

Torture in Bahrain: A State Behavior & A Systematic Policy

International Day in
Support of Victims of
Torture

REPORT

SALAM for Democracy & Human Rights
Bahrain Center for Human Rights (BCHR)
The European-Bahraini Organisation for Human
Rights (EBOHR)
Bahrain Forum for Human Rights
Gulf Institute for Democracy & Human Rights



CONTENT

INTRODUCTION	01
• A detainee died in prison after being allegedly tortured	02
• Death sentences against torture victims	03
• Enforced disappearances	04
• Torture in detention centers: "the Criminal Investigation Directorate CID"	04
• Torture victims are prohibited from treatment	05
• Torture of women	06
• Stories of torture in the Security Facility of the NSA	07
CONCLUSION	08
Recommendations	09



INTRODUCTION

On the International Day in Support of Victims of Torture, the human rights organizations participating in this report express their grave concern about systematic torture in Bahrain with full impunity for those involved in the crime of torture and the involvement of the judiciary in covering up and justifying the torture of victims who testified themselves inside courtrooms.

The participating organizations also express their deep regret at the failure of the official human rights institutions to bring justice to the victims and to call to hold accountable, stop and expose such illegal and internationally prohibited practices taking place at the Criminal Investigation Directorate CID, Jau Central Prison and the NSA's Security Facility in Muharraq City or other detention centers.

On January 5 of this year, the King of Bahrain issued Decree No. 1 startled civil society, as it granted officer and members of the National Security Agency (NSA) the status of judicial control officers by giving them power to arrest and investigate. The NSA has involved in extrajudicial killings and torture in its prisons at the Ministry of the Interior known as "Al Qaala", and the cases of human rights abuses conducted by the NSA has been documented in the Bahrain Independent Commission of Inquiry BICI report in 2011.

This report reviews the patterns and types of human rights violations, the allegations and methods of torture used against detainees on political grounds, and the exposure of these victims to other forms of ill-treatment, even after being subjected to torture. This report also covers some cases of torture in detention centers since June 2016 until now. It includes some testimonies documented by the organizations participating in this report and several international human rights organizations.

Findings

• A detainee died in prison after being allegedly tortured

On July 31, 2016, Al Hoorah Police Station reported the death of Mr. Hasan Jasim Hasan Al Haiki at the Salmaniya Medical Complex to his family in a phone call. No specific causes of death were documented, but an article published on the Ministry of Interior website alleged that he had "a health problem" whereas his family confirmed that Al Haiki had no health problems prior to his arrest and claimed that he died of injuries sustained during torture in the Criminal Investigation Directorate CID.

On 22 July 2016, Al Haiki was taken to the Public Prosecution for the second time, and testified that officials subjected him to sexual assault and forced him into signing on false confessions. His family stated that, despite his repeated requests to the Public Prosecutor's Office for a lawyer, the authorities continued to interrogate Al Haiki without any legal advisor. When his personal lawyer went to the Public Prosecutor's Office, officials told him that Al Haiki had not yet been brought, as American for Democracy and Human Rights (ADHRB) said in a joint statement earlier.

• Death sentences against torture victims

On June 8 2017, the Supreme Criminal Court, headed by Judge Ali al-Dhahrani, issued two death sentences against victims of torture, Sayed Ahmed al-Abbar and Hussein Ali Muhammad. Both detainees reported to their families that they had been tortured and forced to sign confessions extracted under torture in solitary confinements at the Criminal Investigation Directorate (CID), where they were subjected to kicking, beatings on the head and to sexual harassment for nearly two weeks.

Meanwhile, on January 15, Bahraini authorities executed three victims of torture, Sami Mushaima, Ali al-Singace and Abbas al-Sameea. Local and international organizations have called on the Bahraini authorities to investigate the allegations of torture, as they testified they were tortured, electrically shocked, stripped naked and severely beaten. Despite evidence that shows Abbas al-Sameea was innocent of the crime, the judiciary refused to take it into consideration. The organizations considered that an accomplice to the judiciary in covering up the crime of torture committed against these detainees.



