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Bahrain: Human rights violations continue unabated

Amnesty International has today expressed serious concern about recent developments in Bahrain, namely the new charges brought against the leader of the now-dissolved Al-Wefaq National Islamic Society, Sheikh Ali Salman; the dissolution on appeal of the National Democratic Action Society (Wa'ad); the resumption of trials of civilians before military courts; the ongoing trial of human rights defender Nabeel Rajab and the continued targeting of human rights activist Sayed Ahmed Alwadaei's family.

Amnesty International calls for the immediate and unconditional release of Nabeel Rajab, Sheikh Ali Salman and all prisoners of conscience, for the charges against them to be dropped and for their sentences to be quashed. The organization calls for civilians tried by the High Military Court to be transferred for trial to a competent ordinary court. In addition, it calls on the authorities to rescind the decisions to dissolve political parties.

Amnesty International wrote to the Bahraini authorities on 21 November requesting clarifications about individual cases but has yet to receive a response.

NEW TRIAL FOR SHEIKH ALI SALMAN

Sheikh Ali Salman, Secretary General of Al-Wefaq National Islamic Society, which was dissolved in 2016, was summoned to the Public Prosecution's Office on 1 November. He was interrogated in presence of his lawyer and charged with "exchanging intelligence information with a foreign country and with those serving its interests to carry out hostile acts against Bahrain, as well as to harm its military, political and economic standing and undermine its national interests" and with "delivering and divulging defence secrets to a foreign country, disseminating tendentious news and statements about the internal situation in Bahrain for the sake of undermining its prestige and status". The Public Prosecution issued a preventive detention order against Sheikh Ali Salman while the investigation is ongoing and stated that if tried and convicted, the time would be added to the four-year prison sentence he is currently serving. On 12 November, the Public Prosecution referred the case for trial by the High Criminal Court. Two other men, Ali al-Aswad, a former Wefaq Member of Parliament, and Sheikh Hassan Sultan, whose nationality was revoked in January 2015, were also similarly charged in their absence. The trial of the three men started on 27 November and Sheikh Ali Salman refused to attend the opening session. The hearing was adjourned to 29 November when Sheikh Ali Salman denied all the charges brought against him. The next hearing has been scheduled for 28 December. Sheikh Ali Salman is currently serving a four-year prison sentence in Jaw prison.

According to the information obtained by Amnesty International, the charges relate to recorded telephone conversations that took place in 2011 between Sheikh Ali Salman and the then Prime Minister and Minister of Foreign Affairs of the State of Qatar, Sheikh Hamad Bin Jassim Bin Jabr Al-Thani. According to the 2011 Bahrain Independent Commission of Inquiry report (para. 525 to 527), the then Assistant Secretary of State for Near Eastern Affairs, Jeffrey D. Feltman, visited Manama at the time to discuss a potential agreement between the Bahraini government and the opposition, and it was suggested that the Qatari Prime Minister could act as mediator, but the Bahraini government rejected the proposal.

Amnesty International calls on the Bahraini authorities to drop the new charges brought against Sheikh Ali Salman, as they appear to be politically motivated as the Bahraini authorities are continuing to crack down on their critics and the Qatar crisis appears to be the perfect excuse to do so. Amnesty International already considered Sheikh Ali Salman to be a prisoner of conscience who has been imprisoned solely for the peaceful exercise of his rights to freedom of expression, and continues to call on the authorities to immediately and unconditionally release him.

DISSOLUTION OF THE NATIONAL DEMOCRATIC ACTION SOCIETY (WA'AD)

On 26 October, the Appeal Court upheld the dissolution of the secular **National Democratic Action Society (Wa'ad)** and the confiscation of its assets, convicting the organization of "committing gross violations" aimed at undermining the social fabric and Bahrain's stability and security.

On the anniversary of the 2011 uprising, on 14 February 2017, Wa'ad published a statement saying that Bahrain was suffering from a "constitutional political crisis" amid continuous human rights violations. The group was subsequently charged with "advocating violence, supporting terrorism and incitement to encourage crimes and lawlessness" after it condemned the execution of three men on 15 January – referring to them as "martyrs" – and calling "martyrs" other men who died or were killed by security forces in February. On 6 March, the Ministry of Justice filed a lawsuit against Wa'ad for violating the Law on Political Associations. Wa'ad first learned about the lawsuit through the media, receiving official notification on 7 March. Wa'ad was also charged on account of its support to the main opposition party Al-Wefaq, which was dissolved on baseless charges in July 2016.

According to information obtained by Amnesty International, no credible evidence was presented during the trial pointing or substantiating the charges brought against Wa'ad during the Appeal Court session. Amnesty International urges the Bahraini authorities to rescind the decisions to dissolve al-Wefaq and Wa'ad and guarantee the right to freedom of association.

MILITARY TRIAL

On 23 October, trials of civilians before military courts resumed for the first time since 2011. The previous day, the military Prosecution announced that three defendants, including Sayed Alawi Hussain al-Alawi and Fadhel Sayed Abbas Hasan Radhi were charged with forming a terrorist cell targeting the Bahrain Defence Force (BDF). This was the first time that Sayed Alawi Hussain al-Alawi and Fadhel Sayed Abbas Hasan Radhi were seen in public since they were forcibly disappeared over a year ago. Amnesty International is concerned that both men may have been forced to "confess" during their detention, which may be used as evidence during their trial before the military court.

