

URGENT ACTION

NABEEL RAJAB'S PRISON SENTENCE UPHELD ON APPEAL

On 5 June, prominent human rights defender and prisoner of conscience Nabeel Rajab had his five-year prison sentence upheld on appeal. He was convicted of "spreading false rumours in time of war", "insulting public authorities" and "insulting a foreign country" in relation to peaceful tweets about the war in Yemen and allegations of torture in Jaw prison.

On 5 June, the Appeal Court in Manama, Bahrain's capital, issued its verdict against **Nabeel Rajab**, upholding a five-year prison sentence 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. Nabeel Rajab was convicted by the High Criminal Court on 21 February under the Bahraini Penal Code of "spreading false rumours in time of war" (Article 133), "insulting a foreign country" (Article 215) and "insulting public authorities" (Article 216). He is now expected to pursue a final appeal before Bahrain's Court of Cassation.

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

A number of 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 halt all proceedings against him 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 peaceful assembly, including Article 216 of the Penal Code.

PLEASE SEND APPEALS BEFORE 20 JULY 2018 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

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-first update of UA 249/14. Further information: www.amnesty.org/en/documents/mde11/7722/2018/en/

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ADDITIONAL INFORMATION

Nabeel Rajab is the President of the Bahrain Centre for Human Rights and a prominent human rights defender. He was arrested at around 5am on 13 June 2016 at his home in the village of Bani Jamra, west of the capital Manama, by 15 policemen in plain clothes and taken to the Criminal Investigation Directorate (CID). The following day, he was taken to the Public Prosecution Office, 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 war 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. However, the authorities refused to release him and instead he was immediately re-arrested and taken into custody in relation to the investigation into TV interviews he gave in 2015 and 2016. His trial in relation to these interviews 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 of his detention. At the beginning of April 2017 after suffering from complications following a surgery, he was transferred to the Ministry of Interior hospital in al-Qalaa. On 25 October, Nabeel Rajab was transferred to Jaw prison where his hair was forcefully shaved on arrival and he was subjected to an invasive body search 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 printed under Nabeel Rajab's name in the opinion pages of the New York Times which 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 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 while 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 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 11/8552/2018 Issue Date: 08 June 2018