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Human rights situations that require the Council's attention

Written statement* submitted by Amnesty International, a 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.

[14 February 2017]

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

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Bahrain: on the brink of human rights crisis

Resumption of executions

Amnesty International is alarmed by the resumption of executions in Bahrain after a nearly seven-year hiatus, and condemns the execution of Ali Abdulshaheed al-Sankis, Sami Mirza Mshaima and Abbas Jamil Taher on 15 January 2017. They were sentenced to death after an unfair trial in relation to the killing of three policemen.¹

Mohamed Ramadhan Issa Ali Hussain and Hussain Ali Moosa Hussain Mohamed are now at imminent risk of execution; both were sentenced to death after an unfair trial in relation to the killing of a policeman.²

Excessive use of force and clampdown on peaceful assembly

The 15 January executions sparked protests in over 20 villages across Bahrain, with hundreds of people taking part. While some of the protests have been peaceful, others have been violent.

Amnesty International is concerned about the Bahraini authorities' use of excessive force in response to these protests. Security forces have used tear gas and shotguns firing birdshot against protesters and, in some cases, less-lethal riot control ammunition and live ammunition. Scores of protesters have been injured and many have been arrested.³

The largest protests erupted in the villages of Sanabis, Duraz, Sitra and al-Daih, followed by smaller protests in at least 19 other villages. One eyewitness told Amnesty International that officers threatened protesters in Sanabis on 15 January 2017 that they would be "executed like the three men". The following day, eyewitnesses said they saw security officers in Sanabis fire tear gas, aiming directly at protesters and causing injuries. On 18 January 2017, two police armoured vehicles drove directly towards a protest in Sanabis, stopping just short of the protesters and no injuries were caused.⁴

Amnesty International has seen video footage of armed men wearing black balaclavas firing Benelli semi-automatic shotguns during clashes in Duraz on 26 January 2017. It is unclear whether they were firing live ammunition or less-lethal riot control ammunition. Additional masked men were seen carrying drawn semi-automatic handguns, as well as one carrying a MP-7 Personal Defense Weapon. It is unclear which authority these armed men belonged to, but according to Amnesty International's information they may be from the National Security Agency (NSA).

That morning, Mustapha Hamdan, 18, was shot in the head in Duraz. One eyewitness told Amnesty International that at around 2.30am, 12 civilian cars arrived near the back of Sheikh Issa Qassem's house in Duraz where a group of around five young men were sitting. The men in the cars got out and ran after the five men. The eyewitness heard screams and gunfire. Mustafa Hamdan was by the last house in the middle of the square, facing away from the armed men, when he was shot in the back of the head and fell on his face. He was taken to Salmaniya Medical Complex and remains in a critical condition.⁵ On 31 January 2017 Bahrain's public prosecutor stated that the public prosecution is investigating the circumstances of Mustafa Hamdan's head injury.

¹ For further information see <https://www.amnesty.org/en/documents/mde11/5454/2017/en/>.

² For further information see <https://www.amnesty.org/en/documents/mde11/5516/2017/en/>.

³ For further information see <https://www.amnesty.org/en/latest/news/2017/01/bahrain-human-rights-on-the-brink-of-crisis/>.

⁴ Amnesty International has verified video footage of this, taken on 18 January 2017 in Sanabis.

⁵ Amnesty International has verified video footage recorded in Duraz at around 4-5am which shows a person running and then falling to the ground.

During the night of 29 January 2017, thousands of peaceful protesters took to the streets in numerous villages in support of Sheikh Issa Qassem, whose case was scheduled to be heard the next day.⁶ The security forces used teargas and birdshot pellets against the protesters, but no injuries were reported.

Protesters also resorted to violence against the security forces, including via the use of Molotov cocktails and burning tyres. At least two police officers were injured during the clashes. Two police officers have also been killed. According to the Ministry of Interior, one police officer was shot in Bani Jamra on 14 January and later died and one off-duty police officer was shot and killed in Bilad al-Qadem on 29 January.

Powers restored to National Security Agency

Amnesty International is concerned that the arrest and interrogation powers restored to the NSA in January 2017 may be arbitrarily used to violate citizens' human rights.⁷

The NSA's role was limited to intelligence gathering in December 2011, in response to the 2011 Bahrain Independent Commission of Inquiry report which concluded that dozens of detainees had been tortured by security officials, including by members of the NSA.⁸

Continuing clampdown on the rights to freedom of expression, association and movement

The Bahraini authorities have intensified their crackdown on the enjoyment of rights to freedom of expression, association and movement since mid-2016.

