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Human rights situations that require the Council's attention

Written statement* submitted by the Kham Rehabilitation Center for Victims of Torture, 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.

[26 August 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Bahrain: Persecution of Shia Scholars...Sheikh Isa Al-Moamen A Sample

Since the eruption of the Bahraini crisis in 2011, the country has been witnessing a case of sectarian persecution that took a systematic approach in different fields of the country. However, the sectarian and ethical discrimination against Shia has increased after the revocation of Sheikh Isa Qassim's citizenship. One of the discrimination aspects is the trials against the Shiite clerics over their legitimate practice of their freedom of opinion, peaceful assembly, religion and sect.

The government has recently summoned 88 prominent scholars who are being tried, such as Sayyed Majeed Al-Masheel, head of Ulama Islamic Council (the most supreme Shia institution), his vice-president Sheikh Mahmoud Al-A'ali and other leaders and members of the Ulama Islamic Council like: Sheikh Fadhel Al-Zaki, Sheikh Ali Rahma, Sayyed Mohammad Al-Ghuraifi, Sheikh Ali Al-Himli, Sheikh Mohammad Jawad Al-Shihabi, Sheikh Jassim Al-Mutawa, Sheikh Hamza Al-Dairi, Sayyed Mousa Al-Widai as well as Sheikh Ali Hmaidan, who was sentenced to one year in prison over participating in the peaceful assembly in Diraz. It is to note that the authorities issued one-year jail term against Shiite cleric Sheikh Mohammad Al-Mansi on May 24, 2016.

We expose in this report a case for one of the Shiite clerics in Bahrain; Sheikh Isa Al-Moamen (59 Years), a leader in the Ulama Islamic Council which was dissolved by the Government on 2014.

The Security authorities arrested Shiite cleric Sheikh Isa Al-Moamen after he received a notice to appear for investigation in Samaheej police station on Saturday (August 6, 2016) morning.

After he arrived to the police station, the authorities did not allow his lawyer to contact him. Al-Moamen was interrogated and the police decided to suspend him to present him to the prosecution the following day. His family couldn't know the charges raised against him until the prosecution issued a statement the next day.

On Sunday (August 7, 2016), Al-Moamen was transferred to the prosecution. After 8 hours of waiting, the prosecution commenced its interrogation with Al-Moamen in the presence of his lawyer. The prosecution charged Al-Moamen with inciting hatred against the constitutional government and remanded him for a week pending investigation over a Friday sermon he delivered in Al-Kheif Mosque in Al-Dair village.

One hour after the interrogation, Al-Moamen called his family and told them that the authorities concluded their interrogation and finished the measures to transfer him to the Dry Dock Prison to put him in the pre-detention center. The authorities only allowed him to call his family 3 days later.

His family reported that it received a phone call from Al-Moamen on Wednesday (August 10, 2016) in which he told them that he is in good health.

Al-Moamen's lawyer submitted a request to the prosecution on Tuesday (August 9, 2016) to release him for medical reasons after he presented a report proving that Al-Moamen suffers from disc in his neck and back. The prosecution, however, did not respond until today (August 15, 2016).

On Thursday (August 11, 2016), Al-Moamen's lawyer were told that the prosecution referred the case to the court and set August 17 as a date for the Sheikh's first hearing session.

On Wednesday (August 10), the Bahraini human rights activist Fatima Al-Halwachi said that she visited her father in the Dry Dock Prison and that he told her that Sheikh Isa Al-Moamen is in the same ward with him (ward number 1).

On August 11 Al-moamen's family took an appointment to see him on Sunday, Aug14th, on August 13 Sheikh Isa Almoamen made a phone call to his family, he told them that he is in a good health, but the other shia clerics are been hold in a different building in the Dry Dock Prison.

His family went on August 14 to the Dry Dock to meet him, but the prison guards told them that he had been transferred to the court for his session, the session supposes to be on Aug 17th, the family contact the lawyer, and he assured them

that Sheikh Al-Moamen's session on the 17th, and nobody bring him to the court. The prison guards gave the family a new appointment for the next day Aug 15th.

