



Ms. Maria Khoury

Chairperson, National Institution for Human Rights

Mr. Nawaf Mohamed Al Moawdah

Ministry of Interior Ombudsman

Prisoner and Detainee's Rights Commission

Dear Ms. Khoury, Mr. AlMoawdah, and Members of the Commission:

Americans for Democracy & Human Rights in Bahrain (ADHRB) writes to express our concern over the conditions of detention for [Hani and Hussain Marhoon](#), as well as the deterioration in the health of Hani Marhoon since commencing a hunger strike on 14 October 2018. We are particularly disturbed at your institutions' failure to respond to Hani Marhoon's multiple complaints and communications, which Mr. Marhoon has been sending since August (eight letters attached as an Annex), and to which he has received no response.

Hani Marhoon was arrested in 2013, and his son Hussain was arrested in 2017. Hani and Hussain both maintain their innocence, and claim that they were charged and convicted for political purposes. Masked officers in plain clothing raided Hani's house and arrested him without a warrant in November 2013. He was tortured at the Ministry of Interior (MoI)'s Criminal Investigations Directorate (CID) to coerce a confession, and he was convicted on charges of creating a terror cell and sentenced to 15 years in prison on 28 April 2015. He was also stripped of his citizenship. Authorities in Jau have continued to subject Hani to torture and ill-treatment.

Security forces raided the family home, again without a warrant, at approximately 4:00 am on 20 February 2017 and arrested Hussain, who was 16 years old at the time. During Hussain's subsequent interrogation officers beat him all over his body, concentrating most of the blows to his head and face. They also doused him in hot water, threatened to gang-rape him, and threatened to harm his family. Hussain was temporarily transferred to Jau Prison, where officers suspended Hussain by his arms and legs and punched and kicked him repeatedly. Like his father, interrogators tortured Hussain to coerce a confession to the charges against him. Hussain was convicted on multiple charges, including participating in a demonstration on 15 February 2017, causing a public disturbance, burning tires, rioting, and possessing Molotov cocktails, firearms and grenades. Hussain suffers from severe back pain due to the torture, and he also suffers from low blood pressure.

Hani Marhoon submitted, between 8 August 2018 and 14 October 2018, many complaints to the NIHR, to the Ombudsman, to the Ministry of Interior, to the United Nations, and to other international human rights organizations. These complaints concerned systematic torture and violations of domestic and international human rights laws inside Jau Prison. He also demanded a phone call with his son Husain Marhoon, since he has been denied from contacting his son for over a year and a half now. All those complaints went unanswered.

On 14 October 2018, Hani Marhoon began a hunger strike, claiming that he will continue until his demands are met. On 24 October 2018, social media accounts reported that Hani Marhoon was transferred to the prison clinic due to the deterioration of his health, including low blood pressure. He was again taken to the prison clinic on 30 October and 4 November. However, his family reported that when the doctor learned that his name was Hani Marhoon, he refused to provide treatment. His family is afraid that the prison's officers are trying to intentionally kill him by not allowing him medical treatment during his hunger strike.

Hani's family reports that at the start of Mr. Marhoon's hunger strike, his cell already suffered from overcrowding. The cell only has eight beds, and ten individuals were being held in his cell, causing Hani to sleep against the door to the toilet. This overcrowding was part of the reason for his hunger strike, and a bed was among his demands. Since his hunger strike, rather than accommodating this reasonable request and providing a bed, the prison authorities have instead added four other prisoners to his cell, leaving Hani entirely



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without a place to sleep. As such, he has requested to be moved to another cell with sufficient beds for all inmates. This has not occurred.

In addition to the recent letters Hani Marhoon shared with human rights organizations, he and his family have sent requests and complaints to the Ombudsman's office consistently since September 2017, concerning his unjustified solitary confinement, torture, beatings, and other abuses, including a complaint on 13 May 2018, that Mr. Marhoon was held in a cell without a bed. The complaints also asserted that Hani Marhoon has not committed any violation of prison regulations. On 20 May 2018, Mr. Marhoon confirmed that he was not taking any action that would violate prison regulations, but that he encourages detainees to file complaints when they are abused by security personnel. He continues to be tortured, and despite the complaints filed on his behalf, Mr. Marhoon is now in a separate unit of the prison with a group considered to be "instigators" of prisoner behavior.

On 9 November, Hussain Marhoon joined in his father's hunger strike, demanding that he be permitted to call his father. On 12 November, a prison guard beat Hussain and poured juice on him, insulting and humiliating him because he refused to break his hunger strike and drink the juice. This incident was reported to the NIHR and Ombudsman offices the following day. On 13 November, the NIHR was quick to [publicize](#) on Twitter that they had met with Hani Marhoon's wife to discuss her concerns. A similar meeting was held with the Ombudsman's office. However, these meetings lasted only 20 minutes, and no concrete changes have been made to the conditions of Hani or Hussain Marhoon. Further, the multiple letters from Hani called for a meeting to take place between himself and these institutions, which has still not occurred. This raises concerns that these meetings took place only to improve the public image of the NIHR, and not to seriously address Hani and Hussain's prison conditions.

The failure of these institutions to respond to Hani Marhoon's many requests amplify our overall concerns about the Ombudsman, NIHR, and PDRC's independence. These concerns have been echoed by the international community. In the UN Committee Against Torture's review of Bahrain in 2017, the Committee [criticized](#) all three institutions, particularly noting its concerns "that these bodies are not independent, that their mandates are unclear and overlapping and that they are not effective given that complaints ultimately pass through the Ministry of the Interior." In June 2018, the European Parliament issued a resolution in which it explicitly ["regrets"](#) having awarded the NIHR with the Chaillot Prize for the Promotion of Human Rights in the Gulf Cooperation Council Region in 2014. Further, in July 2018, the UN Human Rights Committee [expressed](#) its concerns "that the NIHR lacks sufficient independence to perform its functions."

The lack of response to Mr. Marhoon's letters display a failure of these organizations to fulfil their mandates, particularly because his demands could be easily met – all Hani Marhoon has requested to end his hunger strike is the reinstatement of phone calls between himself and his son, and a meeting with members of the NIHR, Ombudsman, and PDRC to discuss prison conditions. The failure of these institutions to respond to these simple requests has led both Hani and Hussain Marhoon to engage in a preventable and unnecessary hunger strike.

Therefore, ADHRB urges the institutions named above to grant the requests of Hani and Hussain, by advocating on their behalf to prison authorities for regular phone calls between them, and to agree to meet with Hani to discuss the conditions in Jau Prison. We further call on these institutions to open investigations into all the allegations of torture, ill treatment, and denial of healthcare for both Hani and Hussain Marhoon, and to review their convictions in light of the information that their confessions were coerced through torture.

Signed,

Americans for Democracy & Human Rights in Bahrain (ADHRB)