

URGENT ACTION

TEN MEN SENTENCED TO DEATH AND LIFE IMPRISONMENT

A Bahraini court of appeal upheld the death sentences against three Bahraini men, the life sentences against seven others and the revocation of the nationality of eight of them on 4 December after an unfair retrial in relation to the killing of three policemen in March 2014. On 17 October the Court of Cassation had overturned the three death sentences and ordered the retrial.

On 4 December the sixth Appeal Court in Manama, the Bahraini capital, upheld the death sentences imposed on **Ali Abdulshaheed al-Sankis, Sami Mirza Mshaima'** and **Abbas Jamil Taher Mhammad al-Samea**. The court also upheld the sentences of life imprisonment against seven other men and upheld the revocation of the nationality of eight of them. On 26 February 2015 a Criminal Court had convicted the 10 men of charges that included "organizing, running and financing a terrorist group (Al-Ashtar Brigade) with the aim of carrying out terrorist attacks"; "possession and planting of explosives with the intention to kill security forces and causing disorder"; and "killing of three police officers and attempted killing of others". The Court of Appeal upheld these convictions on 31 May 2016 and on 17 October the Court of Cassation overturned them and ordered a retrial by the same Appeal Court. The convictions and sentences will go again to the Court of Cassation for confirmation and then to the King for ratification.

During three weeks of interrogation at the Criminal Investigation Directorate (CID) the 10 men did not have access to their families or lawyers and were tortured, according to statements made by some of them. Sami Mshaima' and Abbas al-Samea later told their families that they were given electric shocks, beaten, burnt with cigarettes, deprived of sleep, and sexually assaulted. All 10 men are currently held in Jaw prison, south of Manama.

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

- Urging the Bahraini authorities to order a full retrial of the 10 men in proceedings that fully comply with international fair trial standards, exclude evidence obtained under torture and do not resort to the death penalty; and to carry out an independent and impartial investigation into their allegations of torture;
- Acknowledging the authorities' duty to prevent crime and bring those responsible to justice, but insisting that this should always be done in accordance with international law and Bahrain's international human rights obligations;
- Urging them to commute all death sentences to terms of imprisonment and immediately establish an official moratorium on executions with a view to abolishing the death penalty.

PLEASE SEND APPEALS BEFORE 17 JANUARY 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

And copies to:

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_Ali

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 second update of UA 47/15.
Further information: www.amnesty.org/en/documents/mde11/4197/2016/en/

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ADDITIONAL INFORMATION

After a bomb blast killed three policemen in the village of al-Daih, west of the capital, Manama, on 3 March 2014, the security forces raided a number of homes and arrested at least 25 people, including the 10 men whose sentences were upheld on 31 May 2016. Many of those who were arrested and later released said they were tortured or otherwise ill-treated.

The 10 men's trial began on 30 April 2014 before the High Criminal Court in Manama. On 26 February 2015, all men were convicted; Ali Abdulshaheed al-Sankis, Sami Mirza Mshaima' and Abbas Jamil Taher Mhammad al-Samea were sentenced to death; while Ahmad Jaafar Mhamad 'Ali, 'Ali Jamil Taher Mhamad al-Samea, Taher Youssif Ahmed Mhamad al-Samie, Hussein Ahmad Rashed Khalil, Redha Mirza Mshaima', Hussein Sabah Abdulhussein and Ahmad M'touq Ibrahim were sentenced to life imprisonment. Their lawyers complained that, during the first two hearings, they were not given access to all the evidence available against the defendants, which prevented them from adequately defending their clients, nor were they allowed to cross-examine the prosecution witnesses. They withdrew from the case in October 2014 in protest. The Ministry of Justice appointed two lawyers from those who had previously withdrawn from the case. They reiterated the same demands made by the lawyers who withdrew in October, which the court again refused.

Abbas Jamil Taher Mhammad al-Samea, a 26-year-old schoolteacher, was arrested at midnight on 3 March 2014. He said he had been in school at the time of the bombing and had presented a letter from the school corroborating this. Following his arrest, he was detained at the Criminal Investigation Department (CID) for 25 days without access to a lawyer and said that he was tortured, including by being beaten, deprived of sleep, denied adequate food and water, burnt with cigarettes, suspended and sexually assaulted, and threatened with death and the revocation of his nationality by interrogators. Following his sentencing, a video was circulated on social media showing Abbas al-Samea' alleging that he had been tortured, leading the Special Investigations Unit (SIU) to probe his allegations. The SIU concluded that Abbas al-Samea' had been injured "as a result of his resistance to the arrest procedure", supporting an earlier examination ordered by the Public Prosecutor's Office (PPO) by a forensic expert. The SIU ruled out the torture claim. The SIU is a body within the PPO set up in 2012 to investigate allegations of torture and other ill-treatment, killings and other violations.

Sami Mirza Mshaima', 41, was arrested at the home of a friend in Hamad Town, south-west of Manama, on 3 March 2014. His mother told Amnesty International that he said that during his detention at the CID he was stripped naked, beaten all over his body, given electric shocks, and raped by having an object inserted in his anus. He said he was so severely beaten on his mouth that he lost his front teeth. See also Amnesty International's April 2015 report *Behind the rhetoric, Human rights abuses in Bahrain continue unabated* (<https://www.amnesty.org/en/documents/mde11/1396/2015/en/>).

The last execution in Bahrain was that of Bangladeshi national Jassim Abdulmanan in 2010. As of today, 141 countries have abolished the death penalty in law or practice. The right to life and 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, regardless of the nature or circumstances of the crime, the guilt, innocence or other characteristics of the offender or the method used by the state to carry out executions. The death penalty is a violation of the right to life and the ultimate cruel, inhuman and degrading punishment.

Further information on UA: 47/15 Index: MDE 11/5280/2016 Issue Date: 6 December 2016