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

Written statement* submitted by the Khiam 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 hereby circulated in accordance with Economic and Social Council resolution 1996/31.

[1 February 2018]

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

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Death Penalty in Bahrain: Failure of Justice: Three Bahrainis were Executed on 'Confessions' Extracted under Torture*

Preface:

Death penalty is regarded as one of the extremist convictions. It is also one of the crucial sentences as almost all human rights organizations call for outlawing death penalty. These organisations strongly believe that no individual has the privilege to violate the sanctity of others' right to life. Although (130) country worldwide cease or impose a moratorium on execution, it is still legalized in certain countries.

Death penalty is still confirmed in the kingdom of Bahrain. Dozens of pro-democracy citizens; who peacefully demonstrate against the repressive government, were sentenced to death. They were prosecuted in martial courts throughout the emergency period, in 2011. Then, the civil courts continue to issue death penalties against many citizens, while the government turns blind eyes on the so called "Security Forces" men who are deliberately involved in murdering innocent civilians, whether torturing them while in prisons or targeting them by shotguns firing birdshots, during the peaceful protests, on daily basis.

Indeed, right to life is a substantial and holy right in International Laws and charters. Besides, almost; all humans rights organizations seek to insure this right, and to restrict all sorts of violation against it; particularly death penalty.

Transcending the Conditions of Fair Trial

The office of the defendants' lawyer issued a statement in which he raised doubts about referring the case to the court urgently, followed by the consecutive press conferences of both Bahrain's Interior Ministry and Public Prosecution. The personal photos of the defendants were published, in addition to extracts of their confessions accompanied with unprecedented political statements and security measures. Al-Tajer considered that these steps incited widespread and critical public opinion, and it exposes the flagrant Bahraini Justice System that disregard its international obligations of fair trial, and the claims to respect constitutional and judicial principles which stress that the defendant is innocent until his is proven guilty through fair and impartial trial.

He pointed that the court had refused to disclose a hard copy of the trial to the defences, disregarding the complaints of the staff who evidenced their rejection in one of the proceedings. The court denied the complaints, and the lawyers were not given access to the evidences in order to take possible defensive actions.

It's noteworthy to report that "Al Rawabi School" where Abbas Al Samiea; one of the three executed men, had issued an official statement confirmed that he was in the school at the time of the blast. However, family, neither his lawyer were able to present this statement which confirms his innocence, as both the Public Prosecution and the court of appeals refused to be submitted.

Torture and harassment

A statement issued by Amnesty International, in 11 January 2017, after the declaration of death sentence, stated that "The ten defendants, in the case of the murder of the Emirati officer, had no chance to call both their parents and lawyers, and they were severely beaten, within three weeks of investigation in the Criminal Investigations Department. Sami Al Meshymeh and Abbas Al Samiea told their families that they were subjected to electric shocks, severe physical beatings, cigarettes' burns, prohibition of sleep, and sexual harassment."

Later, on 15 February 2017, and after the implementation of the verdict, the organization stated that "The death penalties were carried out amid allegations of torture and after unfair trial."

The two UN Special Rapporteurs on summary executions; Agnes Callamard and Nils Melzer, said in accordance to the information they accessed that "the death penalty was implemented after an illegal procedures which violate the international standards. As what was reported, the three men were allegedly tortured while in prison and coerced to confess their 'crime' under intense beatings (as from electric shocks and sexual harassments). In addition to preventing them from having advocates to support them before the judicial court, in accordance to the allegations."

The lawyer Manar Maki, on 30 April 2014, reported after the first trial session, "The two brothers; Sami and Reda Al Meshymeh, and Taher Al Samiea spoke about the torture exercised against them, such as sexual harassment and electric shocks." She further said, "Sami and Reda Al Meshymeh mentioned that sharp instruments were inserted into

their ears which cause them deficient in the sense of hearing. Taher Al Samiea had informed that he was tortured in the Criminal Investigation Department and in the Public Prosecution building."

Mother of Sami Al Meshymeh pointed that after releasing her son in 2011, one of the officers told him that they will fabricate to him another critical accusation. In a footage, published in February 26 2015, after the declaration of the death penalty, she spoke about how severely her son was tortured, in which his teeth were crashed, he was placed in a freezer, and they poured over him cold water and ice to enforce him to confess that he involved in the murder of the Emirati officer in March 3 2014.

Ali Al Singias's mother assured that although the Public prosecutor did not investigate with her son on the issue of the Emirati officer Tarek Al Chehi, he was sentenced to death with the two others. His sister said in a footage, after the arrest of her brother, that he was early beaten, and the security forces asked him to work as a mercenary spy but he refused. As a punishment he was accused of various criminal issues including the murder of the Emirati officer.

The Violations after the Verdict

After the implementation of the three death penalties by the Bahraini authorities, the families of the murdered martyrs issued a statement on the violations they faced, "The regime was not satisfied with torturing, targeting, fabricating accusations, and finally assassinating our sons. It continued its brutal systemic plot through performing various sorts of revenge and vengeance acts, even after murdering them.

Ongoing death penalties

Bahrain had received 17 recommendations regarding the death penalty in its Universal Periodic Review 2017, however, death sentences were issued repeatedly.

During the last two years, Bahrain has sentenced 24 people to death, 4 of whom have already been executed (3 aforementioned in this report and one expatriate on 23 March 2017). 4 citizens been sentenced to death in 2016 and 11 of the cases were sentenced after the UPR session in May 2017. Among the 24 cases, there are 6 civilian nationals who were sentenced in military court on 25 December 2017. They also had their citizenship revoked.

The hearings themselves violated the principles of fair trial and the defendants had been subjected to torture and ill-treatment preceding the rulings. The judicial authority refused to investigate the defendant's allegations of torture and ill-treatment while in custody. Some of them had been forcibly disappeared for over a year, with no access to family or lawyers. Instead, the security authorities threatened the prisoners with further degrading treatment if the violations were revealed to the media or human rights organizations.

Recommendations

Therefore, we call upon all the international human rights organizations and foundations, NGOs, legislators and the International Community to thoroughly cooperate in saving the lives of dozen of prosecuted; who are sentenced to death in Bahrain. We further demand to abolish implementation of the issued death penalties, or to postpone it. Besides, we do call to stop taking advantage of the law to punish the opposition public, and to take serious actions against the political systems which lack justice, devalue human rights and exploit the judiciary system; specifically to silence the opponents through biased and serious verdicts, such as the death penalty.

*Salam for Democracy and Human Rights, an NGO without consultative status, also shares the views expressed in this statement.