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BAHRAIN INSTITUTE FOR
RIGHTS & DEMOCRACY



NGOs Condemn 4 Year Prison Sentence Against Bahrain Opposition Leader Sheikh Ali Salman

16 June 2015 - Americans for Democracy for Human Rights in Bahrain (ADHRB), the Bahrain Institute for Rights and Democracy (BIRD), and the Bahrain Center for Human Rights (BCHR) strongly condemn today's sentencing of Sheikh Ali Salman to four years in prison on politically-motivated charges. The arrest, detention and sentencing of Sheikh Ali Salman is in contravention of international obligations and is a reprisal against his peaceful political activities as the leader of the largest opposition party in Bahrain. We are also concerned that this sentence is a step back in the struggle for democratization in the country and undermines any future opportunity for dialogue.

Sheikh Ali Salman was charged with publicly inciting hatred, disturbing public peace, inciting civil disobedience of the law, insulting public institutions and promoting a change in the regime, in addition to a litany of other charges. The Fourth High Criminal Court sentenced Sheikh Salman for a total of four years on the first three charges and found him not guilty of the latter. Sheikh Salman is to serve his sentence at Jau Prison. His lawyers confirmed that they will appeal the decision.

Earlier this month, the Office of the High Commissioner for Human Rights (OHCHR) **repeated** its earlier call for Sheikh Salman's release. The Special Procedures of the United Nations, including the Special Rapporteur on Freedom of Expression, Special Rapporteur on Freedom of Peaceful of Assembly, Special Rapporteur on Freedom of Religion, Special Rapporteur on Human Rights Defenders, Special Rapporteur on the Independence of Judges and Lawyers, and the Working Group on Arbitrary Detention, also **expressed concern** that the arrest and prosecution of Sheikh Ali Salman was on the basis of his political views, leadership position with the Bahraini opposition, and identity as a member of a religious group and as a religious figure.

At the time of his arrest in December 2014, the US Department of State also **stated** it was "deeply concerned" about Sheikh Salman's arrest. At the 29th Session of the UN Human Rights Council this week, the US Mission to the United Nations **reiterated** this concern and encouraged Bahrain to follow international standards of due process in Sheikh Salman's trial.

Husain Abdulla, Executive Director of ADHRB commented, "The conviction of Sheikh Ali Salman represents yet another major step backwards for democratic reform in Bahrain." He

added, “His sentence makes it clear that the ruling regime is not interested in engaging in dialogue with its citizenry and represents a strong signal to Washington and London that their indulgent approach to Bahrain will not garner reform, but only further repression.”

Sheikh Ali Salman’s lawyers have maintained that the court did not respect due process and that his trial was unfair. The lawyers stated that the only evidence the prosecution presented were excerpts of Sheikh Salman’s speeches, which were taken out of context, and false testimonies. According to Salman’s defense team, the judge exhibited a clear bias by deliberately interfering in the cross examination of the defense’s key witnesses and by objecting to their questions or rephrasing them. During the last trial session on 20 May 2015, the judge suspended the hearing after a few minutes without allowing the defense lawyers to submit further documents as evidence. Sheikh Salman’s lawyers submitted a complaint to the Head of the Supreme Council of the Judiciary requesting the installment of a new court panel that would respect their client’s right to a fair trial. However, no response has been received so far. The court has also repeatedly denied requests to release Sheikh Salman on bail.

“The sentence of Ali Salman once again confirms the lack of transparency and independence of Bahrain’s judiciary,” said Said Yousif, Vice-President of the BCHR. “Like Nabeel Rajab and the Bahrain 13 before him, Ali Salman has been punished for exercising his internationally-guaranteed right to free speech.”

The Bahraini government has been targeting Al-Wefaq Society members for their political views and human rights activism for years. Sayed Jameel Kadhem, head of Al-Wefaq’s Shura Council, was also taken to court in January over comments he posted on Twitter regarding corruption during the November 2014 elections. A Bahraini court sentenced him to six months in jail in February 2015. In 2013, authorities arrested Khalil al-Marzooq, the Deputy Secretary-General of Al-Wefaq, and imposed a travel ban upon him after he delivered a public speech criticizing the government. Two Al-Wefaq former MPs have been stripped of their citizenship, while others were arrested, detained, and tortured in 2011. Additionally, the government **opened** an official investigation into the political society for “criminal tweets” in February 2015; the investigation is ongoing.

“Sheikh Ali stood for national reconciliation and peaceful advocacy, and his imprisonment is the clearest indication yet that Bahrain has turned its back on honest reform,” said Sayed Ahmed Alwadaei, Director of Advocacy at BIRD. “Bahrain’s international allies must reject this categorically.”

Sheikh Ali Salman’s conviction is in contravention of international legal protections, including his right not to be deprived arbitrarily of liberty as set forth in Article 9 of the Universal Declaration of Human Rights (UDHR) and Article 9 of the International Covenant on Civil and Political Rights (ICCPR), to which Bahrain is a signatory. By sentencing Sheikh Salman for his political views, Bahrain has violated his right to freedom of expression under Article 19 and his right to freedom of association under Article 22 of the ICCPR. Sheikh Salman is being targeted for being a leader of the largest political opposition group and for being a prominent religious figure in

Bahrain, in violation of his right to freedom of religion under ICCPR Articles 2, 18 and 26. Further, the court violated his right to prepare his defense as set forth in Article 14 of the ICCPR, and principle 21 of the Basic Principles on the Role of Lawyers.

We, the aforementioned NGOs, call on the Government of Bahrain to:

- Reverse the sentence against Sheikh Salman and release him immediately and unconditionally;
- Cease targeting Sheikh Salman and other political activists in Bahrain and guarantee their freedom of expression;
- Ensure that political societies and activists are able to conduct their work in a safe and enabling environment, without fear of reprisal.