On the next day August 15 the family met with sheikh Al moamen for the first time, the interview was monitored by the authorities, he told them that he is ok, but he complained about not allowing him to make a regular phone calls to his family like other prisoners (3 calls in a week). After aprx. 25 Min, the guards told them that their times is up. The family take another appointment on August 23rd.

On August 16 Sheikh Isa Almoamen made a phone call to his family, and informed them that his court session will be on 17th at 4PM. On the next day august 17th the first session of Almoamen was held, his lawyer demand to release him for medical reason, after providing an official medical report from Al-Salmaniya Hospital, prove that AlMoamen (59 Years Old) suffering from "Herniated Disk" in his back & neck.

The judge refuse to release him, and decide to postponed the trial till August 21st for pleading.

On August 18 Sheikh Isa Al-Moamen made a phone call to his family for 12 minutes, he told them that he is well, and did not complain of anything, and on August 21st the second session of Sheikh Almoamen was held, his lawyer demand again to release him for medical reason, after providing the same official medical report from Al-Salmaniya Hospital, prove that AlMoamen (59 Years Old) suffering from "Herniated Disk" in his back & neck, the judge rejected the defense request. After that the defense asked for prosecution documents of the case, the judge order the prosecution to provide all the documents the defense needed, and postponed the case till Aug.23rd for pleading.

On August 23rd In the morning, Sheikh Isa Almoamen's family visited him in the Dry Dock prison for the 2nd time, the visit longed for 20 minutes only, with glass partition and guards in the visit hall, so there was no privacy for the family. Sheikh AlMoamen told his family that he expected to spend not less than 1 year in prison, after the sentencing of Shia Cleric Sheikh Ali Humaidan for 1 year in prison.

Afternoon Sheikh Almoamen was brought to the court, his family was not allowed to attend his trial, in the session the defense argued again to release him because he is 59 years old and suffering from "Herniated Disk" in his back & neck, the judge rejected the defense request. After that the defense asked to bring the prosecution witness, the judge rejected this request also, and postponed the trial till Aug.28th for Verdict.

The lawyer Mohammed Aljishi told the family that Sheikh Al-Moamen facing sentence up to 3 years if the court find him guilty.

Sheikh Al-Moamen called his family for 4 Minutes when he arrived the Dry Dock prison, coming from the court, he told them the judge decision, and asked them not to worry about him.

References:

The sermon's link:

[feature=youtu.be&v=Ky0spBNIT48?https://www.youtube.com/watch](https://www.youtube.com/watch?feature=youtu.be&v=Ky0spBNIT48)

The Public Prosecution's statement regarding Al-Moamen's suspension:

<http://bna.bh/portal/en/news/738929>

Al-Marzouq, Al-Dairi and Al-Shahabi Released, Sheikh Al-Mou'min Arrested

<http://mirror.no-ip.org/en/news/33021.html>

Bahraini Authorities Arrest Sheikh Isa Al-Mou'min, Preacher of "Al-Kheif" Mosque

<http://bhmirror.myftp.biz/en/news/33022.html>

Sheikh Isa Al-Mou'min Detained for 7 Days Pending Investigation over Delivering Friday Sermon

<http://mirror.no-ip.org/en/news/33053.html>

Shiite Clerics in Bahrain Under Arrest, Constant Targeting of Authorities

<http://mirror.no-ip.org/en/news/33077.html>

Trial of Sheikh Isa Al-Moamen to Commence on August 17

<http://bhmirror.myftp.biz/en/news/33097.html>

Bahraini Court Refuses to Release Shiite Cleric Suffering from Health Problems

<http://bhmirror.myftp.biz/en/news/33217.html>

Trial of Sheikh Isa Al-Moamen Adjourned until August 23

<http://bhmirror.myftp.biz/en/news/33281.html>

Bahrain: Authorities Targeting Shia clerics - HRW

<https://www.hrw.org/news/2016/08/23/bahrain-authorities-targeting-shia-clerics>

Sheikh Al-Moamen's Case Adjourned until August 28

<http://bmirror.no-ip.org/en/news/33340.html>

The Bahrain Forum for Human Rights (BFHR), an NGO without consultative status, also shares the views expressed in this statement.
