

URGENT ACTION

MEN IMPRISONED FOR OFFENDING KING OF BAHRAIN

Three Bahraini men have been handed down prison sentences for allegedly insulting the King of Bahrain in messages posted on their Twitter accounts. A fourth man awaits sentencing on the same charge. They are considered prisoners of conscience.

Three men from Bahrain have been sentenced to prison terms by Branch 4 of the Lower Criminal Court in Manama, the capital of Bahrain. On 1 November **Abdullah Alwi al-Hashemi** was sentenced to six months' imprisonment; on 5 November **Salman Abdullah Darwish** and **Ali Mohammad Ali** were given prison terms of one month and four months respectively. Salman Abdullah Darwish is due to be released on 12 November, having already served most of his sentence.

The three men were charged under Article 214 of Bahrain's penal code – which criminalizes offending the King, the national flag or emblem – with “publicly insulting the King in messages they posted on their Twitter accounts between 2011 and 2012.” A fourth man, **Ali Abdul Nabi al-Hayeki**, is detained on the same charge, but awaits sentencing on 12 November. All four men were arrested and charged in mid-October.

Please write immediately in English, Arabic or your own language:

- ✓ Expressing concern that Abdullah Alwi al-Hashemi, Salman Abdullah Darwish, Ali Mohammad Ali and Ali Abdul Nabi al-Hayeki have been detained solely for exercising their rights to freedom of expression, and urging the Bahraini authorities to immediately and unconditionally release them;
- ✓ Calling on the Bahraini authorities to overturn the convictions against Abdullah Alwi al-Hashemi, Salman Abdullah Darwish, Ali Mohammad Ali and to quash the charges against Ali Abdul Nabi al-Hayeki;
- ✓ Noting that the detention of the four men is in breach of Bahrain's international obligation to uphold freedom of expression as guaranteed in the International Covenant on Civil and Political Rights (ICCPR), to which Bahrain is a state party.

PLEASE SEND APPEALS BEFORE 20 DECEMBER 2012 TO:

King

Shaikh Hamad bin 'Issa Al Khalifa
Office of His Majesty the King
P.O. Box 555
Rifa'a Palace, al-Manama, Bahrain
Fax: +973 1766 4587 (keep trying)

Salutation: Your Majesty

Minister of Interior

Shaikh Rashid bin 'Abdullah Al Khalifa
Ministry of Interior
P.O. Box 13, al-Manama, Bahrain
Fax: +973 1723 2661
Twitter: @moi_Bahrain

Salutation: Your Excellency

And copies to:

Minister of Justice and Islamic Affairs
Shaikh Khalid bin Ali bin Abdullah Al Khalifa
Ministry of Justice and Islamic Affairs
P. O. Box 450, al-Manama, Bahrain
Fax: +973 1753 1284

Salutation: Your Excellency

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

MEN IMPRISONED FOR OFFENDING KING OF BAHRAIN

ADDITIONAL INFORMATION

The Bahraini authorities have publicly stated their intention to introduce reforms and learn lessons from events in February and March 2011, when they cracked down on anti-government protesters. In November 2011, the Bahrain Independent Commission of Inquiry (BICI) submitted a report, which concluded that the authorities had committed gross human rights violations with impunity. Despite the authorities' claims to the contrary, abuses continue to be committed against those who oppose the Al Khalifa family's rule.

The human rights situation in Bahrain has deteriorated over recent months with the continued harassment and arrest of human rights defenders, and a clampdown on freedom of expression. On 30 October, the Minister of Interior announced a ban on all rallies and gatherings in the country under the justification that they are associated with violence, rioting, and attacks on public and private property. He said that the ban would continue until "security is maintained" and suggested that one of his main concerns was the fact that the rallies expressed opposition to the government and the ruling family.

In September, Bahraini authorities expressed its views on the conclusions and recommendations of the report of the Working Group on the Universal Periodic Review (UPR) during the 21st session of the UN Human Rights Council. It stated: "Freedom of speech and expression are guaranteed by Bahrain's Constitution, national laws and international covenants ratified by Bahrain. Additionally, all charges related to freedom of expression have been dropped. All cases are being reviewed in civilian courts. Furthermore, legislative amendments concerning free expression are being reviewed".

During its 99th session the UN Human Rights Committee observed that the mere fact that statements are considered insulting to a public figure is not sufficient to justify imposition of penalties. Moreover, public figures, including heads of states, are legitimately subject to criticism and political opposition.

In a 2008 opinion, the UN Working Group on Arbitrary Detention stated that "the use of criminal law is particularly inappropriate for alleged defamation against public officials on account of the fact that officials should be expected to tolerate more criticism than private citizen". UN human rights experts say alleged defamation of public figures, such as politicians, should not be criminalized, as those in the public eye "should be expected to tolerate more criticism than private citizens". They have also said that freedom of opinion and expression involves the right to freely criticize politicians and other public personalities.

Article 214 of Bahrain's penal code criminalizes "offending the emir of the country [the King], the national flag or emblem"; this violates the right to freedom of expression.

Name: Abdullah Alwi al-Hashemi, Salman Abdullah Darwish, Ali Mohammad Ali, Ali Abdul Nabi al-Hayeki
Gender m/f: m

UA: 326/12 Index: MDE 11/065/2012 Issue Date: 8 November 2012