

URGENT ACTION

BAHRAINI'S FATE AND WHEREABOUTS UNKNOWN

Fadhel Sayed Abbas Hasan Radhi has been detained without charge since his arrest on 29 September 2016. He has had no access to a lawyer and only limited access to his family. His family have not heard from him since 10 December 2016 nor have they received any information about his whereabouts or well-being. Amnesty International is concerned that he is a victim of enforced disappearance and at risk of torture and other-ill treatment.

Fadhel Sayed Abbas Hasan Radhi, 24, was arrested at around 3am on 29 September 2016 by Criminal Investigations Directorate (CID) officers in his family home in Hamad Town, south-west of the capital, Manama. His family were not told where he was being taken or the grounds for his arrest, and did not hear from him until two weeks later, when he called them for the first time. During that short phone call, Fadhel Sayed Abbas Hasan Radhi told his family he was being held at the CID and was feeling very tired and unwell. His family did not hear from him again until 10 December 2016 when he called and said he was still at the CID and did not know why. His family have not heard from him since. He has had no access to a lawyer throughout his detention. Amnesty International is concerned that, without access to a lawyer and with only negligible phone contact with his family, Fadhel Sayed Abbas Hasan Radhi is at risk of torture and other ill-treatment, and that the ongoing denial of information as to his whereabouts could amount to enforced disappearance.

Fadhel Sayed Abbas Hasan Radhi's sister has visited the Public Prosecution Office (PPO) twice a week since her brother's arrest to ask where he is being held and the reason for his detention, but has yet to receive any information. On 2 January, she was finally told by the PPO to go home and wait for a call from her brother, and informed that he will be brought before the PPO on 24 April. On 6 December 2016, Fadhel Sayed Abbas Hasan Radhi's sister submitted a complaint to the Ombudsman's office, who she said told her on 14 December that they cannot do anything for her brother. Also on 14 December 2016, Fadhel Sayed Abbas Hasan Radhi's sister went to the CID where she was told by a CID officer that her brother was being held there. However, his family subsequently heard he was being held at Section 15 of Jaw prison, in south Manama, and accordingly renewed their inquiries with the PPO, to no avail. Despite the numerous inquiries made, Fadhel Sayed Abbas Hasan Radhi's family have received no information about his whereabouts or the grounds for his detention since 14 December 2016. Amnesty International wrote to the Ombudsman's office on 5 January and to the Public Prosecutor and Minister of Interior on 13 January but has yet to receive a response.

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

- Urging the Bahraini authorities to immediately disclose the fate and whereabouts of Fadhel Sayed Abbas Hasan Radhi, and to release him unless he is promptly charged with a recognizable criminal offence, in accordance with international law and standards;
- Calling on them to provide him with prompt and regular access to his family, lawyer and any medical attention he may require and ensure that, pending his release, he is protected from torture and other ill-treatment.

PLEASE SEND APPEALS BEFORE 14 MARCH 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

Minister of Interior

Shaikh Rashid bin 'Abdullah Al Khalifa
Ministry of Interior
P.O. Box 13, al-Manama, Bahrain
Fax: +973 1723 2661
Twitter: @moi_Bahrain

Salutation: Your Excellency

And copies to:

Minister of Justice and Islamic Affairs
Shaikh Khalid bin Ali Al Khalifa
Ministry of Justice and Islamic Affairs
P. O. Box 450, al-Manama, Bahrain
Fax: +973 1753 1284

Email: <http://www.moj.gov.bh/en/>
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.**

**AMNESTY
INTERNATIONAL**



URGENT ACTION

BAHRAINI'S FATE AND WHEREABOUTS UNKNOWN

ADDITIONAL INFORMATION

Amnesty International has documented a similar case to that of Fadhel Sayed Abbas Hasan Radhi. Al-Sayed Alawi Hussain al-Alawi, 43, has been detained without charge or access to his lawyer since his arrest in October 2016. His family have not heard from him since 14 December 2016, nor have they received any information about his whereabouts or well-being. Amnesty International is concerned that like Fadhel Sayed Abbas Hasan Radhi, al-Sayed Alawi Hussain al-Alawi is a victim of enforced disappearance and is at risk of torture and other ill-treatment. For further information see:

<https://www.amnesty.org/en/documents/mde11/5581/2017/en/>

Amnesty International has documented arbitrary arrests and detentions and torture and other ill-treatment of detainees, particularly while held in the CID, when detainees allege they are forced to sign “confessions” for use as evidence against them or to implicate others at trial. Documented methods include beatings, forcing detainees to remain standing for long periods, sleep deprivation and keeping detainees naked.

The right of access to a lawyer is a fundamental safeguard against torture and other ill-treatment, and is essential for a fair trial under international human rights standards. It is important to enable detainees to challenge their detention at an early stage and serves as an important safeguard against torture and other ill-treatment, coerced “confessions”, enforced disappearance and other human rights violations.

Persons deprived of their liberty should be able to communicate and have contact with family members and friends, as well as medical professionals. Access should be given subject only to conditions and restrictions which are necessary and proportionate to a legitimate aim. Under international law and standards, anyone who is arrested and detained has the right to inform, or have the authorities notify, someone in the outside world that they have been taken into custody and where they are held. In addition, they should be given all reasonable facilities to communicate with and receive visits from their family. Like the right of access to a lawyer, the right of detainees to communicate with the outside world and to receive visits is a key safeguard against torture and other ill-treatment and other human rights violations. It enables persons concerned about the wellbeing of detainees to see where they are held and their condition so as to be able to intervene on their behalf if there is reason for concern. It is also a key safeguard against enforced disappearances.

The Bahrain Independent Commission of Inquiry (BICI), appointed by Royal Order on 29 June 2011, was charged with investigating and reporting on human rights violations committed in connection with the 2011 protests. At the launch of the BICI report on 23 November 2011, the government publicly committed itself to implementing the recommendations set out in the report. The report recounted the government's response to the mass protests and documented wide-ranging human rights abuses. Among its key recommendations, the report called on the government to bring to account those responsible for human rights violations, including torture and excessive use of force, and carry out independent investigations into allegations of torture.

Following the BICI report, the Bahraini government in 2012 created various human rights institutions to investigate alleged human rights violations and ensure accountability, in particular the Ombudsman of the Ministry of Interior and the Special Investigations Unit (SIU) within the PPO. The Ombudsman and the SIU have the authority and resources to conduct prompt and effective investigations into alleged human rights violations by state agents, acting in response to complaints or at their own volition. The Ombudsman's office has generally been effective in referring complaints of torture and other serious human rights violations for investigation by the SIU. However, in some cases it failed to take prompt action to protect detainees from torture and other ill-treatment, or to effectively investigate their allegations. See also Amnesty International's November 2016 report *Window-dressing or pioneers of change? An assessment of Bahrain's human rights oversight bodies*

[\(https://www.amnesty.org/en/documents/mde11/5080/2016/en/\)](https://www.amnesty.org/en/documents/mde11/5080/2016/en/). UA: 30/17 Index: MDE 11/5590/2017 Issue Date: 31 January 2017