

URGENT ACTION

EXPECTED VERDICT FOR HUMAN RIGHTS DEFENDER

On 31 December Bahrain's Cassation Court issued its verdict in the case of prominent human rights defender and prisoner of conscience, Nabeel Rajab. He was convicted and sentenced to five years in prison in June 2018 in relation to peaceful tweets about the conflict in Yemen and torture allegations in Jaw prison.

The Court of Cassation reviewed the case of human rights defender **Nabeel Rajab** on 31 December 2018. On 21 February, the High Criminal Court convicted and sentenced Nabeel Rajab to five years in prison in relation to peaceful comments posted and retweeted on his Twitter account about the killing of civilians in the Yemen conflict by the Saudi Arabia-led coalition, and allegations of torture in Jaw prison. He was convicted and sentenced under articles 133 and 215 of the Bahraini Penal Code of "spreading false rumours in time of war", "insulting a foreign country" and "insulting public authorities". On 5 June 2018, the sentence was upheld on appeal by the same judge who had earlier issued an order transferring the case for further investigation. Nabeel Rajab's lawyers argue that this was in breach of Article 210 of Bahrain's Code of Criminal Procedure, which states: 'A judge shall be barred from taking part in a judgment if he has previously undertaken tasks in the investigation or transfer of the case [...]'

Nabeel Rajab is also serving a two-year prison sentence that was upheld on 15 January by the Court of Cassation with regards to TV interviews he gave in 2015 and 2016. He was convicted of "disseminating false news, statements and rumours about the internal situation of the kingdom that would undermine its prestige and status".

Several articles in the Bahraini Penal Code include vaguely worded provisions that criminalize the exercise of freedom of expression, association and peaceful assembly, in contravention of international human rights law. The articles are liable to be used to punish the peaceful exercise of human rights.

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

- Calling on the Bahraini authorities to release Nabeel Rajab immediately and unconditionally, to quash his convictions and sentences, as he is a prisoner of conscience, detained solely for peacefully exercising his right to freedom of expression;
- Pending his release, ensure that Nabeel Rajab is not subjected to torture or other ill-treatment; has regular access to his family, lawyers of his choice, and adequate healthcare;
- Urging them to uphold the right to freedom of expression and repeal laws that criminalize the peaceful exercise of the rights to freedom of expression, association, and assembly, including Article 216 of the Penal Code.

PLEASE SEND APPEALS BEFORE 24 JANUARY 2019 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 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
 E-form: <http://www.moj.gov.bh/en/>
 Twitter: @Khaled_Bin_Ali
Salutation: Your Excellency

And copies to:
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

Also send copies to diplomatic representatives accredited to your country. His Excellency Shaikh Fawaz bin Mohammed Al Khalifa, Embassy of the Kingdom of Bahrain, 30 Belgrave Square, London, SW1X 8QB, Tel: 0207 201 9170, Fax 020 7201 9183, Email: information@bahrainembassy.co.uk or through the online contact form at <http://www.bahrainembassy.co.uk/> Salutation: Your Excellency

Please check with your section office if sending appeals after the above date. This is the twenty-second update of UA 249/14. Further information: <https://www.amnesty.org/en/documents/mde11/8552/2018/en/>

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ADDITIONAL INFORMATION

Nabeel Rajab is a prominent human rights defender and the President of the Bahrain Centre for Human Rights. On 13 June 2016 at around 5am, 15 policemen in plain clothes arrested him at home in the village of Bani Jamra, west of the capital Manama. Nabeel was taken to the Criminal Investigation Directorate (CID). The following day, he was taken to the Public Prosecution Office and was accused of “spreading false information and rumours in televised interviews with the aim of discrediting the State”. On 26 June 2016, while in detention, Nabeel Rajab learned that he would stand trial on 12 July 2016 for comments he posted and retweeted on Twitter relating to the conflict in Yemen and the allegations of torture in Jaw prison. He was charged with “spreading false rumours in time of war”, “insulting public authorities [the Ministry of Interior]” and “insulting a foreign country. On 28 December 2016, the court ordered Nabeel Rajab’s release, but, the authorities refused to release him and immediately re-arrested him in relation to the investigation into TV interviews he gave in 2015 and 2016. His new trial began on 23 January 2017. On 10 July, he was convicted and sentenced to two years in prison. The sentence was upheld by the Appeal Court on 22 November and by the Cassation Court on 15 February 2018.

Nabeel Rajab was held in solitary confinement for over nine months. In early April 2017 he was transferred to the Ministry of Interior hospital in al-Qalaa, north west of Manama, after suffering from complications following a surgery. On 25 October, Nabeel Rajab was transferred to Jaw prison, south of Manama, where he was subjected to an invasive body search, his hair was forcefully shaved, and his books and clothes were confiscated. That night, while Nabeel Rajab was sleeping, the prison guards raided his cell and carried out another invasive body search on him while shouting at him.

On 4 September 2016, an open letter was published under Nabeel Rajab’s name in the opinion pages of the New York Times, in which he described the situation in Bahrain and his own trial, and urged the Obama administration to use its leverage to resolve the conflict in Yemen. The next day, the public prosecution interrogated and charged Nabeel Rajab with “spreading false news and statements and malicious rumours that undermine the prestige of the state” in relation to the article. No trial date for this case has yet been set. On 19 December 2016, an article was published in Nabeel Rajab’s name in Le Monde. Two days later, he was interrogated at the CID, accused of “spreading false news and statements and malicious rumours that undermine the prestige of Bahrain and the brotherly countries of the Gulf Cooperation Council, and an attempt to endanger their relations”. The case was referred to the public prosecution, but it is unknown if he will be officially charged. On 12 September 2017, the Terrorism Prosecution interrogated Nabeel Rajab in connection with comments and an image posted on social media accounts running in his name in January 2017. An image of the King of Bahrain with a Quranic verse asking whether he believed that “no one had power over him” was posted on an Instagram account in his name. Comments on non-cooperation with national institutions and a call to protest against the 15 January execution of three men were posted on his Twitter account. He denied the charges of “incitement to hatred against the regime”, “incitement to non-compliance with the law” and “spreading false news”. The case has yet to be referred to trial and could be activated at any time.

In May 2014, Nabeel Rajab had completed a two-year sentence in Jaw prison for taking part in an “illegal gathering”, “disturbing public order”, and “calling for and taking part in demonstrations” in Manama, “without prior notification” between January and March 2012. A travel ban was imposed on him in November that year. He also served part of a six-month prison sentence between April and July 2015 for “publicly insulting official institutions”, in relation to two tweets he posted on 28 September 2014 that were considered offensive to the Ministries of Defence and Interior. He was released on 13 July 2015 on medical grounds after he received a royal pardon. His November 2014 travel ban was lifted in August 2015, only for his lawyers to learn that a new one, which remains in place, had been imposed on 13 July 2015.

Name: Nabeel Rajab

Gender m/f: m

Further information on UA: 249/14 Index: MDE 11/9566/2018 Issue Date: 13 December 2018