

URGENT ACTION

TWO BAHRAINI MEN AT IMMINENT RISK OF EXECUTION

Mohamed Ramadhan 'Issa 'Ali Hussain and Hussain 'Ali Moosa Hussain Mohamed, are at imminent risk of execution following the execution of three men on 15 January. Their death sentences were upheld by the Court of Cassation on 16 November 2015. Their trial was grossly unfair and relied on "confessions" extracted under torture.

Mohamed Ramadhan 'Issa 'Ali Hussain and Hussain 'Ali Moosa Hussain Mohamed are at imminent and renewed risk of execution. After a nearly seven-year hiatus, Bahrain resumed executions on 15 January when it executed three men whose death sentences, in a grossly unfair trial, were confirmed by the Court of Cassation on 9 January and speedily ratified by the King.

The death sentences of Mohamed Ramadhan and Hussain Ali Moosa were confirmed by the Court of Cassation in on 16 November 2015 and have been passed to the King who has the authority to ratify the sentences, commute them or grant a pardon. The two men are held in Jaw prison in south Manama, Bahrain's capital. Mohamed Ramadhan 'Issa 'Ali Hussain and Hussain 'Ali Moosa Hussain Mohamed were sentenced to death on 29 December 2014 for the killing of a policeman, who died in a bomb explosion in al-Deir, a village northeast of Manama, on 14 February 2014. Ten people, who were sentenced with them, to between six years and life in prison, also had their sentences upheld.

Mohamed Ramadhan 'Issa 'Ali Hussain and Hussain 'Ali Moosa Hussain Mohamed's trial was unfair. Hussain 'Ali Moosa's forced "confession", was used as the main piece of evidence against him in the trial. The 'confession' was also used to incriminate Mohamed Ramadhan. Despite receiving complaints from Mohamed Ramadhan's wife and a US-based NGO in 2014, the Ombudsman's office for two years failed to investigate his allegations of torture. In April 2016, the Ombudsman incorrectly informed the UK government that it had received "no allegations of mistreatment or torture" in relation to Mohamed Ramadhan. Following international pressure, the Ombudsman told the UK government in July 2016 that it had committed to undertake "a full, independent investigation", subsequently interviewing Mohamed Ramadhan's wife and lawyer. The family and lawyer are still waiting to receive the results of the Ombudsman's concluded investigation.

Please write immediately in Arabic, English or your own language:

- Urging the Bahraini authorities to commute all death sentences and establish an official moratorium on executions;
- Urging them to order the full retrial of both men, that fully complies with international fair trial standards, which exclude the use of evidence obtained under torture, and promptly, adequately and effectively investigate their allegations of torture;

PLEASE SEND APPEALS BEFORE 28 FEBRUARY 2017 TO:

King
Shaikh Hamad bin 'Issa Al Khalifa
Office of His Majesty the King
P.O. Box 555
Rifa'a Palace, al-Manama
Bahrain
Fax: +973 1766 4587
Salutation: Your Majesty

Prime Minister
Prince Khalifa bin Salman Al Khalifa
Office of the Prime Minister
P.O. Box 1000,
al-Manama, Bahrain
Fax: +973 1753 3033
Salutation: Your Highness

Minister of Justice and Islamic Affairs
Shaikh Khaled bin Ali bin Abdullah Al Khalifa
Ministry of Justice and Islamic Affairs
P. O. Box 450, al-Manama, Bahrain
Fax: +973 1753 1284
Email (via website):
<http://www.moj.gov.bh/en/default76a7.html?acton=category&ID=159>
Twitter: @Khaled_Bin_Al

Also send copies to diplomatic representatives accredited to your country. His Excellency Shaikh Fawaz bin Mohammed Al Khalifa, Embassy of the Kingdom of Bahrain, 30 Belgrave Square, London, SW1X 8QB, Tel: 0207 201 9170, Fax 020 7201 9183, Email:

information@bahrainembassy.co.uk or through the online contact form at <http://www.bahrainembassy.co.uk/> Salutation: Your Excellency

Please check with your section office if sending appeals after the above date. This is the third update of UA 1/15. Further information:

<https://www.amnesty.org/en/documents/mde11/3180/2016/en/>

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ADDITIONAL INFORMATION

Bahrain resumed executions on 15 January 2017, after a nearly seven-year hiatus. Following a grossly unfair trial, three men were executed on 15 January after their death sentences were confirmed by the Court of Cassation on 9 January. The speed at which the King of Bahrain ratified their death sentences and their executions were carried out is unprecedented in Bahrain. Under Bahraini law, once a death sentence has been confirmed by the Court of Cassation it is sent to the King of Bahrain. The King has the authority to then ratify the sentence, commute it or grant a pardon.

Prior to the 15 January executions, the last person executed in Bahrain was Bangladeshi national Jassim Abdulmanan in 2010. Today, 141 countries have abolished the death penalty in law or practice. The right to life, the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment are recognized in the Universal Declaration of Human Rights and other international human rights instruments. Amnesty International opposes the death penalty in all cases without exception. The death penalty is a violation of the right to life and the ultimate cruel, inhuman and degrading punishment.

Mohamed Ramadhan 'Issa 'Ali Hussain and Hussain 'Ali Moosa Hussain Mohamed told their lawyers that they had been tortured or otherwise ill-treated in the first few days they were detained, in February and March 2014, during interrogation at the Criminal Investigations Directorate (CID). In the absence of their lawyers, Mohamed Ramadhan refused to sign a "confession" but Hussain 'Ali Moosa said he was coerced to "confess" and incriminate Mohamed Ramadhan after being suspended by his limbs from the ceiling and beaten repeatedly for several days. Hussain 'Ali Moosa's "confession" was later used as the main evidence in the trial of the two men and led to their conviction. Hussain 'Ali Moosa told his lawyers that he reported his torture to the Public Prosecutor, and that his "confession" had been coerced, but the Prosecutor dismissed the allegation and sent him back to the CID where he has said he was tortured for a further two months. Mohamed Ramadhan claimed that he too had reported being tortured to the Public Prosecution but had his allegation dismissed.

Mohamed Ramadhan 'Issa 'Ali Hussain and Hussain 'Ali Moosa Hussain Mohamed appealed their death sentences before the High Criminal Court of Appeal on 30 March 2015. No new evidence was presented at the appeal hearing. The men's lawyers only received a copy of the original judgement during the first session of the appeal hearing. In the second session they had to ask for the permission of the Court to summon witnesses in the next session as they had not had enough time to prepare their pleadings. The judge rejected their request and adjourned the hearing to 26 May 2015 for final judgement before the lawyers could give their final pleading. Their death sentences were upheld by the Court on the same day.

For further information, please see Amnesty International's November 2016 report *Window-dressing or pioneers of change? An assessment of Bahrain's human rights oversight bodies* (<https://www.amnesty.org/en/documents/mde11/5080/2016/en/>).

Further information on UA: 1/15 Index: MDE 11/5516/2017 Issue Date: 17 January 2017