

URGENT ACTION

FIVE BAHRAINI MEN SENTENCED TO JAIL FOR TWEETS

Five Bahraini men, including a lawyer, were sentenced to one year's imprisonment by the Manama Lower Criminal Court on 15 May for allegedly insulting the King of Bahrain in messages posted on Twitter. They may be prisoners of conscience.

According to information received by Amnesty International, lawyer **Mahdi al-Basri** (25), was arrested on 11 March following a police raid on his home in Karrana, northern Bahrain. Four other men, **Mahmood 'Abdul-Majeed 'Abdullah Al-Jamri** (34), **Hassan 'Abdali 'Issa** (33), **Mohsen 'Abdali 'Issa** (26) and **'Ammar Makki Mohammad Al-Aali** (36) were arrested at dawn on 12 March. The trial of the five in separate cases began on 24 March before Branch 3 of the Lower Criminal Court on charge of insulting the King in messages posted on Twitter. Mahdi al-Basri was accused of posting twitter messages in June 2012 that were traced to his IP address. He has denied the charges, stating that his personal Twitter account was not the account used to post these messages and that he had no connection to the account that used his IP address. All five were sentenced to one year imprisonment on 15 May, under Article 214 of Bahrain's Penal Code which criminalizes "offending the emir of the country [the King], the national flag or emblem". Mahdi al-Basri's lawyer will lodge an appeal. The five men will be transferred to Jaw prison shortly. A sixth man was acquitted.

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

- ✓ Expressing concern that Mahdi al-Basri, Mahmood 'Abdul-Majeed 'Abdullah Al-Jamri, Hassan 'Abdali 'Issa, Mohsen 'Abdali 'Issa and Ammar Makki Mohammad may have been sentenced solely for the peaceful exercise of their internationally recognized right to freedom of expression, in which case they would be considered as prisoners of conscience and should be released immediately and unconditionally;
- ✓ Calling on the Bahraini authorities to quash the convictions against the five men;
- ✓ Noting that the detention of five 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 27 JUNE 2013 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
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 Al Khalifa
 Ministry of Justice and Islamic Affairs
 P. O. Box 450, al-Manama,
 Bahrain
 Fax: +973 1753 1284
 Email: minister@justice.gov.bh
 Twitter: .@Khaled_Bin_Ali

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

FIVE BAHRAINI MEN SENTENCED TO JAIL FOR TWEETS

ADDITIONAL INFORMATION

On 14 April 2013, Bahrain's cabinet endorsed an amendment to Article 214 of the Penal Code, increasing the penalty for offending King Hamad bin Isa Al Khalifah or the country's flag and other national symbols. The amendment, which has been referred to the National Assembly, would make such offences punishable by up to five years in prison in addition to steep fines.

Article 214 of Bahrain's Penal Code states: "A prison sentence shall be the penalty for any person who offends the emir of the country [the King], the national flag or emblem"; this violates the right to freedom of expression.

Two years after the uprising in Bahrain, and beneath the fanfare of reform, prisoners of conscience, including some arrested during the protests, remain behind bars and the rights to freedom of expression, association and assembly continue to be suppressed. In recent months, not only have prisoners of conscience not been released, but more people have been jailed simply for daring to express their views, whether via Twitter or on peaceful marches. Bahraini courts have appeared more concerned with toeing the government's line than offering effective remedy to Bahrainis and upholding the rule of law.

The Bahrain Independent Commission of Inquiry (BICI), appointed by Royal Order on 29 June 2011, was charged with investigating and reporting on human rights violations committed in connection with the 2011 protests. At the launch of the BICI report in November 2011, the government publicly committed itself to implementing the recommendations set out in the report. The report recounted the government's response to the mass protests and documented wide-ranging human rights abuses. Among its key recommendations, the report called on the government to bring to account those responsible for human rights violations, including torture and excessive use of force, and carry out independent investigations into allegations of torture. However, many of the government's pledges remain unfulfilled. The establishment of BICI and its report was considered to be a groundbreaking initiative, but, 18 months on, the promise of meaningful reform has been betrayed by the government's unwillingness to implement key recommendations around accountability. For further information see the report *Reform shelved, repression unleashed* (Index: MDE 11/062/2012), November 2012, <http://amnesty.org/en/library/info/MDE11/062/2012/en>.

In September 2012, 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". The UN Human Rights Committee which oversees the implementation of the ICCPR, 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. 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.

Name: Mahdi al-Basri, Mahmood 'Abdul-Majeed 'Abdullah Al-Jamri, Hassan 'Abdali 'Issa, Mohsen 'Abdali 'Issa and Ammar Makki Mohammad Al-Aali

Gender m/f: m

UA 126/12 Index: MDE 11/016/2013 Issue Date: 16 May 2013

