



Bahrain

1 March 2011

Release of eleven human rights defenders upon order by the King of Bahrain - BHR 004 / 0810 / OBS 101.2

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), has received new information and requests your urgent intervention in Bahrain.

New information:

According to the information received, on February 23, 2011, Messrs. **Abduljalil Al-Sengais**, Spokesperson and Director of the Human Rights Bureau of the Haq Movement for Civil Liberties and Democracy, **Abdulghani Ali Issa Al-Khanjar**, Spokesperson of the National Committee for Martyrs and Victims of Torture (NCMVT), **Mohammed Saeed**, a board member of Bahrein Center of Human Rights (BCHR), **Suhail Al-Shehabi**, member of the Committee of the relatives of detainees and the Committee of the Unemployed, **Ahmed** and **Ali Jawad Al-Fardan**, members of the Committee of the relatives of detainees in Karzakan, **Salman Naji** and **Hassan Al-Haddad**, members of the Committee of the Unemployed, **Abdul Hadi Al-Saffar**, Chairman of the Committee against high prices and actively involved in other associations including the Committee of the relatives of detainees, **Jaffar Al-Hessabi**, human rights activist involved in the fight against torture and **Ali Abduleman**, who created a news website in 1999 on Bahrain www.bahrainonline.org and a blog, and who is active at the international level in raising attention to the situation of freedom of expression and the media environment in Bahrain were released on February 23, 2011, following an order issued by the King of Bahrain.

The Observatory welcomes their release, which took place in response to a wide protest movement which started in Bahrain on February 14, 2011 and thanks all the persons, institutions and organisations who intervened in their favour.

However, the Observatory remains concerned by the allegedly ongoing charges of "forming an illegal organisation with the objective of overthrowing the government and dissolving the constitution", "forming an illegal organisation with the intention of overthrowing the basic system of the country", "participating in the forming and organising and inciting to overthrow and change the political system of the country", "forming an organisation that deals with collecting funds in an illegal manner", "inciting and planning terrorist acts", "inciting hatred and contempt against the regime", "agreeing to and inciting others to damage public property and committing terrorist acts", "spreading false information", "inciting others in public methods to not abide by the laws", "inciting hatred against a certain sect", "inciting acts of burning, resisting authorities and demonstrating", "contacting and working with international organisations", and "receiving funds from international parties".

In addition, the Observatory urges the authorities to carry out a thorough, independent and impartial investigation into

the allegations of torture and ill-treatment made by several of the mentioned human rights defenders, the result of which must be made public, in order to bring all those responsible before a competent, independent and impartial tribunal and apply penal, civil and/or administrative sanctions as provided by law.

More generally, the Observatory urges the Bahraini authorities to guarantee the rights of all human rights defenders and organisations in Bahrain to carry out their human rights work without hindrances in conformity with the United Nations Declaration on Human Rights Defenders, adopted by the UN General Assembly on December 9, 1998.

Background information:

Between August 13, and September 4, 2010, the above mentioned human rights defenders were arrested and accused notably of alleged membership to a terrorist network aiming to overthrow the government. Fourteen political and religious activists belonging to the Shi'a community were also charged in the same case [\[1\]](#).

Since the beginning of their trial, on October 28, 2010, all hearings were marked by vivid debates around allegations by the accused of acts of torture and ill-treatment inflicted during the pre-trial stage and even after the first hearing, as well as on the necessity for an independent medical check-up and exhaustive inquiry into these allegations, as the case file was built mainly if not exclusively based on confessions from the accused. The defense also protested against the restrictions imposed on the right to visit the accused held by families and lawyers and highlighted that only one copy of the criminal case file had been handed to all of the defense lawyers. They further reported attacks made against the accused and their lawyers in Bahraini media, reportedly tolerated and even fueled by the Public Prosecution, in violation of the principle of the presumption of innocence.

The defence requested the suspension of the case until the completion of an exhaustive investigation on the allegations of torture, including medical check-ups by independent doctors but the requests were always ignored by the court [\[2\]](#).

Actions requested:

The Observatory urges the authorities of Bahrain to:

- i. Guarantee in all circumstances the physical and psychological integrity of Messrs. Abduljalil Al-Sengais, Abdulghani Ali Issa Al-Khanjar, Jaffar Al-Hessabi, Mohammed Saeed, Suhail Al-Shehabi, Ahmed Jawad Al-Fardan, Ali Jawad Al-Fardan, Salman Naji, Abdul Hadi Al-Saffar, Hassan Al-Haddad and Ali Abduleman as well as of all human rights defenders in Bahrain;
- ii. Immediately drop the charges pending against the above-mentioned human rights defenders;
- iii. Carry out an immediate, thorough, independent and impartial investigation into the above-mentioned allegations of torture and ill-treatment, the result of which must be made public, in order to bring all those responsible before a competent, independent and impartial tribunal and apply penal, civil and/or administrative sanctions as provided by law;
- iv. Put an end to any acts of harassment, including at the judicial level, against Messrs. Abduljalil Al-Sengais, Abdulghani Ali Issa Al-Khanjar, Jaffar Al-Hessabi, Mohammed Saeed, Suhail Al-Shehabi, Ahmed Jawad Al-Fardan, Ali Jawad Al-Fardan, Salman Naji, Abdul Hadi Al-Saffar, Hassan Al-Haddad and Ali Abduleman, and against all human rights defenders in Bahrain;

v. Comply with the provisions of the United Nations Declaration on Human Rights Defenders, adopted by the UN General Assembly on December 9, 1998, especially:

- its Article 1, which states that "everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels";- its Article 9.1, which provides that "In the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights as referred to in the present Declaration, everyone has the right, individually and in association with others, to benefit from an effective remedy and to be protected in the event of the violation of those rights.
- and its Article 12.2, which provides that "the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration";

vi. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Bahrain.

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Please also write to diplomatic representations of Bahrain in your respective countries.

[1] See The Observatory's Urgents Appeals BHR 004 / 0810 / OBS 101 and BHR 004 / 0810 / OBS 101.1 and The Observatory's Press Release, September 8, 2010.

[2] See The Observatory's Press Release, December 6, 2010.

<http://www.fidh.org/Release-of-eleven-human-rights-defenders-upon>