

*(Translated from Arabic)*

**Kingdom of Bahrain  
Public Prosecution  
Attorney General's Office**

**Note concerning Ali Salman, accused in case No. 505/2015/07**

1. The Public Prosecution charged the said person with: advocacy of the use of force and threats to change the political regime; inciting hatred against a group of persons (those who have acquired Bahraini citizenship); instigating civil disobedience; commending acts which constitute criminal offences; and publically insulting a State institution. The charges were laid following investigations which showed that, in sermons and speeches that he had made at public gatherings and which were recorded and subsequently broadcast, Ali Salman had approved the use of force (including explosives) against the State authorities. He had also condoned resort to military tactics in order to achieve political aims and had incited hatred and made threats against persons who had acquired Bahraini nationality. Moreover, he had openly advocated defiance of the legal provisions regulating demonstrations and specifying locations in which they are prohibited and he had declared his support for the ongoing activities of a body known as the Ulema [Religious Scholars'] Council while being aware that a judicial ruling had been issued dissolving that Council.
2. Throughout the investigations, the Public Prosecution ensured that the accused, who was accompanied by four lawyers, was able to enjoy all his legally guaranteed rights. These included the right to meet with his lawyers alone before each questioning session, the right to be informed of the charges against him at each session and the right to be visited by his lawyers and family in his place of detention.
3. During his interrogation, the accused was confronted with the evidence against him, including the findings of the investigation and the recordings of the sermons and speeches that he was alleged to have made. While being questioned in the presence of his lawyers, the accused acknowledged that he had delivered those sermons and speeches. Therefore, the allegation that his lawyers were unable to examine the evidence is untrue.
4. The Public Prosecution made public statements outlining the charges and evidence against Ali Salman in order to make known the legal justifications for the measures taken against him.
5. The Public Prosecution ordered his remand in custody pending trial before a criminal court. The court began its hearing of the case on 28 January 2015 when the accused appeared, accompanied by his lawyers, and pleaded in his own defence. The hearing was adjourned until 25 February 2015 for further deliberation and the defendant was allowed to receive a copy of the case file in his place of detention.

HRC/NONE/2015/20  
GE.15-02589 (E) 170415 170415

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البعثة الدبلوماسية للمملكة العربية  
لدى الأمم المتحدة  
جنييف، فيينا

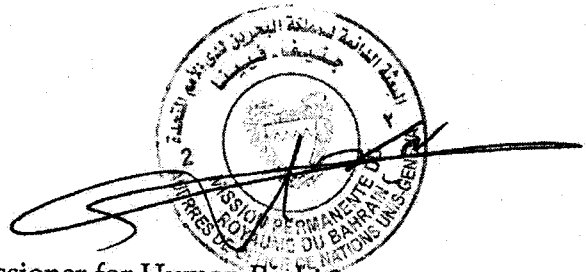
Geneva, 12 February 2015  
1/5(4) - 41 (wg)

The Permanent Mission of the Kingdom of Bahrain to United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights (OHCHR), and would like to refer to the joint urgent appeal, UA BHR 1/2015, dated 16 January 2015, sent by the Chair- Rapporteur of the Working Group on Arbitrary Detention; the the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and association; the Special Rapporteur on freedom of religion or belief; the Special Rapporteur on the situation of human rights defenders; and the Special Rapporteur on the independence of judges and lawyers, on the information received regarding the alleged arbitrary arrest and detention of Sheikh Ahmed Ali Al-Salman.

In this regards, the Mission has the honour to enclose herewith the reply of the Public Prosecution of the Kingdom of Bahrain on the aforementioned case, in Arabic language.

The Permanent Mission of the Kingdom of Bahrain avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurance of its highest consideration.

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Attorney General Office

مكتب النائب العام

مذكرة بالمعلومات  
بشأن المتهم علي سلمان  
في القضية رقم ٥٠٥/١٥/٢٠١٧

١- أسندت النيابة العامة الى المذكور تهم الترويج لتغيير النظام السياسي بالقوة والتهديد، والتحريض على بغض طائفة من الناس ( مكتسبي الجنسية البحرينية )، وعلى عدم الانقياد للقوانين وتحسين أمور تعد جرائم وفقاً للقانون فضلاً عن اهانة هيئة نظامية في الدولة علانية. وذلك في ضوء ما أسفرت عنه التحريات الأمنية وما كشفت عنه الخطب والكلمات المسجلة والمنشورة والتي ألقاها في محافل عامة، والتي تضمنت اجازته استخدام القوة ضد سلطات الدولة واحداث التفجيرات، وامكان اللجوء الى الخيار العسكري لتحقيق المطالب السياسية والتحريض ضد مكتسبي الجنسية وتهديدهم، ودعوته العامة لعدم الالتزام بأحكام القانون فيما يتعلق بتنظيم المسيرات وذلك بمخالفة ما نص عليه القانون من تحديد للأماكن المحظور التظاهر فيها، واستمرار كيان يسمى المجلس العلماني بالاستمرار في نشاطه على الرغم من علمه بصدر حكم قضائي بحل ذلك المجلس.

٢- حضر مع المتهم أثناء التحقيق أربعة محامين، وكفلت له النيابة خلاله كافة ضماناته القانونية. ومنها السماح له بمقابلة محاميه منفرداً قبل كل جلسة تحقيق واحاطته بالاتهام في كل جلسة وتمكين محاميه وأهله من زيارته في محبسه.

٣- تمت مواجهة المتهم خلال التحقيق بما قام ضده من أدلة وهي التحريات الأمنية وكذلك تسجيلات الخطب والكلمات المنسوبة اليه وقد أقر المتهم بالقائه هذه الخطب والكلمات، وكان ذلك على مدار جلسات التحقيق التي حضرها محاموه وعلى مرأى ومسمع منهم، ومن ثم فليس صحيحاً ما أثير من عدم احاطة المحامين بها وبمضمونها.

٤- تضمنت تصريحات النيابة التي صدرت على بيان الاتهامات المسندة الى علي سلمان، وكذلك على الأدلة التي ووجه بها، وكان ذلك من قبيل الاحاطة بالمبررات القانونية التي دعت لاتخاذ الاجراءات القانونية ضده.



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5- أمرت النيابة بإحالة محبوساً الى المحاكمة الجنائية وبدأت المحكمة في نظر الدعوى بجلستها التي انعقدت بتاريخ ٢٨/١/٢٠١٥ وحضر معه محاموه، وقد ترفع المتهم عن نفسه في تلك الجلسة، وتأجلت الدعوى لجلسة ٢٥ فبراير ٢٠١٥ للاطلاع وصرحت بتسليم المتهم في محبسه صورة من اوراق الدعوى.