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Bahrain: Concerns about recent arrests and allegations of torture

Amnesty International has written to the Bahraini government expressing serious concern about the continuing detention of two prominent Shi'a opposition activists and about allegations that 13 people arrested in December 2008 were tortured and otherwise ill-treated before their "confessions" were broadcast on television.

In the early hours of 26 January 2009 Hassan Meshaima', aged 61 and leader of the unauthorized al-Haq political association, 'Abd al-Jalil al-Singace, spokesperson of the same association, and Mohammad Habib al-Muqdad, a religious scholar, were arrested from their homes by security officials and taken to the Dry Dock Prison in al-Muharraq. They were later questioned for several hours in the presence of their lawyers and then charged with terrorism-related offences. 'Abd al-Jalil al-Singace was released on bail on 27 January, but the other two are still being held. All three reportedly deny the charges.

The specific charges brought against the three include "taking part in establishing an illegal association which opposes Bahrain's constitution and which uses terrorism as a means to achieve its goals", which carries a sentence up to life imprisonment, according to Article 6 of Law 58 of 2006 relating to terrorism. The other charges, "calling and propagating for the overthrow of the regime and the political system by force" and "propagating for hatred of the regime" are punishable by five and three years of imprisonment respectively, according to Bahrain's Penal Code. On 24 January, two days before their arrest, the three were summoned to appear before the Public Prosecutor for questioning, but they declined to do so apparently because the summons failed to give reasons, as required by Bahrain's Criminal Procedure Code.

Lawyers for the three and media reports have linked their arrests to those of a group of young men who were detained on 15 December 2008 and are now accused of "terrorism". On 28 December, almost two weeks after their arrests, a government-controlled TV station broadcast a video recording of what were said to be the "confessions" of the 13 detainees, who were said to have participated in a "terrorism plot" and to have received military training in 2006 in al-Hujaira, a district of the Syrian capital, Damascus. They were said to have been planning to carry out violent attacks and sabotage and to have named Hassan Meshaima' and the two others arrested on 26 January as instigators of the plot. The names and photographs of the 13 accused, together with their alleged confessions, were published in several Bahraini newspapers after the televised confessions.

In its letter to Bahrain's Interior Minister Shaikh Rashid bin 'Abdullah bin Ahmad Al Khalifa, Amnesty International called for an urgent and independent investigation into allegations that the 13 people detained in December were tortured with electric shocks, beatings and by being suspended by the wrists for long periods soon after their arrest and while they were being held incommunicado in the headquarters of the National Security Apparatus in Manama. The organization called for any officials found responsible for torture or other serious abuses to be brought to justice. The detainees are reported to have been transferred to the Dry Dock Prison only after they had made "confessions".

In its letter, Amnesty International also questioned why the videotaped "confessions" had been broadcast on TV and said this undermined both the presumption of innocence and the detainees'

right to fair trial. If and when the accused are brought to trial, the court would need to consider very carefully the impact of the broadcast and other publicity incriminating the defendants and whether this made it impossible for them to receive a fair trial. As well, it would need to assess whether any "confessions" which might be presented as evidence against the accused were obtained under torture or other duress, in which case they must be ruled inadmissible.

Amnesty International requested prompt clarification about the exact reasons for the continuing detention of Hassan Meshaima' and Mohammad Hamid al-Muqdad. If the two are being held solely because of their non-violent political activities, including criticism of the government, Amnesty International would consider them to be prisoners of conscience and call for their immediate and unconditional release. The organization urged that all these detainees be humanely treated and have regular access to their lawyers, families and medical care, especially for Hassan Meshaima', who is said to be diabetic and suffering from ill-health.

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