• Enforced disappearances

Two detainees, Sayed Alawi Sayed Hussein and Sayed Fadel Abbas Radhi, have been held incommunicado and not been allowed to meet a lawyer nor their families for nine months. No formal charges are yet brought against them with no trial, and their place of detention remains so far unknown. SALAM for Democracy and Human Rights had reported in its recent report entitled "Systematic Torture in Bahrain" that during the detention period, losing their contact with the outside world, detainees are subjected to torture in order to extract false confessions at the notorious Criminal Investigation Directorate (CID).

In accordance with article 9 of the International Covenant on Civil and Political Rights, to which Bahrain acceded in 2006, "a person who is arrested or detained on a criminal charge shall be promptly brought before a judge or an officer legally authorized to exercise judicial functions and shall be entitled to trial within a reasonable time or to be released", when the UN Special Rapporteurs also consider that enforced disappearance is a crime against humanity.

• Torture in detention centers: "the Criminal Investigation Directorate CID"

On May 5, 2017 Al Wefaq Shura Council member Nizar Al Qari was arrested for exercising his rights to freedom of opinion and expression and was held in the Criminal Investigations Directorate and later transferred to a temporary detention center, Dry Dock prison. SALAM for Democracy and Human Rights obtained a testimony that Al Qari was beaten and forced to stand for long hours and was assaulted for several days where the investigation was based on his activities in the opposition party Al Wefaq, in which he was a member until the Bahraini authorities dissolved it by court order and stopped all its activities.

On December 13, 2016 Bahrain Center for Human Rights BCHR documented the case of Komail Ahmed Hamideh who is disabled and suffered from mental disorder. Komail was arbitrarily arrested and subject to torture and ill-treatment in the Criminal Investigations Directorate CID. On December 21, 2016, his family managed to visit him for the first time. The family members testified to the BCHR that there were signs of torture on his lower lip to his chin. He told his family that the beating was concentrated on his ears, which caused difficulties in hearing. He was also electrocuted in his feet, and hot water was poured on his body to force him to confess on false charges of illegal gathering and photography of protests. Komail also added that upon his arrival to the Dry Dock Detention Center he was beaten by policemen and guards.

• Torture victims are prohibited from treatment

Human rights organizations continue to receive many reports and testimonies about prohibiting torture victims from medical treatment, instead of providing them with medical care and psychological rehabilitation. For example, the victim of torture, Akbar Ali, who was recently released, was prevented from his right to treatment by the administration of Jau Central Prison, despite his deteriorating psychological condition that resulted from torture, which caused several attempts to commit suicide.

Mohammed Faraj is sentenced to seven years in prison. He suffers from MS and needs periodic and regular treatment as a result of the chronic disease. The Jaw prison administration refuses to offer him a medical treatment, which has led to multiple health complications.

Elyas Faisal Al Mulla is a victim of torture and sentenced to 15 years in prison. He is suffering from cancer. He has been prevented from treatment for many periods that caused health complications. The prison administration continues to delay his treatment, ignoring the fact that the proper medical treatment is guaranteed by both local and international laws, as it is stipulated in the Constitution of Bahrain.

Jaafer Oun was tortured in the head area, which caused complications, the most recent of which was a swelling of the head. He asked for treatment and to be diagnosed by a specialist doctor, but the prison administration of Jau has procrastinated his transfer to a specialized hospital outside the prison clinic. This may cause serious health complications.



• Torture of women

Amnesty International said that on May 25 2017 that human rights defender Ebtisam al-Saegh received a call from the security compound in Muharraq, which belongs to the NSA. She was interrogated for more than seven hours about her human rights activities in Bahrain as well as her work and delivered oral interventions at the UN Human Rights Council in Geneva. Al-Sayegh reported that she was subjected to torture, slapping, verbal and sexual harassment, and continuous beatings on the head. She was threatened to stop and suspend her activities.

At the Isa Town Prison for women, 12 Bahrainis are currently in detention on political grounds, many of whom have been subjected to abuse and inhuman treatment and ill-treatment.