According to our information, the High Military Court twice postponed the hearings and the number of defendants in the case rose to at least 18 men, ten of them detained, facing charges, including of "planning the assassination of a senior military figure in the BDF". During the 2 November hearing the defence lawyers requested that they be handed copies of the files but the military Prosecution objected to this. The court upheld the objection stating that the files contained confidential information and that the lawyer would be able to consult the files in the security of the court building only. The High Military Court also banned publication of any information in the electronic or printed media concerning the trial citing the general interest, the safety of evidence and ensuring witnesses' right to legal protection, with the exception of authorized sources. A further three hearings took place and the next one is scheduled for 25 December.

A constitutional amendment ratified by the King on 3 April paved way for military trials of civilians and which could be used to try any critic deemed to be a threat to Bahrain's national security or its "independence, sovereignty or integrity".

Trying civilians before military courts is prohibited under international law, as it contravenes the right to a fair trial.

Amnesty International calls on the Bahraini authorities to immediately transfer the case against the ten men to a competent ordinary court that meets international fair trial standards, to exclude all evidence obtained under torture and other ill-treatment and not to resort to the death penalty. The organization further urges the Bahraini authorities to provide Sayed Alawi Hussain al-Alawi, Fadhel Sayed Abbas Hasan Radhi and the other eight men with prompt and regular access to their family, lawyer of their choice and any medical attention they may require as stipulated by Rules 27, 58 and 61 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules) and ensure that they are protected from torture and other ill-treatment.

HUMAN RIGHTS DEFENDERS

Amnesty International continues to receive concerning information about the situation of human rights defenders in Bahrain, including those who have been detained solely for their human rights work.

On 22 November, prominent human rights defender, Nabeel Rajab's two year prison sentence was upheld by the Court of Appeal. He was convicted and sentenced to two years in prison on 10 July for "disseminating false news, statements and rumours about the internal situation of the kingdom that would undermine its prestige and status" with regards to TV interviews he gave in 2015 and 2016.

Nabeel Rajab's second trial relating to comments posted and retweeted on his Twitter account, about the war in Yemen and allegations of torture in Jaw prison, is ongoing. On 19 November, the High Criminal Court postponed the hearing to 31 December. However, on 3 December, his lawyers, who were attending court for a separate case, found out that Nabeel Rajab's hearing had been moved to the earlier date of 5 December. Nabeel Rajab was unable to attend the 5 December court hearing due to illness and the court adjourned the hearing to 7 December. The final defence pleading has been scheduled for 15 January 2018. If found guilty, Nabeel Rajab could face up to 15 years' imprisonment.

Nabeel Rajab is a prisoner of conscience. Amnesty International calls on the authorities to immediately and unconditionally release him and for his conviction and sentence to be quashed and any remaining charges against him to be dropped.

Whilst welcoming the positive steps taken by the Bahraini authorities to release human rights defender Ebtisam al-Saegh, Mohammed al-Shakhoori, an online rights activist, and Radhi Saleh al-Qatari, a member of the Manama Observatory for Human Rights, Amnesty International continues to seek clarifications as to the status of the case brought against them: Ebtisam al-Saegh was charged by the Terrorism Crimes Prosecution with "using human rights work as a cover to communicate and cooperate with Alkarama Foundation to provide them with information and fake news about the situation in Bahrain to undermine its status abroad".

Amnesty International calls on the authorities to drop all charges brought against Ebtisam al-Saegh and ensure she is able to continue her human rights work without fear of reprisals. Should the authorities detain her again and try her on these charges, the organization would consider her to be a prisoner of conscience.

TARGETING OF SAYED AHMED ALWADAEI'S FAMILY

Sayed Ahmed Alwadaei is the Director of Advocacy at the Bahrain Institute for Rights and Democracy (BIRD) and he lives in exile in the UK. The Bahraini authorities have harassed him and his family to force him to stop his human rights activities.

On 4 December, Sayed Ahmed Alwadaei's wife, Duaa Alwadaei received a written summon, delivered

at her family home in Bahrain, to appear before the Fifth Criminal Court on 26 December for the beginning of her trial on charge of “assaulting a female police officer”.

On 26 October 2016, hours after Sayed Ahmed Alwadaei took part in a peaceful protest outside Downing Street, during a visit by Bahrain’s King to the UK, his wife Duaa Alwadaei and their young child were arrested. She was questioned and threatened with criminal charges – her interrogators made specific reference to his participation in the protest.

On 20 December the Appeal Court upheld the three years ‘imprisonment sentences against Sayed Alwadaei’s brother-in-law, Sayed Nizar Alwadaei, his mother-in-law, Hajer Mansoor Hassan, and her nephew, Mahmood Marzooq Mansoor. On 30 October a Criminal Court had initially convicted them of planting fake bombs in an area southwest of Manama after a grossly unfair trial in which they say they were tortured to “confess”. On 29 November Sayed Nizar Alwadaei was additionally sentenced to three years in prison in another trial on similar charges, his appeal verdict is scheduled for 29 December.

Amnesty International calls for the charges against Duaa Alwadaei to be dropped and for the convictions of Sayed Nizar Alwadaei, Hajer Mansoor Hassan and Mahmood Marzooq Mansoor to be quashed as they are based solely on “confessions” extracted as a result of torture and other ill-treatment. Amnesty International believes that these trials are part of the ongoing campaign by the Bahraini authorities to silence dissenting and critical voices, including those abroad.