

AI Index: PRE01/389/2012
09 August 2012

Bahrain must free prisoners of conscience after 'travesty of justice'

The Bahraini authorities must release 13 opposition activists and prisoners of conscience Amnesty International said today, ahead of next week's expected final verdict on their appeals.

The 13, who include prominent activist Abdulhadi Al-Khawaja, were originally sentenced by military court in June 2011 to between two years and life in prison on charges including "setting up terror groups to topple the royal regime and change the constitution".

All of the men maintain their innocence.

Several of the defendants have spoken out in previous court hearings to describe their alleged torture and other ill-treatment in detention, including sexual assault, to coerce "confessions".

"The Bahraini authorities must end this travesty of justice, quash all 13 opposition activists' convictions and release them immediately and unconditionally. They are prisoners of conscience, held solely for peacefully exercising their rights to freedom of expression, association and assembly," said Hassiba Hadj Sahraoui, Amnesty International's Middle East and North Africa programme Deputy Director.

"This trial serves as a test for the Bahraini authorities' to show commitment to reform, which they promised to much fanfare after the Bahrain Independent Commission of Inquiry report was launched."

Amnesty International also calls on the authorities to order an immediate and independent investigation into some of the defendants' allegations of torture, make public the findings of such investigations and bring anyone found responsible for abuses to justice.

Due on 14 August, the verdict relates to appeal hearings after the Court of Cassation decided in April 2012 to refer the case to a civilian court. The High Criminal Court of Appeal started hearing the case on 22 May 2012.

Fourteen opposition activists were arrested between 17 March and 9 April 2011 after taking part in pro-reform protests in Manama. One of the men has since been released.

Many 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 the NSA interrogations. Some saw their lawyers during questioning by the military prosecutor ahead of the trial.

Others were only allowed to see their lawyers 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 2011, 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”.

An Amnesty International observer present at one of the appeal sessions, on 6 September 2011 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, a military appeal court upheld all the opposition activists' convictions.

The men's appeal before a civilian court began in May this year, a decision of the Court of Cassation.

Amnesty International continues to call for the immediate and unconditional release of all prisoners of conscience in Bahrain, and urges the Bahraini authorities to carry out an independent investigation into all allegations of torture in detention and to bring those responsible to justice in fair trials.

Background

The 14 opposition activists arrested are: 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.

Al-Hur Yousef al-Somaikh has since been released as he had served his sentence after the Court of Cassation reduced it to six months in prison.

Other opposition activists currently held in Bahrain include:

Nabeel Rajab, the President of the Bahrain Centre for Human Rights and Director of the Gulf Centre for Human Rights is serving a three-month prison sentence over a libel case in relation to one of his tweets. After several postponements an appeals court is due to give its verdict on his case on 12 August.

Mahdi 'Issa Mahdi Abu Dheeb, the former president of the Bahrain Teacher's Association (BTA), is serving a ten-year prison term for using his position "to call for a strike by teachers, halting the educational process and inciting hatred of the regime", among other charges. His appeal is ongoing.

Nine health professionals are awaiting their final appeal verdict which is set for 1 October. In June 2012, an appeal court had upheld the convictions against the nine for their role in demonstrations in February and March 2011, but reduced their sentences from between five and 15 years' imprisonment to between one month and five years in prison.