

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

15 June 2015

Index: MDE 11/1866/2015

Bahrain must drop charges and release leading political figure

Amnesty International today reiterated its call on the Bahraini authorities to drop the charges against a leading political opposition figure being tried for peacefully exercising his right to freedom of expression and to release him immediately and unconditionally.

The call came ahead of a trial session on 16 June when the Fourth High Criminal Court in the capital Manama is expected to issue a verdict against Sheikh 'Ali Salman, Secretary General of the main opposition political party, al-Wefaq National Islamic Society.

Sheikh 'Ali Salman is being tried on charges of "incitement to promote the change of the political system by force, threats and other illegal means"; "public incitement to loathing and contempt of a sect of people which will result in disrupting public order"; "publicly inciting others to disobey the law" and "publicly insulting the Interior Ministry". All charges are related to his public speeches since May 2013 and carry a total penalty of 17 years' imprisonment and a fine.

Amnesty International considers Sheikh 'Ali Salman to be a prisoner of conscience detained solely for peacefully expressing his views and has been calling for his immediate and conditional release since he was arrested on 28 December 2014, two days after he delivered a speech calling for serious political reform and accountability after his re-election as the Secretary General of al-Wefaq. His detention and prosecution violate Bahrain's obligation, under Article 19 of the International Covenant on Civil and Political Rights (ICCPR) to which it is a state party, to respect the right to freedom of expression.

His trial, which opened on 28 January 2015, was regularly observed by Amnesty International and attended by representatives of foreign embassies in Bahrain. While the authorities pledged full respect of due process guarantees, the trial has been marred by a number of violations of the right of Sheikh 'Ali Salman to a fair trial, including to the necessary rights and means of defence, a violation of Article 14 of the ICCPR.

Since the first court hearing, Sheikh 'Ali Salman's lawyers have complained to the court that the evidence used against him were excerpts of his speeches that were pulled out of context and requested from the judge to play the full length of the speeches in court. The judge has repeatedly rejected this request as well as demands by the lawyers to call defence witnesses to testify in court, including the Head of Public Security as well as the Minister of Interior.

The court judge arbitrarily interfered in the defence team's cross-examination of key witnesses, including the officer who carried out the investigation into Sheikh 'Ali Salman, by objecting to their questions or rephrasing them. The right to examine witnesses is a key element of the right to a fair trial.

During the last trial session on 20 May, the judge suspended the hearing after a few minutes without allowing the lawyers to submit further documents as evidence. During that session, the prosecution submitted additional pleading in writing. While the defence team have requested a copy of this pleading, they were not allowed to obtain one.

Two weeks ago, Sheikh 'Ali Salman's lawyers submitted a complaint to the Head of the Supreme Council of the Judiciary asking for the current court panel to be disqualified for failing to uphold the rights to a fair trial and to appoint a new one to guarantee their client's right to a fair trial. No response has been received on this so far. Requests to release Sheikh 'Ali Salman on bail were repeatedly rejected.

On 14 June, the political opposition in Bahrain issued a statement calling on the authorities to release Sheikh 'Ali Salman and holds them responsible for the deterioration of the political and security situation while demonstrations took place in villages around the country demanding his release.

The detention and trial of Sheikh 'Ali Salman is a blatant violation of his right to freedom of expression and demonstrates the Bahraini authorities continued attempt to suppress political opposition and silence critical voices.

In March, the authorities arrested and detained Fadhel Abbas, Secretary General of the opposition political party, The Unitary National Democratic Assemblage (al-Wahdawi party), after the party issued a statement describing the Saudi Arabia-led airstrikes on Yemen as a violation of international law. He was charged with "spreading false information that could damage military operations of Bahrain and its allies and calling for resistance" and "publicly insulting the allied countries". The next session of his trial is scheduled for 28 June.

Amnesty International considers Fadhel Abbas a prisoner of conscience and calls on the authorities to drop the charges against him and release him immediately and without condition.

On 26 May, a court also sentenced a former member of parliament, Khaled Abdel-Aal, to one year in prison for tweets he posted in April 2014 that were considered insulting to the Ministry of Interior when he referred to torture being used to extract confessions from detainees and the fabrication of incidents to arrest and detain people.

Several other trials are also pending at the Public Prosecution Office or in courts on account of insulting the king and criticism of the authorities' practices, including the cases of activist Zainab Al-Khawaja and prominent human rights defender Nabeel Rajab.

These and other cases of prisoners of conscience show the Bahraini authorities are intolerant of criticism of their policies, ruling figures or the practices of their security forces. Instead of upholding the rights of Bahrainis and embarking on serious reform, they have instead opted for silencing dissent and imprisoning critics.