

URGENT ACTION

JAIL SENTENCE AGAINST OPPOSITION LEADER UPHeld

On 12 December the Appeal Court in Bahrain issued its verdict against opposition leader Sheikh Ali Salman and sentenced him again to nine years in prison after a retrial. He is a prisoner of conscience imprisoned for peacefully exercising his right to freedom of expression.

On 12 December, following a retrial, the Appeal Court in Bahrain upheld a nine years' prison sentence against opposition leader **Sheikh Ali Salman**, the Secretary General of Bahrain's main opposition party, al-Wefaq National Islamic Society. Sheikh Ali Salman is a prisoner of conscience and remains held in Jaw Prison.

The Court of Cassation ordered Sheikh Ali Salman's retrial on 17 October, rejecting the Appeal Court's verdict issued against him on 30 May which had extended his prison sentence from four to nine years. The Court of Cassation based its decision on the fact that the recorded excerpts of Sheikh Ali Salman's speeches were insufficient evidence against him and that the recordings should have been presented in full to the court. At all stages throughout the trial, Sheikh Ali Salman's lawyers complained to the court that the excerpts of his speeches presented in court were taken out of context, and asked for the complete versions to be played to the court, including the sections relating to the peaceful nature of his party's demands. Sheikh Ali Salman has yet to decide whether he will appeal again his conviction before the Court of Cassation.

Sheikh Ali Salman was originally sentenced on 16 June 2015 by the High Criminal Court after an unfair trial to four years in prison on charges which included "publicly insulting the Interior Ministry" and "publicly inciting others to disobey the law". The court had acquitted him of "incitement to the promotion of the change of the political system by force, threats and other illegal means" which the Prosecution appealed. The charges related to speeches he made in 2012 and 2014, including at his party's General Assembly in which he reaffirmed the party's determination to pursue power in Bahrain through peaceful means, to achieve the reform demands of the 2011 uprising, and to hold those responsible for human rights violations to account. He also stressed the need for equality for all Bahrainis.

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

- Urging the Bahraini authorities to quash Sheikh Ali Salman's conviction and to release him immediately and unconditionally, as he is a prisoner of conscience, held solely for peacefully exercising his right to freedom of expression;
- Calling on them to implement the decision of the UN Working Group on Arbitrary Detention, which called for the immediate release of Sheikh Ali Salman and for him to receive adequate compensation;
- Urging them to uphold the right to freedom of expression and repeal or amend all laws that criminalize the peaceful exercise of the rights to freedom of expression, association and peaceful assembly.

PLEASE SEND APPEALS BEFORE 24 JANUARY 2017 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 Al Khalifa
Ministry of Justice and Islamic Affairs
P. O. Box 450, al-Manama
Bahrain
Fax: +973 1753 1284
Email: <http://www.moj.gov.bh/en/>
Twitter: @Khaled_Bin_AI

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 eighth update of UA 22/15. Further information:

<https://www.amnesty.org/en/documents/mde11/5115/2016/en/>

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URGENT ACTION

JAIL SENTENCE AGAINST OPPOSITION LEADER UPHELD

ADDITIONAL INFORMATION

Sheikh Ali Salman is the Secretary General of Bahrain's main opposition party, al-Wefaq National Islamic Society. He was arrested on 28 December 2014 in connection with statements he had made in speeches in 2012 and 2014, including his speech at the party's General Assembly meeting on 26 December in which he spoke about the opposition's continuing determination to reach power in Bahrain, to achieve the demands of the 2011 uprising through peaceful means and to hold those responsible for committing human rights abuses to account. He also highlighted the need for equality for all Bahrainis, including the ruling family. His arrest took place a few days after he was re-elected for a fourth term as Secretary General of al-Wefaq. In June 2016, following an urgent hearing the High Administrative Court ordered the suspension of al-Wefaq and the seizure of its assets and on 17 July the court dissolved al-Wefaq. The party lost its appeal on 22 September. Meanwhile, on 20 June, al-Wefaq's spiritual leader, Sheikh Isa Qassem, was stripped of his nationality.

Sheikh Ali Salman's trial before the High Criminal Court began on 28 January 2015 in the presence of Amnesty International observers and diplomats representing several foreign governments. The trial was adjourned several times. His lawyers have complained to the court that the evidence used against him consisted of excerpts of his speeches taken out of context, and asked the judge to play recordings of the speeches in full to the court. The judge repeatedly rejected this request as well as demands by the lawyers to call defence witnesses to testify in court. The judge arbitrarily interfered in the defence team's cross-examination of key witnesses, including of the officer who carried out the investigation into Sheikh Ali Salman, by objecting to their questions or rephrasing them. During the last trial session, the judge allowed the prosecution to submit additional pleading in writing but suspended the hearing after a few minutes without allowing the defence lawyers to submit further documents as evidence. Sheikh Ali Salman was sentenced on 16 June 2015, after an unfair trial, to two years in prison for "public incitement to loathing and contempt of a sect of people which will result in disrupting public order" and "publicly insulting the Interior Ministry", and to another two years in prison for "publicly inciting others to disobey the law", and acquitted of "incitement to the promotion of the change of the political system by force, threats and other illegal means".

Sheikh Ali Salman's appeal hearing opened before the Court of Appeal in Manama on 15 September 2015. The prosecution called for the maximum penalty and for his acquittal of "incitement to the promotion of the change of the political system by force, threats and other illegal means" to be reversed. During a prison visit ahead of the first session of the appeal, prison officers prevented Sheikh Ali Salman from discussing his case in private with his lawyers. During the second appeal hearing on 14 October, the judge denied his lawyers' request to play video recordings of Sheikh Ali Salman's speeches to demonstrate that excerpts used as evidence to sentence him were taken out of context, without giving any basis for this denial. His lawyers submitted their defence pleading in writing and then in court, but were interrupted throughout the hearing by the Public Prosecution. Sheikh Ali Salman was allowed to make a 15-minute statement to the court in which he denied all the allegations against him and said that he was seeking political and constitutional change through peaceful means and was being prosecuted for his beliefs. On 30 May 2016, the Court of Appeal upheld his conviction and extended his prison sentence from four to nine years thus reversing his earlier acquittal. His appeal was marred by irregularities, including violations to the right to adequate time and facilities to prepare a defence.

In September 2015, the UN Working Group on Arbitrary Detention called on the Bahraini authorities to release Sheikh Ali Salman immediately and to grant him adequate compensation.

Name: Sheikh Ali Salman
Gender m/f: m

Further information on UA: 22/15 Index: MDE 11/5338/2016 Issue Date: 13 December 2016