

SYSTEMATIC **TORTURE** IN BAHRAIN



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REPORT BY:

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INTRODUCTION

In the 2012 UPR Stakeholder Report for Bahrain, several human rights organisations noted the strong evidence that human rights defenders and political dissidents in detention had been severely tortured and ill-treated. Moreover, the stakeholders highlighted that dozens of people had been sentenced after being prohibited from adequate access to lawyers and having been forced to sign confessions extracted under torture.

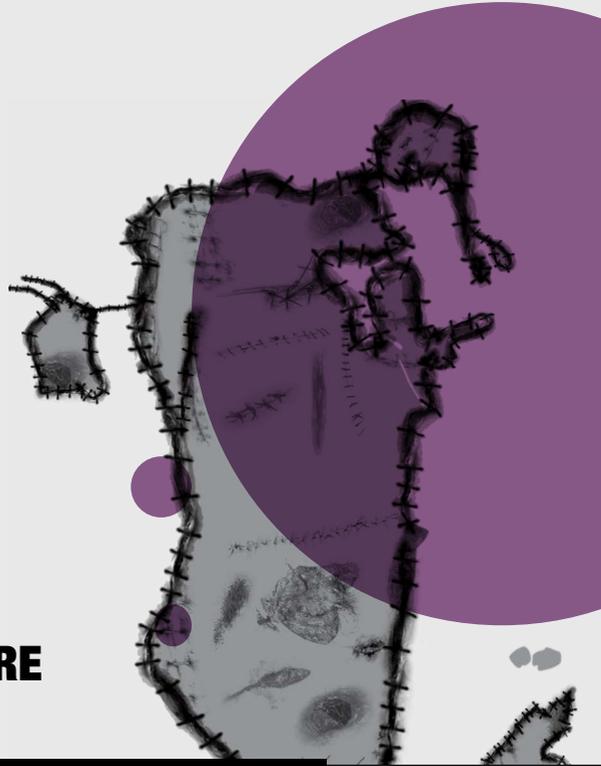
Since 2012, the Bahraini government established three bodies for investigation of torture as recommended by the BICI report. However, they have failed to implement the recommendations of the international community regarding torture, and there have been numerous testimonies of detainees and prisoners being severely tortured and mistreated.

RATIFICATION OF INTERNATIONAL TREATIES AND DOMESTIC LEGISLATION



Bahrain ratified the Convention against Torture in 1998, which states, ***“A state must take effective legislative, administrative, judicial or other measures to prevent acts of torture”***. It also stipulates a prompt and impartial investigation ***“wherever there is reasonable ground to believe that an act of torture has been committed”***. Bahrain also signed the International Covenant on Civil and Political Rights (ICCPR) which stipulates under Article 7 that ***“no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”***

In addition, the Bahraini Constitution states that ***“no person shall be subjected to physical or mental torture, or inducement, or undignified treatment,”*** which is reaffirmed in the penal code, criminalising the use of ***“torture, force or threats, either personally or through a third party, against an accused person, witness or expert.”*** The amended article 208 of the penal code demands life imprisonment for anyone convicted of torture resulting in death.



WIDESPREAD TORTURE IN BAHRAIN

Despite Bahrain's ratification of international treaties and commitment to fight torture during the BICI investigation in 2011, evidence of brutal torture cases continuously come to light and are being documented by independent organizations.

According to the Prisoners and Detainees Rights Commission (PDRC) report in 2015, a number of prisoners have been physically assaulted by staff who had not been given any proper training on the lawful use of force.¹ The Criminal Investigations Directorate (CID), Dry Dock Prison and Jau Central Prison, in particular, have been infamous for coercive interrogations and human rights abuses.

A number of former detainees gave testimony that they were subject to physical assault, including electric shocks, suspension in painful positions, compulsory standing for prolonged periods, exposure to extreme low temperatures, sexual assaults and abuses, and other forms of torture. Most of them were not permitted to contact their families nor request proper legal assistance. This is a serious violation of the International Convention for the Protection of All Persons from Enforced Disappearance that aims to prevent the occurrence of enforced disappearance, adopted by the United Nations in 2006.²

The relentless torture has occasionally taken away life of inmates. **In November 2014, a 35-year-old prisoner, Hasan Majeed al-Shaikh was severely beaten to the extent of having his skull and jaw broken and kidney ruptured. He was placed in solitary confinement without proper medical treatment, which eventually resulted in his death.**³ **In March 2017, Muhammad Sahwan, a victim of excessive torture, died of heart failure in the infamous Jau Prison. He was shot by security forces in 2011, but never treated for the 80-birdshot pellets in his head. Until recently he had denied full treatment with his life at risk, which resulted in sudden cardiac arrest.**⁴

USE OF TORTURE TO EXTRACT FALSE CONFESSIONS



The Bahraini security apparatus have continued to use torture on detainees to extract false confessions. All prisoners who are sentenced to death have complained of the same or similar conducts and processes of torture. The typical practices endured by inmates include blindfolding, long periods of forced standing, severe beatings, electrocution, insults and humiliation, and sleep deprivation.

