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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Joint written statement* submitted by Alsalam Foundation, Americans for Democracy & Human Rights in Bahrain Inc, non-governmental organizations 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.

[19 August 2022]

* Issued as received, in the language of submission only.



Bahrain's Medical Negligence as a Weapon Against Political Prisoners

Alsalam Foundation and Americans for Democracy & Human Rights in Bahrain (ADHRB) welcomes this opportunity at the 51st session of the United Nations (UN) Human Rights Council (HRC) to draw attention to the inhumane conditions in Bahrain's prisons, the use of medical negligence by authorities as reprisal against political prisoners, and the 2022 tuberculosis outbreak among the prison population.

Systematic medical negligence used against political prisoners has been an ongoing concern and something Bahraini authorities have denied or have ignored completely. The tuberculosis outbreak is just one example that highlights Bahraini authorities' ongoing violation of their responsibilities towards political prisoners. Reports collected about prison conditions and the treatment of prisoners all indicate that Bahraini authorities are violating international human rights law, including the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules), the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.

Overview and Conditions in Bahrain's prisons

In its 2021 Human Rights Country Report, the United States of America State Department cited conditions in Bahraini prisons as being, "...harsh and sometimes life threatening, due to overcrowding, physical abuse, and inadequate sanitary conditions and medical care". The report notes severe abuses including the inability for prisoners to maintain and address their health due to the negligence of prison authorities; the chronic understaffing of medical clinics; the inadequate and improper administering of routine medications; and inadequate and obstructed access to outside medical facilities.

As part of the government's attempt to persecute and silence all voices of dissent, Bahraini authorities continue to use elements of "willful medical negligence" and unjust treatment against political prisoners as reprisals for their activism. In the most severe cases, medical negligence has resulted in death. Human rights groups have consistently documented how the intentionally dangerous conditions in Bahraini prisons have claimed the lives of several individuals within the past two years.

The inability of Bahraini authorities to adequately respond to these issues reinforces the perception of their disregard for any responsibility to safeguard the rights of prisoners. Human rights organizations and international media have expressed concern regarding the tuberculosis outbreak and have called upon the government to take immediate and decisive action. The government has been criticized for its lack of action and inadequate precautionary measures. Bahraini authorities have "stood by" and not intervened in a timely manner in order to limit the spread of disease.

As part of the government's attempt to persecute and silence all voices of dissent, Bahraini authorities continue to use elements of mistreatment that "range from petty harassment to needless cruelty" political prisoners as reprisals for their activism. Severe overcrowding in Bahraini prisons has been an oft cited problem with reports of a dozen and sometimes more than a dozen prisoners being held in cells of approximately three by four and a half meters.

The 2022 Tuberculosis Outbreak

It is increasingly apparent that prison authorities deliberately deny access to adequate medical care and living conditions for political dissidents and human rights defenders as a form of reprisal for their activism.

Abbas Malallah, a political prisoner who was arrested for his activism and support for the 2011 pro-democracy movement, died in April 2021 due to medical negligence. During his ten years in prison, Abbas suffered from heart problems, stomach ulcers, and colon problems, but received no treatment for these chronic conditions. Although MOI reports cited heart

attack as the cause of death, documentation indicates that the prison administration failed to treat him promptly, delayed transferring him to the hospital after he became unconscious, and ignored other prisoners' demands for him to be transferred to a doctor, clinic, or hospital.

A new Tuberculosis outbreak in Jau prison has exposed, yet again, the scope of medical negligence in Bahrain. This tuberculosis outbreak is just one example of the Bahraini authorities' abrogation of their responsibilities towards their prisoners.

In June 2022, it was confirmed that a political prisoner at Jau prison, Hasan Abdullah Habib, had tuberculosis, while two additional inmates were exhibiting similar symptoms. He is currently serving an eight-year sentence after having been beaten and subjected to a warrantless arrest at the age of 17. In May 30 of 2022, Hasan was transferred to Salmaniya Medical Complex after an episode of severe pain from sickle cell anemia. He suffers from several other health conditions, including problems in the colon and spine, and thalassemia. While receiving treatment at the hospital for his chronic medical conditions that have routinely been neglected by prison authorities, doctors informed Hasan that he had tuberculosis. Despite this diagnosis, he was returned to Jau prison two days later without any accommodations for this new severe medical diagnosis and placing him back with eight other prisoners. In a recording released online, Hasan provided details on his deteriorating condition and accused Jau prison administration of medical negligence.

On 2 June 2022, the Bahraini Ministry of Health (MOH) confirmed Hasan's illness of tuberculosis in an official statement, leaving his name anonymous. Although MOH officials have stated that Hasan's condition is stable and that he is receiving the proper treatment, Hasan's own recorded testimony directly contradicts this statement from MOH. Authorities from the MOH have also asserted that the necessary precautionary measures are being taken, but they did not provide details on how contact tracing and isolation are conducted, nor when tuberculosis tests will be carried out. It has not been confirmed if he is being held separately from other inmates to prevent a tuberculosis outbreak. What is clear is that Hasan's recorded testimony is consistent with other reports regarding Bahrain's treatment of political prisoners.

Sayed Nizar Al-Wadaei - imprisoned as a reprisal against his exiled relative Sayed Ahmed AlWadaei- and Mortada Mohamed Abdel-Redha, both of whom are political prisoners and are kept in the same cell with Hasan, have also experienced symptoms of tuberculosis. Sayed Nizar was held in solitary confinement for three days after he requested proper testing for tuberculosis, and his mother was threatened with arrest when she visited the prison on Wednesday to demand her son get tested. The families of both men have reported that the prison administration has refused to carry out tuberculosis tests. All three individuals shared a cell with a fourth prisoner, Ahmed Jaber, who was released from prison in late February after his health condition deteriorated, which took 11 months of pain and suffering and of illness in prison.

Recommendations:

- The unconditional release of political prisoners and those with tuberculosis, incurable diseases, and health complications that could be exacerbated by further disease outbreaks;
- The provision of necessary and appropriate medical care for all prisoners, in addition to ensuring that prisons meet the minimum standards of healthcare required;
- Officials from the MOH, MOI, and internal human rights institutions to be transparent about the information related to medical conditions within prisons;
- Comply with international rules and standards regarding prisoner treatment
- Provide necessary and timely medical care to prisoners
- Allow human rights groups to visit Bahrain

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