of innocence of an unconvicted prisoner until proven guilty and will undermine the possibility of the detainees receiving a fair trial.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English, Arabic or in your own language:

- seeking assurances that 'Abbas 'Ali Ahmad Habil and the other 33 detainees are being humanely treated, and urging that they be allowed access to family members, a lawyer and an independent doctor, if necessary;
- expressing concern that the televised "confessions" by the 34 people may have been extracted under pressure, as a result of torture or ill-treatment;
- referring to rule 84 (2) of the Standard Minimum Rule for the Treatment of Prisoners, which states; "unconvicted prisoners are presumed to be innocent and should be treated as such" and expressing concern that the televised "confessions" may seriously undermine the possibilities of them receiving a fair trial;
- calling for a fair trial for all the prisoners in accordance with international standards.

APPEALS TO:The Amir

His Highness

Shaikh 'Issa Bin Salman Al Khalifa

Office of His Highness the Amir

PO Box 555

The Amiri Court

Rifa'a Palace, Bahrain

Telexes: 8666 Qasar BN; 8500 Qasar BN**Telegrams: His Highness the Amir, al-Manama, Bahrain****Faxes: +973 668884****Salutation: Your Highness**Minister of Interior

His Excellency

Shaikh Muhammad Bin Khalifa Al Khalifa

Minister of Interior

PO Box 13, al-Manama, Bahrain

Telexes: 9572 PSMKT BN or 7889 PMPO BN**Telegrams: Minister of Interior, al-Manama, Bahrain****Faxes: +973 276765 or 2905526****Salutation: Your Excellency**Prime Minister

His Excellency

Shaikh Khalifa Bin Salman Al Khalifa

Prime Minister

PO Box 1000, al-Manama, Bahrain

Telexes: 9336 PROM BN or 7889 PMPO BN**Faxes: +973 533033****Salutation: Your Excellency****COPIES TO:** diplomatic representatives of Bahrain accredited to your country.**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 23 August 1996.