All three victims of the recent execution in January 2017, Sami Mushaima, Abbas Al-Samea, and Ali Abdulshaheed Al-Singace were tortured by police and were forced to sign false confessions under duress. For instance, Sami Mushaima was forced to sign documents despite being illiterate. Although he had a family member who was a prominent opposition politician, it was known that he had never been involved in activism. Furthermore, Abbas al-Samea, a teacher who was at school at the time of the bombing incident, got admitted in hospital for surgery after interrogation due to torture. The third, Ali Abdulshaheed Al-Singace was arrested as a teenager and convicted in absentia, after being tortured using electric shocks.⁵

Most of the victims of torture, including the three mentioned above, have been denied adequate medical treatment for their severe physical injury and psychological trauma.

Many are forced to wait for treatment or operation for many months to no avail, which only contributes to their deteriorating conditions to a critical level.

In 2014, a group of 97 Bahraini lawyers submitted a memorandum to the government to complain about legislative and practical obstacles that prevent them defending their clients.

The memorandum expressed concerns that the Public Prosecution and several courts judges overlooked evidences of torture when adjudicating cases.



LACK OF IMPARTIAL INSTRUMENT FOR INVESTIGATION

Although the ill-treatment of detainees has been continuously reported, there have been almost no proper prosecution of senior officers who have been accused of being overseeing or administering torture. **Since 2012, Bahrain has formed three instruments to investigate cases of torture and mistreatment—the Ombudsman, Special Investigations Unit (SIU), and Prisoners and Detainees Rights Commission (PDRC)—as recommended by the BICI report.** Nonetheless, they have failed to conduct independent and impartial investigations, especially when they are overseen and controlled by the Bahraini authorities, namely the Ministry of Interior and the General Prosecutor.⁶

Furthermore, since 2012, there have been no appropriate convictions in alleged cases of torture. In the short period between May 2015 and April 2016, 992 investigation case requests were made to the Ombudsman, which was formed to receive complaints in order to investigate torture and ill-treatment cases; yet no appropriate conviction was handed out against any senior officer with all cases generally dismissed. The Ombudsman usually always opts to not appeal the dismissed cases, abandoning cases after the first legal decision or challenge. In addition, the Special Investigation Unit SIU has never taken serious measures to investigate these complaints, preferring form over substance rather than any practical steps to protect detainees and prisoners.

Likewise, the authorities have impeded investigations of the international community on torture in Bahrain. In 2012 and 2013, the government of Bahrain postponed the scheduled visit of the United Nations Special Rapporteur on torture.⁷ It has also been reported that the government provides false information to third parties. For instance, with regards to a torture case of 32-year-old detainee, Mohamed Ramadan, the Bahraini authorities responded to a question raised by the UK government that there had been no such allegation, contradicting several independent and documented human rights reports.⁸

On top of that, a number of state perpetrators of torture have been promoted with impunity. For instance, Bassam Al-Muraj, who has been accused of supervising the systematic torture for years, was promoted to be the General Director for Anti-Corruption, Economic and Electronic Security in the General Directorate in 2013, without any investigation regarding the torture allegations surrounding him.

RECOMMENDATIONS

TO THE GOVERNMENT OF BAHRAIN:

- Immediately stop use of torture to extract confessions and ensure that victims receive appropriate compensation and rehabilitation;
- Investigate promptly and impartially all allegations of torture and ill-treatment and hold accountable any officials in charge; and
- Schedule an immediate visit for the UN Special Rapporteurs to investigate torture and other cruel, inhumane treatment of detainees.

TO THE MEMBERS OF HUMAN RIGHTS COUNCIL:

- Continue to address the inhumane measures of the Bahraini government through both individual and joint statements and resolution;
- To the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions to visit Bahrain; and
- Urge all members to suspend financial support and training for security services in Bahrain until it complies with the international human rights norms and standards.

ENDNOTES

- 1 http://pdrc.bh/mcms-store/pdf/75846ed3-8c59-4daf-a7b6-c4111f45a6b9_Jau-English-Final.pdf
- 2 http://www.bahrainrights.org/sites/default/files/Enforced_Disappearances.pdf
- 3 <http://bahrainrights.org/en/node/7163>
- 4 <http://www.adhrb.org/2017/03/12002/>
- 5 <http://www.reprieve.org.uk/press/three-executions-bahrain-imminent-without-urgent-action/>
- 6 <https://www.hrw.org/report/2015/11/22/blood-people-who-dont-cooperate/continuing-torture-and-mistreatment-detainees>
- 7 <https://www.hrw.org/news/2015/11/22/bahrain-detainees-tortured-abused>
- 8 <https://www.hrw.org/news/2016/06/13/bahrain-lagging-efforts-end-torture>

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