



# General Assembly

Distr.: General  
XX August 2019

English only

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## Human Rights Council

Forty-second session

9–27 September 2019

Agenda item 4

Human rights situations that require the Council's attention

### **Written statement\* submitted by Americans for Democracy & Human Rights in Bahrain Inc, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 August 2019]

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\* Issued as received, in the language(s) of submission only.

## A Culture of Impunity in Bahrain

Americans for Democracy & Human Rights in Bahrain (ADHRB) takes this opportunity at the 42nd Session of the United Nations (UN) Human Rights Council (HRC) to raise concerns over the pervasive culture of impunity in Bahrain, with abuses often perpetuated and/or overseen by individuals within the highest levels of the government, and the lack of accountability for security force personnel who commit such abuses.

### Violations and Impunity within the Ministry of Interior:

In April 2019, ADHRB released *Anatomy of a Police State: Systematic Repression, Brutality, and Bahrain's Ministry of Interior*, the first comprehensive report examining the culture of impunity that is at the core of the security agency driving Bahrain's human rights crisis. In the report, ADHRB analyzes over 1,000 discrete incidents of abuse comprising more than 3,000 specific rights violations attributable to Ministry of Interior (MOI) agencies from 2011 through to the present day, from arbitrary detention and torture to rape and extrajudicial killing. The report details a clear pattern of impunity in spite of disturbing police brutality and repression at every command level of the MOI, with the same types of violations consistently perpetrated by the same units.<sup>1</sup>

The report indicates that as many as one in every 635 Bahrainis has been arbitrarily detained, disappeared, tortured, raped, killed, or otherwise abused by the police. Moreover, the MOI is directly implicated in 570 cases of torture and 517 arbitrary detentions, with personnel committing around 400 specific human rights violations annually, including 13 sexual assaults per year. Bahrain has the highest rate of mass incarceration in the Middle East, with thousands held in MOI detention centers that violate international standards. The oversight mechanism meant to hold police accountable, the MOI Ombudsman, has referred just 5 percent of cases for serious prosecution. At the end of 2017, only three police officers were in prison.

The senior-level officer cadre is de-facto immune from prosecution, and several of the individuals have been continuously promoted since 2011 with the explicit approval of the king, Prime Minister, or Interior Minister, despite their role in perpetrating rights abuses. Of 12 senior commanders identified by ADHRB within the MOI's top eight abusive units, every one reached a higher rank or command post despite evidence of severe rights violations. Just one faced prosecution, and he was promptly acquitted and promoted.

Although the Government of Bahrain claims that misconduct is isolated to a few "bad apples," the trend of abuses proves that serious violations like torture are the product of de facto policy that not only perpetuates a culture of impunity, but also creates a system of incentives that aim to reward perpetrators. As the Bahraini government has gradually tasked the MOI with enforcing new and more oppressive restrictions on fundamental freedoms, the most ruthless officers are often promoted, rather than punished.

### High-Level MOI Violators of Human Rights:

On 13 May 2019, ADHRB sent a public letter to US Secretary of State Michael Pompeo referencing multiple individuals in Bahrain's MOI and their alleged involvement or complicity in gross violations of human rights.<sup>2</sup> The violators include Brigadier Abdulaziz Mayoof AlRumaihi, Brigadier Mubarak bin Huwail AlMerri, Colonel Bassam Mohammed AlMuraj, Lt. Fawaz AlSameem, Lt. Col. Adnan Bahar, and Major Maryam AlBardouli.

Brigadier Abdulaziz Mayoof AlRumaihi has been the Director-General of the General Directorate of Criminal Investigation and Forensic Science (GDCIFS) since July 2016, and previously was director of the Criminal Investigation Directorate (CID). He has been accused of human rights violations as early as 2010 and ADHRB has documented more than 60 cases of severe abuse directly linked to the GDCIFS since AlRumaihi assumed command. He also was implicated in the February 2017 death of unarmed suspect Abdullah AlAjooz, whose family and other

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1 Americans for Democracy & Human Rights in Bahrain (ADHRB) *Anatomy of a Police State: Systematic Repression, Brutality, and Bahrain's Ministry of Interior*. (3 April 2019). <https://www.adhrb.org/2019/04/anatomy-of-a-police-state-systematic-repression-brutality-and-bahrains-ministry-of-interior/>.

2 Americans for Democracy & Human Rights in Bahrain (ADHRB) *Sends Public Letter to Secretary of State Calling for Bahraini Individuals Involved in Human Rights Violations to Be Barred Entry to US* (10 May 2019) <https://www.adhrb.org/2019/05/adhrb-sends-public-letter-to-secretary-of-state-calling-for-bahraini-individuals-involved-in-human-rights-violations-to-be-barred-entry-to-us/>.

observers believe was extrajudicially killed during an attempted arrest by MOI personnel. As Director-General, AlRumaihi is responsible for the actions of his inferior officers. He is thus responsible for refusing to prevent and punish torture, ill treatment, and extrajudicial killings by his subordinates.

