

URGENT ACTION

PRISONER OF CONSCIENCE CONVICTED AND FINED

Danish-Bahraini prisoner of conscience Abdulhadi Al-Khawaja was convicted and fined in two separate cases on 28 November 2022 following an unfair trial. The Bahraini authorities have long targeted Al-Khawaja for the peaceful exercise of his human rights and he is serving an unjust life sentence stemming from his role in the 2011 popular uprising in Bahrain. He is a prisoner of conscience who should be immediately and unconditionally released.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Crown Prince and Prime Minister, Sheikh Salman bin Hamad

Court of the Crown Prince

P.O Box 29091, Riffa – Bahrain

Email (via contact form): <http://www.crownprince.bh/en/contact>

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Your Highness,

Bahraini-Danish human rights defender and prisoner of conscience, Abdulhadi Al-Khawaja, has been convicted and fined in two separate cases on 28 November 2022 by the Second Lower Criminal Court, following an unfair trial. He was denied his right to be represented by a lawyer of his choosing and to be tried in his presence. Al-Khawaja has so far spent more than 11 years of an unjust life sentence in Jaw prison for leading peaceful protests during the 2011 popular uprising in Bahrain.

He was most recently convicted for breaking a chair and insulting a public servant in November 2021 while in Jaw prison after he was denied phone calls to his daughters who live abroad and fined 60 Bahraini dinars (equivalent to 160 US dollars). In a second case, Al-Khawaja was convicted of insulting a public servant and fined 100 Bahraini dinars (equivalent to 265 US dollars), in relation to an incident on 30 March 2022 when Al-Khawaja protested against the normalization deal with Israel (Abraham Accords) and had an altercation with a prison officer. According to a Public Prosecution document, the second case had included a charge of “insulting a foreign state”, in reference to Israel. Al-Khawaja’s lawyers have not yet been able to determine whether this charge is still pending. If brought forward, he could face up to two more years in prison and a fine.

According to court records of a hearing session held on 21 November, the presiding judge noted that Al-Khawaja was not present in court, whilst also acknowledging his lawyer’s request to postpone the hearing until he has been able to obtain power of attorney to represent his client. On 23 November, the head of the Second Lower Criminal Court addressed a letter to the General Director of Jaw prison specifying that the court had no objection for facilitating the signing of the power of attorney. Nevertheless, on 28 November, in Al-Khawaja’s absence and without his lawyer able to defend him due to the lack of power of attorney, the judge proceeded in issuing his verdict in both cases. On 29 November, the prison authorities finally allowed Abdulhadi Al-Khawaja to sign the document granting power of attorney to his lawyer. Amnesty International understands that he is appealing both convictions.

Given that Abdulhadi Al-Khawaja is a prisoner of conscience targeted solely for the peaceful exercise of his human rights, we call upon your Highness to ensure that he is immediately and unconditionally released, his convictions and sentences are quashed and any new charges brought against him dropped. Pending his release, he must be granted regular access to his family and lawyers of his choosing.

Yours sincerely,

ADDITIONAL INFORMATION

Prominent human rights defender Abdulhadi Al-Khawaja, aged 61, is married and has four daughters and four grandchildren. He co-founded both the Gulf Centre for Human Rights (GCHR) and the Bahrain Center for Human Rights (BCHR). Until early 2011, al-Khawaja worked as MENA Protection Coordinator for the human rights group Frontline Defenders. He also previously took part in an Amnesty International fact-finding visit to Iraq in 2003 and is a member of the International Advisory Network of the Business and Human Rights Resource Centre. He is a peaceful advocate of human rights and the recipient of several human rights awards, including the Dignity - World without Torture Award which he received in October 2013. Most recently, in 2022, he obtained the prestigious Martin Ennals Award for Human Rights Defenders.

Citing the Covid-19 pandemic, Jaw prison authorities restricted and cancelled family visits for all prisoners from January 2020 to February 2022 and visits remain more exceptional than regular. Al-Khawaja's family visits resumed in May 2022. Phone calls are allowed once a week, but these are restricted to the same five people. Previously, he was allowed to speak to his family between 20-25 minutes each Sunday, but over the past year those calls are often reduced as a way of punishing him for his activism inside prison. On 16 November 2021, Al-Khawaja began a hunger strike in protest at being denied phone calls to his daughters who live abroad. He ended it three days later when the authorities reinstated these calls.

On 6 November 2022, during a call to his daughters, Al-Khawaja said that he was facing a number of separate new trials. On 3 November 2022, his trial began in his absence before the Second Lower Criminal Court for allegedly breaking a plastic chair in November 2021 and insulting a police officer in Jaw prison after being denied phone calls to his daughters who live abroad. A second hearing on 16 November was rescheduled for 28 November because Al-Khawaja, who wanted to attend it, had to first sign a power of attorney document for his lawyer to represent him in court. However, while waiting to do so in prison, an officer in charge attempted to pressure and threaten him into recording a video stating that he was refusing to attend the hearing. Al-Khawaja refused and repeatedly stated on camera that he wanted to attend the hearing. He was then transferred back to his cell without being allowed to sign the power of attorney.

On 21 November, his second trial began on charges of insulting a public servant. The case relates to an incident on 30 March 2022, when Al-Khawaja protested against the normalization deal with Israel (Abraham Accords) and told a prison officer "You are a dirty and unclean person. You have a way of treating people like animals". The hearing was also postponed to 28 November.

Abdulhadi Al-Khawaja is serving a life sentence in Jaw prison. He is among 14 opposition activists who were arrested between 17 March and 9 April 2011 during the Bahrain uprising. On 28 September 2011, in a session that lasted only a few minutes, the National Safety Court of Appeal, a military appeal court, upheld all the convictions and sentences imposed on the 14 opposition activists. These ranged between two years and life in prison on charges including "setting up terror groups to topple the royal regime and change the constitution". On 30 April 2012, the Court of Cassation in Manama ordered them to appear before a civilian court for an appeal trial. The High Criminal Court of Appeal upheld their convictions and sentences on 4 September 2012, and on 6 January 2013, the Cassation Court confirmed the verdict. Four of the 14 men have so far been released, three of them having served their sentences. The fourth one, Mohammed Hassan Jawad, was released on probation from Jaw prison, just over 10 years into serving his 15 years' prison sentence, under a new law, Decree of Act No. 24 of 2021, which expanded alternative sentencing.

In May 2012, [the UN Working Group on Arbitrary Detention](#) considered that Al-Khawaja's detention was arbitrary as it resulted from his exercise of the rights to freedom of expression, association and peaceful assembly; and called for his immediate release and an enforceable right to compensation.

PREFERRED LANGUAGE TO ADDRESS TARGET: English, Arabic

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 7 February 2023

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Abdulhadi Al-Khawaja (he/him)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/mde11/6243/2022/en/>

ADDITIONAL TARGET

Shaikh Fawaz Bin Mohammed Al Khalifa
Embassy of the Kingdom of Bahrain
30 Belgrave Square SW1X 8QB
Fax 020 7201 9183
information@bahrainembassy.co.uk
Salutation: Your Excellency,

SOCIAL MEDIA GUIDANCE

Suggested Tweets: *Abdulahdi Al-Khawaja has been unfairly convicted in #Bahrain in two cases – His lawyers were not able to defend him in court. Call on @BahrainCPnews @moj_bah to immediately & unconditionally #FreeAlKhawaja, quash his convictions & drop any possible new charges [Add link to UA]*