



# General Assembly

Distr.: General  
16 February 2017

English only

---

## Human Rights Council

Thirty-fourth session

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

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

[13 February 2017]

---

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

GE.17-02447(E)



\* 1 7 0 2 4 4 7 \*

Please recycle



## **Sayed Alawi Hussein Alawi, Bahraini Citizen under Enforced Disappearance for over 109 Days\***

Since May 2012, Bahrain has received at the Human Rights Council (HRC), as part of the Universal Periodic Review (UPR) program, an amount of 176 recommendations, some of which are pertinent to the ratification of the Convention on Enforced Disappearances. It is worth mentioning that the authorities did not accept the recommendations relating to enforced disappearance in full, but rather put it in its partially accepted category. Bahrain's non-acceptance of the recommendation in full, and its lack of initiative to ratify it, since its adoption of ratification since 2006, are an indication that the Bahraini authorities fear they fall under accountability in the line of crimes linked to this violation. In 2012, the authorities said they are studying the possibility of joining the convention, without doing so yet.

It is worth mentioning that the number of enforced disappearances in Bahrain is on the rise; as 37 cases of enforced disappearances were recorded during the period between 28/12/2016 and 29/1/2017. Among them is Bahraini citizen Sayed Alawi Hussein Alawi, who remains in enforced disappearance since the date of this report (10/2/2017), and we will later refer to details of his case in the report.

The report conducted by the UNHRC team responsible for cases of enforced or involuntary disappearance, which was issued in the agency's 27<sup>th</sup> session, mentioned that there is great concern regarding what it dubbed "short-term enforced disappearances" in Bahrain.

On this level, the report based its Bahrain argument on Article (1) of the International Convention for the Protection of All Persons from Enforced Disappearance, which stated, "No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification for enforced disappearance."

Moreover, Article (17) stipulates that "Guarantee that any person deprived of liberty shall be held solely in officially recognized and supervised places of deprivation of liberty [and shall stand promptly before a judicial authority]". The article also states that State Parties shall "Guarantee that any person deprived of liberty shall be authorized to communicate with and be visited by his or her family, counsel or any other person of his or her choice, subject only to the conditions established by law, or, if he or she is a foreigner, to communicate with his or her consular authorities, in accordance with applicable international law."

The same article also states that "Each State Party shall assure the compilation and maintenance of one or more up-to-date official registers and/or records of persons deprived of liberty, which shall be made promptly available, upon request, to any judicial or other competent authority or institution authorized for that purpose by the law of the State Party concerned or any relevant international legal instrument to which the State concerned is a party."

It's noteworthy that the texts mentioned in the 2002 Bahraini Code of Criminal Procedures, presume that it contains the crime and violation perpetrators, as Article (61) of the code says, "No one shall be arrested nor imprisoned except by an order of the legally competent authority. He shall be treated in such a manner as to maintain his human dignity and shall not be subjected to any bodily or psychological harm."

### **The Case of Enforced Disappearance of Bahraini Citizen, Sayed Alawi Hussein Alawi (43 years old)**

Sayed Alawi Hussein Alawi was born in 1973, and he works in Bahrain Telecommunications Company's (Batelco) cable repair services, and the nature of his job is the direct follow-up on failures in the network, and supervising the repair on site.

On Monday October 24, 2016, Sayed Alawi went to his work as usually at 5:00 am, and in the same day, he went to follow up a malfunction of one of the company's cables, that required his presence on the site until after his working

hours, i.e. after 1:00 pm. Therefore, he called his wife to tell her he would be later to following up his work. The phone call occurred 3:00 pm in the afternoon.

While on the work side that day, in the town of Galali (in an old garden, located near the airport, which was reconstructed into a new project), and while meeting with engineers and the main contractor in the said site, the area was surrounded by 8 cards, and 4 members of the armed civil forces, raided the meeting room around 4 pm, circulated him, confiscated his company-owned phone and iPad, switched them off, and led him in a humiliating way to an unknown destination. A member of these civilian forces, who was wearing gloves, drive the company (Batelco) car, alto to an unknown destination.

In the morning of the next day, October 25, 2016, his colleagues at work were surprised to see that his office computer is not in his office in Batelco building based in Hamala.

On Monday October 24, 2016, his family tried to contact him repeatedly starting 6:00 pm on the day of his detention, yet his phone was switched off. When the family went to the Budaiya police station to report his disappearance, the station's staff called all arrest apparatuses in the Ministry of Interior, hospitals, and all the kingdom's border ports, all of whom confirmed he was not in their custody. Therefore, the police reported the case of Sayed Alawi's disappearance under the number 5610/2016.

After nearly half an hour to 45 minutes, his wife received a call from Budaiya police station, stating that Sayed Alawi is in the Criminal Investigations Department in the judicial area, and thus required his wife to come to the [police] station and withdraw the disappearance report. She did as she was told, and since then, Sayed Alawi hasn't contacted his family.

On Tuesday November 1, 2016, [Sayed Alawi's] family went to the Criminal Investigations building to ask about him and deliver some clothes for him. The department's staff members did not say whether he is there or not. After around an hour and a half, they took the clothes, without informing them of anything.

On Thursday November 3, 2016, around 6 pm, his wife received a call from the criminal investigations department, saying that Sayed Alawi was transferred to the Dry Dock prison. Therefore, she ought to go and pick up the clothes they had delivered on Tuesday to the building, and send them to the Dry Dock Prison on Sunday November 6, 2016.

On Sunday, November 6, 2016, members of the family went to conduct what had been asked from the wife. When they arrived at the Criminal Investigations building, the staff refused initially to hand over the clothes, and asked them "who told you to come and take them?" When they answered that their department called, they gave them the clothes back. The family was surprised when they went to the Dry Dock Prison, whose administration denied having Sayed Alawi in their custody, and refused to receive the clothes. The family contacted the General Secretariat of the Grievances, but to no avail; as they do not answer calls easily. After so much effort, [the General Secretariat of grievances] said it has no information about him.

Until today, Friday February 10, 2017, the family hasn't got the slighter information about his whereabouts or his health status. Therefore, concerns pertaining to his safety increase.

In a statement quoted by al-Wasat Newspaper Thursday (February 2, 2017), Sayed Alawi's family said that the National Institute for Human Rights did not give them any new information, and that its president, Abdul Aziz Abel, refused to cooperate with them, because they resorted to press.

### **Results and Recommendations:**

1. Cases of enforced disappearances in Bahrain are on the rise, and it corresponds to decisions by the Working Group on Enforced Disappearances (short-term), which causes concern for the victim, his family and relatives.

2. Security authorities that have Sayed Alawi Hussein Alawi in their custody ought to reveal his location, and allow him to contact his family to reassure and inform them of his status, in light of this disturbing enforced disappearance; they also ought to immediately release him.
3. This new case in the file of short term enforced disappearances proved again the failure of the General Secretariat of the Grievances, and the National Institute for Human Rights, in performing their required duties in rights issues related to enforced disappearances.
4. The HRC member states ought to urge the Bahraini government to join the International Convention for the Protection of All Persons from Enforced Disappearance. The HRC also ought to call upon it to stop exploiting updated domestic legislations in the Penal Code and the law of protecting society from terrorist acts and other legislations that violate international covenant, in the prosecution of political dissidents in Bahrain.

---

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