Brigadier Mubarak bin Huwail AlMerri, currently the Security Attaché with Bahrain's Embassy in Riyadh, was Director-General of Southern Governorate Police Directorate from 2016 to 2018, and was the Director of Anti-Narcotics from 2011 to 2016. There is extensive evidence that he oversaw the torture of at least six medical personnel that were arbitrarily detained in retaliation for treating wounded pro-democracy protesters in 2011. Dr. Rula AlSaffar, who served as president of the Bahrain Nursing Society and assistant professor at the College of Health Science in Manama, named Mubarak bin Huwail as the "principal investigator" when she was summoned to the Criminal Investigation Directorate (CID) and blindfolded, beaten, threatened with rape, and subjected to electric shock. She reported that bin Huwail "humiliated, intimidated, and degraded" her and the other detainees in order to extract false testimony.

Colonel Bassam Mohammed AlMuraj was appointed by the king to Director-General of the General Directorate of Anti-Corruption, Economic, and Electronic Security (GDAEES) in 2013, despite evidence emerging that he had directly overseen torture at his previous position at the CID. An investigation conducted by Human Rights Watch found that between 2007 and 2010, AlMuraj was identified as one of four chief torturers at the CID, and that the government had taken no action to address complaints about their abusive behavior. AlMuraj has reportedly continued to torture dissidents since assuming control of the GDAEES. Additionally, AlMuraj's subordinate, Lieutenant Fawaz AlSameem, has been implicated in at least three instances of abuse, all of which were reprisal attacks against activists for expressing peaceful criticism of the government. In at least one case, Lt. AlSameem allegedly oversaw the beating, electric shock, and sexual assault of the detainee.

Torture and abuse do not just occur during arrests and interrogation, but continue during incarceration. Bahrain's prison system is notorious for its poor living conditions, denial of adequate health care, and rampant abuse against inmates. Lt. Col. Adnan Bahar, Acting Head of Jau Prison, has been identified as a lead perpetrator of torture starting as early as 2005. In 2008, the United Nations Special Rapporteur on Torture documented severe cases of torture and sexual violence overseen by Lt. Col. Bahar when he was still a sergeant. Major Maryam AlBardouli, who is the commander of Isa Town Women's Prison, has also reportedly beaten and assaulted detainees.

### **Sheikh Nasser bin Hamad AlKhalifa, the "Torture Prince" of Bahrain:**

The persistent pattern of impunity for perpetrators of human rights abuses also extends to the highest levels within the kingdom. Royal Guard Commander Sheikh Nasser bin Hamad AlKhalifa, one of the king's sons and a high-ranking military official, has been directly implicated in the torture of activists during the government's violent suppression of pro-democracy protests during the Arab Spring demonstrations of 2011. As a result, he has been nicknamed the "torture prince" by the international human rights community. Due to the significant evidence of torture, the United Kingdom (UK) High Court decided to lift the immunity from Prince Nasser for prosecution against torture allegations.<sup>3</sup> In spite of his role torturing activists, Prince Nasser organized the country's first major defense expo in October 2017, was appointed to the kingdom's highest security body – the Supreme Defense Council – and is deeply involved in Bahrain's defense procurement process and international security relationships.

### **Conclusion:**

Considering that Bahrain is a Member of the Human Rights Council, despite its pervasive culture of impunity, abysmal human rights record, and lack of cooperation with international human rights bodies and mechanisms, ADHRB makes the following recommendations to end the culture of impunity in Bahrain:

- The international community should impose sanctions on key perpetrators across all MOI agencies and within the Bahraini government, up to and including Interior Minister Sheikh bin Abdullah Al Khalifa and Prince Nasser bin Hamad;
- The Government of Bahrain must fully implement all recommendations it has received from the UN mandate holders, including the release of all political prisoners and ending impunity, thus bringing perpetrators to justice;

<sup>3</sup> Americans for Democracy & Human Rights in Bahrain (ADHRB) *UK High Court Strips Immunity from Bahrain's Prince Nasser on Allegations of Torture* (7 October 2014) <https://www.adhrb.org/2014/10/uk-high-court-quashes-immunity-status-of-bahrain-prince-nasser-on-allegations-of-torture/>.

- The Government of Bahrain must reform the judiciary and the existing accountability mechanisms, such as the Ombudsman and Special Investigations Unit (SIU), so that they can operate independently and hold perpetrators of human right violations responsible for their actions.
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