

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://www.hrw.org/news/2012/06/21/bahrain-reject-confessions-linked-torture>

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Prosecution Using Tainted Evidence in Protest Leaders Retrial

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Correction: A June 21, 2012 news release on the convictions of 21 political activists by a military court incorrectly stated that the court sentenced Ibrahim Sharif, leader of the secularist National Democratic Action Society, to life imprisonment. In fact, the court sentenced Sharif to five years in prison.

(Beirut) Bahrain's High Court of Appeal, which is reviewing the convictions of 21 political activists by a military court, should firmly reject any use of confessions possibly obtained by torture, Human Rights Watch said today. Bahrain's public prosecutor insisted on June 19, 2012, that in what amounts to a retrial, he will again use confessions that an independent commission had suggested were obtained by torture.

Lawyers for the 21 opposition activists asked the court to set aside the confessions in a hearing on June 19. The defendants had testified in earlier hearings that their confessions, which formed the basis for their earlier convictions, had been coerced by torture. The chief public prosecutor, Nayef Yusif, told the court the public prosecution office will include all evidence submitted to the court, including the confessions. The Bahrain Independent Commission of Inquiry (BICI) confirmed that the defendants had been subjected to abuse for the purpose of securing the confessions. After the consistent and credible allegations of torture and the many promises to punish torturers, it is astonishing that the prosecutors still intend to rely on this evidence to uphold the earlier unfair convictions, said [Joe Stork](#), deputy Middle East director at Human Rights Watch. The appeals court needs to decisively reject any use of tainted confessions.

On June 22, 2011, a special military court convicted 14 protest leaders, along with seven others tried in absentia, of offenses related to speeches they made, meetings they attended, documents found on their computers, and calls they made for peaceful street protests between February 14 and March 15, 2011. The court sentenced Ibrahim Sharif, Abdul Hadi al-Khawaja, and six others to life in prison, and others to prison terms ranging from two to 15 years. Human Rights Watch [reviewed](#) the court verdict, which convicted the 14 solely for offenses related to speech and peaceful assembly.

A military appeals court confirmed the convictions and sentences in September. On April 30, the Court of Cassation, Bahrain's highest court, referred the case to the civilian criminal appeals court.

The BICI, appointed by King Hamad bin Isa Al Khalifa, documented systematic rights violations by the government in suppressing the series of protests early in 2011. In describing the allegations of torture against the political activists the report said, There was a more discernible pattern of mistreatment with regard to the 14 political leaders, adding that the purpose of the ill-treatment was to obtain statements or confessions incriminating (themselves) or used for retribution and punishment.

Bahraini as well as international law prohibits torture and the use of evidence obtained by torture. Human Rights Watch has [documented](#) the routine use of torture by Bahraini authorities to secure confessions, and the April 2011 [deaths](#) of four people in custody or shortly after being released as a result of torture.

The commission called for judicial review of military court verdicts and said that confessions obtained under torture should not be used against defendants. The commission also called on the government to void convictions of people convicted for peacefully exercising their rights to freedom of expression and peaceful assembly. Bahraini authorities have produced no evidence of any actual crimes by these activists, Stork said. They should be released now, and the court of appeals should use this opportunity to make clear that torture is not tolerated.

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