

URGENT ACTION

BAHRAINI MEDICS' APPEAL RESUMES

The trial of 20 health professionals resumed on 8 March 2012. Their travel bans have not been lifted and their allegations of torture still have not been independently investigated. Their lawyers are complaining about the difficulty of mounting an adequate defence.

The appeal hearing of 20 health professionals resumed in Bahrain on 8 March 2012 before the civilian High Criminal Court of Appeal, following three previous hearings on 9 January, 28 February and 4 March. During the 8 March hearing five prosecution witnesses were called to testify. The next hearing is scheduled on 15 March, when defence witnesses should testify.

The court did not accept the defence lawyers' request to lift the travel ban imposed on the health professionals. They had been referred in previous sessions for forensic examination by a medical team made up of representatives from the Public Prosecution Office, the Ministry of Health and the Gulf University. The defence lawyers have complained about the lack of impartiality of this team, arguing that the Public Prosecution Office and the Ministry of Health are not independent. They added that until now the defendants have not been examined by this body because it has not been fully formed. The defence lawyers reiterated their request made in previous sessions to include the reports of torture and the forensic examinations included in the Bahrain Independent Commission of Inquiry (BICI) report in the case file. Although this request had been accepted in a previous session, the reports have not yet been included.

Following remarks made by the Public Prosecutor on 5 March implying the lawyers were not carrying out their duties properly and "continued to adopt delaying tactics in the case to advance agendas that should have no place in the courtroom", the defence lawyers have rejected this accusation and have complained that they are not given enough time to prepare to cross-examine witnesses.

Please write immediately in Arabic or English:

- Urge the Bahraini authorities to ensure the appeal proceedings comply with international standards for fair trial, allow the defence lawyers to call any relevant witnesses, and give them adequate time to prepare the defence of their clients;
- Express concern that if jailed, the defendants would be prisoners of conscience imprisoned solely for peacefully exercising their rights to freedom of expression and assembly;
- Urge them to launch an independent and impartial investigation into the defendants' allegations of torture and other ill-treatment, and ensure that an independent forensic body examines the defendants' claims.

PLEASE SEND APPEALS BEFORE 20 APRIL 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: +973 176 64 587
Salutation: Your Majesty

Prime Minister

Prince Khalifa bin Salman Al Khalifa
Office of the Prime Minister
P.O. Box 1000, al-Manama, Bahrain
Fax: +973 175 33 033
Salutation: Your Highness

Minister of Justice and Islamic Affairs

Shaikh Khalid bin Ali bin Abdullah Al Khalifa
Ministry of Justice and Islamic Affairs
P.O. Box 13, al-Manama, Bahrain
Fax: +973 175 31 284
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 fourth update of UA 296/11. Further information: <http://www.amnesty.org/en/library/info/MDE11/058/2011/en>

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ADDITIONAL INFORMATION

These 20 defendants are among 48 health professionals from the Salmaniya Medical Complex who were arrested in March and April 2011. Some of them had been vocal in giving interviews to foreign journalists and accusing the government of abuses against protesters. All were held incommunicado for several weeks. In most cases their families did not know their whereabouts for most of this time and were only allowed to see them during the first session of their trial before the National Safety Court of First Instance, a military court, which started on 6 June. The 48 were split into two groups on 13 June: 20 of them were accused of felonies while the rest were accused of misdemeanours. Many of them went on hunger strike in protest at their detention and trial and were gradually released on bail in August and September 2011.

On 29 June, the King decreed that all cases linked to the February-March 2011 protests would be transferred to ordinary civilian courts; he then issued a further decree on 18 August (Decree 28/20011) ordering that the National Safety Court of First Instance continue to deal with felony cases, while misdemeanour cases would be referred to civilian courts. In early October trials before military courts stopped and since then all trials have been heard before civilian courts. On 29 September the National Safety Court of First Instance sentenced the 20 health professionals to between five and 15 years in prison. Thirteen of the medics - 'Ali 'Esa Mansoor al-'Ekri, Nader Mohammed Hassan Dewani, Ahmed 'Abdulaziz Omran Hassan, Mahmood Asghar 'Abdulwahab, 'Abdulkhaleq 'Ali Hussain al-'Oraibi, Ghassan Ahmed 'Ali Dhaif, Bassim Ahmed 'Ali Dhaif, Ebrahim 'Abdullah Ebrahim, Sayed Marhoon Majid al-Wedaei, Roula Jassim Mohammed al-Saffar, Nada Sa'eed 'Abdelnabi Dhaif, 'Ali Hassan al-Sadadi and Qassim Mohammad 'Omran - were sentenced to 15 years in prison. Hassan Mohammed Sa'eed Nasser and Sa'eed Mothaher Habib Al Samahiji were sentenced to 10 years' imprisonment. Fatima Salman Hassan Haji, Dhia Ibrahim Ja'far, Najah Khalil Ibrahim Hassan, Zahra Mahdi al-Sammak and Mohammed Faeq 'Ali Al Shehab were sentenced to five years in prison. All of them have since been released on bail.

On 23 October the health professionals' appeal hearing started before a civilian court and three charges were dropped: "Spreading false news in detriment to public security", "Public instigation of hate against the system of government" and "Instigating public employees in Salmaniya Hospital to violate laws and refrain from performing their work duties". Other charges remain including: "Illegal possession of firearms for a terrorist purpose", "Attempting to occupy a public hospital using force" and "Attempting to topple the system of government by force"

The Bahrain Independent Commission of Inquiry (BICI) was established by Royal Decree on 29 June to investigate abuses during the March/February protests and other abuses in the following months. The full report was published on 23 November. Hundreds of cases were covered in the BICI report on the February-March 2011 protests, including beatings of protesters by the security forces, mass arbitrary arrests of mainly Shi'a opposition activists and widespread torture, with five deaths resulting from torture in custody. In all, at least 46 people have died in connection with the protests, including five security forces personnel. The report urged the government to immediately establish an independent body made up of representatives of civil society, the opposition and the government; to oversee the implementation of the BICI's recommendations; to usher in legislative reforms to ensure laws are in line with international human rights standards; and to bring to account those responsible for abuses.

Names: 'Ali 'Esa Mansoor al-'Ekri (m), Nader Mohammed Hassan Dewani (m), Ahmed 'Abdulaziz Omran Hassan (m), Mahmood Asghar 'Abdulwahab (m), 'Abdulkhaleq 'Ali Hussain al-'Oraibi (m), Ghassan Ahmed 'Ali Dhaif (m), Bassim Ahmed 'Ali Dhaif (m), Ebrahim 'Abdullah Ebrahim (m), Sayed Marhoon Majid al-Wedaei (m); Roula Jassim Mohammed al-Saffar (f), Nada Sa'eed 'Abdelnabi Dhaif (f), 'Ali Hassan al-Sadadi (m), Qassim Mohammad 'Omran (m) Hassan Mohammed Sa'eed Nasser (m), Sa'eed Mothaher Habib Al Samahiji (m), Fatima Salman Hassan Haji (f), Dhia Ibrahim Ja'far (f), Najah Khalil Ibrahim Hassan (f), Zahra Mahdi al-Sammak (f) and Mohammed Faeq 'Ali Al Shehab (m)

Gender m/f: both

Further information on UA: 296/11 Index: MDE 11/017/2012 Issue Date: 9 March 2012