

President Obama urged to help release Bahraini human rights defenders and activists



Abdulhadi Al-Khawaja with human rights defender Nabeel Rajab before they were jailed. (GCHR)

President Barack Obama
President of the United States of America
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500
USA

18 January 2013

Dear Mr. President,

The Gulf Center for Human Rights (GCHR) and the Bahrain Center for Human Rights (BCHR), as well as the undersigned human rights organizations, call on you Mr. President to take substantive action towards securing the immediate release of 13 activists and human rights defenders who are arbitrarily detained in Bahrain. They have been charged and sentenced for exercising their right to freedom of expression and freedom of assembly. Among the detained activists is the human rights defender Abdulhadi Al-Khawaja, founder and former President of BCHR, co-founder of GCHR and former Middle East and North Africa Protection Coordinator of Front Line Defenders.

On 7 January 2013, Bahrain's Court of Cassation upheld the harsh prison sentences for the 13 men, some of whom have been sentenced to life in prison. The 13 were originally sentenced along with eight others by a military court in June 2011 in proceedings that were criticized for violating basic principles of due process – seven were tried in absentia and one has been released. The activists have been held in prison since March 2011, and several have been subjected to severe torture, which has been documented and published in a report released in November 2011 by the Bahrain Independent Commission of Inquiry (BICI), a body appointed by the King.¹ These individuals have detailed to the court the torture they were subjected to throughout their detention, and even though their torturers have been identified, there has not been any investigation into these allegations.

Instead of prosecuting the officers involved in torture and condemning the use of torture, the High Court of Appeals accepted the coerced confessions obtained through the torture of the prisoners and the interrogation records prepared by the military prosecution as the sole evidence in the case. The files in the court's possession lack any decisive evidence linking the activists to the charges in question, including allegations that they sought to overthrow the regime by force.

Despite the recommendations of the BICI, the human rights defenders and activists remain in jail, merely for exercising their right to peaceful expression, assembly and association.

The 13 activists and human rights defenders whose unjust sentences were upheld on 7 January 2013 are the following:

- 1) Abdulwahab Hussain (life sentence imprisonment)
- 2) Ebrahim Sharif (5 Years imprisonment)
- 3) Hassan Mushaima (life sentence imprisonment)
- 4) Abdulhadi Al-Khawaja (life sentence imprisonment)
- 5) Abduljalil Al-Singace (life sentence imprisonment)
- 6) Mohammed Habib Al Miqdad (life sentence imprisonment)
- 7) Saeed Mirza Al-Nouri (life sentence imprisonment)
- 8) Abduljalil Al-Miqdad (life sentence imprisonment)
- 9) Abdullah Isa Al-Mahroos (5 years imprisonment)
- 10) Salah Hubail Al-Khawaja (5 years imprisonment)
- 11) Mohammed Hassan Jawad (15 years imprisonment)
- 12) Mohammed Ali-Ismael (15 years imprisonment)
- 13) Abdul Hadi Al-Mukhodher (15 years imprisonment)

The undersigned have concluded that the decisions by the Bahraini courts throughout this case, including the 7 January 2013 decision of the Court of Cassation to uphold the sentences, are politically motivated. We urge Bahrain's allies to press for the release and full exoneration of the prisoners as well as a credible and transparent investigation into the allegations of torture so that the people responsible can be held accountable.

As Bahrain's most influential ally, coupled with its military presence in the country in the

¹ For details of the torture on these activists See Annex II of the report of the BICI findings, cases: 1 to 12, 23 and 47, available at: <http://www.bici.org.bh/BICIREportEN.pdf>.

form of the US Fifth Fleet, the United States has a special obligation to press Bahrain to adhere to international human rights standards.

Clearly, efforts by civil society and the international community have failed thus far to release all those unjustly jailed in Bahrain. Strong action from the US is therefore essential in order to persuade the Bahraini government to adhere to international law and fundamental principles of justice.

Mr. President, we respectfully call on you to take the following action to ensure that the Bahraini government stops violating the inalienable rights of its citizens, in particular the 13 individuals listed above who have been unjustly imprisoned:

- issue a statement from the highest levels of government condemning the decision by the Bahraini Court of Cassation to uphold the convictions and the sentences of these 13 individuals, and insisting that Bahrain abide by its international obligations and immediately and unconditionally release all prisoners who are currently detained for exercising their freedom of expression, association and assembly;
- immediately suspend US military support to Bahrain until the latter abides by all international laws and human rights standards, including the respect for freedom of expression, association, and assembly; and
- take any and all necessary actions to support the calls regarding the conviction and sentencing of these 13 activists made by the US State Department spokespersons on 4 September 2012 and 7 January 2013, and by Assistant Secretary Michael Posner in Manama on 9 December 2012, so as to ensure that the statements made by your government are not seen as simply empty words.

Thank you for your attention to this very important matter.

Yours sincerely,

1. Arab Working Group for Media Monitoring
2. ARTICLE 19
3. Bahrain Centre for Human Rights
4. Bahrain Coordination Committee
5. Bahrain Human Rights Society
6. Bahrain Press Association
7. Bahrain Rehabilitation and Anti Violence Organization (BRAVO)
8. Bahrain Teachers Society
9. Bahrain Youth Society for Human Rights
10. Cairo Center for Development and Human Rights
11. Canadian Journalists for Free Expression
12. Center for Egyptian Women's Legal Assistance (CEWLA)
13. Development for People and Nature Association
14. European-Bahraini Organization for Human Rights (EBOHR)
15. Freedom Now
16. Gulf Center for Human Rights
17. Gulf Civil Society Association Forum
18. Gulf Civil Society Associations Forum (GCSAF)

19. Human Rights First Society (HRFS), Saudi Arabia
20. International Campaign for Human Rights in Iran
21. International Federation for Human Rights (FIDH)
22. Iraqi Al-Amal Association
23. Monitor of Human Rights in Saudi Arabia
24. National Lawyers Guild - United States
25. New Woman Foundation - Egypt
26. Project on Middle East Democracy (POMED)
27. Reporters Without Borders (RSF)
28. Samir Kassir Foundation
29. Shia Rights Watch
30. SKeyes Center for Media and Cultural Freedom
31. Strategic Initiative for Women in the Horn of Africa (SIHA Network)
32. United Methodist Church, General Board of Church and Society
33. World Alliance for Citizen Participation - CIVICUS
34. Yemen Organization for defending Rights and Democratic Freedoms