• Stories of torture in the Security Facility of the NSA

Local human rights organizations have documented numerous cases of torture committed by members of the NSA. In May 2017, a number of human rights defenders entered for interrogation by the NSA, at the security compound, on the third floor, in room number 1, during which extended hours of interrogations took place. They were beaten, forced to stand and blindfolded throughout the entire course of investigations. No lawyer was allowed to follow the proceedings of the investigation.

They were also subjected to religious disrespect, insult, defamation, vilification, verbal harassment, sexual assault, electric shock, and stripping them naked. The investigation attempted to intimidate them by threatening to target their family members and colleagues if they do not suspend their activities with local and international human rights organizations. Some have been forced to announce on Twitter their suspension of any human rights work and social media activities.

On June 23, 2017, prior to the International Day in Support of Victims of Torture, the NSA summoned Mohammed Hassan Sultan, son of one Al Wefaq leaders, and former MP Sheikh Hassan Sultan. The NSA investigated with Mohammed about the activity of his father to disclose information on him. He was stripped naked during the investigation and forced to stand for a long time and was severely beaten and threatened to be sexually assaulted. He was informed that he is banned from traveling by decision of the NSA.

On May 23, 2017, Chairman of the Monitoring Committee of Unitary National Democratic Assemblage, Adel Al Marzooq has been called up by the NSA in the security compound in Muharraaq, where the investigation focused on his interviews on television channels about the human rights situation in Bahrain and his posts on Twitter that shed light on human rights abuses in the country. Al Marzooq reported being severely beaten on the head by a solid item and stripped of clothes and cold water was poured on him several times. He was threatened with rape and forced to repeat the phrase "I am a traitor to the homeland" and was forced to post on Twitter to declare suspending all his work.

Conclusion

The human rights organizations participating in this report believe that the culture of impunity is the main reason for the continuing and escalating crime of torture in Bahrain in all its detention centers. This practice has become an official pattern, policy and behavior. The Royal Decree No. 56 of 2002 granting full amnesty to those responsible for crimes of torture in the 1990s is the best example of this, along with the royal decrees that periodically promote the positions of those involved in torture are example and clear evidence of the official behavior in standing behind the policy of impunity.

The organizations involved in the drafting and writing of this report and on International Day in Support of Victims of Torture call for the immediate cessation and termination of any form of torture or ill-treatment and to initiate accountability and prosecution of senior government officials and those involved in the crime of torture, a crime that is forbidden at the international level.

Recommendations

The human rights organizations participating in this report call upon the Bahraini authorities to:

- Immediately stop the use of torture as a policy to extract confessions and to spread fear and intimidation among people;
- Immediately, impartially and transparently investigate the allegations of torture against dozens of officers in the National Security Agency NSA who are involved in torture and other human rights violations;
- Hold accountable any person found guilty of committing, or supervising the crimes of torture in a fair trial in accordance with international standards;
- Compensation and reparation for victims of torture and the establishment of a rehabilitation center for victims of torture;
- End the culture of impunity governing the police forces and carry out comprehensive reforms to ensure transparency and legal accountability;
- Signing and ratifying the Optional Protocol to the Convention against Torture in order to enhance the legal accountability of perpetrators of torture offenses;
- Respect for article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights, which stipulate that no one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment;
- End the practice of enforced disappearance, incommunicado detention and arbitrary detention;
- Allow the UN Special Rapporteur on Torture to visit Bahrain urgently and allow him to work freely and meet the victims unconditionally.

Torture is outrageous and deprives the human dignity and humiliates oneself and makes him/her a victim and a plaything in the hand of the torturer. It creates negative feelings in the heart of that person and forces him to confess on things that are fraught and void and that are not related to reality, which is humanely and legally unacceptable. This practice must end in all its forms, so that the country can enjoy security and peace.

Human Rights organizations participating in drafting and writing of this report:

1. SALAM for Democracy and Human Rights
2. Bahrain Center for Human Rights (BCHR)
3. The European-Bahraini Organisation for Human Rights (EBOHR)
4. Bahrain Forum for Human Rights
5. Gulf Institute for Democracy and Human Rights (GIDHR)