Prominent human rights defender and prisoner of conscience Nabeel Rajab is currently on trial and faces up to 15 years in prison solely because of comments he posted on Twitter. The verdict pursuant to his trial has been repeatedly postponed suggesting that the authorities may deliberately be using this trial to intimidate and harass him. During his trial hearing on 28 December 2016, the court ordered his release but he was immediately re-arrested in relation to another investigation into TV interviews he gave, for which he is currently on trial.⁹

The Bahraini authorities also targeted political opposition, dissolving al-Wefaq National Islamic Society in July¹⁰ and confirming in December the nine-year prison sentence of its Secretary General, Sheikh Ali Salman, for giving speeches critical of the government. He is a prisoner of conscience.¹¹

Scores of political activists and human rights defenders were summoned by the authorities in November 2016, most of whom were charged with "illegal gathering" and received official travel bans.¹² The majority of them had previously been prevented from travelling abroad, including to Geneva to participate in the 32nd and 33rd sessions of the Human Rights Council. Human rights lawyer Mohamed al-Tajer was also charged in November 2016 in relation to his tweets.¹³

The Bahraini authorities also continued to impose restrictions in Duraz since June 2016 that are punitive in their effect on all residents of Duraz and anyone wishing to travel there.¹⁴

⁶ For further information see: <https://www.amnesty.org/en/documents/mde11/4749/2016/en/>

⁷ Decree 1 of 2017.

⁸ For further details see <https://www.amnesty.org/en/documents/mde11/1396/2015/en/>.

⁹ For further details see <https://www.amnesty.org/en/latest/news/2017/01/bahrain-postponement-of-nabeel-rajab-trial-for-sixth-time-is-blatant-harassment/>.

¹⁰ For further details see: <https://www.amnesty.org/en/documents/mde11/4484/2016/en/>.

¹¹ For further details see: <https://www.amnesty.org/en/press-releases/2016/12/bahrain-opposition-leader-condemned-to-nine-years-in-prison-following-unfair-and-arbitrary-verdict/>

¹² At least 40 activists have been banned from travel since June 2016.

¹³ For further details see: <https://www.amnesty.org/en/documents/mde11/5394/2016/en/>

¹⁴ Scores of peaceful protesters and Shi'a clerics were summoned and arrested in relation to protests in Duraz. For further details see: <https://www.amnesty.org/en/documents/mde11/4749/2016/en/>

The authorities also suspended the online edition of Al-Wasat, an independent newspaper, for three days during the January 2017 protests.

Enforced disappearances

Amnesty International is concerned that two men are victims of enforced disappearance and at risk of torture and other ill-treatment. Fadhel Sayed Abbas Hasan Radhi and al-Sayed Alawi Hussain al-Alawi have been detained without charge and access to a lawyer since their arrests in September and October 2016, respectively. Their families have not received any information about their fate or whereabouts since mid-December.¹⁵

Continued access restrictions

International human rights non-governmental organizations (NGOs) and UN Special Rapporteurs continue to be denied access to Bahrain. Amnesty International has not been given access to the country since January 2015.

In light of the above concerns, Amnesty International calls on the UN Human Rights Council to urge the Bahraini authorities to:

- Immediately instruct the security forces to refrain from using excessive force against protesters and promptly and thoroughly investigate all allegations of injuries caused by excessive use of force;
- Commute all death sentences, including those against Mohamed Ramadhan and Hussain Ali Moosa, and establish an official moratorium on executions;
- Release immediately and unconditionally all prisoners of conscience, imprisoned for peacefully exercising their rights to freedom of expression, association and assembly;
- Repeal or amend all laws which criminalize exercise of the rights to freedom of expression, association and peaceful assembly, and bring them into conformity with international human right law;
- Lift the travel bans and drop the charges against political and human rights activists in relation to the exercise of their rights to freedom of expression, association and peaceful assembly;
- Immediately disclose the fate and whereabouts of Fadhel Sayed Abbas Hasan Radhi and al-Sayed Alawi Hussain al-Alawi, provide them with prompt and regular access to their family and lawyers, and immediately release them unless they are promptly charged with an internationally recognised criminal offence, and tried in accordance with international standards of fairness and without recourse to the death penalty;
- Confirm the visit of the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment which should take place at the earliest opportunity;
- Invite the Special Rapporteurs on the rights to freedom of peaceful assembly and of association and on freedom of expression;
- Grant access to international NGOs such as Amnesty International wishing to visit Bahrain.

¹⁵ For further information see: <https://www.amnesty.org/en/documents/mde11/5581/2017/en/> and www.amnesty.org/en/documents/mde11/5590/2017/en/